Mornington Peninsula Shire

ATTACHMENT BOOK

COUNCIL MEETING

TUESDAY, 29 SEPTEMBER 2026

6:30 PM

MUNICIPAL OFFICES
BESGROVE STREET, ROSEBUD

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Councillor Workshop Sessions

Mornington Peninsula Shire

Workshop Date: Tuesday, 28 July 2026 **Time:** 5.30pm **Location:** Mornington Council Chamber

Councillors Present

☒ Cr Allen ☒ Cr Batty ☒ Cr Binyon ☒ Cr Gill ☒ Cr Patton

☒ Cr Pingiaro ☒ Cr Ranken ☒ Cr Roper ☒ Cr Stephens ☒ Cr Williams

Monitors Present

☒ Prue Digby ☒ Rebecca McKenzie

The matters listed below were presented at the Councillor Workshop Session

Item No	Item
1	**Planning Updates** Councillors were provided with updates on the following planning items: • **P17/2105.04 – 602 Esplanade, Mt Martha** Councillors received an update on a proposal to replace a previously approved two-storey aged care facility with a retirement village comprising 32 single-storey units and a communal building. Shire officers recommended approval, noting 61 objections had been received. • **P25/1360 & GE25/0769 – 1158 Nepean Highway, Mornington** Councillors were briefed on a proposal for 11 restricted retail premises at the former Bata site, including associated signage, vegetation removal and parking reductions. Shire officers recommended approval subject to conditions relating to landscaping, traffic and operational impacts. • **28-30 Recreation Road, Rye** Councillors were advised that the Victorian Civil and Administrative Tribunal (VCAT) had remitted the matter back to Council after determining that amendments proposed during the appeal process were too significant. Further assessment, including consideration of cultural heritage requirements, is now required.

	• **304 Myers Road, Merricks North** Councillors received an update on a Supreme Court appeal against a VCAT decision to issue a permit for the site. The matter is currently progressing through procedural stages, with further updates to be provided as it proceeds.
2	**Mornington Peninsula Towards Zero Road Safety Strategy 2026-2031** Councillors were provided with an update on the development of the Mornington Peninsula Towards Zero Road Safety Strategy 2026–2031. The proposed strategy adopts a proactive Safe System approach aimed at reducing road trauma and supporting the goal of zero deaths and serious injuries. Discussion focused on road safety priorities, a proposed Shire-wide Speed Limit Action Plan, community engagement approaches, and the inclusion of a Wildlife Road Strike Action Plan to address wildlife impacts alongside human safety outcomes. Councillors provided feedback on speed management, road conditions, education initiatives and future consultation processes.
3	**Our Coast Our Future – Coastal Strategy – Draft Adaption Actions** Councillors were provided with an update on the development of the *Our Coast, Our Future* Coastal Strategy. Shire officers outlined proposed adaptation actions to respond to coastal hazards, sea level rise and future land use challenges, with a focus on coastal asset management, ecosystem enhancement, planning controls and transition planning. Discussion included proposed approaches for vulnerable coastal assets, bathing boxes, beach nourishment, Council's future role in coastal adaptation, and the prioritisation framework that will guide implementation of strategic actions. Cr Batty declared a conflict of interest in relation to the bathing box section of the workshop and left the session at 7.31pm. Cr Patton declared a conflict of interest in relation to the bathing box section of the workshop and did not participate in the discussion on this matter. Prue Digby and Rebecca McKenzie left during this item and did not return
4	**Coastal Advisory Group – Review** Councillors were provided with an update on the review of the Coastal Advisory Group (CAG) model. Feedback from current members and recent workshops was presented, highlighting the value of local knowledge and strategic community input. Shire officers recommended establishing a single Coastal Strategy Advisory Committee to guide the development of the Coastal Strategy, while retaining existing member expertise and creating a more focused strategic advisory model. Councillors discussed the future role of community engagement and advisory groups in coastal planning and decision-making.

Cr Batty declared a General interest with item 3 - Our Coast Our Future – Coastal Strategy – Draft Adaption Actions as he has a family member who owns a bathing box.

Conflict of Interest Disclosures:

Matter	Name of Councillor/s who declared a Conflict of Interest	Did they leave the Briefing?	
		YES	NO
Our Coast Our Future – Coastal Strategy – Draft Adaption Actions	Cr Batty	☑	☐
Our Coast Our Future – Coastal Strategy – Draft Adaption Actions	Cr Patton	☑	☐

Responsible Officer completing this form:

Name: Tegan Lewis **Signature:** Tegan Lewis **Position:** Coordinator - Council Reports

Councillor Briefing Sessions

Mornington Peninsula Shire

Briefing Date: 18 August 2026 **Time:** 7.15pm **Location:** Municipal Offices, Rosebud

Councillors Present

☐ Cr Allen ☒ Cr Batty ☒ Cr Binyon ☒ Cr Gill ☒ Cr Patton

☐ Cr Pingiaro ☐ Cr Ranken ☒ Cr Roper ☒ Cr Stephens ☒ Cr Williams

Monitors Present

☐ Prue Digby ☒ Rebecca McKenzie

The matters listed below were presented at the Councillor Briefing Session

Item No	Item
2	**BN2229 – Signage Review Project** Councillors were provided with an update on the Signage Review Project, which identified a lack of a coordinated, whole-of-life approach to signage management across the Shire. It was reported that signage ownership, budget responsibilities and maintenance processes are currently fragmented, resulting in inconsistent practices, visual clutter and a sub-standard customer experience. Cross-organisation feedback, Customer data and Councillor feedback were considered, leading to the development of an action plan focused on clarifying ownership and governance arrangements, updating signage policy, improving internal processes, undertaking a Shire-wide signage audit and reviewing enforcement practices. The potential need for future resourcing and budget considerations was also discussed.
3	**BN2230 – Draft Discontinuance of Roads and Minor Reserves Policy** Councillors were provided with an update on the Draft Discontinuance of Roads and Minor Reserves Policy. The outcomes of community engagement conducted between May and June 2026 were presented, with five submissions received across the strategic property framework consultation. It was reported that the feedback received did not warrant amendments to the draft documents, and formal adoption of the strategy and policies was proposed for consideration at the September 2026 Council Meeting. The framework is intended to guide future decision-making regarding the discontinuance and disposal of Council roads and minor reserves.

4 BN2231 – Draft Sale and Acquisition of Land Policy

Councillors were provided with an update on the Draft Sale and Acquisition of Land Policy, which establishes a framework for assessing land acquisitions and determining when Council-owned land may be considered surplus and suitable for sale. The outcomes of community engagement were presented, with Shire officers advising that no amendments were required following the consultation process. It was noted that the policy had already been used to help assess recent land acquisition opportunities and would support consistent and transparent property decision-making across the organisation.

7 BN2234 – Draft Property Strategy 2026-2031

Councillors were provided with an update on the Draft Property Strategy 2026-2031, including the outcomes of community engagement undertaken between 18 May and 15 June 2026. The strategy was presented as the overarching framework to guide how Council acquires, manages, retains and disposes of land assets to meet community needs and support Council objectives. It was reported that five submissions were received during the consultation period and, based on the feedback received, no changes were proposed to the draft strategy. Formal adoption was scheduled to be considered at the 28 September 2026 Council Meeting.

1 BN2228 – Audit and Risk Committee Overview

Councillors were provided with a presentation from the Chair of the Audit and Risk Committee. An overview of the committee's role in providing oversight and advice regarding financial management, risk management, internal audit, compliance and governance was presented. Reflection was provided on governance improvements achieved over the past nine years, including strengthened risk management practices, enhanced audit processes and increased organisational transparency. Appreciation was expressed for the contribution made by the outgoing Chair during her term of service.

5 BN2232 – Appointment as Committee of Management of Crown Land – Hendersons Road, Hastings

Councillors were provided with an update on the proposed appointment of Council as Committee of Management for land at 197a Hendersons Road, Hastings. The site's environmental significance, including the presence of important remnant vegetation and habitat for the Powerful Owl, was highlighted. Support was expressed for Council accepting management of the proposed bushland reserve subject to negotiated conditions, including fencing, fuel management, rubbish removal and contamination responsibilities. Opportunities associated with adjoining parcels, including potential social housing outcomes and the protection of additional biodiversity values, were also discussed. The matter will be reported to Council for a decision on 28 September 2026.

6	**BN2233 – Acquisition of Land – 14 Bapaume Avenue, Bittern** Councillors were provided with an update on the proposed acquisition of 14 Bapaume Avenue, Bittern. The acquisition was presented as an opportunity to expand an existing Council-owned bushland reserve, improve habitat connectivity and protect significant remnant vegetation. It was noted that the acquisition would align with Council's planning objectives and the applicable Restructure Plan while securing long-term environmental benefits. Subject to Council approval, negotiations with the landowner were proposed to continue and the matter will be reported to Council for a decision on 28 September 2026.

The matters listed below were provided as non-verbal updates

Item No	Item
9	**BN2236 – Quarterly Reports April-June 2026** Councillors received a report on Quarter 4 performance and early financial results for 2025-2026. The briefing noted that 87% of annual actions were completed, with strong progress made on infrastructure and environmental initiatives. At the end of the quarter, Council reported a net operating position of $36.4 million and had delivered $54.6 million in capital works across 200 projects and programs
10	**BN2237 – Somerville Recreation Reserve Master Plan** Councillors were provided with an update on feedback received during the public exhibition of the draft Somerville Recreation Reserve Master Plan. The briefing noted that 103 submissions were received, with the majority supportive of the plan, and outlined proposed changes including retaining a third netball court, removing the proposed dog park, addressing traffic and parking management, and clarifying that future playground provision will be informed by Council's Play Space Strategy before the final plan is presented for adoption on 1 September 2026.

Conflict of Interest Disclosures:

Item	Councillor	Details

Responsible Officer completing this form:

Name: Tegan Lewis **Signature:** *Tegan Lewis* **Position:** Coordinator- Council Reports

Councillor Workshop Sessions

Mornington Peninsula Shire

Workshop Date: Tuesday, 25 August 2026 **Time:** 5.30pm **Location:** Mornington Council Chamber

Councillors Present

☒ Cr Allen ☒ Cr Batty ☒ Cr Binyon ☒ Cr Gill ☒ Cr Patton

☒ Cr Pingiaro ☒ Cr Ranken ☒ Cr Roper ☒ Cr Stephens ☒ Cr Williams

Monitors Present

☒ Prue Digby ☒ Rebecca McKenzie

The matters listed below were presented at the Councillor Workshop Session

Item No	Item
1	**Emerging Technologies Update** Councillors attended a workshop on Emerging Technologies, where an update was provided on the Shire's approach to Artificial Intelligence (AI), Governance Frameworks and Emerging Technology initiatives. Current AI-enabled services, including resident support tools and planning guidance platforms, were showcased, along with internal knowledge assistants and staff training programs. Discussion also covered risk management, human oversight requirements, transparency measures and opportunities to improve service delivery and operational efficiency through the responsible use of AI.
2	**Draft FY27 Annual Action Plan** Councillors attended a Workshop on the Draft Financial Year 27 (FY27) Annual Action Plan, where the proposed actions and priorities for 2026–2027 were reviewed. Councillors were invited to identify high and low-priority actions, consider any gaps within the strategic objectives of the Council Plan, and provide feedback to help refine the draft plan. The workshop also outlined the process for finalising the plan and its role in guiding organisational priorities and reporting throughout the financial year. Prue Digby and Rebecca McKenzie left after this item and did not return.

3	**Climate Resilience Plan – Councillor Workshop #2** Councillors attended a workshop on the Climate Resilience Plan, where the findings of the Climate Change Risk Assessment were presented. Discussion focused on key climate-related risks to Council operations, infrastructure, biodiversity, and community wellbeing, together with proposed adaptation and resilience actions to be incorporated into the Climate Resilience Plan (in prep.). Councillors also considered Council's role in supporting community resilience and the integration of climate risks into future planning and decision-making.
4	**Rates Debt Management** Councillors attended a workshop on rates debt management, where the current rates arrears position, emerging trends and long-term financial implications were outlined. Information was provided on changes to the Financial Hardship Policy, the use of payment plan options, debt recovery processes and proposed actions to improve rates collection during 2026–27. Discussion also focused on balancing financial sustainability with support for ratepayers experiencing hardship**.**

Conflict of Interest Disclosures:

No conflicts were disclosed.

Responsible Officer completing this form:

Name: Rebecca Bell **Signature:** *Rebecca Bell* **Position:** Officer - Council Reports

Annual Action Plan
Draft

Mornington Peninsula Shire

2026-2027



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Place

Annual Actions

Strategic Objective 1.1: Protected, resilient and enhanced natural environments.

Council Plan Strategy	Action	
1.1.1	1.1.1.1	Deliver the following Biodiversity Conservation Plan initiatives: • The annual Biodiversity Works program • The Fuel Hazard Reduction Works program • The Pest Animal Control Program
1.1.1	1.1.1.2	Deliver the 2026-27 Urban Forest tree planting program
1.1.2	1.1.2.1	Finalise the Our Coast Our Future Coastal Strategy and present to Council for adoption
1.1.3	1.1.3.1	Finalise the Open Space Strategy and the accompanying Open Space Contributions Policy and present to Council for adoption
1.1.4	1.1.4.1	Advocate to State Government regarding reforms to Green Wedge Planning Policy
1.1.5	1.1.5.1	Plan and deliver renewable energy and asset efficiency projects on Shire facilities: • YAWA energy performance optimisation • Delivery of solar and battery systems for Shire facilities • Foreshore camping amenity heat pump upgrades
1.1.5	1.1.5.2	Develop a Climate Resilience Plan and present to Council for adoption.
1.1.5	1.1.5.3	Finalise draft Shire-wide landslide susceptibility assessment for community engagement
1.1.7	1.1.7.1	Deliver additional household food and organic bins and service for commencement
1.1.7	1.1.7.2	Rye Landfill (Cell 2) capping layer Construction commenced

Strategic Objective 1.2: Connected townships with integrated and accessible transport and well-maintained infrastructure.

Council Plan Strategy	Action	
1.2.1	1.2.1.1	Finalise the draft residential height planning controls review, including landscape character assessments, and undertake community consultation.
1.2.1	1.2.1.2	Deliver the following Planning scheme amendments: • C219morn (Housing on the Peninsula): gazetted, subject to ministerial approval • C247morn (Woodbyne Crescent Mornington): gazetted, subject to ministerial approval • C302morn (Heritage Review Area 4 & Stage 5, including permanent Heritage Overlays and Sorrento Incorporated Document Review): progressed to planning panel stage, subject to minster authorisation • Combined Amendments C290 & CP22/001 (The Crescent, Tyabb): Council decision on whether to seek ministerial authorisation to start the amendment process. • Combined Amendment C249morn & P20/2355 (Boundary / Collins Roads, Dromana): public exhibition commenced, subject to ministerial authorisation.
1.2.2	1.2.2.1	Finalise the Community Infrastructure Action Plans for Western Port Region and present to Council for adoption
1.2.2	1.2.2.2	Develop the Public Amenity Strategy to progress to community for consultation.
1.2.2	1.2.2.3	Finalise the Property Strategy and present to Council for adoption.
1.2.3	1.2.3.1	Finalise the Integrated Transport Strategy and present to Council for adoption
1.2.3	1.2.3.2	Review and update the Towards Zero Road Safety Strategy and present to Council for adoption
1.2.4	1.2.4.1	Deliver the annual Road Rehabilitation and Resurfacing Programs
1.2.5	1.2.5.1	Deliver the following Peninsula Trail Masterplan projects: • Construction of Somerville to Baxter trail • Concept designs of Mornington to Moorooduc and Southern Peninsula links

Performance Measures

Strategic Objective 1.1: Protected, resilient and enhanced natural environments.

Measure	2026-27 Target	Reporting Frequency
Area of bushland management works completed	> 900 ha	Annually
Number of volunteer bush land working bees supported	> 400 annually	Quarterly
Number of trees planted	2,500	Annually
Total length of beaches cleaned	500km	Annually
Number of drainage pits inspected (and cleaned as required)	> 15,000 pits inspected	Quarterly
Percentage of kerbside waste diverted from landfill	> 50%	Quarterly

Strategic Objective 1.2: Connected townships with integrated and accessible transport and well-maintained infrastructure.

Measure	2026-27 Target	Reporting Frequency
Average time for planning applications	< 90 days gross	Quarterly
Planning applications decided within required timeframes	> 60%	Quarterly
Compliance with our Road Management Plan (RMP)	RMP Targets Met	Annually
Total area of roads resurfaced and/or rehabilitated	> 200,000 square metres	Annually
Grant funding secured for roads	$2.5m	Annually
Percentage of maintenance services contracts where the contractor has met their Key Performance Indicators targets.	Target in contracts met	Annually
Capital works asset renewal expenditure	$27m	Annually

People

Annual Actions

Strategic Objective 2.1: A safe, accessible, inclusive and healthy community.

Council Plan Strategy	Action	
2.1.1	2.1.1.1	Deliver the following Public Health and Wellbeing Plan key activities: • Support the World Suicide Prevention Day Walk • Active Living initiatives • Sexual and reproductive health initiatives • Annual review and report of the Plan to the Department of Health • Engage with VicPol on local safety issues and trends
2.1.2	2.1.2.1	Facilitate delivery of the We All Belong Strategy initiatives in partnership with community organisations: • Seniors Festival • Improve access to Dying to Know Day forums • International Day of People with Disability • Local Midsumma Festival event
2.1.2	2.1.2.2	Facilitate delivery of the Gender Equality Strategy initiatives in partnership with community organisations: • 16 Days of Activism • International Women's Day celebrations
2.1.3	2.1.3.1	Deliver the Innovate Reconciliation Action Plan initiatives: • NAIDOC and Reconciliation Weeks • Consultation to establish a First Nations Engagement Framework
2.1.4	2.1.2	Deliver the Domestic Animal Management Plan initiatives: • Responsible Paws Project • Cats and Dogs Desexing Program • Free Microchipping and Registration Days

Council Plan Strategy	Action	
2.1.5	2.1.5.1	Deliver the Triple A Housing Plan initiatives: • Completion of construction of new social housing dwellings for women and children. • Support delivery of the Identification Clinic, bringing together support services to enable vulnerable people to access their personal identification documentation • Delivery of Homelessness Week activities
2.1.6	2.1.6.1	Deliver upgrade works for an identified Shire asset that can be activated as an Emergency Relief Hub if required, ensuring back-up energy supply in case of unplanned outages

Strategic Objective 2.2: An engaged and connected community.

Council Plan Strategy	Action	
2.2.2	2.2.2.2	Develop the Playspace and Outdoor Exercise Strategy and present to Council for adoption
2.2.3	2.2.3.1	Finalise the Arts, Culture and Events Plan 2027-2037 and present to Council for adoption
2.2.4	2.2.4.1	Deliver the Library Strategy initiatives: • Installation of Library lockers at two locations across the Shire • Early years literacy program across all Library branches and outreach via the mobile library.
2.2.5	2.2.5.1	Review the Community Engagement Policy and present to Council for adoption

Performance Measures

Strategic Objective 2.1: A safe, accessible, inclusive and healthy community.

Measure	2026-27 Target	Reporting Frequency
Number of preventative health and wellbeing initiatives delivered	Not applicable	Annually
Number of equity impact assessments undertaken on services, programs and policies	Not applicable	Quarterly
Number of compliance investigations completed within statutory timeframes	> 95%	Quarterly
Participation in Maternal Child Health Care services	State targets met	Quarterly
Kindergarten participation rate	> 95%	Annually
Youth participation in Council provided programs	Not applicable	Annually
Delivery of Reconciliation Action Plan actions and targets	Not applicable	Annually
Delivery of initiatives from We All Belong Strategy	Not applicable	Annually

Strategic Objective 2.2: An engaged and connected community.

Measure	2026-27 Target	Reporting Frequency
Number of programs delivered via Community Houses	> 75	Quarterly
Number of community-led events and projects, supported by Council, that promote social connection	Not applicable	Quarterly
Participation in Library programs	> 5,000 attendees per quarter	Quarterly
Number of recreation and leisure groups meeting diversity and access requirements	Increase	Annually
Participation in arts and culture activities	Increase	Annually
Number of engagement projects open each quarter	Not applicable	Quarterly
Total number of followers and subscribers across communication mediums	Increase	Quarterly

Prosperity

Annual Actions

Strategic Objective 3.1: A vibrant, innovative and thriving local economy.

Council Plan Strategy	Action	
3.1.1	3.1.1.1	Establish a Vision and Opportunities Framework for the Western Port Futures Project
3.1.2	3.1.2.1	Deliver initiatives, in collaboration with stakeholders, to increase local learning opportunities, including key initiatives: • Participation in employment networks • Promote career and training opportunities to businesses
3.1.3	3.1.3.1	Deliver the Economic Development and Tourism Strategy initiatives: • Implement business process improvements • Deliver a business and industry program • Deliver a dedicated business permit support process
3.1.4	3.1.4.1	Continue to advocate to the Port of Hastings and the State Government to identify and release surplus Port-related land, currently zoned Special Use Zone 1 (SUZ1), for alternative uses (including industrial, agricultural, housing and conservation)
3.1.5	3.1.5.1	Deliver Food and Agroecology Strategy initiatives: • Coordinate quarterly Taskforce meetings • Facilitate individual working groups • Deliver regenerative agriculture extension activities

Strategic Objective 3.2: Valued partnerships and empowered community groups and volunteers.

Council Plan Strategy	Action	
3.2.1	3.2.1.1	Deliver the Community Investment Funding programs
3.2.2	3.2.2.1	Deliver volunteer support programs, including • Annual volunteer training programs • Development of Governance Training Guide, for Committees of Management
3.2.3	3.2.3.1	Develop a Community-Led Project Policy and present to Council for adoption
3.2.5	3.2.5.1	Deliver the Shout Out Campaign ahead of the 2026 Victorian State Election

Performance Measures

Strategic Objective 3.1: A vibrant, innovative and thriving local economy.

Measure	2026-27 Target	Reporting Frequency
Average timeframe for business applications	< 40 gross days	Quarterly
Number of business events and workshops led or supported	Not applicable	Annually
Number of community events held or supported	Not applicable	Quarterly
Average timeframe for event applications	Decrease	Quarterly
Visitations to Shire destinations	Increase	Quarterly

Strategic Objective 3.2: Valued partnerships and empowered community groups and volunteers.

Measure	2026-27 Target	Reporting Frequency
Funding provided through Community Investment Funding	> 90 per cent of adopted budget	Quarterly
Number of advocacy campaigns delivered	1 (State election)	Annually
Approval timeframes for in principle support of community projects	< 30 days	Quarterly
Total number of Shire volunteers	> 400	Quarterly

Performance

Annual Actions

Strategic Objective 4.1: A financially sustainable, high-performing and well-governed Council.

Council Plan Strategy	Action	
4.1.1	4.1.1.1	Review the Financial Plan and present to Council for adoption
4.1.1	4.1.1.2	Develop a business case for the Future Workplace Project and present it to Council for a decision
4.1.2	4.1.2.1	Develop the Good Governance and Decision-making framework and present it to Council for adoption
4.1.2	4.1.2.2	Implement the following elements of the Enterprise Risk Management Framework: • Internal training and awareness of the Enterprise Risk Management Framework • Review Operational Risk Registers • Finalise Strategic Risk Register
4.1.3	4.1.3.2	Review and deliver an enhanced and integrated approach to planning and reporting processes
4.1.4	4.1.4.1	Deliver an enhanced leadership development program
4.1.5	4.1.5.1	Deliver the following IT and Digital Strategy initiatives: • IT server & storage renewals • Research and implement innovative and emerging technology solutions • Asset data cleansing program and development of an asset data quality framework • TechnologyOne system enhancement program delivery

Strategic Objective 4.2: Community-centred, responsive, and fit-for-purpose services.

Council Plan Strategy	Action	
4.2.1	4.2.1.1	Deliver the approved Service Review schedule
4.2.2	4.2.2.1	Deliver the Customer Strategy, including key initiatives: • Implement new Customer Portal • Develop Customer Journey maps and identify improvement actions for the Shire's 10 most common enquiries
4.2.3	4.2.3.1	Develop and implement the continuous improvement program across the organisation
4.2.3	4.2.3.2	Develop a new performance measurement and monitoring process for the organisation

Performance

Performance Measures

Strategic Objective 4.1: A financially sustainable, high-performing and well-governed Council.

Measure	2026-27 Target	Reporting Frequency
Net Operating Expenses	< 100 per cent of adopted forecast	Quarterly
Expenditure on Capital works projects	> 90 per cent of the $60M forecasted expenditure	Quarterly
Annual Action Plan actions completed or on track	> 80 per cent	Quarterly
Council decisions made at meetings closed to the public	< 10 per cent	Quarterly
Freedom of information requests resolved within statutory timeframes	> 95 per cent	Quarterly
Voluntary staff turnover	< 14 per cent	Quarterly
Time taken to fill positions	< 45 days	Quarterly
Staff engagement	> 60%	Biennially
Audited contractor compliance to contract management plans	Not applicable	Annually

Strategic Objective 4.2: Community-centred, responsive, and fit-for-purpose services.

Measure	2026-27 Target	Reporting Frequency
Customer requests actioned within timeframe	≥ 80 per cent	Quarterly
Average time for customer requests	Not applicable	Quarterly
Voice of customer satisfaction score	≥ 3.5	Quarterly
First contact resolution	≥ 50%	Quarterly
Total number of customer interactions across all channels (in person, phone, webchat, web page visits)	Not applicable	Quarterly

Mornington Peninsula Shire Council
ANNUAL FINANCIAL REPORT

For the Year Ended 30 June 2026

Mornington Peninsula Shire Council
Financial Report
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Mornington Peninsula Shire Council
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Certification of the Financial Statements

In my opinion, the accompanying financial statements have been prepared in accordance with the *Local Government Act 2020,* the *Local Government (Planning and Reporting) Regulations 2020,* the Australian Accounting Standards and other mandatory professional reporting requirements.

Mark Schubert, CPA
Principal Accounting Officer

Dated : *29/09/2026*
Rosebud Council Chambers
In our opinion, the accompanying financial statements present fairly the financial transactions of the Mornington Peninsula Shire Council for the year ended 30 June 2026 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances that would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.

Cr Stephen Batty
Councillor
Dated : *29/09/2026*
Rosebud Council Chambers

Cr Paul Pingiaro
Councillor
Dated : *29/09/2026*
Rosebud Council Chambers

Mark Stoermer
Chief Executive Officer
Dated : 29/09/2026
Rosebud Council Chambers

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Comprehensive Income Statement
For the Year Ended 30 June 2026

	Note	2026 $'000	2025 $'000
Income / Revenue			
Rates and charges	3.1	237,938	226,750
Statutory fees and fines	3.2	9,852	10,709
User fees	3.3	26,238	24,675
Grants - operating	3.4	19,963	20,014
Grants - capital	3.4	17,533	16,458
Contributions - monetary	3.5	6,997	2,516
Contributions - non monetary	3.5	4,177	2,947
Found Assets	6.2	4,293	4,027
Net gain on disposal of property, infrastructure, plant and equipment	3.6	-	86
Other income	3.7	14,641	13,764
Total income / revenue		**341,632**	**321,946**
Expenses			
Employee costs	4.1	103,380	99,524
Materials and services	4.2	154,832	148,219
Depreciation	4.3	50,851	46,118
Amortisation - intangible assets	4.4	543	449
Depreciation - right of use assets	4.5	1,522	1,184
Allowance for impairment losses	4.6	7	47
Fair value adjustments for investment property	6.3	757	319
Net loss on disposal of property, infrastructure, plant and equipment	3.6	7,177	-
Borrowing costs	4.7	703	892
Finance costs - leases	4.8	83	72
Other expenses	4.9	11,130	10,536
Total expenses		**330,985**	**307,360**
Surplus for the year		**10,647**	**14,586**
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods			
Net asset revaluation gain/(loss)	6.2	122,932	60,246
Total other comprehensive income		**122,932**	**60,246**
Total comprehensive result		**133,579**	**74,832**

The above comprehensive income statement should be read in conjunction with the accompanying notes.

Balance Sheet
As at 30 June 2026

	Note	2026 $'000	2025 $'000
Assets			
Current assets			
Cash and cash equivalents	5.1	27,598	40,996
Trade and other receivables	5.1	48,427	31,424
Other financial assets	5.1	105,606	100,600
Inventories	5.2	310	272
Prepayments	5.2	1,249	1,244
Non-current assets classified as held for sale	6.1	486	444
Other assets	5.2	1,750	1,772
Total current assets		**185,426**	**176,752**
Non-current assets			
Other financial assets	5.1	45	46
Property, infrastructure, plant and equipment	6.2	3,880,111	3,754,444
Right-of-use assets	5.8	4,588	5,308
Investment property	6.3	9,003	9,721
Intangible assets	5.2	584	581
Total non-current assets		**3,894,331**	**3,770,100**
Total assets		**4,079,757**	**3,946,852**
Liabilities			
Current liabilities			
Trade and other payables	5.3	23,787	23,823
Trust funds and deposits	5.3	14,702	9,973
Contract and other liabilities	5.3	15,699	19,075
Provisions	5.5	14,287	13,302
Interest-bearing liabilities	5.4	2,361	3,067
Lease liabilities	5.8	1,654	1,618
Total current liabilities		**72,490**	**70,858**
Non-current liabilities			
Trust funds and deposits		251	205
Contract and other liabilities	5.3	11,832	11,713
Provisions	5.5	14,691	15,302
Interest-bearing liabilities	5.4	24,875	27,236
Lease liabilities	5.8	3,124	3,809
Total non-current liabilities		**54,773**	**58,265**
Total liabilities		**127,263**	**129,123**
Net assets		**3,952,494**	**3,817,729**
Equity			
Accumulated surplus		1,134,663	1,135,421
Reserves	9.1	2,817,831	2,682,308
Total Equity		**3,952,494**	**3,817,729**

The above balance sheet should be read in conjunction with the accompanying notes.

Mornington Peninsula Shire Council
2025/2026 Financial Report

Statement of Changes in Equity
For the Year Ended 30 June 2026

2026	Note	Total $'000	Accumulated Surplus $'000	Revaluation Reserve $'000	Other Reserves $'000
Balance at beginning of the financial year		3,817,729	1,135,421	2,678,912	3,396
Surplus/(deficit) for the year		10,647	10,647	-	-
Net asset revaluation gain/(loss)		122,932	-	122,932	-
Transfers to other reserves	9.1	1,186	(11,405)	-	12,591
		3,952,494	1,134,663	2,801,844	15,987
Balance at end of the financial year		**3,952,494**	**1,134,663**	**2,801,844**	**15,987**

2025		Total $'000	Accumulated Surplus $'000	Revaluation Reserve $'000	Other Reserves $'000
Balance at beginning of the financial year		3,741,930	1,121,835	2,618,666	1,429
Surplus/(deficit) for the year		14,586	14,586	-	-
Net asset revaluation gain/(loss)		60,246	-	60,246	-
Transfers to other reserves	9.1	967	(1,000)	-	1,967
		3,817,729	1,135,421	2,678,912	3,396
Balance at end of the financial year		**3,817,729**	**1,135,421**	**2,678,912**	**3,396**

The above statement of changes in equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows
For the Year Ended 30 June 2026

	Note	2026 Inflows/ (Outflows) $'000	2025 Inflows/ (Outflows) $'000
Cash flows from operating activities			
Rates and charges		228,367	221,741
Statutory fees and fines		8,783	9,789
User fees		25,614	24,117
Grants - operating		19,905	21,607
Grants - capital		15,957	17,498
Contributions - monetary		5,179	6,608
Interest received		5,354	7,793
Dividends received		5	5
Trust funds and deposits taken		(178)	112
Other receipts		8,177	6,918
Net GST refund/(payment)		201	(154)
Employee costs		(105,011)	(99,635)
Materials and services		(151,883)	(141,207)
Short-term, low value and variable lease payments		(1,059)	(1,449)
Other payments		(9,191)	(8,965)
Net cash provided by/(used in) operating activities	9.2	**50,220**	**64,778**
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment		(54,515)	(51,335)
Proceeds from sale of property, infrastructure, plant and equipment		205	515
Payments for investments		(140,005)	(195,006)
Proceeds from sale of investments		135,000	195,000
Net cash provided by/(used in) investing activities		**(59,315)**	**(50,826)**
Cash flows from financing activities			
Finance costs		(703)	(892)
Bank overdraft movement		(399)	(5)
Repayment of borrowings		(2,668)	(2,707)
Interest paid - lease liability		(83)	(72)
Repayment of lease liabilities		(450)	(968)
Net cash provided by/(used in) financing activities		**(4,303)**	**(4,644)**
Net increase (decrease) in cash and cash equivalents		(13,398)	9,307
Cash and cash equivalents at the beginning of the financial year		40,996	31,689
Cash and cash equivalents at the end of the financial year		**27,598**	**40,996**

Financing arrangements 5.6

The above statement of cash flows should be read in conjunction with the accompanying notes.

Statement of Capital Works
For the Year Ended 30 June 2026

	Note	2026 $'000	2025 $'000
Property			
Land		337	1,611
Buildings		18,135	21,128
Total Property		**18,472**	**22,739**
Plant and equipment			
Plant, machinery and equipment		577	298
Fixtures, fittings and furniture		190	311
Artworks		-	31
Library books		1,032	793
Total plant and equipment		**1,799**	**1,433**
Infrastructure			
Roads		13,443	10,487
Bridges		48	98
Footpaths and cycleways		4,137	5,190
Drainage		2,460	2,673
Recreational, leisure and community facilities		6,787	3,428
Parks, open space and streetscapes		6,414	5,703
Marine structures		1,085	132
Total infrastructure		**34,374**	**27,711**
Total capital works expenditure		**54,645**	**51,883**
Represented by:			
New asset expenditure		13,488	14,679
Asset renewal expenditure		31,137	27,580
Asset expansion expenditure		1,459	1,591
Asset upgrade expenditure		8,561	8,033
Total capital works expenditure		**54,645**	**51,883**

The above statement of capital works should be read in conjunction with the accompanying notes.

Notes to the Financial Report
For the Year Ended 30 June 2026

Note 1 OVERVIEW

Introduction

The Mornington Peninsula Shire was established by an Order of the Governor in Council on 15 December 1994 and is a body corporate.
The Council's main office is located at 90 Besgrove Street, Rosebud.

Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

Accounting policy information

1.1 Basis of accounting

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported. Specific accounting policies applied are disclosed in sections where the related balance or financial statement matter is disclosed.

The accrual basis of accounting has been used in the preparation of these financial statements, except for the cash flow information, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:
- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of*AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income of Not-for-Profit Entities* (refer to Note 3.4)
- the determination, in accordance with *AASB 16 Leases*, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- whether or not *AASB 1059 Service Concession Arrangements: Grantors* is applicable
- other areas requiring judgements.

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

Goods and Services Tax (GST)

Income and expenses are recognised net of the amount of associated GST. Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the balance sheet.

1.2 Impact of emergencies and natural disasters

A landslide occurred in McCrae on Tuesday, 14 January 2025. The landslide affected multiple properties, leading to evacuations and road closures. An exclusion zone was set up with temporary fencing around the affected area. During the financial year, the Council incurred expenditure of $2.94 million.

1.3 Impacts of other external events

Council has considered ongoing external events that have contributed to volatility in international markets, disrupted global supply chains and increased inflationary pressure, including the risk that they may cause significant changes in the carrying values of assets and liabilities in the next financial year, and has concluded that there is no material impact on the 2025-26 financial report that requires additional disclosure.

Notes to the Financial Report
For the Year Ended 30 June 2026

Note 2 ANALYSIS OF OUR RESULTS

2.1 Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. Council has adopted a materiality threshold $1 million or where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

These notes are prepared to meet the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020* .

2.1.1 Income / Revenue and expenditure

	Budget 2026 $'000	Actual 2026 $'000	Variance $'000	Variance %	Ref
Income / Revenue					
Rates and charges	237,913	237,938	25	0%	
Statutory fees and fines	10,378	9,852	(526)	(5%)	
User fees	23,868	26,238	2,370	10%	**1**
Grants - operating	15,344	19,963	4,619	30%	**2**
Grants - capital	16,445	17,533	1,088	7%	**3**
Contributions - monetary	9,537	6,997	(2,540)	(27%)	**4**
Contributions - non monetary	4,474	4,177	(297)	(7%)	
Found Assets	-	4,293	4,293		**5**
Other income	8,383	14,641	6,258	75%	**6**
Total income / revenue	**326,342**	**341,632**	**15,289**	**5%**	
Expenses					
Employee costs	96,504	103,380	(6,876)	(7%)	**7**
Materials and services	156,225	154,832	1,393	1%	**8**
Depreciation	47,389	50,851	(3,462)	(7%)	**9**
Amortisation - intangible assets	91	543	(452)	(497%)	
Depreciation - right of use assets	627	1,522	(895)	(143%)	
Allowance for impairment losses	-	7	(7)		
Fair value adjustments for investment property	-	757	(757)		
Net loss on disposal of property, infrastructure, plant and equipment	-	7,177	(7,177)		**10**
Borrowing costs	726	703	23	3%	
Finance costs - leases	13	83	(70)	(538%)	
Other expenses	8,879	11,130	(2,251)	(25%)	**11**
Total expenses	**310,454**	**330,985**	**(20,531)**	**(7%)**	
Surplus for the year	**15,888**	**10,647**	**(5,242)**	**(33%)**	

Notes to the Financial Report
For the Year Ended 30 June 2026

(i) Explanation of material variations

Ref	Item	Fav/Unfav	Explanation
1	User Fees	Fav	User fees were 10% above budget, driven by increased volumes at transfer stations, waste collection, and disposals ($1.4 million). Bathing box transfer fees exceeded budget by $0.3 million, reflecting higher-than-expected sales.
2	Grants - Operating	Fav	In the 2025-26 financial year, Council received 50% of the 2025–26 Financial Assistance Grant totalling $3.9M. In addition 80% of the 2026-27 grant totalling $6.6M has been paid in advance. This resulted in income above budget. In accordance with AASB 1058 requirements, the income must be recognised in the year it is received; therefore, the 2026–27 allocation could not be deferred. In addition to this, unbudgeted grants were received in relation to Melbourne Water funded wetland maintenance and receipt of prior year claims for natural disaster assistance.
3	Grants - Capital	Fav	Due to delays in the delivery of capital works in the prior year, the associated grant income was recognised in the current year upon delivery, in accordance with *AASB 1058* . This included $1.4 million for Dallas Brooks Reserve Upgrade, $1.2 million in Black Spot grant funding, $1 million for Red Hill Recreation Reserve Pavilion Upgrade, $0.9 million for Briars Sanctuary Expansion, $0.7 million for Emil Madsen Reserve Sewer Connection & Services Upgrade and $0.6 million for Tennis Court Lighting Renewal Program. This has been partially offset by capital grants budgeted in the current year but treated as unearned income to align with the delivery of capital works which won't occur until next year. This included $4.4 million for Emil Madsen Reserve Soccer and Netball Pavilion.
4	Contributions - Monetary	Unfav	Monetary Contributions are $2.5M (27%) below budget. $6.5 million landfill provision funding was budgeted for Rye Landfill - Cell 2 Capping Layer which did not occur during 2025-26 due to extension of the life of the landfill and will now occur in 2026-27. This is partially offset by unbudgeted contributions from Department of Transport and VEEC rebates for the Municipal Major Roads Streetlight Upgrade project totalling $1.2 million. Other offsets are due to delays in the delivery of capital works in the prior year, the associated release of open space contributions being recognised in the current year upon delivery. This included $1.4 million for Dallas Brooks Reserve Upgrade and $1.2 million for Sorrento Netball Courts.
5	Found Assets	Fav	During the year, Council continued capturing all assets in the asset register using geospatial techniques, identifying and recognising an additional $4.3 million in found assets. Breakdown includes: drainage $2.0M, footpaths $0.7M, parks, open space & streetscapes $0.4M, recreation leisure and community facilities $0.6M, roads $0.6M.

Notes to the Financial Report
For the Year Ended 30 June 2026

6	Other Income	Fav	Other income exceeded budget, driven by higher interest earnings from additional funds due to carry-forward projects and favourable interest rates. Other drivers include leisure and recreation centre contract favourable performance due to a number of initiatives implemented at the facilities during the year as well as positive investment rental income as new agreements have been entered into.
7	Employee costs	Unfav	The unfavourable variance in employee costs reflects one off redundancy costs triggered by the Organisational review that took place during the year, and part year impact of achieving $5 million savings target. Another driver is lower than expected capital recoveries due to organisational review, vacant positions and delay of capital projects.
8	Materials and services	Fav	The 1% underspend in materials and services is mainly due to a number of operating projects not completed during the year and carried forward to 2026–27 ($1.9 million). The remainder relates to lower costs across items such as legal fees, landfill levy and waste contracts.
9	Depreciation	Unfav	Depreciation increase due to revaluation of assets prior year after budget was calculated, mainly driven by the comprehensive valuation of Parks, open space and streetscapes. Depreciation continues to rise significantly with valuations over the last 4 years increasing Property, infrastructure, plant and equipment by $1 billion.
10	Net loss on disposal of property, infrastructure, plant and equipment	Unfav	The unfavourable variance primarily relates to the derecognition of assets identified through the asset reconciliation process, including $3.2 million of buildings and $4.1 million of infrastructure. Replacement assets had been recognised prior to the corresponding existing assets being derecognised, resulting in additional losses on disposal not anticipated.
11	Other Expenses	Unfav	Unfavourable variance to budget is driven by write-off's from Work in Progress which is historic expenditure no longer linked to a completed asset ($1.5 million).

Mornington Peninsula Shire Council

2025/2026 Financial Report

Notes to the Financial Report
For the Year Ended 30 June 2026

2.1.2 Capital works

	Budget 2026 $'000	Actual 2026 $'000	Variance $'000	Variance %	Ref
Property					
Land	7,820	337	7,483	96%	**1**
Buildings	15,299	18,135	(2,836)	(19%)	**2**
Property	**23,119**	**18,472**	**4,647**	**20%**	
Plant and equipment					
Plant, machinery and equipment	681	577	104	15%	
Fixtures, fittings and furniture	194	190	4	2%	
Artworks	-	-	-		
Library books	1,096	1,032	64	6%	
Total plant and equipment	**1,971**	**1,799**	**172**	**9%**	
Infrastructure					
Roads	13,155	13,443	(288)	(2%)	**3**
Bridges	100	48	52	52%	
Footpaths and cycleways	3,912	4,137	(225)	(6%)	
Drainage	2,758	2,460	298	11%	
Recreational, leisure and community facilities	3,607	6,787	(3,180)	(88%)	**4**
Parks, open space and streetscapes	2,012	6,414	(4,402)	(219%)	**5**
Marine structures	100	1,085	(985)	(985%)	
Total infrastructure	**25,644**	**34,374**	**(8,730)**	**(34%)**	
Total capital works expenditure	**50,734**	**54,645**	**(3,911)**	**(8%)**	
Represented by:					
New asset expenditure	20,752	13,488	7,264	35%	
Asset renewal expenditure	22,853	31,137	(8,284)	(36%)	
Asset expansion expenditure	176	1,459	(1,283)	(729%)	
Asset upgrade expenditure	6,953	8,561	(1,608)	(23%)	
Total capital works expenditure	**50,734**	**54,645**	**(3,911)**	**(8%)**	

Notes to the Financial Report
For the Year Ended 30 June 2026

(i) Explanation of material variations

Ref	Item	Explanation
	Variances less than $1 million	Capital works budget overspends typically relate to expenditure against prior year carry forwards ($49.9 million) and the 2025–26 budget. Conversely, budget underspends will result in carry forwards of approximately $60 million to the next financial year.
1	Land	$6.5 million budgeted for Rye Landfill - Cell 2 Capping Layer which did not occur during 2025-26 due to extension of the life of the landfill and will now occur in 2026-27.
2	Buildings	Buildings expenditure exceeded budget due to several large multi year projects with carry-forward budgets from the prior year with the main project being Pelican Park Recreation Centre Renewal ($2.2M).
3	Roads	Roads expenditure is 9% under budget due to underspend which will result in carry forwards to next year. Particularly Mount Martha Landslip ($2M). This has been partially offset by expenditure on projects carried forward from 2024-25 such as Blackspot Somerville - Road Safety Improvement ($1M).
4	Recreational, leisure and community facilities	Recreational, leisure and community facilities expenditure exceeded budget due to several large multi year projects with carry-forward budgets from the prior year with the main project being Dallas Brooks Reserve Upgrade ($2.8M).
5	Parks, open space and streetscapes	Key projects carried forward from the prior year, contributing to the $4.5M overspend in parks, open space and streetscapes, include Rye Township Plan - Growing Suburbs ($2.7M), Briars Sanctuary Expansion ($1.3M) and Hillview Reserve Playspace/Carpark/Path ($0.6M).

Notes to the Financial Report
For the Year Ended 30 June 2026

2.2 Analysis of Council results by program

Council delivers its functions and activities through the following programs.

2.2.1 Chief Executive Officer

The Chief Executive Office sits over the whole Organisation and provides decision making, leadership and collaboration

Assets and Infrastructure

The Directorate consists of the following:

- Infrastructure and Waste Services
- Projects & Engineering Services
- Assets, Buildings & Property.

The aim of the Directorate is to deliver high quality, innovative, cost-effective infrastructure and waste management services and projects for the Community within a supportive and collaborative environment that values everyone's contribution. The units take pride in improving our sense of place.

Communities

The Directorate consists of the following:

- Community Spaces and Recreation
- Community Services
- Community Partnerships & Engagement
- Customer Experience
- Economic and Cultural Development.

Enhancing the community's liveability is at the heart of this directorate; it strives to build capacity and improve wellbeing through an in depth understanding of the community's changing needs and a breadth of services. It also encompasses community infrastructure planning, economic development and tourism across the Shire.

Planning and Liveability

The Directorate provides a range of services, including a regulatory, sustainability and strategic planning service.

- Statutory Planning
- Strategic Planning, Transport & Environment
- Regulatory Services.

This Directorate sets the strategic direction for land use, traffic & transport and delivers statutory planning and building services to our community and leads the Shire's approach to climate change and coastal planning.

Chief of Staff

The Directorate encompasses core strategic enabling functions of Council, including:

- People & Culture
- Strategic Communications & Advocacy
- Organisational Strategy & Performance
- Legal Services.

These units enable the timely and effective production of strategic policies, delivery of quality service and effective information management and resource allocation, and support the adherence to regulation and legislative requirements.

Notes to the Financial Report
For the Year Ended 30 June 2026

Finance and Procurement

The Finance and Procurement Unit provides a range of service including regulatory, statutory functions and provides key enabling functions for the Council:

- Finance & Revenue
- Contracts & Procurement.

To ensure the financial sustainability of the Shire by providing data and analysis to support effective decision-making and resource allocation. This is to be underpinned by an effective control environment and external and internal compliance.

Governance and Risk

The Governance and Risk Unit provides a range of supporting services including:

- Governance Services
- Executive & Councillor Support
- Council Reports
- Enterprise Risk.

The Governance and Risk Unit enables and supports effective, transparent and accountable decision-making by providing support and guidance on governance, statutory obligations, enterprise risk, councillor support and Council meeting processes that strengthen organisational integrity and strategic outcomes.

Information Technology

The Information Technology Unit provides a range of supporting services including:

- IT operations
- IT Strategy & Projects
- Emerging Technologies
- IT Systems & Infrastructure
- Data Excellence & Information Management.

The Information Technology unit enables and supports the delivery of efficient, secure and customer-focused services, by providing and governing technology, data, systems, cybersecurity and digital solutions that support operational excellence and strategic outcomes.

Notes to the Financial Report
For the Year Ended 30 June 2026

2.2.2 Summary of income / revenue, expenses, assets and capital expenses by program

2026	Income / Revenue $'000	Expenses $'000	Surplus/ (Deficit) $'000	Grants included in income / revenue $'000	Total assets $'000
Chief Executive Office	28	3,781	(3,753)	-	-
Assets & Infrastructure	52,483	194,641	(142,158)	13,146	3,885,263
Communities	19,973	47,818	(27,845)	7,387	5,181
Planning & Liveability	21,792	34,615	(12,823)	5,551	-
Chief of Staff	162	15,575	(15,413)	86	-
Finance & Procurement	246,898	15,995	230,904	11,313	188,014
Governance & Risk	488	5,164	(4,677)	-	-
Information Technology	13	13,601	(13,588)	13	1,299
	341,837	**331,190**	**10,647**	**37,496**	**4,079,757**

2025	Income / Revenue $'000	Expenses $'000	Surplus/ (Deficit) $'000	Grants included in income / revenue $'000	Total assets $'000
Office of the CEO	57	9,133	(9,076)	-	-
Office of the CFO	248,656	26,124	222,532	11,790	180,418
Community Strengthening	20,786	43,319	(22,533)	7,611	5,203
Corporate Strategy and Business Improvement	2,039	36,550	(34,511)	1,797	1,331
Planning and Environment	40,230	67,296	(27,066)	14,218	-
Assets and Infrastructure	10,607	125,367	(114,760)	1,056	3,759,900
	322,375	**307,789**	**14,586**	**36,472**	**3,946,852**

An organisational review was undertaken during 2025/26 and implemented from 20 October 2025. This change resulted in functions moved from the Office of the CFO and Corporate Strategy and Business Improvement and creating new areas for Chief of Staff, Finance & Procurement, Governance & Risk and Information Technology. Functions and Units also moved across the three operational Directorates (Assets & Infrastructure, Planning & Liveability and Communities). As a result of the volume of changes, the prior year has not been restated.

Notes to the Financial Report
For the Year Ended 30 June 2026

Note 3 FUNDING FOR THE DELIVERY OF OUR SERVICES

	2026	2025
3.1 Rates and charges	**$'000**	**$'000**

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The CIV of a property is the value of the land and all its improvements.

The valuation base used to calculate general rates for 2025/26 was $130.272 billion (2024/25 $133.397 billion).

General rates	179,662	172,978
Waste service charge	45,577	42,562
Service rates and charges (opt-in green waste)	9,952	8,571
Supplementary rates and rate adjustments	1,724	1,621
Culture and recreational	183	178
Revenue in lieu of rates	840	840
Total rates and charges	**237,938**	**226,750**

The date of the general revaluation of land for rating purposes within the municipal district was 1 January 2025 and the valuation was first applied in the rating year commencing 1 July 2025.

Annual rates and charges are recognised as income when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

3.2 Statutory fees and fines

Infringements and costs	3,271	4,588
Land information certificates	349	284
Permits	3,099	2,774
Town planning fees	2,697	2,687
Other fees and charges	436	376
Total statutory fees and fines	**9,852**	**10,709**

Statutory fees and fines (including parking fees and fines) are recognised as income when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

3.3 User fees

Aged and health services	903	918
Animal shelter fees	43	63
Building services	1,433	956
Child, youth and family care services	102	82
Events & festivals fees	240	245
Fines & Prosecution	1,093	1,075
Foreshore camping fees	3,599	3,415
Leisure centre and recreation	2,430	2,126
Parking and boat ramp	72	176
Planning fees	845	667
Property services	904	695
Registration and other permits	3,856	4,130
Waste Management	10,451	9,923
Other fees and charges	267	204
Total user fees	**26,238**	**24,675**
User fees by timing of revenue recognition		
User fees recognised over time	-	-
User fees recognised at a point in time	26,238	24,675
Total user fees	**26,238**	**24,675**

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

Notes to the Financial Report
For the Year Ended 30 June 2026

	2026 $'000	2025 $'000
3.4 Funding from other levels of government		
Grants were received in respect of the following:		
Summary of grants		
Commonwealth funded grants	24,517	17,762
State funded grants	12,979	18,711
Total grants received	**37,496**	**36,473**
(a) Operating Grants		
Recurrent - Commonwealth Government		
Financial Assistance Grants	10,513	11,574
General home care	914	1,139
Recurrent - State Government		
Family and Children	1,029	1,109
General home care	-	386
Libraries	1,095	1,095
Maternal and child health	1,978	1,923
School crossing supervisors	589	588
Other	888	522
Total recurrent operating grants	**17,006**	**18,335**
Non-recurrent -State Government		
Coastal Strategy	97	89
Community Safety	1,581	815
Family and children	25	61
Briars	360	262
Vegetation	810	197
Environmental planning	-	72
Waste management services	-	34
Other	84	149
Total non-recurrent operating grants	**2,957**	**1,679**
Total operating grants	**19,963**	**20,014**
(b) Capital Grants		
Recurrent - Commonwealth Government		
Roads to recovery	1,975	1,082
Recurrent - State Government		
Black Spot	1,213	5,153
Total recurrent capital grants	**3,188**	**6,235**
Non-recurrent - Commonwealth Government		
Buildings	5,584	3,491
Footpaths and cycleways	2,565	3
Recreation	9	423
Other	-	50
Non-recurrent - State Government		
Buildings	555	1,045
Drainage	-	199
Fixtures, fittings and furniture	37	-
Footpaths and cycleways	655	1,791
Libraries	20	20
Marine	6	140
Parks, Open Space and Streetscapes	2,832	2,715
Plant, machinery and equipment	43	-
Recreation	1,275	125
Roads and Intersections	764	221
Total non-recurrent capital grants	**14,345**	**10,223**
Total capital grants	**17,533**	**16,458**

Notes to the Financial Report
For the Year Ended 30 June 2026

(c) Recognition of grant income

Before recognising funding from government grants as revenue the Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with *AASB 15 Revenue from Contracts with Customers*. When both these conditions are satisfied, the Council:
- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the point in time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies *AASB 1058 Income of Not-for-Profit Entities*.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed.
The following table provides a summary of unspent grants.

	2026	2025
	$'000	$'000
(d) Unspent grants received on condition that they be spent in a specific manner		
Operating		
Balance at start of year	397	1,621
Received during the financial year and remained unspent at balance date	182	384
Received in prior years and spent during the financial year	(239)	(1,608)
Balance at year end	**340**	**397**
Capital		
Balance at start of year	11,249	10,209
Received during the financial year and remained unspent at balance date	6,012	7,304
Received in prior years and spent during the financial year	(7,589)	(6,264)
Balance at year end	**9,672**	**11,249**

Unspent grants are determined and disclosed on a cash basis.

3.5 Contributions	2026 $'000	2025 $'000
Monetary	6,997	2,516
Non-monetary	4,177	2,947
Total contributions	**11,174**	**5,463**
Contributions of non monetary assets were received in relation to the following asset classes.		
Roads	739	153
Drainage	1,348	1,589
Footpaths and cycleways	173	296
Parks and open spaces	420	648
Land	1,487	6
Bridges	-	53
Recreational Leisure	10	202
Total non-monetary contributions	**4,177**	**2,947**

Monetary and non monetary contributions are recognised as income at their fair value when Council obtains control over the contributed asset.

Notes to the Financial Report
For the Year Ended 30 June 2026

3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment

	2026	2025
	$'000	$'000
Proceeds of sale	205	515
Written down value of assets disposed	(7,382)	(429)
Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	**(7,177)**	**86**

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

3.7 Other income

Interest	6,191	6,589
Dividends	5	5
Investment property rental	2,622	2,421
Recreation and Aquatic	2,805	2,123
Merchant Sales	869	590
Volunteer services	268	252
Other	1,881	1,784
Total other income	**14,641**	**13,764**

Interest is recognised as it is earned.

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

Notes to the Financial Report
For the Year Ended 30 June 2026

Note 4 THE COST OF DELIVERING SERVICES	2026 $'000	2025 $'000
4.1 (a) Employee costs		
Wages and salaries	72,630	74,860
WorkCover	1,940	2,733
Casual staff	3,132	2,630
Superannuation	11,757	10,775
Fringe benefits tax	44	30
Annual leave and long service leave	9,692	8,027
Redundancies	4,185	469
Total employee costs	**103,380**	**99,524**
(b) Superannuation		
Council made contributions to the following funds:		
Defined benefit fund		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	115	68
	115	**68**
Employer contributions payable at reporting date.	-	-
Accumulation funds		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	3,982	3,959
Employer contributions - other funds		
Australian Super	1,222	1,109
Hostplus	1,084	1,000
Australian Retirement Trust	148	85
Hesta Super	443	398
Aware Super (previously First State Super)	709	293
Rest Super	714	583
Other	3,340	3,280
	11,642	**10,707**
Employer contributions payable at reporting date.	418	389

Contributions made exclude amounts accrued at balance date. Refer to note 9.3 for further information relating to Council's superannuation obligations.

Notes to the Financial Report
For the Year Ended 30 June 2026

4.2 Materials and services	**2026**	**2025**
	$'000	**$'000**
Contract payments		
Waste management services	42,342	37,178
Sport and recreational	2,054	2,040
Building maintenance	15,539	12,136
Landfill rehabilitation*	(1,180)	48
General maintenance		
Roads, drainage and cleansing	28,273	24,726
Natural systems	6,110	5,735
Tree management	9,985	10,804
Open space	14,041	12,209
Other	376	471
Utilities	4,352	5,381
Parking and travel	140	193
Operating leases	437	402
Information technology	6,234	6,536
Insurance	3,155	3,089
Legal	691	1,387
Consultants	12,603	14,865
Other	9,680	11,019
Total materials and services	**154,832**	**148,219**

Expenses are recognised as they are incurred and reported in the financial year to which they relate.
* See note 5.5(b) for provision balance.

4.3 Depreciation

Property	12,591	12,461
Plant and equipment	1,619	1,486
Infrastructure	36,641	32,171
Total depreciation	**50,851**	**46,118**

Refer to note 5.2(c), 5.8 and 6.2 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

Notes to the Financial Report
For the Year Ended 30 June 2026

	2026 $'000	2025 $'000
4.4 Amortisation - Intangible assets		
Software	91	90
Landfill air space	452	359
Total amortisation - Intangible assets	**543**	**449**
4.5 Depreciation - Right of use assets		
Vehicles	1,522	1,184
Total depreciation - Right of use assets	**1,522**	**1,184**
4.6 Allowance for impairment losses		
Other debtors	7	47
Total allowance for impairment losses	**7**	**47**
Movement in allowance for impairment losses in respect of debtors		
Balance at the beginning of the year	47	2
New allowances recognised during the year	7	45
Amounts already allowed for and written off as uncollectible	(47)	-
Balance at end of year	**7**	**47**

An allowance for impairment losses in respect of debtors is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment.

4.7 Borrowing costs		
Interest - Borrowings	703	892
Total borrowing costs	**703**	**892**

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

4.8 Finance Costs - Leases		
Interest - Lease liabilities	83	72
Total finance costs	**83**	**72**
4.9 Other expenses		
Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	94	81
Auditors' remuneration - Internal Audit	129	172
Councillors' allowances	713	707
Community grants, contributions and subsidies paid	4,845	4,276
Indirect recruitment costs (recruitment, staff training and uniforms)	1,350	1,821
Insurance excess and small claims	315	264
Operating lease rentals	148	83
Training, conferences and seminars	90	119
Volunteer services	285	267
Others	3,161	2,746
Total other expenses	**11,130**	**10,536**

Notes to the Financial Report
For the Year Ended 30 June 2026

Note 5 INVESTING IN AND FINANCING OUR OPERATIONS

5.1 Financial assets	2026 $'000	2025 $'000
(a) Cash and cash equivalents		
Cash on hand	6	6
Cash at bank	27,592	40,990
Total cash and cash equivalents	**27,598**	**40,996**
(b) Other financial assets		
Current		
Term deposits	105,606	100,600
Total current other financial assets	**105,606**	**100,600**
Non-current		
Shares	45	46
Total non-current other financial assets	45	46
Total other financial assets	**105,651**	**100,646**
Total cash and cash equivalents and other financial assets	**133,249**	**141,642**

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

Other financial assets include term deposits and those with original maturity dates of three to 12 months are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

Notes to the Financial Report
For the Year Ended 30 June 2026

(c) Trade and other receivables	2026 $'000	2025 $'000
Current		
Statutory receivables		
Rates debtors	34,067	19,719
Rates pensioner	1,221	1,028
Special rate assessment	392	399
Infringement debtors	6,818	5,750
Allowance for expected credit loss - infringements	(5,563)	(4,216)
Net GST receivable	1,961	2,163
Non statutory receivables		
Other debtors	9,531	6,581
Total current trade and other receivables	**48,427**	**31,424**
Total trade and other receivables	**48,427**	**31,424**

Short term receivables are carried at invoice amount. An allowance for expected credit losses is recognised based on past experience and other objective evidence of expected losses. Long term receivables are carried at amortised cost using the effective interest rate method.

(d) Ageing of Receivables

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	4,076	1,187
Past due by up to 30 days	3,248	2,760
Past due between 31 and 180 days	867	1,669
Past due between 181 and 365 days	576	215
Past due by more than 1 year	764	750
Total trade and other receivables	**9,531**	**6,581**

(e) Ageing of individually impaired Receivables

At balance date, other debtors representing financial assets with a nominal value of $6,818,356 (2025: $5,749,678) were impaired. The amount of the allowance raised against these debtors was $5,562,658 (2025: $4,216,000). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at reporting date was:

Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	-
Past due between 181 and 365 days	1,303	579
Past due by more than 1 year	4,260	3,637
Total trade & other receivables	**5,563**	**4,216**

Notes to the Financial Report
For the Year Ended 30 June 2026

5.2 Non-financial assets	**2026**	**2025**
(a) Inventories	**$'000**	**$'000**
Inventories held for distribution	310	272
Total inventories	**310**	**272**

Inventories held for distribution are measured at cost, adjusted when applicable for any loss of service potential. All other inventories, including land held for sale, are measured at the lower of cost and net realisable value. Where inventories are acquired for no cost or nominal consideration, they are measured at current replacement cost at the date of acquisition.

(b) Prepayments		
IT Software Costs	1,249	1,244
Total prepayments	**1,249**	**1,244**
(c) Other assets		
Accrued income	1,750	1,772
Total other assets	**1,750**	**1,772**
(c) Intangible assets		
Software	132	223
Landfill air space	452	359
Total intangible assets	**584**	**581**

	Software	**Landfill**	**Total**
	$'000	**$'000**	**$'000**
Gross carrying amount			
Balance at 1 July 2025	2,760	9,968	12,728
Revaluation during the year	-	546	546
Other additions	-	-	-
Balance at 30 June 2026	**2,760**	**10,514**	**13,274**
Accumulated amortisation and impairment			
Balance at 1 July 2025	(2,537)	(9,610)	(12,147)
Amortisation expense	(91)	(452)	(543)
Balance at 30 June 2026	**(2,628)**	**(10,062)**	**(12,690)**
Net book value at 30 June 2025	223	358	581
Net book value at 30 June 2026	**132**	**452**	**584**

Intangible assets with finite lives are amortised as an expense on a systematic basis over the asset's useful life. Amortisation is generally calculated on a straight line basis, at a rate that allocates the asset value, less any estimated residual value over its estimated useful life. Estimates of the remaining useful lives and amortisation method are reviewed at least annually, and adjustments made where appropriate.

Notes to the Financial Report
For the Year Ended 30 June 2026

5.3 Payables, trust funds and deposits, and contract and other liabilities	2026 $'000	2025 $'000
(a) Trade and other payables		
Current		
Non-statutory payables		
Trade payables	1,604	2,166
Accrued expenses	22,183	21,657
Total current trade and other payables	**23,787**	**23,823**
(b) Trust funds and deposits		
Current		
Refundable deposits	6,554	5,787
Emergency Services and Volunteers Fund *	6,521	1,559
Retention amounts	163	191
Bank guarantees	189	261
General	142	254
Hillview Quarries restoration fund	477	477
Rate recoveries	-	341
Subdivision maintenance deposits	656	1,103
Total current trust funds and deposits	**14,702**	**9,973**

* - Emergency Services and Volunteers Fund (ESVF) replaced the Fire Services Property Levy (FSPL) on 1 July 2025, prior year figure reflects Fire Services Property Levy.

(c) Contract and other liabilities		
Contract liabilities		
Current		
Grants received in advance - operating	340	397
Grants received in advance - capital	9,672	11,249
Developer Contributions	5,100	7,037
Other income	587	392
Total contract liabilities	**15,699**	**19,075**
Other liabilities		
Non Current		
Developer Contributions	11,832	11,713
Total other liabilities	**11,832**	**11,713**
Total contract and other liabilities	**27,531**	**30,788**

Trust funds and deposits
Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.
Contract Liabilities
Grant consideration was received from State and Commonwealth Government to support the construction of Council Projects. Grant consideration is recognised as income following specific guidance under AASB 1058 as the asset is constructed. Income is recognised to the extent of costs incurred-to-date because the costs of construction most closely reflect the stage of completion of Council Projects. As such, Council has deferred recognition of a portion of the grant consideration received as a liability for outstanding obligations.

Other liabilities
Developer Contributions - Relate to public open space contributions made through subdivision applications for Open space that is owned or managed by public authorities and is available for community use.

Purpose and nature of items

Emergency Services and Volunteers Fund - Council is the collection agent for the Emergency Services and Volunteers Fund on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the State Government in line with that process.
Retention Amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

Notes to the Financial Report
For the Year Ended 30 June 2026

5.4 Interest-bearing liabilities

	2026 $'000	2025 $'000
Current		
Bank overdraft	-	399
Treasury Corporation of Victoria borrowings - secured*	761	748
Other borrowings - secured*	1,600	1,919
Total current interest-bearing liabilities	**2,361**	**3,067**
Non-current		
Treasury Corporation of Victoria borrowings - secured*	5,275	6,036
Other borrowings - secured*	19,600	21,200
Total non-current interest-bearing liabilities	**24,875**	**27,236**
Total	**27,236**	**30,303**

* - Borrowings are secured by general rates.

(a) The maturity profile for Council's borrowings is:

Not later than one year	2,361	3,067
Later than one year and not later than five years	12,006	11,938
Later than five years	12,869	15,298
Total	**27,236**	**30,303**

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.
The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities based on contractual repayment terms at every balance date.
In classifying borrowings as current or non-current Council considers whether at balance date it has the right to defer settlement of the liability for at least twelve months after the reporting period. Council's loan arrangements include covenants based on Council's financial performance and position at the end of the reporting period. These covenants are assessed for compliance after the reporting period based on specified financial ratios.

5.5 Provisions

	Employee	Landfill restoration	Native vegetation management	Total
2026	**$ '000**	**$ '000**	**$ '000**	**$ '000**
Balance at beginning of the financial year	15,883	12,387	334	28,604
Additional provisions	9,320	-	40	9,360
Amounts used	(8,028)	(1,726)	(55)	(9,809)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	278	546	-	823
Balance at the end of the financial year	**17,453**	**11,207**	**319**	**28,978**
Provisions - current	14,153	-	134	14,287
Provisions - non-current	3,300	11,207	185	14,691
2025				
Balance at beginning of the financial year	15,760	12,339	426	28,525
Additional provisions	8,969	-	-	8,969
Amounts used	(8,701)	-	(92)	(8,793)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(145)	48	-	(97)
Balance at the end of the financial year	**15,883**	**12,387**	**334**	**28,604**
Provisions - current	13,218	-	84	13,302
Provisions - non-current	2,665	12,387	250	15,302

Notes to the Financial Report
For the Year Ended 30 June 2026

	2026	2025
(a) Employee provisions	**$'000**	**$'000**
Current provisions expected to be wholly settled within 12 months		
Annual leave	5,257	3,267
Long service leave	1,059	1,913
Redundancies	64	117
	6,380	**5,298**
Current provisions expected to be wholly settled after 12 months		
Annual leave	1,589	3,218
Long service leave	6,184	4,703
	7,773	**7,921**
Total current employee provisions	**14,153**	**13,218**
Non-current		
Long service leave	3,300	2,665
Total non-current employee provisions	**3,300**	**2,665**
Aggregate carrying amount of employee provisions:		
Current	14,153	13,218
Non-current	3,300	2,665
Total aggregate carrying amount of employee provisions	**17,453**	**15,883**

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

Annual leave

A liability for annual leave is recognised in the provision for employee benefits as a current liability because the Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:
- nominal value if the Council expects to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Long service leave

Liability for long service leave (LSL) is recognised in the provision for employee benefits. Unconditional LSL is disclosed as a current liability as the Council does not have an unconditional right to defer settlement. Unconditional LSL is measured at nominal value if expected to be settled within 12 months or at present value if not expected to be settled within 12 months. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability and measured at present value.

Key assumptions:		
- discount rate	4.75%	4.20%
- index rate	4.25%	4.25%

Notes to the Financial Report
For the Year Ended 30 June 2026

	2026	2025
(b) Landfill restoration	**$'000**	**$'000**
Non-current		
Rye Landfill	10,907	10,361
Tyabb Landfill	300	2,026
Total	**11,207**	**12,387**

Council is obligated to restore the Rye and Tyabb landfill sites to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.
Council reviews the landfill restoration provision on an annual basis, including the key assumptions listed below.

Key assumptions:		
- discount rate	5.04% - 6.31%	3.85% - 6.08%
- index rate	4.00%	2.40%

(c) Native vegetation management		
Current	134	84
Non-current	185	251
Total	**319**	**334**

5.6 Financing arrangements

The Council has the following funding arrangements in place as at 30 June 2026.

Bank overdraft	5,000	5,000
Bank loans	30,400	29,590
Credit card facilities	200	200
Treasury Corporation of Victoria facilities	10,000	10,000
Other facilities	100	100
Total facilities	**45,700**	**44,890**
Used facilities	27,236	30,314
Unused facilities	**18,464**	**14,576**

Notes to the Financial Report
For the Year Ended 30 June 2026

5.7 Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

(a) Commitments for expenditure

2026	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	$'000	$'000	$'000	$'000	$'000
Operating					
Open Space	18,145	18,582	42,432	-	79,160
Bushland Management	7,013	7,226	16,030	-	30,269
Tree Management	11,649	11,927	23,207	-	46,783
Buildings Maintenance	19,870	6,348	7,308	-	33,526
Road Corridors	35,024	36,241	116,451	247,707	435,423
Garbage Collection	18,864	19,336	58,538	167,044	263,781
Recycling	3,400	2,711	8,207	28,238	42,556
Green Waste	1,370	-	-	-	1,370
Telecommunications and IT	2,891	1,324	394	-	4,610
Recreation & Leisure	1,026	1,026	1,026	-	3,079
Utilities	-	-	-	-	-
Landfill & Transfer Station Management	7,207	-	-	-	7,207
Administration	526	424	-	-	950
Services	11,360	67	-	-	11,428
Library	386	386	386	-	1,157
Consulting	74	60	71	-	205
Operating Projects	872	-	-	-	872
Total	**139,677**	**105,658**	**274,050**	**442,989**	**962,376**
Capital					
Buildings	8,602	-	-	-	8,602
Drainage	4,936	-	-	-	4,936
Fixtures, fittings and furniture	49	-	-	-	49
Footpaths and cycleways	3,539	-	-	-	3,539
Land	129	-	-	-	129
Library Books	278	-	-	-	278
Marine structures	2,217	-	-	-	2,217
Parks, open space and streetscapes	1,104	-	-	-	1,104
Plant, machinery and equipment	136	-	-	-	136
Recreational, leisure and community facilities	8,118	-	-	-	8,118
Roads	4,114	-	-	-	4,114
Total	**33,222**	**-**	**-**	**-**	**33,222**

Notes to the Financial Report
For the Year Ended 30 June 2026

2025	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	$'000	$'000	$'000	$'000	$'000
Operating					
Open Space	15,820	16,215	10,995	-	43,030
Bushland Management	6,174	6,329	5,872	-	18,375
Tree Management	10,799	11,069	5,538	-	27,407
Buildings Maintenance	13,975	11,400	33,816	25,683	84,873
Road Corridors	33,758	34,602	87,176	-	155,537
Garbage Collection	18,404	18,864	59,469	185,448	282,185
Recycling	8,854	2,645	8,337	30,819	50,655
Green Waste	1,092	-	-	-	1,092
Telecommunications and IT	2,409	1,469	-	-	3,878
Recreation & Leisure	967	991	2,087	-	4,046
Utilities	543	185	-	-	728
Landfill & Transfer Station Management	12,238	-	-	-	12,238
Operating Projects	1,109	-	-	-	1,109
Total	**126,144**	**103,770**	**213,291**	**241,949**	**685,153**
Capital					
Buildings	10,231	-	-	-	10,231
Drainage	3,261				3,261
Fixtures, fittings and furniture	7				7
Footpaths and cycleways	6,392				6,392
Land	1,911				1,911
Library Books	11				11
Marine structures	70				70
Parks, open space and streetscapes	3,935				3,935
Plant, machinery and equipment	91				91
Recreational, leisure and community facilities	861	-	-	-	861
Roads	2,535				2,535
Total	**29,308**	**-**	**-**	**-**	**29,308**

Notes to the Financial Report
For the Year Ended 30 June 2026

(b) Operating lease receivables

Operating lease receivables

The Council has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 10 years. All leases include a CPI based revision of the rental charge annually.

Future undiscounted minimum rentals receivable under non-cancellable operating leases are as follows:

	2026	2025
	$'000	$'000
Not later than one year	632	863
Later than one year and not later than five years	1,531	1,823
Later than five years	2,252	2,592
Total	4,415	5,278

5.8 Leases

At inception of a contract, Council assesses whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- Council has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- Council has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

· any lease payments made at or before the commencement date less any lease incentives received; plus

· any initial direct costs incurred; and

· an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

Lease payments included in the measurement of the lease liability comprise the following:

· Fixed payments

· Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;

· Amounts expected to be payable under a residual value guarantee; and

· The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Under *AASB 16 Leases*, Council as a not-for-profit entity has elected not to measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

Councils reliance on peppercorn leases are insignificant in terms of materiality due to the nature (restricted use) and quantity of the leases.

CCTV & Transmitter Facility Leases - Relating installation of CCTV equipment on site. Lease terms ranging from 10 to 20 years.

Recreation Leases - Relating to open spaces for reserves. Lease terms ranging between 5 & 40 years.

Remaining leases relating to leases for men's shed / community group / pre-school and school ground & carpark. Lease terms ranging from 5 to 40 years.

Notes to the Financial Report
For the Year Ended 30 June 2026

Right-of-Use Assets	**Vehicles**	**Total**
	$'000	**$'000**
Balance at 1 July 2025	5,308	5,308
Additions	802	802
Depreciation charge	(1,522)	(1,522)
Balance at 30 June 2026	**4,588**	**4,588**

Lease Liabilities	**2026**	**2025**
Maturity analysis - contractual undiscounted cash flows	**$'000**	**$'000**
Less than one year	1,914	1,677
One to five years	3,274	4,322
Total undiscounted lease liabilities as at 30 June:	**5,188**	**5,999**
Lease liabilities included in the Balance Sheet at 30 June:		
Current	1,654	1,618
Non-current	3,124	3,809
Total lease liabilities	**4,778**	**5,427**

Short-term and low value leases

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than existing capitalisation thresholds for a like asset up to a maximum of AUD$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

	2026	**2025**
Expenses relating to:	**$'000**	**$'000**
Short-term leases	585	486
Leases of low value assets	474	963
Total	**1,059**	**1,449**

Non-cancellable lease commitments - Short-term and low-value leases

Commitments for minimum lease payments for short-term and low-value leases are payable as follows:

Payable:		
Within one year	435	547
Later than one year but not later than five years	423	839
Total lease commitments	**858**	**1,386**

Notes to the Financial Report
For the Year Ended 30 June 2026

Note 6 ASSETS WE MANAGE

6.1 Non current assets classified as held for sale	2026 $'000	2025 $'000
Property held for sale	486	444
Total non current assets classified as held for sale	**486**	**444**

Non-current assets classified as held for sale (including disposal groups) are measured at the lower of its carrying amount and fair value less costs of disposal, and are not subject to depreciation. Non-current assets, disposal groups and related liabilities and assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

Notes to the Financial Report
For the Year Ended 30 June 2026

6.2 PROPERTY, INFRASTRUCTURE, PLANT AND EQUIPMENT

Summary of property, infrastructure, plant and equipment

	Carrying amount 30 June 2025 $'000	Found Assets $'000	Additions $'000	Contributions $'000	Revaluation $'000	Depreciation $'000	Disposal $'000	Write-off $'000	Transfers $'000	Adjustments $'000	Carrying amount 30 June 2026 $'000
Property	2,081,408	-	-	1,484	42,858	(12,590)	(3,238)	-	10,682	(42)	2,120,562
Plant and equipment	7,081	-	-	-	-	(1,621)	-	-	1,543	-	7,003
Infrastructure	1,574,738	4,293	-	2,693	79,528	(36,640)	(4,144)	-	33,570	-	1,654,038
Work in progress	91,217	-	54,645	-	-	-	-	(1,521)	(45,795)	(38)	98,508
Total	**3,754,444**	**4,293**	**54,645**	**4,177**	**122,386**	**(50,851)**	**(7,382)**	**(1,521)**	**-**	**(80)**	**3,880,111**

Summary of Work in Progress	Opening WIP $'000	Additions $'000	Write-off $'000	Transfers $'000	Adjustments $'000	Closing WIP $'000
Property	20,817	18,472	(9)	(10,682)	(38)	28,560
Plant and equipment	410	1,799	(3)	(1,543)	-	663
Infrastructure	69,990	34,374	(1,509)	(33,570)	-	69,285
Total	**91,217**	**54,645**	**(1,521)**	**(45,795)**	**(38)**	**98,508**

Notes to the Financial Report
For the Year Ended 30 June 2026

(a) Property

	Land - specialised	Land - non specialised	Land Under Roads	Total Land & Land Improvements	Buildings - specialised	Buildings - non specialised	Total Buildings	Work In Progress	Total Property
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
At fair value 1 July 2025	1,721,537	3,892	3,221	**1,728,650**	740,666	409	**741,075**	20,817	**2,490,542**
Accumulated depreciation at 1 July 2025	-	-	-	**-**	(387,941)	(376)	**(388,317)**	-	**(388,317)**
	1,721,537	**3,892**	**3,221**	**1,728,650**	**352,725**	**33**	**352,758**	**20,817**	**2,102,225**
Movements in fair value									
Additions	-	-	-	**-**	-	-	**-**	18,472	**18,472**
Contributions	1,484	-	-	**1,484**	-	-	**-**	-	**1,484**
Revaluation	5,100	(419)	(18)	**4,663**	72,397	62	**72,459**	-	**77,122**
Disposal	-	-	-	**-**	(12,237)	-	**(12,237)**	-	**(12,237)**
Write-off	-	-	-	**-**	-	-	**-**	(9)	**(9)**
Transfers	-	-	1	**1**	10,681	-	**10,681**	(10,682)	**-**
Adjustment	(42)	-	-	**(42)**	-	-	**-**	(38)	**(80)**
	6,542	**(419)**	**(17)**	**6,106**	**70,841**	**62**	**70,903**	**7,743**	**84,752**
Movements in accumulated depreciation									
Depreciation and amortisation	-	-	-	**-**	(12,590)	-	**(12,590)**	-	**(12,590)**
Accumulated depreciation of disposals	-	-	-	**-**	8,999	-	**8,999**	-	**8,999**
Revaluation movement	-	-	-	**-**	(34,206)	(58)	**(34,264)**	-	**(34,264)**
Transfers	-	-	-	**-**	-	-	**-**	-	**-**
	-	**-**	**-**	**-**	**(37,797)**	**(58)**	**(37,855)**	**-**	**(37,855)**
At fair value 30 June 2026	1,728,079	3,473	3,204	**1,734,756**	811,507	471	**811,978**	28,560	**2,575,294**
Accumulated depreciation at 30 June 2026	-	-	-	**-**	(425,738)	(434)	**(426,172)**	-	**(426,172)**
Carrying amount	**1,728,079**	**3,473**	**3,204**	**1,734,756**	**385,769**	**37**	**385,806**	**28,560**	**2,149,122**

Notes to the Financial Report
For the Year Ended 30 June 2026

(b) Plant and Equipment

	Plant machinery and equipment	Fixtures fittings and furniture	Computers and telecoms	Artworks	Library books	Work In Progress	Total plant and equipment
	$'000	$'000	$'000	$'000		$'000	$'000
At cost 1 July 2025	2,197	5,502	293	2,753	5,048	410	**16,203**
Accumulated depreciation at 1 July 2025	(1,270)	(4,639)	(207)	-	(2,597)	-	**(8,713)**
	927	**863**	**86**	**2,753**	**2,451**	**410**	**7,490**
Movements in carrying value							
Additions	-	-	-	-	-	1,799	**1,799**
Disposal	-	-	-	-	(1,011)	-	**(1,011)**
Write-off	-	-	-	-	-	(3)	**(3)**
Transfers	62	423	-	-	1,058	(1,543)	**-**
	62	**423**	**-**	**-**	**47**	**253**	**785**
Movements in accumulated depreciation							
Depreciation and amortisation	(135)	(368)	(36)	-	(1,082)	-	**(1,621)**
Accumulated depreciation of disposals	-	-	-	-	1,011	-	**1,011**
	(135)	**(368)**	**(36)**	**-**	**(71)**	**-**	**(610)**
At cost 30 June 2026	2,259	5,925	293	2,753	5,095	663	16,988
Accumulated depreciation at 30 June 2026	(1,405)	(5,007)	(243)	-	(2,667)	-	**(9,322)**
Carrying amount	**854**	**918**	**50**	**2,753**	**2,428**	**663**	**7,666**

Plant and equipment are carried at historical cost.

Notes to the Financial Report
For the Year Ended 30 June 2026

(c) Infrastructure

	Roads	Bridges	Footpaths and cycleways	Drainage	Recreational, leisure and community facilities	Parks open space and streetscapes	Marine Structures	Work In Progress	Total Infrastructure
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
At fair value 1 July 2025	1,301,677	3,087	206,782	919,023	47,970	131,446	10,692	69,990	**2,690,667**
Accumulated depreciation at 1 July 2025	(479,829)	(1,077)	(109,756)	(343,378)	(28,654)	(78,720)	(4,525)	-	**(1,045,939)**
	821,848	**2,010**	**97,026**	**575,645**	**19,316**	**52,726**	**6,167**	**69,990**	**1,644,728**
Movements in fair value									
Additions	-	-	-	-	-	-	-	34,374	**34,374**
Found Assets	613	14	707	1,972	625	362	-	-	**4,293**
Contributions	739	-	173	1,348	10	423	-	-	**2,693**
Revaluation	55,965	176	9,695	54,011	1,094	2,031	240	-	**123,212**
Disposal	(2,739)	(17)	(3,808)	(283)	(643)	(1,699)	(232)	-	**(9,421)**
Write-off	-	-	-	-	-	-	-	(1,509)	**(1,509)**
Transfers	4,768	773	8,765	5,264	3,444	9,753	803	(33,570)	**-**
	59,346	**946**	**15,532**	**62,312**	**4,530**	**10,870**	**811**	**(705)**	**153,642**
Movements in accumulated depreciation									
Depreciation and amortisation	(17,108)	(50)	(3,943)	(9,566)	(1,740)	(4,014)	(219)	-	**(36,640)**
Accumulated depreciation of disposals	1,946	1	1,342	102	591	1,142	153	-	**5,277**
Revaluation movement	(19,026)	(51)	(5,123)	(17,971)	(634)	(781)	(98)	-	**(43,684)**
	(34,188)	**(100)**	**(7,724)**	**(27,435)**	**(1,783)**	**(3,653)**	**(164)**	**-**	**(75,047)**
At fair value 30 June 2026	1,361,023	4,033	222,314	981,335	52,500	142,316	11,503	69,285	**2,844,309**
Accumulated depreciation at 30 June 2026	(514,017)	(1,177)	(117,480)	(370,813)	(30,437)	(82,373)	(4,689)	-	**(1,120,986)**
Carrying amount	**847,006**	**2,856**	**104,834**	**610,522**	**22,063**	**59,943**	**6,814**	**69,285**	**1,723,323**

Notes to the Financial Report
For the Year Ended 30 June 2026

Acquisition
Initial measurement
Council initially measures its property, infrastructure, plant and equipment assets at cost. The cost of an acquired asset is the fair value of the consideration that Council has provided at the date of acquisition plus any incidental costs attributable to the acquisition.
Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. Refer to Note 8.4 for more information on how Council measures fair value.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

	Depreciation Period	Threshold Limit
Asset recognition thresholds and depreciation periods		$'000
Land & land improvements		
Land	-	1
Land improvements	-	1
Buildings		
Buildings	2 - 333 years	5
Plant and Equipment		
Plant, machinery and equipment	5 - 15 years	2
Furniture and fittings	3 - 10 years	2
Information technology	4 - 5 years	1
Library books	3 - 5 years	1
Infrastructure		
Roads - pavements, substructure and formation	17 - 250 years	15
Roads - kerb, channel and minor culverts and other	17 - 250 years	15
Drainage	49 - 147 years	15
Bridges - deck and substructure	20 - 100 years	15
Bridges - others	100 years	15
Footpaths and cycleways	8 - 100 years	15
Recreational, leisure and community facilities	10 - 41 years	15
Parks, open space and streetscapes	9 - 80 years	15
Marine structures	25 - 100 years	15
Intangible assets		
Software	20 years	1
Airspace	1 - 10 years	1
Right of use assets	1 - 5 years	10

Land under roads
Council recognises land under roads it controls at fair value.

Depreciation and amortisation
Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

Repairs and maintenance
Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

Leasehold improvements
Leasehold improvements are recognised at cost and are amortised over the unexpired period of the lease or the estimated useful life of the improvement, whichever is the shorter. At balance date, leasehold improvements are amortised over a 3 to 10 year period.

Notes to the Financial Report
For the Year Ended 30 June 2026

Valuation of land and buildings

Valuation of land and buildings were undertaken by a qualified independent valuer Valtec Property Pty Ltd. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement. Where land use is not restricted, highest and best use is assumed to be current use, except where the land is held for sale, or highly likely to be used for an alternative purpose within 12 months of the reporting date.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date and type of the current valuation is detailed in the following table. Council undertakes a formal revaluation of land and buildings every 2 (two) years.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2026 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation	Type of Valuation
Land-Specialised	-	-	1,728,079	Jun-26	Full
Land-Non Specialised	-	3,473	-	Jun-26	Full
Land Under Roads	-	-	3,204	Jun-26	Full
Buildings-Specialised	-	-	385,769	Jun-26	Full
Buildings-Non Specialised	-	37	-	Jun-26	Full
Total	**-**	**3,510**	**2,117,052**		

Valuation of infrastructure

Valuation of infrastructure assets has been undertaken by Council's Asset Management Team in accordance with the valuation methodology. Council undertakes a formal revaluation of infrastructure assets every 4 (four) years with an annual interim review in the year they are not due for full revaluation. The valuation is performed by experienced council officers.

The date and type of the current valuation is detailed in the following table. An index based valuation was conducted on all infrastructure assets (this is a method of valuation whereby indices are applied to the cost value of a class of assets to arrive at the fair value of the class of assets).

The valuation is at fair value based on current replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2026 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation	Type of Valuation
Roads	-	-	847,006	Jun-26	Index
Bridges	-	-	2,856	Jun-26	Index
Footpaths and cycleways	-	-	104,834	Jun-26	Index
Drainage	-	-	610,522	Jun-26	Index
Recreational, leisure and community facilities	-	-	22,063	Jun-26	Index
Parks, open space and streetscapes	-	-	59,943	Jun-26	Index
Marine Structures	-	-	6,814	Jun-26	Index
Total	**-**	**-**	**1,654,038**		

Asset Class	Comprehensive Revaluation		Source of Index
	Last	Next (latest)	
Bridges, Footpaths and cycleways, and Roads	2022/23	2026/27	**Australian Bureau of Statistics** 6427.0 Producer Price Indices, Australia, Table 12 6427.0 Producer Price Indexes, Australia, Table 17 6345.0 Wage Price Indexes, Australia, Table 8b
Drainage	2023/24	2027/28	**Australian Bureau of Statistics** 6427.0 Producer Price Indices, Australia, Table 12 6427.0 Producer Price Indexes, Australia, Table 17 6345.0 Wage Price Indexes, Australia, Table 8b
Marine structures, Parks, open space and streetscapes, and Recreation and leisure	2024/25	2028/29	**Australian Bureau of Statistics** 6427.0 Producer Price Indices, Australia, Table 12 6427.0 Producer Price Indexes, Australia, Table 17 6345.0 Wage Price Indexes, Australia, Table 8b

Notes to the Financial Report
For the Year Ended 30 June 2026

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between $1 and $6,383 per square metre.

Specialised buildings are valued using a current replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis and ranges from $110 to $9,336 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 10 years to 200 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

Infrastructure assets are valued based on the current replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 2 years to 400 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2026	2025
Reconciliation of specialised land	**$'000**	**$'000**
Land under roads	3,204	3,221
Parks and reserves	1,728,079	1,721,537
Total specialised land	**1,731,283**	**1,724,758**

Notes to the Financial Report
For the Year Ended 30 June 2026

6.3 Investment property	2026 $'000	2025 $'000
Balance at beginning of financial year	9,721	10,041
Additions	39	-
Fair value adjustments	(757)	(320)
Balance at end of financial year	**9,003**	**9,721**

Investment property is held to generate long-term rental yields. Investment property is measured initially at cost, including transaction costs. Costs incurred subsequent to initial acquisition are capitalised when it is probable that future economic benefit in excess of the originally assessed performance of the asset will flow to the Council. Subsequent to initial recognition at cost, investment property is carried at fair value, determined annually by independent valuers. Changes to fair value are recorded in the comprehensive income statement in the period that they arise.

Valuation of investment property
Valuation of investment property has been determined in accordance with an independent valuation by Valtec Property Pty Ltd who has recent experience in the location and category of the property being valued. The valuation is at fair value, based on the current market value for the property.

Notes to the Financial Report
For the Year Ended 30 June 2026

Note 7 PEOPLE AND RELATIONSHIPS

7.1 Council and key management remuneration

(a) Related Parties

Parent entity

Mornington Peninsula Shire is the parent entity.

Subsidiaries and Associates

Mornington Peninsula Cemetery Trust
By virtue of the fact that some councillors of Mornington Peninsula Shire form the whole of the Board of Trustees of the Mornington Peninsula Cemetery Trust, this entity is considered to be a controlled entity under AASB 10: *Consolidated Financial Statements*. Its operating results, assets and liabilities have not been included in the accounts on the basis that they are not material individually or in aggregate.

(b) Key Management Personnel
Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Mornington Peninsula Shire. The Councillors, Chief Executive Officer and Directors are deemed KMP.

Details of KMP at any time during the year are:

		2026 No.	2025 No.
Councillors			
	Councillor Anthony Marsh (resigned 14 May 2026)	1	1
	Councillor Paul Pingiaro	1	1
	Councillor Kate Roper	1	1
	Councillor David Gill	1	1
	Councillor Andrea Allen	1	1
	Councillor Max Patton	1	1
	Councillor Cam Williams	1	1
	Councillor Bruce Ranken	1	1
	Councillor Michael Stephens	1	1
	Councillor Stephen Batty	1	1
	Councillor Patrick Binyon	1	1
	Councillor Despi O'Connor (1 July 2023 to 26 October 2024)	-	1
	Councillor Steve Holland (1 July 2023 to 26 October 2024)	-	1
	Councillor Lisa Dixon (1 July 2023 to 26 October 2024)	-	1
	Councillor Susan Bissinger (1 July 2023 to 26 October 2024)	-	1
	Councillor Sarah Race (1 July 2023 to 26 October 2024)	-	1
	Councillor Antonella Celi (1 July 2023 to 26 October 2024)	-	1
	Councillor Debra Mar (1 July 2023 to 26 October 2024)	-	1
	Councillor Simon Brooks (1 July 2023 to 26 October 2024)	-	1
	Chief Executive Officer	1	3
	Director - Assets and Infrastructure	1	1
	Director - Community	1	2
	Director - McCrae Landslide Incident	2	1
	Director - Planning and Liveability	1	4
	Chief of Staff	1	-
	Chief Financial Officer (ended October 2025)	1	1
	Director - Corporate Strategy and Business Improvement (ended October 2025)	1	1
Total Number of Councillors		11	19
Total of Chief Executive Officer and other Key Management Personnel		9	13
Total Number of Key Management Personnel		**20**	**32**

Notes to the Financial Report
For the Year Ended 30 June 2026

(c) Remuneration of Key Management Personnel

Remuneration comprises employee benefits including all forms of consideration paid, payable or provided by Council, or on behalf of the Council, in exchange for services rendered. Remuneration of Key Management Personnel and Other senior staff is disclosed in the following categories.

Short-term employee benefits include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.
Other long-term employee benefits include long service leave, other long service benefits or deferred compensation.

Post-employment benefits include pensions, and other retirement benefits paid or payable on a discrete basis when employment has ceased.
Termination benefits include termination of employment payments, such as severance packages.

	2026 $	2025 $
Total remuneration of key management personnel was as follows:		
Short-term employee benefits	2,610	2,060
Other long-term employee benefits	171	91
Post-employment benefits	269	207
Termination benefits	424	11
Total	**3,474**	**2,369**

The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:

	2026 No.	2025 No.
$0 - $39,999	-	14
$40,000-$49,999	9	5
$60,000-$69,999	-	2
$80,000-$89,999	-	2
$90,000-$99,999	-	1
$100,000-$109,999	2	-
$110,000-$119,999	-	1
$150,000-$159,999	1	-
$180,000-$189,999	-	1
$190,000-$199,999	1	-
$210,000-$219,999	-	1
$220,000-$229,999	-	1
$230,000-$239,999	-	1
$280,000-$289,999	2	-
$290,000-$299,999	1	-
$300,000-$309,999	1	-
$330,000-$339,999	-	1
$340,000-$349,999	-	1
$360,000-$369,999	1	1
$400,000-$409,999	1	-
$520,000-$529,999	1	-
Total	**20**	**32**

Notes to the Financial Report
For the Year Ended 30 June 2026

(d) Remuneration of other senior staff

Other senior staff are officers of Council, other than Key Management Personnel, whose total remuneration exceeds $170,000 and who report directly to a member of the KMP.

	2026 $	2025 $
Total remuneration of other senior staff was as follows:		
Short-term employee benefits	3,910	4,701
Other long-term employee benefits	173	62
Post-employment benefits	468	533
Termination benefits	595	1
Total	**5,146**	**5,297**

The number of other senior staff are shown below in their relevant income bands:

Income Range:	2026 No.	2025 No.
$0 - $99,999	3	8
$100,000 - $109,999	-	1
$120,000 - $129,999	-	1
$130,000 - $139,999	-	1
$140,000 - $149,999	2	1
$170,000 - $179,999	-	3
$180,000 - $189,999	-	1
$190,000 - $199,999	-	1
$200,000 - $209,999	1	3
$210,000 - $219,999	3	4
$220,000 - $229,999	3	3
$230,000 - $239,999	2	1
$240,000 - $249,999	4	1
$250,000 - $259,999	3	1
$260,000 - $269,999	1	2
$300,000 - $309,999	1	-
$320,000 - $329,999	1	-
Total	**24**	**32**

Notes to the Financial Report
For the Year Ended 30 June 2026

7.2 Related party disclosure

(a) Transactions with related parties

During the period Council entered into the following transactions with related parties.

Responsible Officer	Position Held	Supplier/Entity	Nature of Transactions (on normal commercial terms)	Transaction Amount $'000
Councillor Kate Roper Councillor Stephen Batty Councillor Paul Pingiaro	Trustees	Mornington Peninsula Cemetery Trust	Administration Costs	87
Councillor Stephen Batty	Family Member of Proprietier	Event Logistic Group Pty Ltd T/A Bay Events	Commercial	34
Councillor Paul Pingiaro	Director of Related Party	Mornington Boat Hire and Bait & Tackle	Commercial	17
Councillor Max Patton	Employee	Whitecliffs to Camerons Bight Foreshore	Grant	5

(b) Outstanding balances with related parties

The following balances are outstanding at the end of the reporting period in relation to transactions with related parties

Mornington Peninsula Cemetery Trust

Amount receivable from the Mornington Peninsula Cemetery Trust at 30 June 2026 is $146,655 (30 June 2025 - $25,276).

(c) Loans to/from related parties

The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows:

Nil

(d) Commitments to/from related parties

The aggregate amount of commitments in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows:

Nil

Notes to the Financial Report
For the Year Ended 30 June 2026

Note 8 MANAGING UNCERTAINTIES

8.1 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

(a) Contingent assets

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council.

At balance date the Council are not aware of any contingent assets.

(b) Contingent liabilities

Contingent liabilities are:
- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council; or
- present obligations that arise from past events but are not recognised because:
- it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation; or
- the amount of the obligation cannot be measured with sufficient reliability.

Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

Landfill

Council has ongoing obligations associated with the operation, rehabilitation and aftercare of landfill sites across the Mornington Peninsula. Rye Landfill remains an active landfill site, while Council also continues to manage and maintain closed landfill sites. The landfill restoration provision includes the majority of anticipated future aftercare and maintenance costs associated with these sites, including ongoing monitoring and maintenance activities required following rehabilitation. The provision is reviewed annually to reflect changes in the expected timing, scope and estimated cost of the required rehabilitation and aftercare activities.

Liability Mutual Insurance

Council is (was) a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

(c) Guarantees for loans to other entities

The amount disclosed for financial guarantee in this note is the nominal amount of the underlying loan that is guaranteed by the Council, not the fair value of the financial guarantee.

Financial guarantee contracts are not recognised as a liability in the balance sheet unless the lender has exercised their right to call on the guarantee or Council has other reasons to believe that it is probable that the right will be exercised.

	2026 $'000	2025 $'000
The Mornington Peninsula Shire has guaranteed loans of: *	**Loan Balance**	**Loan Balance**
Devils Bend Golf Club	1	-
Mornington Bowling Club Inc	73	500
Total	**74**	**500**

*Note: Terms of guarantee do not allow redraw of loan.

Notes to the Financial Report
For the Year Ended 30 June 2026

8.2 Australian Accounting Standards issued but not yet effective

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2026 reporting period. Council assesses the impact of these new standards.

The Australian Accounting Standards Board (AASB) has issued AASB 18 *Presentation and Disclosure in Financial Statements* . When applicable AASB 18 supersedes AASB 101 *Presentation of Financial Statements* . AASB 18 aims to improve how entities communicate in their financial statements, with a focus on information about financial performance in the statement of profit or loss. It is expected to result in presentation and disclosure changes, primarily to Council's Comprehensive Income Statement. AASB 18 is expected to first apply to Council for the 2028-29 financial year.

8.3 Financial instruments

(a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank and TCV borrowings. Details of the material accounting policy information and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

(b) Market risk

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk / Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 2020* . Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

Notes to the Financial Report
For the Year Ended 30 June 2026

(c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- council have a policy for establishing credit limits for the entities council deal with;
- council may require collateral where appropriate; and
- council only invest surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.
Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any allowance for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

(d) Liquidity risk

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.
To help reduce these risks Council:
- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(c), and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

(e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:
- A parallel shift of + 0.8% and -0.5% in market interest rates (AUD) from year-end rates of 5.05%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

Notes to the Financial Report
For the Year Ended 30 June 2026

8.4 Fair value measurement

Fair value hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy , Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. *AASB 13 Fair Value Measurement* aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards. For assets where Council adopts a current replacement cost approach to determine fair value, Council considers the inclusion of site preparation costs, disruption costs and costs to restore another entity's assets in the underlying valuation.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities
Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. (For plant and equipment carrying amount is considered to approximate fair value given short useful lives). At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 1 to 4 years. The valuation is performed either by experienced council officers or independent experts. The following table sets out the frequency of revaluations by asset class.

Asset class	**Revaluation frequency**
Land	1 to 2 years
Buildings	1 to 2 years
Roads	1 to 4 years
Bridges	1 to 4 years
Footpaths and cycleways	1 to 4 years
Drainage	1 to 4 years
Recreational, leisure and community facilities	1 to 4 years
Parks, open space and streetscapes	1 to 4 years
Marine structures	1 to 4 years

Where the assets are revalued, the revaluation increases are credited directly to the asset revaluation reserve except to the extent that an increase reverses a prior year decrease for that class of asset that had been recognised as an expense in which case the increase is recognised as revenue up to the amount of the expense. Revaluation decreases are recognised as an expense except where prior increases are included in the asset revaluation reserve for that class of asset in which case the decrease is taken to the reserve to the extent of the remaining increases. Within the same class of assets, revaluation increases and decreases within the year are offset.

Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset. The impairment policy above does not apply to Council's property, infrastructure, specialised buildings and other non-current physical assets subsequently measured at fair value. These are primarily non-cash generating assets of not-for-profit entities, which are typically specialised in nature and held for continuing use of their service capacity. Their recoverable amount is expected to be materially the same as fair value determined under *AASB 13 Fair Value Measurement*, with the consequence that *AASB 136 Impairment of Assets* does not apply to such assets that are regularly revalued.

8.5 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

Notes to the Financial Report
For the Year Ended 30 June 2026

Note 9 OTHER MATTERS

9.1 Reserves (a) Asset revaluation reserves	Balance at beginning of reporting period $'000	Increase (decrease) $'000	Balance at end of reporting period $'000
2026			
Property			
Land and land improvements	1,487,123	4,681	1,491,804
Land under road	1,679	(19)	1,660
Buildings	185,369	38,196	223,565
	1,674,171	**42,858**	**1,717,029**
Infrastructure			
Roads	443,765	36,939	480,704
Bridges	909	125	1,034
Footpaths and cycleways	61,374	4,572	65,946
Drainage	467,522	36,040	503,562
Recreational, leisure and community facilities	11,546	460	12,006
Parks, open space and streetscapes	17,709	1,250	18,959
Marine structures	1,020	142	1,162
	1,003,845	**79,528**	**1,083,373**
Intangible asset			
Landfill air space	896	546	1,442
Total asset revaluation reserves	**2,678,912**	**122,932**	**2,801,844**
2025			
Property			
Land and land improvements	1,487,123	-	1,487,123
Land under road	1,679	-	1,679
Buildings	186,912	(1,543)	185,369
	1,675,714	**(1,543)**	**1,674,171**
Infrastructure			
Roads	416,467	27,298	443,765
Bridges	842	67	909
Footpaths and cycleways	58,147	3,227	61,374
Drainage	438,597	28,925	467,522
Recreational, leisure and community facilities	10,882	664	11,546
Parks, open space and streetscapes	16,319	1,390	17,709
Marine structures	802	218	1,020
	942,056	**61,789**	**1,003,845**
Intangible asset			
Landfill air space	896	-	896
Total asset revaluation reserves	**2,618,666**	**60,246**	**2,678,912**

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

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	Balance at beginning of reporting period $'000	Transfer from accumulated surplus $'000	Transfer to accumulated surplus $'000	Balance at end of reporting period $'000
(b) Other reserves				
2026				
Sustainability Energy Fund	585	-	-	585
Recreation Land Reserve	39	-	-	39
Municipal Emergency Reserve	400	-	-	400
Developer Contribution Plan Reserve	286	495	-	781
Storm Water in-lieu Contribution Reserve	1,086	690	-	1,776
Emergency Response Reserve	1,000	2,201	-	3,201
Waste Service Reserve	-	9,205	-	9,205
Total Other reserves	**3,396**	**12,591**	**-**	**15,987**
2025				
Sustainability Energy Fund	585	-	-	585
Recreation Land Reserve	39	-	-	39
Municipal Emergency Reserve	400	-	-	400
Developer Contribution Plan Reserve	101	185	-	286
Storm Water in-lieu Contribution Reserve	304	782	-	1,086
Emergency Response Reserve	-	1,000	-	1,000
Total Other reserves	**1,429**	**1,967**	**-**	**3,396**

Sustainable Energy (Fund) Reserve

The purpose of this reserve is to provide funds to sustainably reduce the impact of energy use on the Global Warming effect through the implementation of:
a) program of Shire wide energy reduction measures;
b) energy production initiatives; and educational programs.

Recreation Land Reserve
The purpose of this reserve is to provide for the purchase of land and/or improvements to places of recreation.

Municipal Emergency Reserve
The purpose of this reserve is to have an ability to finance the recovery response from unplanned emergency management events.

Developer Contribution Plan Reserve
Developer Contribution Plan Reserve (DCP) accumulates developers funds paid to Council in respect of developments within particular plan areas and is used to contribute towards payment of a multi year capital works program.

Storm Water in-lieu Contribution Reserve
The purpose of the Storm Water in-lieu reserve is to hold voluntary contributions received from developments/subdivisions for future investment in the municipality in the form of stormwater management works to protect the environment and meet obligations under the Victorian Planning Policy.

Emergency Response Reserve
The purpose of this reserve is the allocation of dedicated funding that can be drawn upon to respond to emergency events impacting the Peninsula.

Waste Service Reserve
To ensure any over collections are ring fenced and applied exclusively to waste related expenditure, thereby reducing future financial impact on the community.

Notes to the Financial Report
For the Year Ended 30 June 2026

9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)	2026 $'000	2025 $'000
Surplus for the year	10,647	14,586
Non-cash adjustments:		
Depreciation/amortisation	52,916	47,751
Net loss on disposal of property, infrastructure, plant and equipment	7,177	86
Found assets	(4,293)	(4,027)
Fair value adjustments	757	319
Contributions - Non-monetary assets	(4,177)	(2,947)
Other	7	2,668
Change in assets and liabilities:		
(Increase) in trade and other receivables	(17,003)	(5,338)
Decrease in other assets	17	4,161
(Decrease)/increase in trade and other payables	(36)	3,262
(Decrease)/increase in unearned income	(3,257)	4,037
(Increase) in inventories	(38)	(80)
(Decrease)/increase in provisions		
(Decrease)/increase in landfill rehabilitation provision	(1,181)	48
Increase in employee provisions	1,570	123
(Decrease) in native vegetation management	(15)	(92)
Increase/(decrease) in GST on capital purchases	276	(686)
Increase in trust funds and deposits	4,775	810
Increase in other	2,078	98
Net cash provided by/(used in) operating activities	**50,220**	**64,778**

9.3 Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

Accumulation
The Fund's accumulation category, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2026, this was 12.0% as required under Superannuation Guarantee (SG) legislation (2025: 11.5%)).

Defined Benefit
Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of *AASB 119 Employee Benefits* .

Funding arrangements
Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary. As at 30 June 2025, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category. The vested benefit index (VBI) of the Defined Benefit category as at 30 June 2025 (of which Council is a contributing employer) was 110.5%. The financial assumptions used to calculate the VBI were:

Net investment returns 5.7% pa
Salary information 3.5% pa
Price inflation (CPI) 2.6% pa

A triennial actuarial review is currently underway for the Defined Benefit category as at 30 June 2026. It is expected to be completed by 31 October 2026.

Vision Super has advised that the VBI at 30 June 2026 was 116.9% (2025: 110.5%). The financial assumptions used to calculate the 30 June 2026 VBI were:

	2026	2025
Net investment returns	6.2% pa	5.6% pa
Salary information	3.5% pa	3.5% pa
Price inflation (CPI)	3.0% pa to 30 June 2029 and 2.6%pa thereafter	2.6% pa

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 2023 triennial actuarial investigation showed that the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

Notes to the Financial Report
For the Year Ended 30 June 2026

Employer contributions

(a) Regular contributions

On the basis of the results of the 2025 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2026, this rate was 12% of members' salaries (11.5% in 2024/25). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2023 triennial valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

(b) Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 98% from 26 July 2024 (previously 97%).

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.
In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

The 2025 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2025 and 30 June 2024 while a full investigation was conducted as at 30 June 2023.

The Fund's actuarial investigation identified the following for the Defined Benefit category of which Council is a contributing employer:

	2025 (Interim) $m	2024 (Interim) $m	2023 (Triennial) $m
- A VBI Surplus	200.1	108.4	85.7
- A total service liability surplus	229.4	141.4	123.6
- A discounted accrued benefits surplus	242.8	156.7	141.9

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2025.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2025.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2025.

Council was notified of the 30 June 2025 VBI during August 2025.

Notes to the Financial Report
For the Year Ended 30 June 2026

The 2026 triennial actuarial investigation

A triennial actuarial investigation is being conducted for the Fund's position as at 30 June 2026 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by 31 October 2026. The VBI of the Defined Benefit category was 116.9% as at 30 June 2026. The financial assumptions for the purposes of this investigation are:

	2026 Triennial investigation	2025 Interim investigation
Net investment return	6.2% pa	5.7% pa
Salary information	3.5% pa	3.5% pa
Price inflation (CPI)	3.0% pa to 30 June 2029 and 2.6%pa thereafter	2.6% pa

Council was notified of the 30 June 2026 VBI during August 2026.

Superannuation contributions
Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2025 are detailed below:

Scheme	Type of Scheme	Rate	2026 $'000	2025 $'000
Vision super	Defined benefits	12% (2025:11.5%)	115	68
Vision super	Accumulation	12% (2025:11.5%)	3,982	3,959

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2026.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2027 is $115,265.68

Notes to the Financial Report
For the Year Ended 30 June 2026

Note 10 CHANGE IN ACCOUNTING POLICY

There have been no changes to accounting policies in the 2025-26 year.

Performance Statement

For the year ending 30 June 2026

Mornington Peninsula Shire Council

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Certification of the Performance Statement

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020.*

_____
Mark Schubert, CPA
Chief Financial Officer
Dated:

In our opinion, the accompanying performance statement of the Mornington Peninsula Shire Council for the year ended 30 June 2026 presents fairly the results of Council's performance in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify this performance statement in its final form.

_____
Cr Stephen Batty
Mayor
Dated:

_____
Cr Paul Pingiaro
Deputy Mayor
Dated:

_____
Mark Stoermer
Chief Executive Officer
Dated:

VAGO signed statement

VAGO signed statement

Performance Statement

For the year ended 30 June 2026

Section 1. Description of Municipality

Mornington Peninsula Shire covers 723 square kilometres of land with a coastline that extends for 192 kilometres (approximately 10 per cent of Victoria's total). The region is one of Victoria's premier holiday and retirement destinations and has magnificent landscapes, coasts and beaches that are of state significance and attract 7 million visitors every year.

Our Community

The Shire has 40 towns and villages spread across the peninsula, with most of the residential population living along the coastline. The Shire has an estimated permanent resident population of 172,217, as well as a non-resident population who spend part of the week, or their holidays, on the Peninsula. Many beach holiday houses are based along the Port Phillip coastline, with the population swelling by up to 30 per cent in the summer months.

Our Environment

Approximately 70 per cent of the Shire is retained as rural land within the Green Wedge planning zone, whilst towns and villages take up the other 30 per cent. Within the Green Wedge, there are areas of highly productive farmland as well as highly significant landscapes and ecosystems. The Mornington Peninsula and Western Port have become part of the worldwide network of biosphere reserves recognised by the United Nations. The region has been recognised for its: high biological diversity; many significant, rare native plants and vegetation; wetlands; sites of geomorphological significance; remnant indigenous vegetation; highly scenic landscape values; and sites of historic importance.

Our Economy

The Shire has a strong local economy, with $11.8 billion in Gross Regional Product. There are over 17,000 businesses from a diverse range of industries, including retail, manufacturing, construction and business services. The region also has a distinguished agricultural history, including beef, viticulture (grapes) and horticulture (fruit, vegetables, and flowers), with the existing food and wine producers being recognised as world class and industry leaders in their respective fields. Tourism is another sector that plays a significant role in our local economy.

Service Performance Indicators

For the year ended 30 June 2026

Results						
Service/indicator/measure	**2023**	**2024**	**2025**	**2026**		**Material Variations and Comments**
	Actual	Actual	Actual	Target	Actual	
Aquatic facilities						
Utilisation *Utilisation of aquatic facilities* [Number of visits to aquatic facilities / Municipal population]	5.72	5.70	5.66	N/A	5.03	The utilisation of our aquatic centres has remained largely consistent with previous years, though visitation decreased slightly this year. This is mainly due to the closure of Pelican Park Recreation Centre for revitalisation works and a slight decrease in visitation at Yawa Aquatic Centre. The community's demand for our aquatic facilities remains high and they continue to be well utilised. The best available supporting information has been used to verify the result.
Animal Management						
Health and safety *Animal management prosecutions* [Number of successful animal management prosecutions / Number of animal management prosecutions] x 100	100.00%	100.00%	97.96%	N/A	100.00%	Mornington Peninsula Shire Council is committed to protecting community safety and supporting the health and wellbeing of animals across the Peninsula. Council pursues prosecution only when it is justified and necessary. During the year, Council prosecuted 42 animal management matters.
Food Safety						
Health and safety *Critical and major non-compliance outcome notifications* [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100	92.25%	92.53%	92.93%	N/A	64.56%	Council remains committed to protecting community health and safety. Our follow-up on critical and major notifications decreased compared to previous years due to our transition to a new system and related implementation issues. As we address these challenges, we expect our follow-up and response rates, along with our overall results, to improve. The best available supporting information has been used to verify the result.

Results						
Service/indicator/measure	**2023**	**2024**	**2025**	**2026**		**Material Variations and Comments**
	Actual	Actual	Actual	Target	Actual	
Governance						
Satisfaction *Satisfaction with community consultation and engagement* (Community satisfaction rating out of 100 with the consultation and engagement efforts of Council)	50	67	66	68	66	Community satisfaction with consultation and engagement remains steady at 66, just short of our target of 68. The upward trend in our results marks a significant improvement from our unusually low score of 50 in 2023.
Libraries						
Participation *Library membership* [Percentage of the population that are registered library members] x100	New in 2024	33.21%	33.23%	N/A	33.49%	Pleasingly, we observed a modest increase in library memberships this year compared to previous years. While we experienced a 1.2 per cent rise in library memberships, we also saw a slight increase in our municipal population, which has brought about a result similar to previous years.
Maternal Child Health						
Participation *Participation in the MCH service* [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100	73.78%	73.98%	76.98%	N/A	79.27%	We are pleased to see participation continue to increase, surpassing previous years' results. This improvement is largely driven by more children attending the Maternal and Child Health service at least once during the year, despite a lower number of enrolled children. The increase reflects our ongoing commitment to best-practice active engagement, the expansion of our outreach program to local kindergartens and long day care services, and sustained efforts to improve continuity of care. These initiatives have been particularly successful in maintaining engagement with families of older children, where participation has historically declined.
Participation *Participation in the MCH service by Aboriginal children* [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100	90.00%	82.99%	84.19%	N/A	85.56%	This year saw a further increase in participation among families identifying as Aboriginal and Torres Strait Islander, with attendance rising across all Maternal and Child Health Key Age and Stage appointments. The Shire continues to proactively engage with families and follow up overdue appointments, supporting strong participation and ongoing connection with the service.

Results						
Service/indicator/measure	**2023**	**2024**	**2025**	**2026**		**Material Variations and Comments**
	Actual	Actual	Actual	Target	Actual	
Roads						
Condition *Sealed local roads below the intervention level* (Percentage of sealed local roads that are below the renewal intervention level set by Council and not requiring renewal	96.79%	100.00%	98.91%	98.20%	98.21%	Of the 1,400 kilometres of sealed local roads across the Shire, we maintained 1,373 kilometres within condition standards, which was just over our target of 98.2%.
Statutory Planning						
Service standard *Planning applications decided within the relevant required time* (Percentage of planning application decisions made within the relevant required time)	42.22%	47.38%	56.81%	50.00%	55.73%	Although we exceeded our target, this was due in part to a 6 per cent decrease in applications compared to last year. We encountered challenges during our transition to a new system, which prevented us from capturing the time from application receipt to decision, as well as issues around new workflow processes. Additionally, some applications were placed on hold earlier than usual to comply with public notice requirements. After the system went live, we experienced further workflow disruptions that delayed several VicSmart applications, including both newly registered applications and those migrated from the old system.
Waste Management						
Waste diversion *Kerbside collection waste diverted from landfill* [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	58.19%	59.24%	56.33%	60.00%	54.59%	We experienced a small decrease compared to 2025. We did not meet our target because recyclables and green organics received were 5.3 per cent lower than in 2025, mainly due to the Container Deposit Scheme introduced on 1 November 2023.

Financial Performance Indicators

For the year ended 30 June 2026

	Results					Forecasts				
Dimension/indicator/measure	**2023**	**2024**	**2025**	**2026**		**2027**	**2028**	**2029**	**2030**	**Material Variations and Comments**
	Actual	Actual	Actual	Target	Actual	Forecast	Forecast	Forecast	Forecast	
Efficiency										
Expenditure level										
Expenses per property assessment [Total expenses / Number of property assessments]	$2,645.18	$2,692.73	$2,925.33	$2,921.00	$3,088.38	$3,147.29	$3,192.95	$3,251.11	$3,306.67	Council always seeks to deliver the highest quality services in the most efficient way and has contained expenditure per property assessment through its goal of ongoing savings. The increase in 2026 is largely attributable to CPI, indexation of the Shire's contracts and depreciation.
Revenue level										
Average rate per property assessment [Sum of all general rates and municipal charges / Number of property assessments]	$1,526.53	$1,591.65	$1,659.45	N/A	$1,692.49	$1,756.94	$1,805.79	$1,855.71	$1,906.68	Council's rates, our primary source of income that delivers essential services to our community, is limited by the rate cap under the Fair Go Rates System, which was set at 3.0% for 2025-26. Supplementary income is 1.0% of the total rates revenue in 2026, which is the growth of our rates income in 2026. Forecasts are projected to increase based on the rate cap increase of 2.5% year on year.
Liquidity										
Working capital										
Current assets compared to current liabilities [Current assets / Current liabilities] x100	232.72%	257.64%	249.45%	213.98%	255.80%	163.43%	168.70%	195.40%	217.57%	Our current assets have increased by $8.7 million from 2025 due to trade and other receivables, with delayed expenditure for capital works. There has been an increase in working capital due to Current Liabilities increasing by only $1.6 million. Forecast is expecting a significant decrease due to the assumption of having no carry forward capital works at the start of FY27.

	Results					Forecasts				
Dimension/indicator/measure	**2023**	**2024**	**2025**	**2026**		**2027**	**2028**	**2029**	**2030**	**Material Variations and Comments**
	Actual	Actual	Actual	Target	Actual	Actual	Forecast	Forecast	Forecast	
Unrestricted cash										
Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	-40.60%	-44.45%	-42.94%	N/A	-79.98%	N/A	N/A	N/A	N/A	To maximise the return of funds to Council, we allocated cash to term deposits. The term deposits are classified as Other Financial Assets, with a total of $105.6 million recorded as of June 30, 2026. It's important to note that if these term deposits were considered Cash and Cash Equivalents, the Unrestricted Cash Ratio would have been 65.7%, resulting in a positive outcome. Forecasted years are N/A due to not being a reported indicator in the FY26/27 budget.
Obligations										
Loans and borrowings										
Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	17.33%	14.77%	13.36%	N/A	11.45%	N/A	N/A	N/A	N/A	No new loans were drawn during the year, with budgeted loans deferred to 2026-27. With $2.67 million in loan repayments and a rate revenue increase, we have managed to reduce our loans and borrowings compared to our rates. Forecasted years are N/A due to not being a reported indicator in the FY26/27 budget.
Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	2.43%	1.71%	1.59%	N/A	1.42%	N/A	N/A	N/A	N/A	This year's result is reflective of our reduced loans and borrowings and an increase in rate revenue. Borrowings originally planned for 2026 have been deferred to 2027, resulting in a future increase from 2027. Forecasted years are N/A due to not being a reported indicator in the FY26/27 budget.
Indebtedness										
Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	20.06%	20.44%	20.76%	N/A	18.70%	16.24%	16.21%	14.35%	12.99%	Council's long-term liabilities remain stable, indicating an appropriate level of debt. Reduction from the prior year of 2.08% due to borrowing repayments of outstanding loans exceeding the 4.5% increase in own source revenue. Forecast over the next 3 years we are reducing the loans balance by $8 million.

	Results					Forecasts				
Dimension/indicator/measure	2023	2024	2025	2026		2027	2028	2029	2030	Material Variations and Comments
	Actual	Actual	Actual	Target		Actual	Forecast	Forecast	Forecast	
Asset renewal and upgrade										
Asset renewal and upgrade compared to depreciation [Asset renewal and asset upgrade expense / Asset depreciation] x100	64.91%	115.69%	77.22%	62.90%	78.07%	66.99%	67.09%	51.02%	51.09%	Council continues to invest in community infrastructure and address its asset renewal gap, ensuring assets are maintained and renewed to the desired standard. Asset renewal and upgrade expenditure is driven by asset condition assessments and the timing of capital projects, and therefore can vary from year to year. Forecast ratios reflect the assumptions adopted in the Long Term Financial Plan and will be reviewed and updated as part of future financial plan reviews to reflect the latest capital works program priorities, delivery schedules and available information.
Operating position										
Adjusted underlying result										
Adjusted underlying result (or deficit) [Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100	-0.78%	1.00%	0.09%	N/A	-3.83%	-3.26%*	-1.04%*	0.45%*	0.99%*	While the decline from 2025 is due to a 7.6 per cent increase in expenditure that was only partially offset by a 6.0 per cent increase in income, the outcome does reflect the long-term challenges of Local Government. With rate capping, cost shifting from the State Government and the rising costs of materials and service delivery, we face a challenging economic environment. Whilst negative, it is inline with the long-term financial plan estimate of (3.77) per cent. These issues are expected to have a significant impact on us in the coming years. *Forecast fluctuations are due to land sales, as per the long-term financial plan.
Stability										
Rates concentration										
Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	74.88%	77.74%	73.61%	80.03%	74.64%	76.40%	74.98%	74.62%	75.04%	Rate revenue continues to be Council's main source of income for funding community services and capital works projects. Own source revenue is inflated in 2026 due to receiving 50% allocation of financial assistance in 2026, along with 80% of the 2027 allocation.
Rates effort										
Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.15%	0.17%	0.17%	N/A	0.18%	0.18%	0.19%	0.19%	0.20%	While there was a decrease in property values, general rate revenue increased in line with the rate capping framework. The combination of both ensured that this year's result is broadly consistent with last year.

Sustainable Capacity Indicators

For the year ended 30 June 2026

Results					
Indicator/ measure/formula	**2023**	**2024**	**2025**	**2026**	**Material Variations and Comments**
	Actual	Actual	Actual	Actual	
Population					
Expenses per head of municipal population [Total expenses / Municipal population	$1,643.69	$1,671.71	$1,795.21	$1,921.91	Council always aims to provide high-quality, efficient services while controlling expenditure through ongoing cost savings. The 2026 increase is primarily due to the Consumer Price Index (CPI), contract indexation and depreciation.
Infrastructure per head of municipal population [Value of infrastructure / Municipal population]	$10,131.82	$11,491.72	$11,815.65	$12,457.28	Although our municipal population has seen a slight increase, the total value of our investment in infrastructure has been primarily affected by the delivery of our Capital Works Program ($54.6 million) and the revaluation of infrastructure assets.
Population density per length of road [Municipal population / Kilometres of local roads]	99.01	99.38	99.74	99.62	A slight increase in our municipal population, along with a similar total of road kilometres compared to last year, has resulted in a trend consistent with previous years.
Own-source revenue					
Own-source revenue per head of municipal population [Own-source revenue / Municipal population]	$1,485.29	$1,613.23	$1,635.87	$1,701.12	Our growth in own-source revenue aligns with our budget expectations and has been driven by the rate cap and supplementaries throughout the year. Our own-source revenue is higher than usual due to Council receiving the 50% allocation of financial assistance in 2026, in addition to 80% of the allocation for 2027.
Recurrent Grants					
Recurrent grants per head of municipal population [Recurrent grants / Municipal population]	$125.20	$63.63	$143.31	$117.26	Recurrent grants saw a small decrease in 2026 due to the receipt of 50% year allocation of the financial assistance grant in 2026, along with 80% of the allocation for 2027. In 2025, full year funding was received in addition to 50% of the 2026 funding.

Results					
Indicator/measure/formula	2023	2024	2025	2026	Material Variations and Comments
	Actual	Actual	Actual	Actual	
Disadvantage					
Relative Socio-Economic Disadvantage [Index of Relative Socio-Economic Disadvantage by decile]	8.00	8.00	8.00	8.00	Mornington Peninsula's Index of Relative Socio-Economic Disadvantage from the 2021 Census was in the eighth decile. The first decile indicates the most disadvantaged and the tenth decile indicates the least disadvantaged.
Workforce Turnover					
Percentage of staff turnover [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	16.45%	14.18%	15.55%	17.09%	Our turnover rate has increased compared to last year due to the organisation's restructuring that took place in late 2025. This restructuring was undertaken to secure the organisation's future and tackle significant financial challenges, ensuring that we can meet the current and future needs of our community. This measure considers all types of turnover, including the end of temporary contracts (over 6 months), involuntary terminations and redundancies.

Section 5. Notes to the accounts

5.1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed service performance, financial performance and sustainable capacity indicators and measures together with a description of the municipal district, an explanation of material variations in the results and notes to the accounts. This statement has been prepared to meet the requirements of the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*.

Where applicable, the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g., Australian Bureau of Statistics or the Council's satisfaction survey provider).

The performance statement presents the actual results for the current year and the previous three years, along with the current year's target, if mandated by the *Local Government (Planning and Reporting) Regulations 2020*. Additionally, for the prescribed financial performance indicators and measures, the performance statement includes the target budget for the current year and the results forecast for the period 2026-27 to 2029-30 by the council's financial plan.

The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

5.2. Definitions

Key term	Definition
Aboriginal children	means a child who is an Aboriginal person
Aboriginal person	has the same meaning as in the Aboriginal Heritage Act 2006
adjusted underlying revenue	means total income other than: • non-recurrent grants used to fund capital expenditure; and • non-monetary asset contributions; and • contributions to fund capital expenditure from sources other than those referred to above
adjusted underlying surplus (or deficit)	means adjusted underlying revenue less total expenditure
annual report	means an annual report prepared by a council under section 98 of the Act
asset renewal expenditure	means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability
asset upgrade expenditure	means expenditure that— (a) enhances an existing asset to provide a higher level of service; or (b) extends the life of the asset beyond its original life
critical non-compliance outcome notification	means a notification received by council under section 19N (3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health
current assets	has the same meaning as in the Australian Accounting Standards
current liabilities	has the same meaning as in the Australian Accounting Standards
food premises	has the same meaning as in the *Food Act 1984*
intervention level	means the level set for the condition of a road beyond which a council will not allow the road to deteriorate and will need to intervene
local road	means a sealed or unsealed road for which the council is the responsible road authority under the *Road Management Act 2004*
major non-compliance outcome notification	means a notification received by a council under section 19N (3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken
MCH	means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age
non-current liabilities	means all liabilities other than current liabilities
own-source revenue	means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)
population	means the resident population estimated by council
rate revenue	means revenue from general rates, municipal charges, service rates and service charges
relative socio-economic disadvantage	in relation to a municipal district, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipal district is located according to the Index of Relative Socio-Economic Disadvantage of SEIFA

restricted cash	means cash, cash equivalents and financial assets, within the meaning of the Australian Accounting Standards, not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year
SEIFA	means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet site
unrestricted cash	means all cash and cash equivalents other than restricted cash

5.3. Other Matters

Overview of 2026
The local government sector continues to face several challenges, including rate capping, cost shifting from the State Government and increasing maintenance and operational costs.

To ensure we can fund the current and future needs of our community, Council addressed these significant financial challenges and voted on May 6, 2025, to future-proof the organisation by reducing employee costs by $5 million and an additional $5 million in service planning efficiencies. An organisational review was undertaken from June 2025, with the change proposal consultation period finalised by September 2025. The Organisational Structure Review was completed in October when the new organisational structure went live on 20 October 2025.

We continue to work with all levels of government and a broad range of external organisations seeking financial support, policy or legislative change to deliver local projects.

MORNINGTON PENINSULA SHIRE

To the Commanding Officer,

Officers and Ships Company of
His Majesty's Australian Ship
Cerberus

GREETINGS

WHERE AS at a meeting of the Mornington Peninsula Shire Council held on the xxday of month 2026, it was resolved that the council, in recognition of the distinguished record of His Majesty's Australian Ship *Cerberus,* and its long and close association with the Mornington Peninsula Shire and being mindful of its outstanding achievement in the training of Naval personnel in both peace and war.

CONFER on **HIS MAJESTY'S AUSTRALIAN SHIP CERBERUS** the distinction and privilege of **FREEDOM OF ENTRY TO THE MORNINGTON PENINSULA SHIRE** on all ceremonial occasions with Swords Drawn, Drums Beating, Bands Playing and Colours Flying.

NOW therefore the Mayor, Councillors and Citizens of the Mornington Peninsula Shire, do hereby acknowledge the honour conferred on **HIS MAJESTY'S AUSTRALIAN SHIP CERBERUS** to exercise its right of

FREEDOM OF ENTRY

to the

TOWNSHIP OF MORNINGTON

within the

MORNINGTON PENINSULA SHIRE

THE COMMON SEAL of the MORNINGTON PENINSULA SHIRE COUNCIL was here unto affixed in the presence of

(signature) Mayor

(signature) Chief Executive Officer

Mornington Peninsula Shire Council Audit and Risk Committee Charter

Reviewed by the Audit and Risk Committee – June 2026
Approved by Council – 7 July 2026

MORNINGTON PENINSULA Shire

1. Purpose

1.1 The Mornington Peninsula Shire Council has established an Audit and Risk Committee (the Committee) pursuant to Section 53 of the *Local Government Act 2020* (the Act) to support Council in discharging its oversight responsibilities related to:

- Financial and performance reporting
- Risk management
- Fraud prevention systems and control
- Council's performance with regard to compliance with its policies and legislative and regulatory requirements
- Maintenance of a sound internal control environment; and
- Assurance activities including internal and external audit.

1.2 The Committee acts in this capacity by monitoring, reviewing, endorsing and advising on the above matters as set out in this Charter. This Charter has been developed in accordance with Section 54 of the Act.

1.3 The appointment of independent members to the Committee as outlined in this Charter enables the Committee to provide advice to Council on matters related to its responsibilities based on broader skills and experience than might otherwise be the case and in so doing bring additional benefits to Council.

1.4 The Committee has no executive authority and no delegated financial responsibilities and is therefore independent of management.

2. Responsibilities

The Committee will carry out the following responsibilities:

Financial and Performance Reporting

2.1 Monitor significant accounting and external reporting issues, including complex or unusual transactions, transactions and balances in areas where judgement is required, changes to accounting policies, recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the annual financial report and the audit thereof;

2.2 Monitor changes to the Local Government Performance Reporting Framework and understand the impact of those changes on Council's performance indicators;

2.3 Review the annual financial report and annual performance statement and consider whether they are complete, consistent with information known to Committee members, reflect appropriate accounting treatments and adequately disclose Council's financial performance and position;

Mornington Peninsula Shire Council Audit and Risk Committee Charter

Reviewed by the Audit and Risk Committee – June 2026
Approved by Council – 7 July 2026

MORNINGTON PENINSULA Shire

2.4 Review with management and the external auditors the results of the audit, including any difficulties encountered by the auditors and how they were resolved;

2.5 Recommend the adoption of the annual financial report and annual performance statement to Council; and

2.6 Monitor the appropriateness of the format and content of periodic management financial reports and performance statements to Council as required.

Risk Management

2.7 Review the effectiveness of Council's risk management framework;

2.8 Review Council's risk appetite statement and the degree of alignment with Council's risk profile;

2.9 Review Council's risk profile and the changes occurring in the profile;

2.10 Review Council's treatment plans for significant risks, including the timeliness of mitigating actions and progress against those plans;

2.11 Review the insurance programme annually prior to renewal; and

2.12 Review the approach to business continuity planning arrangements, including whether business continuity and disaster recovery plans have been regularly updated and tested.

Fraud Prevention Systems and Controls

2.13 Review Council's fraud prevention policies and controls, including the Fraud Control Plan and fraud awareness programmes;

2.14 Receive reports from management about actual or suspected instances of fraud or corruption including analysis of the underlying control failures and action taken to address each event; and

2.15 Review reports by management about the actions taken by Council to report such matters to the appropriate integrity bodies.

Compliance Management

2.16 Review the systems and processes implemented by Council for monitoring compliance with relevant legislation and regulations and the results of management's follow up of any instances of non-compliance;

2.17 Obtain briefings on any significant compliance matters; and

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Reviewed by the Audit and Risk Committee – June 2026
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2.18 Receive reports from management on the findings of any examinations by regulatory or integrity agencies (whether related to investigations at Council or other agencies), such as the Ombudsman, IBAC or Victoria Government Inspectorate and monitor Council's responses.

Internal Control Environment

2.19 Review the adequacy and effectiveness of key policies, systems and controls for providing a sound internal control environment and for complying with the Overarching Governance Principles in the Act;

2.20 Monitor whether systems and controls are reviewed regularly and updated where required;

2.21 Monitor significant changes to systems and controls to assess whether those changes significantly impact Council's risk profile;

2.22 Monitor that a programme is in place to test compliance with systems and controls; and

2.23 Receive reports on the reimbursement of expenses of Councillors and members of a delegated committee as required under the Act.

Internal Audit

2.24 Review the Internal Audit Charter regularly to determine that it provides an appropriate functional and organisational framework to enable Council's internal audit function to operate effectively and without limitations;

2.25 Review, and recommend to the Chief Executive Officer (CEO) for approval, the three year strategic internal audit plan, the annual internal audit plan and any significant changes to them;

2.26 Review progress on delivery of annual internal audit plan;

2.27 Review and provide advice on proposed scopes for each review in the annual internal audit plan;

2.28 Review reports on internal audit reviews, including recommendations for improvement arising from those reviews;

2.29 Meet with the leader of the internal audit function at least annually in the absence of management;

2.30 Monitor action by management on internal audit findings and recommendations;

2.31 Review the effectiveness of the internal audit function and ensure that it has appropriate authority within Council and has no unjustified limitations on its work;

Mornington Peninsula Shire Council Audit and Risk Committee Charter

Reviewed by the Audit and Risk Committee – June 2026
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2.32 Ensure that the Committee is aware of and appropriately represented with regard to any proposed changes to the appointment of the internal audit service provider, including being appropriately briefed on the need for any proposed change; and

2.33 Recommend to Council the appointment and, if necessary, the termination of the internal audit contractor.

External Audit

2.34 Receive and note the external audit scope and plan proposed by the external auditor;

2.35 Discuss with the external auditor any audit issues encountered in the normal course of audit work, including any restriction on scope of work or access to information;

2.36 Ensure that significant findings and recommendations made by the external auditor, and management's responses to them, are appropriate and are acted upon in a timely manner;

2.37 Review the effectiveness of the external audit function and ensure that the Victorian Auditor General's Office (VAGO) is aware of the Committee's views;

2.38 Consider the findings and recommendations of any relevant performance audits undertaken by VAGO and monitor Council's responses to them; and

2.39 Meet with the external auditor at least annually in the absence of management.

3. Authority

3.1 The Committee is directly responsible to Council for discharging its responsibilities as set out in this Charter. The Committee has no delegated authority from Council unless specifically provided by Council from time to time and any such authority shall be temporary and may only relate to specific matters as directed by Council.

3.2 The Committee has the authority to:

a. Provide advice and make recommendations to Council on matters within its areas of responsibility;

b. Retain counsel of relevant independent experts where it considers that is necessary in order to execute its responsibilities, subject to prior agreement with the CEO or Council;

c. Seek any relevant information it requires from Council, council officers (who are expected to co-operate with the Committee's requests) and external parties;

d. Meet with council officers, internal and external auditors and other parties as required to discharge its responsibilities; and

Mornington Peninsula Shire Council Audit and Risk Committee Charter

Reviewed by the Audit and Risk Committee – June 2026
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3.3 Through the CEO, have access to appropriate management support to enable it to discharge its responsibilities effectively.

4. Membership and Tenure

4.1 The Committee will consist of five members appointed by Council, three of whom must be independent members (including the Chair). Council employees cannot be members of the Committee. Details of membership and tenure are set out below:

Independent Members

4.2 Independent members (including the Chair) will be appointed for an initial term of three years;

4.3 Independent members (including the Chair) may be reappointed for two additional three-year terms subject to satisfactory performance, to a maximum of nine consecutive years, or some other period approved by the Council;

4.4 Independent members (including the Chair) must collectively have expertise in financial management, reporting and risk management and also experience in public sector management;

4.5 Independent member terms of appointment (including the Chair's) will be set so that as far as possible only one member retires at a time in order to minimise the loss of knowledge of Council's business that may occur on change of membership;

4.6 In the event of an independent member (not the Chair) resigning before the expiry of their term, Council may choose to extend the other independent member's term by one year (up to the maximum nine consecutive year's tenure) to ensure continuity;

4.7 Remuneration will be paid to independent members (including the Chair) as approved by Council from time to time; and

4.8 Council will indemnify the independent members (including the Chair) of the Committee, consistent with section 43 of the Act that applies to Councillors, members of delegated Committees or members of a Community Asset Committee. This requires that members act consistently with the Committee Member Obligation section of the Charter that deals with the misuse of a position, maintaining the confidentiality of information and the declaration of conflicts of interest.

Councillor Members

4.9 Council will appoint Councillor members to the Committee annually; and

4.10 Should an appointed Councillor member not be able to attend a Committee meeting, Council can appoint an alternate member to act in such circumstances, either on a meeting by meeting basis or for the entire year.

Chair

Mornington Peninsula Shire Council Audit and Risk Committee Charter

Reviewed by the Audit and Risk Committee – June 2026
Approved by Council – 7 July 2026

MORNINGTON PENINSULA Shire

4.11 The Chair of the Committee must be an independent member;

4.12 Council will recruit for, and appoint, the Chair of the Committee, seeking someone with experience in a similar complex leadership role;

4.13 If the Chair is unable to attend a meeting, the Chair will nominate one of the independent members to assume the role of Chair for the duration of that meeting.

4.14 The role of the Chair is to:

a. Chair Committee meetings to:

- promote member's participation, communication and consensus;
- complete Committee's business as set out in the meeting Agenda;
- encourage contributions from attendees, particularly where their insight and expertise support the effectiveness of the Committee;
- allow time for members to raise any issues as an item of general business.

b. liaise with the officer assigned by the CEO to:

- plan and prepare for Committee meetings;
- review meeting minutes, Report's on Operations, and other Committee papers to Council;

c. liaise with Committee members and key attendees – including the Mayor, Councillors, CEO, senior officers, Internal and External Auditors – to support the effective function of the Committee.

Recruitment

4.15 An Evaluation Panel will be approved by Council for the recruitment of the Chair or the other two Independent Committee members.

4.16 The Evaluation Panel will normally comprise the Mayor (or another nominated Councillor), the current Committee Chair, and a senior officer nominated by the CEO.

4.17 The Evaluation Panel will recommend a preferred candidate to Council for approval.

5. Meetings

5.1 The Committee will meet at least four times a year with an additional meeting to consider the annual financial report and performance statement and with authority to convene additional meetings, as circumstances require;

5.2 A schedule of meetings and work plan, aligned to this Charter, will be developed annually

Mornington Peninsula Shire Council Audit and Risk Committee Charter

Reviewed by the Audit and Risk Committee – June 2026
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and agreed by members. The work plan will be tabled at every meeting of the Committee;

5.3 All Committee members are expected to attend each meeting in person, although in special circumstances members can attend through electronic means;

5.4 The Committee will invite members of Council's management team, the internal and external auditors and other personnel as appropriate to attend meetings. The CEO, Financial Controller and Manager Governance and Risk (or equivalents) will attend all meetings, except for confidential matters as determined by the Chairperson;

5.5 Committee members as well as the internal or external auditors can request the Chairperson to convene additional meetings if they feel that is justified to address unexpected matters that may have arisen;

5.6 A quorum for meetings shall comprise at least one Councillor member and two independent members.

6. Meeting Procedure

6.1 Meeting agendas and appropriate briefing materials will be provided to members at least one week before each meeting.

6.2 Minutes will be prepared for all meetings by an officer delegated by the CEO. Draft minutes will be reviewed by the Chair and then shared with the Committee members, usually within a week following a Committee meeting. The Committee will be asked to review the minutes, and subject to any feedback being incorporated, confirm the minutes out of session.

6.3 The confirmed minutes will be presented to the next available Council meeting as a confidential attachment.

6.4 All Committee meeting agenda papers and discussions are to be treated as confidential and meetings are not open to the public.

6.5 Any Councillor is entitled to attend a Committee meeting as an observer, however should advise the Chair if they have a conflict of interest and leave the meeting.

6.6 Any conflicts of interest must be disclosed to the Committee at the commencement of the Committee meeting.

6.7 Voting will be undertaken by consensus with any dissenting view noted in the minutes.

7. Reporting to Council

7.1 The Chair will report to Council on the Committee's activities twice per annum. The CEO will table the report on the Committee's behalf.

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MORNINGTON PENINSULA Shire

7.2 One of these reports to Council will be tabled at the meeting following the Annual Report's endorsement and will include the Committee's assessment of its performance.

8. Performance Evaluation

8.1 The Committee shall undertake an evaluation of its performance annually against its Charter and report the outcomes of the evaluation to Council through the CEO, including recommendations for any opportunities for improvement. The evaluation will include feedback from both Committee members and senior officers who have regular interactions with the Committee.

9. Committee Member Integrity Obligations

9.1 Independent Committee (non-Councillor) members are expected to be aware of their obligations under Section 53 of the Act. These obligations relate to the potential misuse of their position as a member of the Committee (Section 123), disclosing confidential information (Section 125) and declaring conflict of interest (Sections 126 to 131). Appendix A describes these obligations.

9.2 Independent Committee members (including the Chair) are required to complete Personal Interest Disclosures annually, consistent with Sections 132-134 of the Act. These disclosures will not be published online as for officers.

10. Review of Charter

10.1 The Committee shall review and assess the adequacy of the Charter annually and submit requests to Council through the CEO for revisions and improvements for approval.

11. Induction

11.1 New members will receive relevant information and briefings on their appointment to assist them to meet their committee responsibilities.

Mornington Peninsula Shire Council Audit and Risk Committee Charter

Reviewed by the Audit and Risk Committee – June 2026
Approved by Council – 7 July 2026

MORNINGTON PENINSULA Shire

Appendix A - Integrity Obligations Guidance to Committee Members

LGA Section	LGA Requirement
Misuse of Position	
123(1)	A Committee member must not intentionally misuse their position to: a) Gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or b) Cause, or attempt to cause, detriment to the Council or another person
123(3)	Circumstances involving misuse of a position by a member of the Committee include: a) Making improper use of information acquired as a result of being a member of the Committee; or b) Disclosing information that is confidential information; or c) Directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or d) Exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or e) Using public funds or resources in a manner that is improper or unauthorised; or f) Participating in a decision on a matter in which the member has a conflict of interest.
Confidential Information	
125	A member of the Committee must not intentionally or recklessly disclose information that the member knows, or should reasonably know, is confidential information. There are some exemptions to this requirement, the key one being that if the information disclosed by the member has been determined by Council to be publicly available.
Conflicts of Interest	
126	A member of the Committee has a conflict of interest if the member has: a) A general conflict of interest as described in Section 127; or b) A material conflict of interest as described in Section 128.
127	A member of the Committee has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the members private interests could result in that member acting in a manner that is contrary to their public duty as a member of the Committee.
128	A member of the Committee has a material conflict of interest in a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.
Please Note *The above guidance is not verbatim from the Act and does not include all details as explained in Part 6, Division 1 of the Act. For a full understanding of the requirements of the Act in relation to the matters summarised above, members are expected to make themselves fully aware of the requirements of the Act.*	

Mornington Peninsula Shire Council Audit and Risk Committee Charter

Reviewed by the Audit and Risk Committee – June 2026
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MORNINGTON PENINSULA Shire

Appendix B – Cross reference of key LGA 2020 requirements with the Charter

LGA requirement	Matter	Charter section
40 (2)	Reimbursement of Councillors and delegated committee expenses	2.23
53 (3)	Membership	4.1, 4.9
53 (4)	Chair	4.11-14
53 (5)	Misuse of position, confidential information, conflict of interest	9
53 (6)	Remuneration of Independent members	4.7
54 (2)	Committee responsibilities	2
54 (3)	Annual work program	5.2
54 (4)	Performance self-assessment	8
54 (5)	Biannual report to Council	7
54 (6a)	Agendas & minutes	6
54 (6b)	Table reports at Council	7
53 (1&2) 54 (7)	Relate to establishment of ARC and noting it is not a delegated committee	Not applicable

MARTHAS POINT EXTENSION

KEYTON

602 ESPLANADE, MT MARTHA



DEVELOPMENT SUMMARY	
SITE AREA	12,643m²
ILU TYPE	TOTAL
ILU TYPE 1A	6
ILU TYPE 1B	9
ILU TYPE 1C	2
ILU TYPE 2A	9
ILU TYPE 2B	4
ILU TYPE 3	2
TOTAL ILU's	32

SITE COVERAGE	5340m² // 42%
PERMEABILITY	3460m² // 27%

INDOOR COMMUNAL AREA	200m²
OUTDOOR COMMUNAL AREA	160m²

CAR PARKING PROVISION	
COMMUNAL PARKING	11 + 2 DDA
PRIVATE PARKING	45
VISITOR PARKING	43

TOWN PLANNING - DRAWING LIST

Sheet Number	Sheet Name	Current Revision
TP00-011	COVER SHEET	A
TP05-001	EXISTING SITE PLAN	A
TP05-010	EXISTING AND DEMOLITION PLAN	A
TP10-001	PROPOSED MASTERPLAN	A
TP10-011	OVERALL GROUND FLOOR PLAN	A
TP40-002	STREETSCAPE SITE ELEVATIONS	A
TP40-011	EXTERNAL FENCE ELEVATIONS	A
TP80-001	TYPE 1A - TYPICAL LAYOUT	A
TP80-002	TYPE 1B - TYPICAL LAYOUT	A
TP80-003	TYPE 1C - TYPICAL LAYOUT	A
TP80-004	TYPE 2A - TYPICAL LAYOUT	A
TP80-005	TYPE 2B - TYPICAL LAYOUT	A
TP80-006	TYPE 3 - TYPICAL LAYOUT	A
TP81-001	COMMUNAL FACILITY SHEET 01	A
TP81-002	COMMUNAL FACILITY SHEET 02	A
TP82-001	SHADOW DIAGRAMS SHEET 01	A
TP82-002	SHADOW DIAGRAMS SHEET 02	A
TP82-003	SHADOW DIAGRAMS SHEET 03	A
TP82-004	SHADOW DIAGRAMS SHEET 04	A
TP82-005	SHADOW DIAGRAMS SHEET 05	A

STATUS **TOWN PLANNING**

V / A
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REV	DESCRIPTION	DATE	BY
A	TOWN PLANNING	08/12/2025	MH

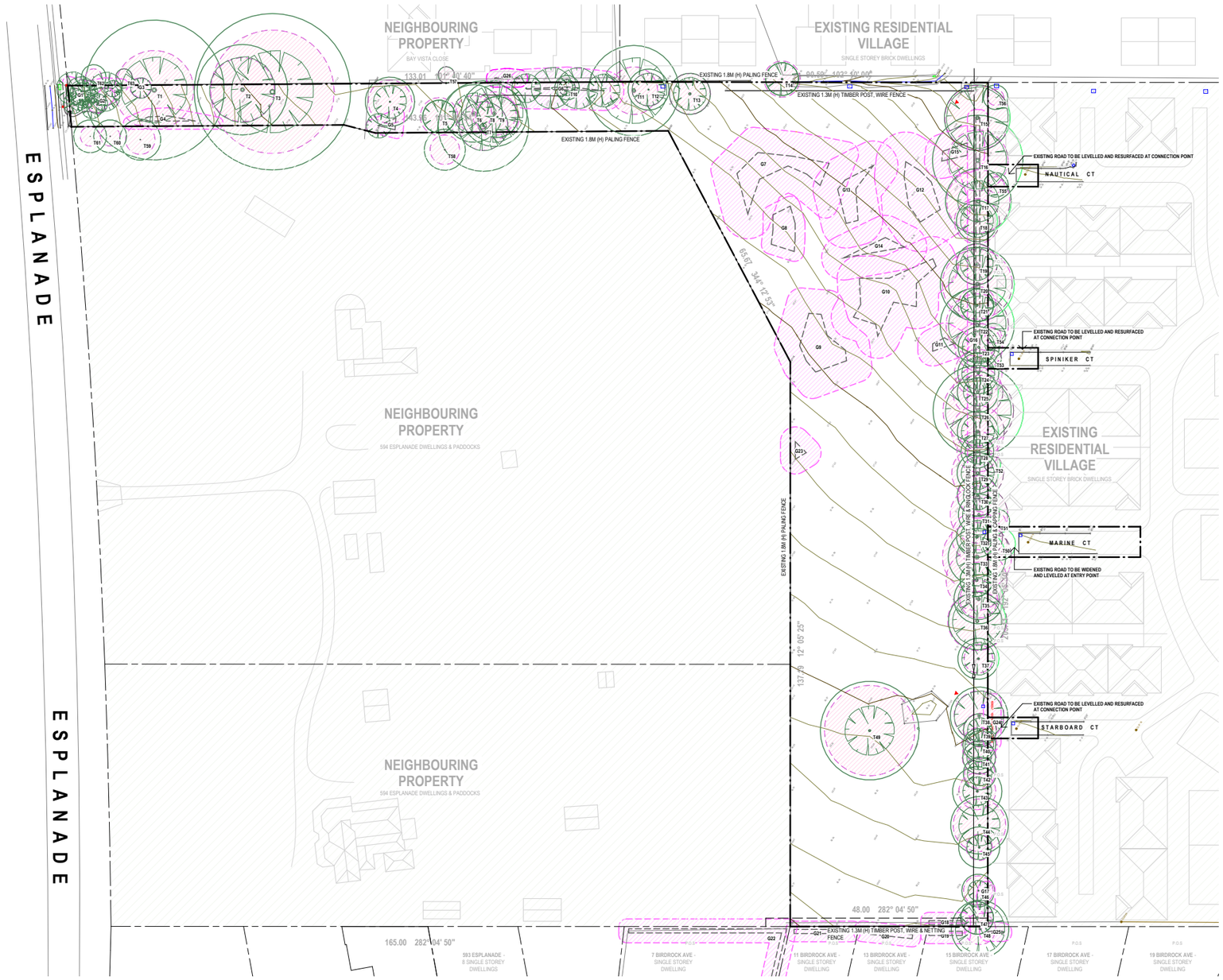
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TIMESTAMP: 08/12/2025 10:15:58 AM

KEY PLAN

THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORK OR MAKING OF ANY SHOP DRAWINGS. FIGURED DIMENSIONS MUST BE USED IN PREFERENCE TO SCALING. SCALED DIMENSIONS MUST BE VERIFIED ON SITE. SHEET TO BE PRINTED IN COLOUR. THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF THE ARCHITECT

PROJECT MARTHAS POINT EXTENSION
ADDRESS 602 ESPLANADE, MT MARTHA
CLIENT KEYTON
DRAWING TITLE COVER SHEET

SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
As indicated	LP	MH	2510011	TP00-011	A



STATUS **TOWN PLANNING**

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REV	DESCRIPTION	DATE	BY
A	TOWN PLANNING	08/12/2025	MH

PROJECT REF C:\Users\MHondrogiannis\Documents\23110042 - KEYTON - 602 ESPLANADE MOUNT MARTHA_R23_TP_MHondrogiannis.rvt
TIMESTAMP 08/12/2025 10:16:00 AM

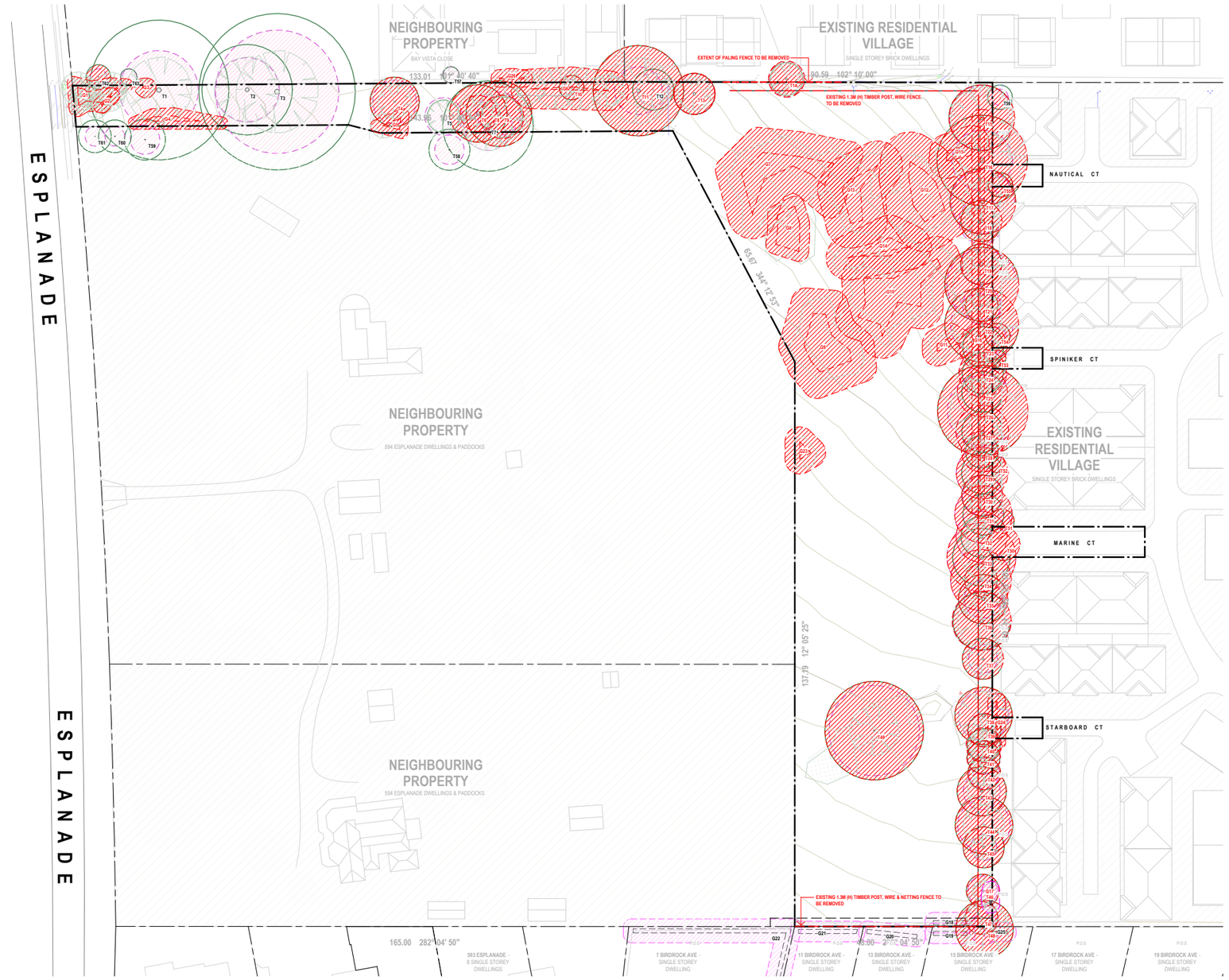
KEY PLAN

NORTH POINT

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PROJECT MARTHAS POINT EXTENSION
ADDRESS 602 ESPLANADE, MT MARTHA
CLIENT KEYTON
DRAWING TITLE EXISTING SITE PLAN

SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
1 : 500	RL	MA	2510011	TP05-001	A



1 TREE RETENTION PLAN
TP05-010 1 : 500

LEGEND

TITLE BOUNDARY

TPZ / CANOPY / TREE NUMBER — EXISTING CANOPY TREE

GROUP NUMBER — EXISTING SHRUB / GROUND COVER

TREE NUMBER / GROUP NUMBER — EXISTING TREE / FOLIAGE TO BE REMOVED

TREE ASSESSMENT TABLE

No.	Species	Retained/Removed	Common Name	Height (m)	Width (m)	Health	Age	Structure	SRZ (m)	TPZ (m)
1	Eucalyptus nitrocorys	Retained	Tableland	14	17	Fair		Mod.C	3.6	5.1
2	Corymbia maculata	Removed	Spotted Gum	13	11	Fair to Poor		Mod.B	7.8	5.1
3	Eucalyptus botryoides	Retained	Southern Mahogany	15	18	Fair		Mod.A	15	4
4	Leptospermum	Removed	Coast Tea-tree	5	6	Fair		Low	3.0	3.6
5	Leptospermum	Retained	Coast Tea-tree	5	4	Fair		Mod.C	4.0	3.0
6	Eucalyptus	Removed	Southern Mahogany	12	7	Good		Mod.C	6.4	2.3
7	Eucalyptus globulus	Retaining	Southern Blue Gum	18	13	Fair		Mod.A	5.9	3.8
8	Eucalyptus sp.	Removed	Gum Tree	15	8	Dead		Very Low	5.0	2.5
9	Leptospermum	Removed	Coast Tea-tree	4	5	Fair to Poor		Low	3.3	2.5
10	Corymbia ficifolia	Removed	Red Flowering	5	6	Fair to Poor		Low	2	1.8
11	Eucalyptus nicholii	Removed	Black	11	11	Fair to Poor		Low	3.8	2.6
12	Melaleuca	Retained	Shower Honeyi- myrtifo	4	5	Good		Mod.C	4	2.2
13	Eucalyptus	Removed	Red Ironbark	6	5	Fair to Poor		Mod.C	5	3.1
14	Eucalyptus	Removed	Pink-flowered Yellow Gum	5	6	Fair		Mod.C	4.4	2.4
15	Eucalyptus	Removed	Manna Gum	13	6	Fair		Mod.B	7.2	3
16	Eucalyptus	Removed	Manna Gum	14	11	Fair		Mod.B	7.4	2.9
17	Eucalyptus	Removed	Manna Gum	12	8	Poor		Very Low	7.7	2.9
18	Eucalyptus	Removed	Red Ironbark	10	5	Fair to Poor		Mod.C	5.5	2.5
19	Eucalyptus	Removed	Red Ironbark	12	5	Fair		Mod.B	6.3	3.0
20	Eucalyptus	Removed	Manna Gum	12	9	Fair		Mod.B	8.5	3
21	Eucalyptus	Removed	Manna Gum	7	6	Poor		Low	5.4	2.4
22	Eucalyptus	Removed	Manna Gum	11	9	Fair		Mod.C	7.6	3
23	Eucalyptus	Removed	Manna Gum	7	5	Poor		Very Low	5.8	2.5
24	Eucalyptus	Removed	Red Ironbark	8	5	Fair		Mod.C	5.8	2.5
25	Eucalyptus	Removed	Manna Gum	8	5	Poor		Low	6.2	2.6
26	Eucalyptus	Removed	Manna Gum	13	11	Fair		Mod.C	8.6	3
27	Eucalyptus tetragna	Removed	Sydney-Blue Gum	10	5	Fair to Poor		Low	6.4	2.5
28	Eucalyptus	Removed	Manna Gum	11	4	Poor		Low	5	2.5
29	Eucalyptus	Removed	Red Ironbark	9	5	Fair		Mod.C	4.3	2.5
30	Eucalyptus sp.	Removed	Gum Tree	9	5	Fair to Poor		Mod.C	4.6	3.3
31	Eucalyptus sp.	Removed	Gum Tree	7	5	Dead		Very Low	7	3.8
32	Eucalyptus globulus	Removed	Southern Blue Gum	9	5	Fair to Poor		Mod.C	6.2	2.8
33	Eucalyptus	Removed	Manna Gum	10	7	Fair		Mod.B	6.4	3
34	Eucalyptus globulus	Removed	Southern Blue Gum	10	4	Fair to Poor		Mod.C	7.8	2.8
35	Eucalyptus	Removed	Manna Gum	10	6	Fair		Mod.C	6.6	2.6
36	Eucalyptus	Removed	Manna Gum	15	7	Good		Mod.B	7.3	2.9
37	Eucalyptus	Removed	Red Ironbark	7	5	Fair		Mod.C	5.5	3.3
38	Eucalyptus nicholii	Removed	Narrow-leaved Black Narrow-leaved	9	7	Fair		Mod.C	6.1	2.7
39	Eucalyptus nicholii	Removed	Narrow-leaved	9	4	Fair		Mod.C	4.2	2.4
40	Eucalyptus nicholii	Removed	Black	7	4	Fair to Poor		Mod.C	4.3	2.4
41	Eucalyptus	Removed	Red Ironbark Narrow-leaved	8	9	Fair		Mod.C	9.1	2.9
42	Eucalyptus nicholii	Removed	Black Narrow-leaved	7	4	Fair to Poor		Low	5.7	2.3
43	Eucalyptus nicholii	Removed	Black	7	6	Good		Mod.C	4.2	2.4
44	Eucalyptus	Removed	Red Ironbark	6	7	Good		Mod.C	3.4	3.7
45	Eucalyptus	Removed	Snow-Gum Narrow-leaved	6	5	Good		Mod.C	3.2	2.5
46	Eucalyptus nicholii	Removed	Black	5	4	Fair to Poor		Mod.C	3.0	2.3
47	Acacia melanoxylon	Removed	Blackwood	9	4	Poor		Low	4	2.2
48	Eucalyptus	Removed	Southern Mahogany	7	7	Fair to Poor		Low	5.8	2.3
49	Rhus radicta	Removed	Mootoma Pine	4	12	Fair		Very Low	11	4.3
50	Acacia mearnsii	Removed	Silver Banksia	8	4	Fair		Mod.B	3	1.7
51	Callistemon cv.	Removed	Bottlebrush -cultivar	4	4	Good		Low	2	1.5
52	Callistemon cv.	Removed	Bottlebrush -cultivar	3	2	Fair		Low	2	1.5
53	Banksia integrifolia	Removed	Coast Banksia	4	2	Fair		Mod.C	2	1.5
54	Callistemon cv.	Removed	Bottlebrush -cultivar	5	5	Fair to Poor		Low	2	1.5
55	Acacia cultriformis	Removed	Knife -Wattle	4	3	Good		Low	2	1.5
56	Callistemon cv.	Retained	Bottlebrush -cultivar	3	3	Fair		Low	2	1.5
57	Magnolia	Retained	Bull Bay	4	2	Poor		Very Low	3	1.5
58	Eucalyptus	Retained	Southern Mahogany	15	5	Fair		Mod.B	5.5	2.1
59	Acacia rhetenioi	Retained	Lake Bank -wattle	4	5	Fair		Mod.C	3.4	2.1
60	Ulmus procera	Retained	English Elm	8	4	Fair		Mod.C	3.4	1.8
61	Prunus cerasi	Removed	Sweet Prunus	6	4	Fair to Poor		Very Low	2.4	1.8
62	Ulmus procera	Removed	English Elm	9	3	Fair		Very Low	2	1.5
63	Phoenix Rhweo	Retained	Canarian -Palm	3	2	Fair		Very Low	2	1.5
64	Ulmus procera	Removed	English Elm	7	3	Fair		Mod.C	2.4	1.8
65	Prunus cerasi	Removed	Sweet Prunus	8	4	Poor		Very Low	2	1.7
66	Ulmus procera	Removed	English Elm	7	3	Fair to Poor		Low	2	1.5
67	Prunus cerasi	Removed	Sweet Prunus	6	2	Fair		Very Low	2	1.5
68	Leptospermum	Removed	Coast Tea-tree	5	4	Fair		Low	2	1.7
69	Cupressus	Removed	Monterey Cypress	9	5	Fair		Mod.B	4.6	2.5
70	Leptospermum	Removed	Coast Tea-tree	5	6	Fair		Low	4	2.7
71	Leptospermum laevigatum	Removed	Coast Tea-tree, Freshwi	3	4	Fair		Very Low	2.4	3
72	Leptospermum	Removed	Coast Tea-tree	4	7	Fair		Mod.C	6	2.7
73	Acacia longifolia var. sophorae	Removed	Coast Wattle, Coast Tea-tree	5	5	Fair		Mod.C	3.4	2.9
74	Leptospermum	Removed	Coast Tea-tree	4	4	Fair to Poor		Low	5.5	2.4
75	Leptospermum	Removed	Coast Tea-tree	4	5	Fair		Mod.C	7.2	2.8
76	Leptospermum	Removed	Coast Tea-tree	4	6	Fair		Mod.C	6	2.7
77	Leptospermum	Removed	Coast Tea-tree	4	6	Fair		Mod.C	5.4	2.6
78	Leptospermum laevigatum	Removed	Coast Tea-tree, Prickly Paperbark	4	5	Fair		Low	4.2	2.3
79	Acacia longifolia var. sophorae	Removed	Coast Wattle, Coast Tea-tree	3	4	Fair		Low	2	1.5
80	Acacia melanoxylon	Removed	Blackwood	8	2	Fair		Low	2	1.5
81	Acacia melanoxylon	Removed	Blackwood, Mimosa Bush	7	4	Fair		Very Low	2.4	1.8
82	Eucalyptus macrorhyncha	Removed	River Red, Cham	5	2	Good		Low	2	1.7
83	Agonis flexuosa	Removed	Willow Myrtle	5	2	Good		Mod.C	2	1.7
84	Acacia floribunda	Removed	Gold Wattle, Coast Banksia,	4	2	Fair		Low	2	1.5
85	Syzygium paniculatum	Removed	Bush Cherry, Lillypilly, Cypress	3	2	Good		Mod.C	2.4	1.8
86	Leptospermum laevigatum	Removed	Coast Tea-tree, Kanga-roo Apple	3	2	Fair to Poor		Very Low	2.4	1.8
87	Magnolia	Removed	Bull Bay	3	2	Fair-Unhoo		Low	2	1.5
88	Corymbia ingens; Eucalyptus	Removed	Mirror Bush, Southern Mahogany	4	2	Fair to Poor		Low	2	1.7
89	Pyrus calleryana	Removed	Callery's Pear	6	2	Good		Low	2	1.5
90	Cupressus sempra	Removed	Mirror Bush	2	2					
91	Dysoxylum spectabile	Removed	Cape Sweet Pea	2	1					
92	Pyracantha sp.	Removed	Firethorn	1	1					
93	Ulex europaeus	Removed	Gorse	2	2					
94	Dysoxylum spectabile	Removed	Cape Sweet Pea	2	1					
95	Unknown	Unknown	Unknown	1	1					
96	Unknown	Unknown	Unknown	2	1					

STATUS **TOWN PLANNING**

V / A ARCHITECTS

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REV	DESCRIPTION	DATE	BY
A	TOWN PLANNING	08/12/2025	MH

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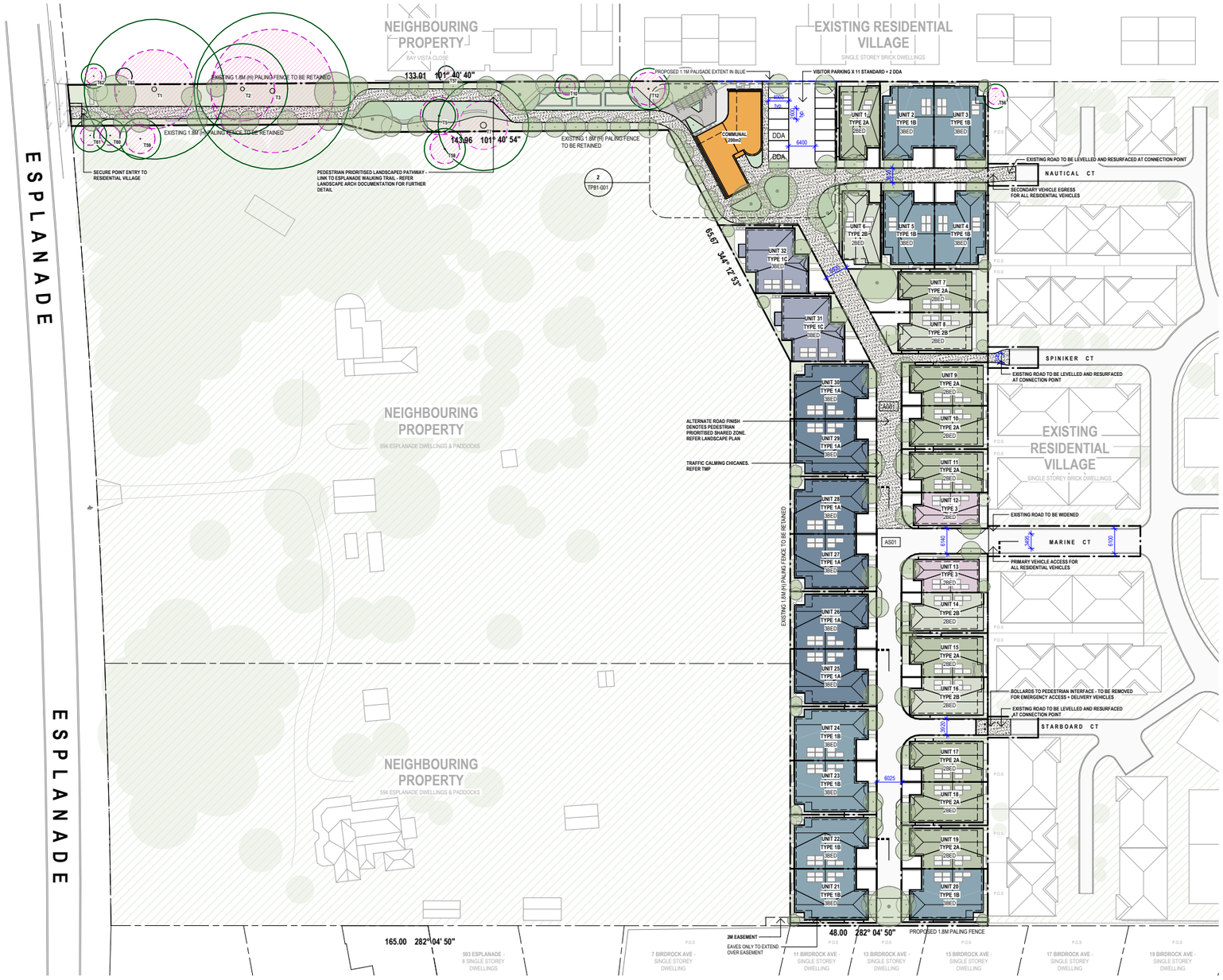
KEY PLAN

NORTH POINT

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PROJECT MARTHAS POINT EXTENSION
ADDRESS 602 ESPLANADE, MT MARTHA
CLIENT KEYTON
DRAWING TITLE EXISTING AND DEMOLITION PLAN

SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
1 : 500	MH	MA	2510011	TP05-010	A



1 TP10-001 PROPOSED MASTERPLAN
1 : 500

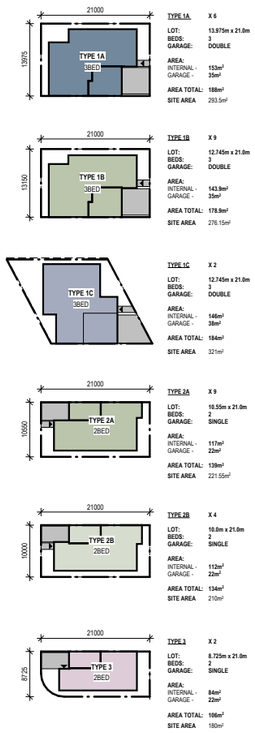
LEGEND

- EXISTING TREE TO BE RETAINED
- TP2
- TREE NUMBER
- SRZ
- PROPOSED CANOPY TREE
- GIVE WAY ROAD MARKING
- SITE BOUNDARY

ROAD SURFACE FINISH TAGS

AS01	ASPHALT
AG01	ALTERNATE FINISH - AGGREGATE - PEDESTRIAN PRIORITISED SHARED ZONE

DWELLING TYPE LEGEND



STATUS **TOWN PLANNING**

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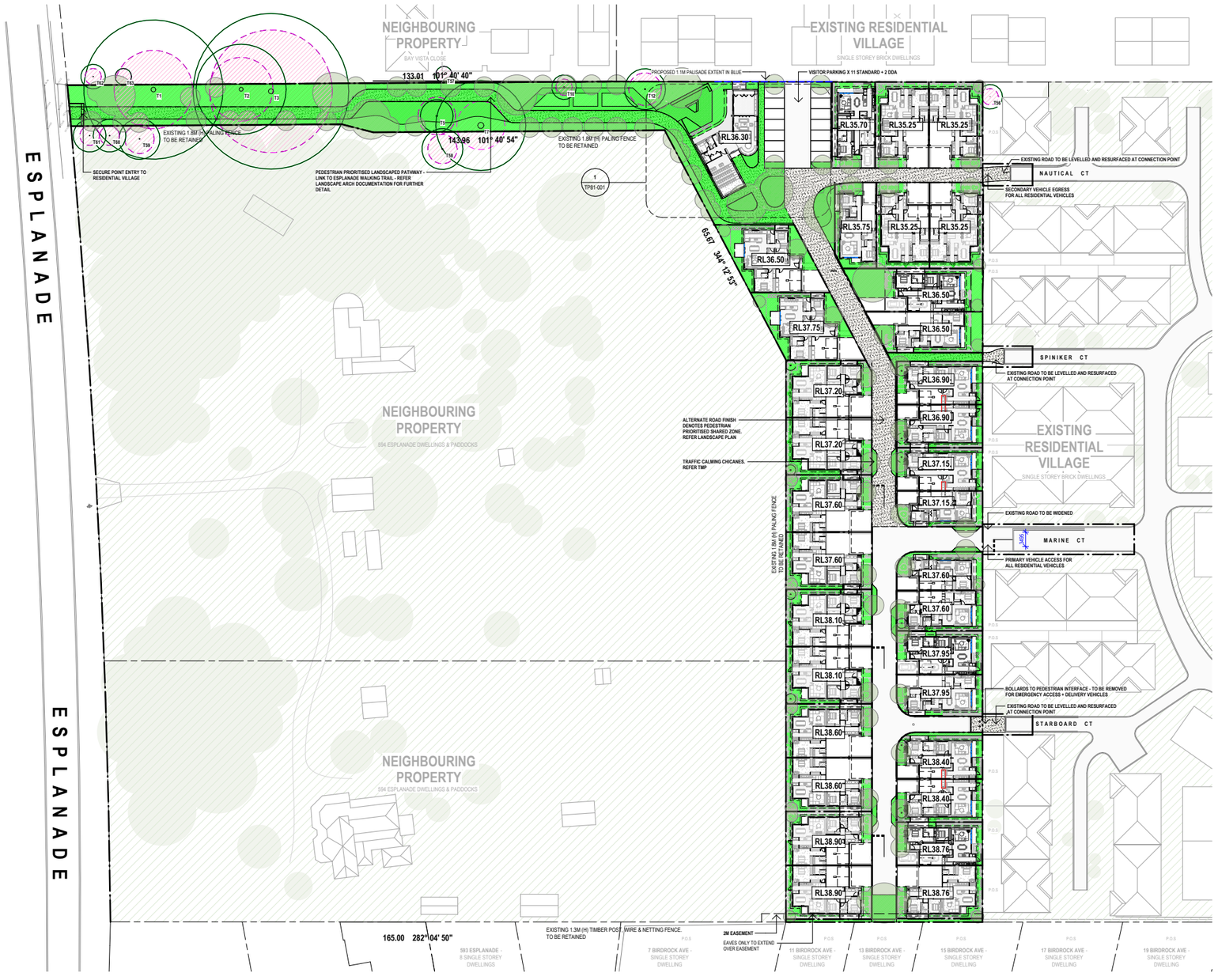
KEY PLAN

NORTH POINT

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PROJECT MARTHAS POINT EXTENSION
ADDRESS 602 ESPLANADE, MT MARTHA
CLIENT KEYTON
DRAWING TITLE PROPOSED MASTERPLAN

SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
As indicated	MH	MA	2510011	TP10-001	A



1 TP10-011 OVERALL GROUND FLOOR PLAN
1 : 500

LEGEND

- EXISTING TREE TO BE RETAINED
- TPZ
- T# TREE NUMBER
- SRZ
- PROPOSED CANOPY TREE
- GIVE WAY ROAD MARKING
- SITE BOUNDARY

ROAD SURFACE FINISH TAGS

AS01	ASPHALT
AG01	ALTERNATE FINISH - AGGREGATE - PEDESTRIAN PRIORITISED SHARED ZONE

COVERAGE LEGEND

GARDEN AREA

4445m² // 35.2%

CALCULATED IN LINE WITH PPN84: APPLYING THE MINIMUM GARDEN AREA REQUIREMENT

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PROJECT MARTHAS POINT EXTENSION
ADDRESS 602 ESPLANADE, MT MARTHA
CLIENT KEYTON
DRAWING TITLE OVERALL GROUND FLOOR PLAN

SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
As indicated	LP	MH	2510011	TP10-011	A



A TP40-002 ELEVATION STREETSCAPE A
1 : 200



B TP40-002 ELEVATION STREETSCAPE B
1 : 200



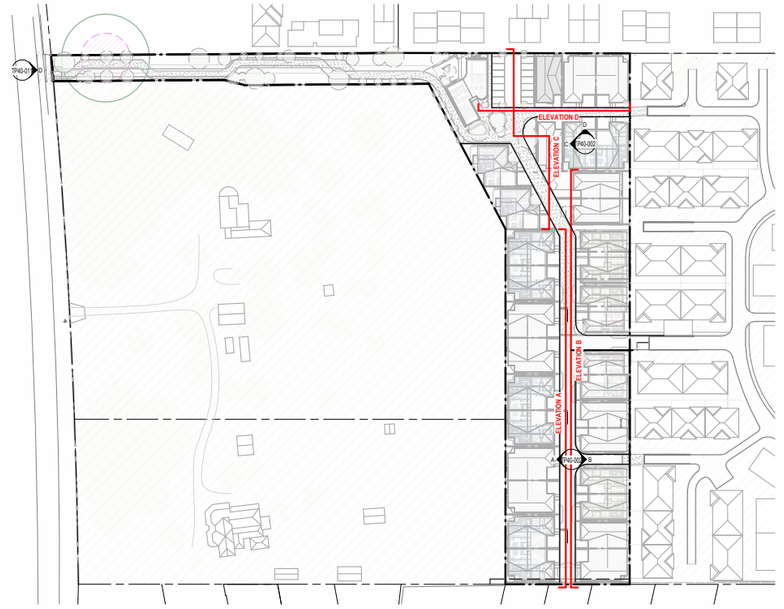
C TP40-002 ELEVATION STREETSCAPE C
1 : 200



D TP40-002 ELEVATION STREETSCAPE D
1 : 200

UNIT TYPE PALETTE VARIATION

DWELLING	BUFF BRICK	RED BRICK
UNIT 1	✓	
UNIT 2/3		✓
UNIT 4/5	✓	
UNIT 6	✓	
UNIT 7/8		✓
UNIT 9/10	✓	
UNIT 11/12	✓	
UNIT 13/14	✓	
UNIT 15/16		✓
UNIT 17/18	✓	
UNIT 19/20		✓
UNIT 21/22	✓	
UNIT 23/24		✓
UNIT 25/26	✓	
UNIT 27/28		✓
UNIT 29/30	✓	
UNIT 31/32	✓	



1 TP40-002 MASTERPLAN ELEVATION KEY PLAN
1 : 1000

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KEY PLAN

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PROJECT
MARTHAS POINT EXTENSION

ADDRESS
602 ESPLANADE, MT MARTHA

CLIENT
KEYTON

DRAWING TITLE
STREETSCAPE SITE ELEVATIONS

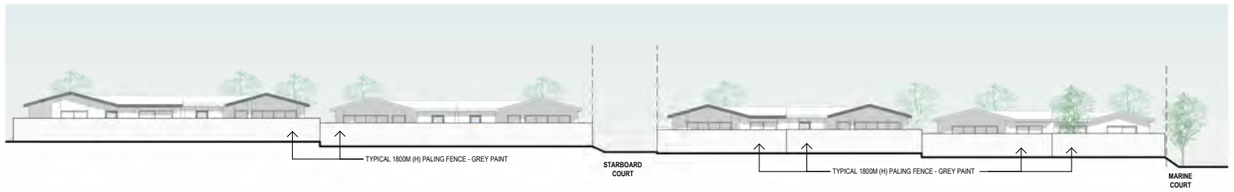
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As indicated	LP	MH	2510011	TP40-002	A



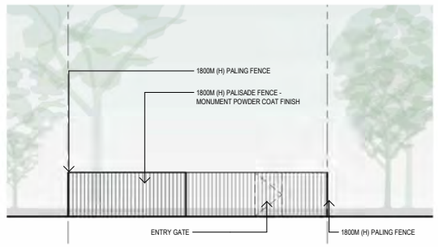
A TP40-011 EXTERNAL FENCE ELEVATION A
1 : 200



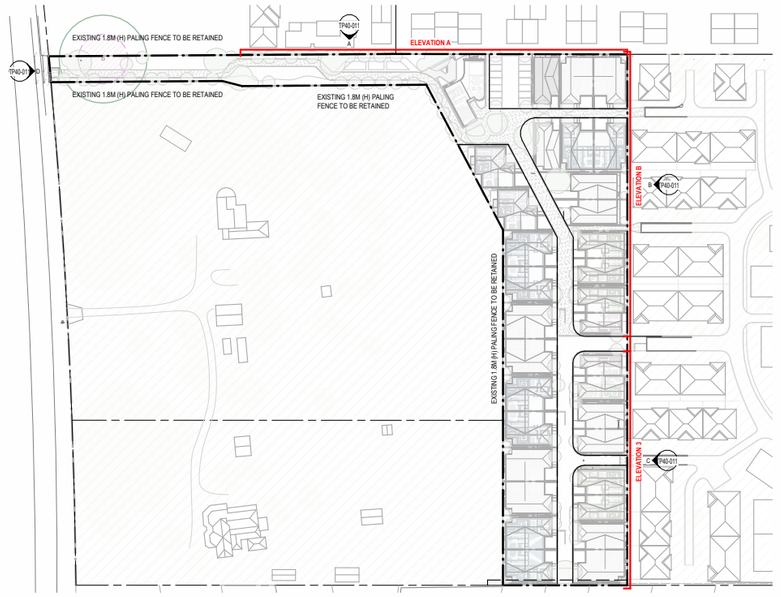
B TP40-011 EXTERNAL FENCE ELEVATION B
1 : 200



C TP40-011 EXTERNAL FENCE ELEVATION C
1 : 200



D TP40-011 SECURE POINT - ELEVATION
1 : 100



1 TP40-011 MASTERPLAN ELEVATION KEY PLAN - 2
1 : 1000

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KEY PLAN

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PROJECT
MARTHAS POINT EXTENSION

ADDRESS
602 ESPLANADE, MT MARTHA

CLIENT
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DRAWING TITLE
EXTERNAL FENCE ELEVATIONS

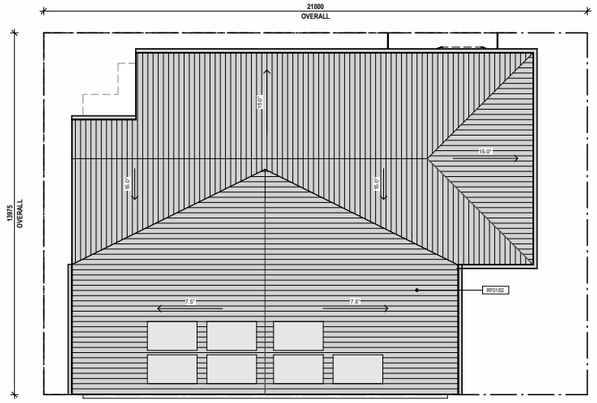
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As indicated	LP	MH	2510011	TP40-011	A



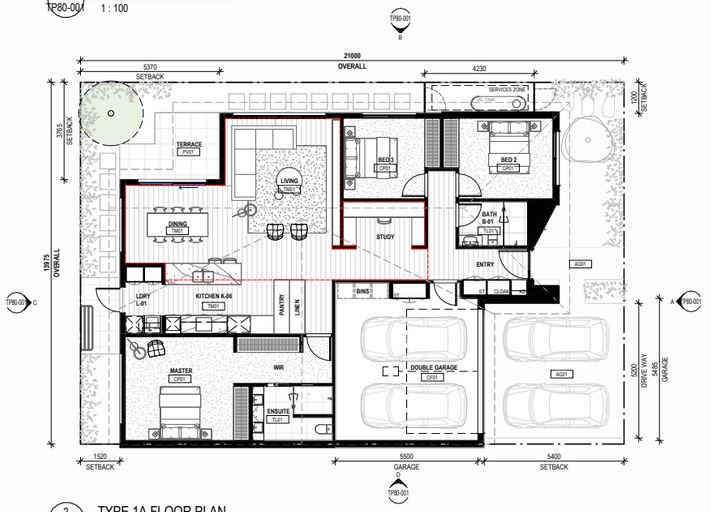
RED BRICK - INDICATIVE VISUALISATION



BUFF BRICK - INDICATIVE VISUALISATION



1 TP80-004 TYPE 1A ROOF PLAN
1 : 100



2 TP80-004 TYPE 1A FLOOR PLAN
1 : 100

LEGEND

PROPOSED TREE

LANDSCAPING SHOWN INDICATIVELY - REFER LANDSCAPE ARCHITECT DOCUMENTATION FOR FURTHER DETAIL

TITLE BOUNDARY

WALL ON BOUNDARY

RAKED CEILING EXTENT

LOT METRICS

TYPE 1A	X 6
LOT:	13.975m x 21.0m
BEDS:	3
GARAGE:	DOUBLE
AREA:	
INTERNAL -	153m²
GARAGE -	35m²
AREA TOTAL:	188m²
SITE AREA	293.5m²
SITE COVERAGE	64.05%
PERMEABILITY	62.60m² // 21.3%

WINDOWS & OPENINGS

HLW HIGHLIGHT WINDOW

INTERNAL FLOOR FINISH TAGS

TM01 TIMBER FLOOR FINISH

TL01 TILED FLOOR FINISH

CP01 CARPET FLOOR FINISH

CF01 CONCRETE

EXTERNAL FLOOR FINISH TAGS

AG01 AGGREGATED CONCRETE

PV01 EXTERNAL PAVING

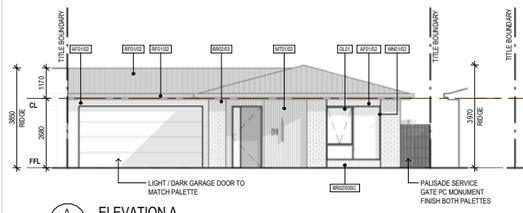
ELEVATION MATERIAL TAGS

BUFF BRICK PALETTE		*RED BRICK PALETTE*	
BR02	MULTI BUFF BRICK	BR03	RED BRICK
BR02SC	BUFF BRICK (SOLDIER COURSE)	BR03SC	RED BRICK (SOLDIER COURSE)
AF01	APPLIED FINISH - LIGHT	AF02	APPLIED FINISH - DARK
MT01	METAL CLADDING - SHALE GREY	MT02	METAL CLADDING - MONUMENT
RF01	EXPRESSED METAL ROOFING - SHALE GREY	RF02	EXPRESSED METAL ROOFING - MONUMENT
WN01	WINDOW FRAME - SHALE GREY PC FINISH	WN02	WINDOW FRAME - MONUMENT PC FINISH
GL01	CLEAR GLAZING	GL01	CLEAR GLAZING

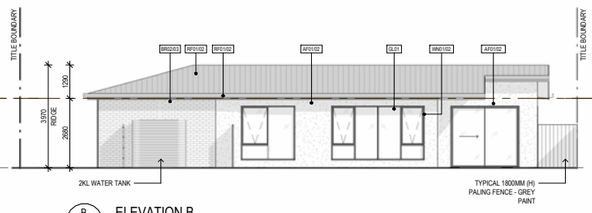
NOTE - GUTTER AND FASCIA TO MATCH PC FINISH OF ROOF DECK

TYPE 1A PALETTE VARIATION

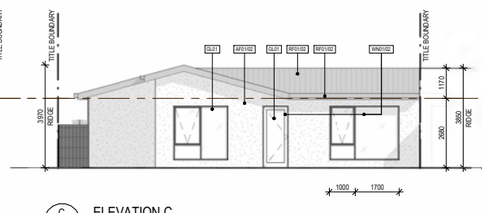
DWELLING	BUFF BRICK	RED BRICK
UNIT 25/26	✓	
UNIT 27/28		✓
UNIT 29/30	✓	



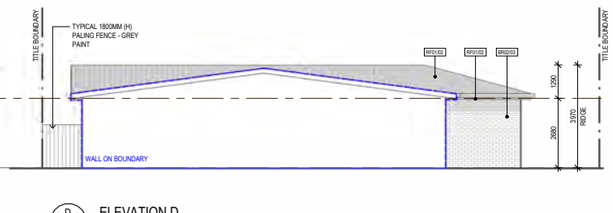
A TP80-004 ELEVATION A
1 : 100



B TP80-004 ELEVATION B
1 : 100



C TP80-004 ELEVATION C
1 : 100



D TP80-004 ELEVATION D
1 : 100

NOTE
- LANDSCAPE REMOVED FROM ELEVATIONS FOR CLARITY OF MATERIALITY
- TYPICAL ELEVATIONS SHOWN - REFER TP10-XXX SERIES FOR SITE SPECIFIC RL

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TIMESTAMP 08/12/2025 10:21:44 AM

KEY PLAN

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PROJECT
KEYTON - MOUNT MARTHA

ADDRESS
602 ESPLANADE, MT MARTHA

CLIENT
KEYTON

DRAWING TITLE
TYPE 1A - TYPICAL LAYOUT

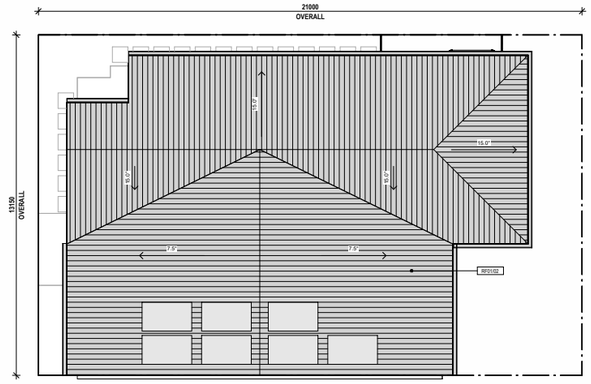
SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
1 : 100	LP	MH	2510011	TP80-001	A



RED BRICK - INDICATIVE VISUALISATION

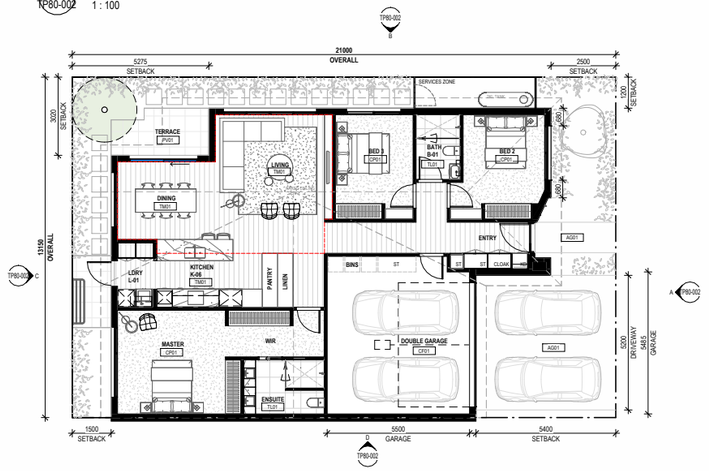


BUFF BRICK - INDICATIVE VISUALISATION



NOTE - SOLAR ARRAY IN LINE WITH SMP, SHOWN INDICATIVELY ONLY.
REFER SMP FOR SPECIFIC LOCATIONS

1 TP80-002 TYPE 1B ROOF PLAN
1 : 100



2 TP80-002 TYPE 1B FLOOR PLAN
1 : 100

LEGEND

PROPOSED TREE

LANDSCAPING SHOWN INDICATIVELY - REFER LANDSCAPE ARCHITECT DOCUMENTATION FOR FURTHER DETAIL

TITLE BOUNDARY

WALL ON BOUNDARY

RAKED CEILING EXTENT

LOT METRICS

TYPE 1A	X 9
LOT:	13.150m x 21.0m
BEDS:	3
GARAGE:	DOUBLE
AREA:	
INTERNAL -	143.9m²
GARAGE -	35m²
AREA TOTAL:	178.9m²
SITE AREA	276.15m²
SITE COVERAGE	64.78%
PERMEABILITY	56.7m² // 20.5%

WINDOWS & OPENINGS

HLW HIGHLIGHT WINDOW

INTERNAL FLOOR FINISH TAGS

TM01 TIMBER FLOOR FINISH
TL01 TILED FLOOR FINISH
CP01 CARPET FLOOR FINISH
CF01 CONCRETE

EXTERNAL FLOOR FINISH TAGS

AG01 AGGREGATED CONCRETE
PV01 EXTERNAL PAVING

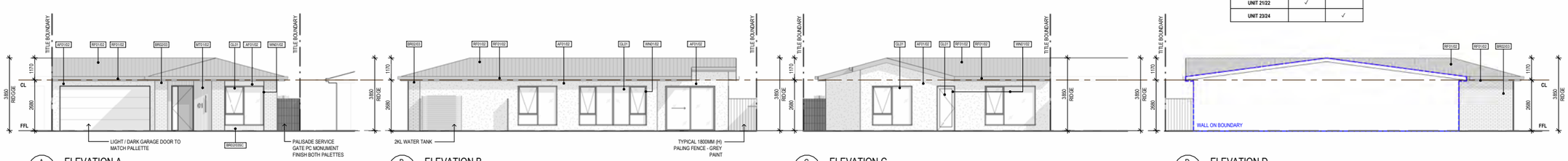
ELEVATION MATERIAL TAGS

BUFF BRICK PALETTE		*RED BRICK PALETTE*	
BR02	MULTI BUFF BRICK	BR03	RED BRICK
BR02SC	BUFF BRICK (SOLDIER COURSE)	BR03SC	RED BRICK (SOLDIER COURSE)
AF01	APPLIED FINISH - LIGHT	AF02	APPLIED FINISH - DARK
MT01	METAL CLADDING - SHALE GREY	MT02	METAL CLADDING - MONUMENT
RF01	EXPRESSED METAL ROOFING - SHALE GREY	RF02	EXPRESSED METAL ROOFING - MONUMENT
WN01	WINDOW FRAME - SHALE GREY PC FINISH	WN02	WINDOW FRAME - MONUMENT PC FINISH
GL01	CLEAR GLAZING	GL01	CLEAR GLAZING

NOTE - GUTTER AND FASCIA TO MATCH PC FINISH OF ROOF DECK

TYPE 1B PALETTE VARIATION

DWELLING	BUFF BRICK	RED BRICK
UNIT 2/3		✓
UNIT 4/5	✓	
UNIT 20		✓
UNIT 21/22	✓	
UNIT 23/24		✓



A TP80-002 ELEVATION A 1 : 100

B TP80-002 ELEVATION B 1 : 100

C TP80-002 ELEVATION C 1 : 100

D TP80-002 ELEVATION D 1 : 100

NOTE
- LANDSCAPE REMOVED FROM ELEVATIONS FOR CLARITY OF MATERIALITY
- TYPICAL ELEVATIONS SHOWN - REFER TP10-XXX SERIES FOR SITE SPECIFIC RL

STATUS **TOWN PLANNING**

V / A ARCHITECTS

LEVEL 3, 377 LONSDALE STREET MELBOURNE VIC 3000
+61 3 8678 3300 / viaarchitects.com.au

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REV	DESCRIPTION	DATE	BY
A	TOWN PLANNING	08/12/2025	MH

PROJECT REF C:\Users\MHondrogiannis\Documents\TP_KEYTON MP EXT_TYPE 1B_MHondrogiannis.rvt
TIMESTAMP 08/12/2025 10:22:24 AM

KEY PLAN

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PROJECT KEYTON - MOUNT MARTHA
ADDRESS 602 ESPLANADE, MT MARTHA
CLIENT KEYTON
DRAWING TITLE TYPE 1B - TYPICAL LAYOUT

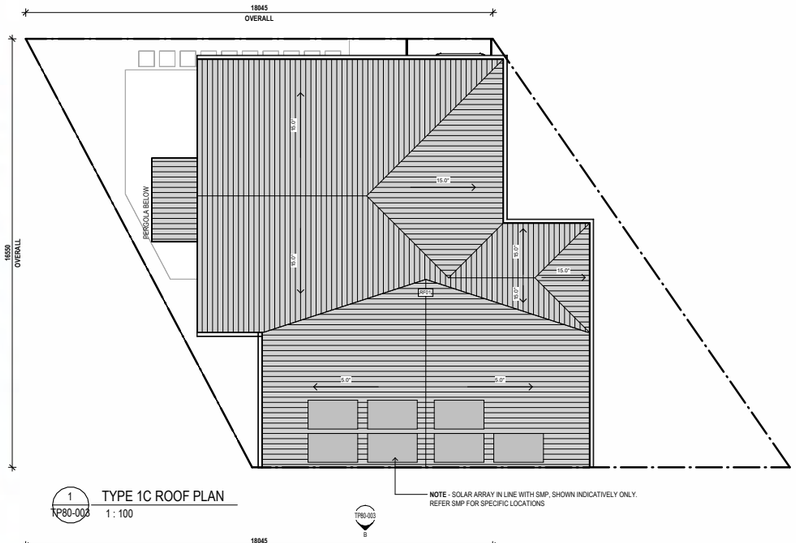
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1 : 100	LP	MH	2510011	TP80-002	A



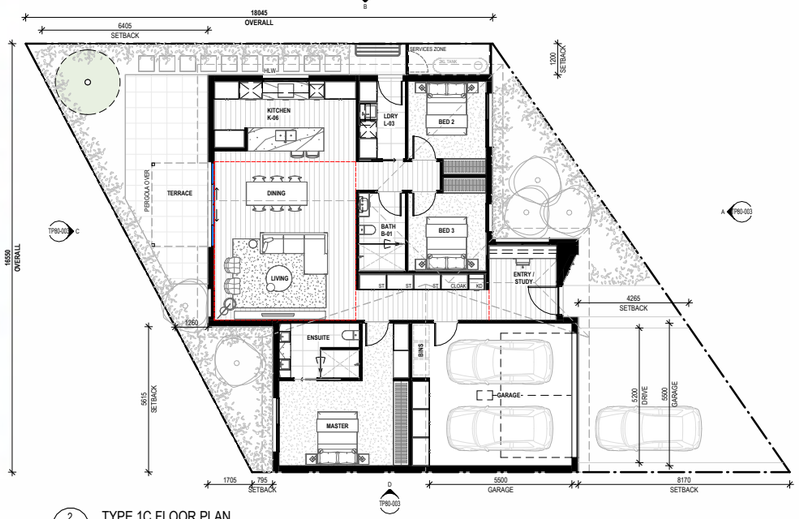
RED BRICK - INDICATIVE VISUALISATION



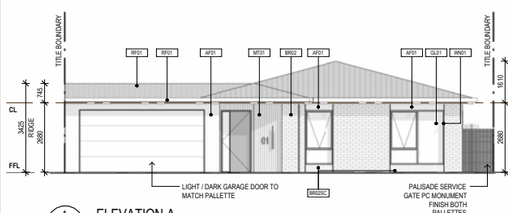
BUFF BRICK - INDICATIVE VISUALISATION



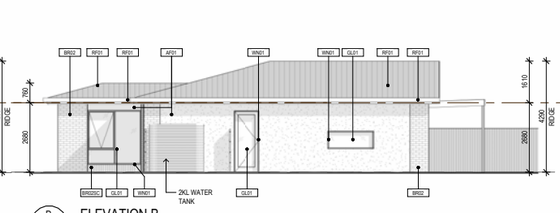
1 TP80-003 TYPE 1C ROOF PLAN 1 : 100



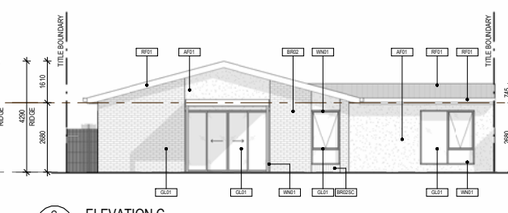
2 TP80-003 TYPE 1C FLOOR PLAN 1 : 100



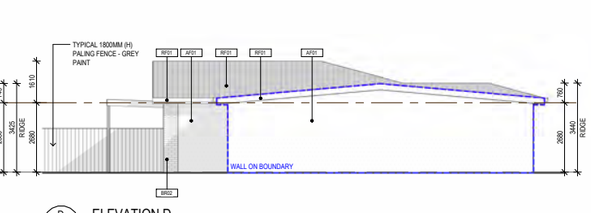
A TP80-003 ELEVATION A 1 : 100



B TP80-003 ELEVATION B 1 : 100



C TP80-003 ELEVATION C 1 : 100



D TP80-003 ELEVATION D 1 : 100

NOTE
- LANDSCAPE REMOVED FROM ELEVATIONS FOR CLARITY OF MATERIALITY
- TYPICAL ELEVATIONS SHOWN - REFER TP10-XXX SERIES FOR SITE SPECIFIC RL

LEGEND

PROPOSED TREE

"LANDSCAPING SHOWN INDICATIVELY - REFER LANDSCAPE ARCHITECT DOCUMENTATION FOR FURTHER DETAIL"

TITLE BOUNDARY
WALL ON BOUNDARY
RAKED CEILING EXTENT

LOT METRICS

TYPE 1C	X 2
LOT:	12.745m x 21.0m
BEDS:	3
GARAGE:	DOUBLE
AREA:	
INTERNAL -	146m²
GARAGE -	38m²
AREA TOTAL:	184m²
SITE AREA	321m²
SITE COVERAGE	57.32%
PERMEABILITY	78.9m² // 24.5%

WINDOWS & OPENINGS

HLW	HIGHLIGHT WINDOW

INTERNAL FLOOR FINISH TAGS

TM01	TIMBER FLOOR FINISH
TL01	TILED FLOOR FINISH
CP01	CARPET FLOOR FINISH
CF01	CONCRETE

EXTERNAL FLOOR FINISH TAGS

AG01	AGGREGATED CONCRETE
PV01	EXTERNAL PAVING

ELEVATION MATERIAL TAGS

BUFF BRICK PALETTE		*RED BRICK PALETTE*	
BR02	MULTI BUFF BRICK	BR03	RED BRICK
BR02SC	BUFF BRICK (SOLDIER COURSE)	BR03SC	RED BRICK (SOLDIER COURSE)
AF01	APPLIED FINISH - LIGHT	AF02	APPLIED FINISH - DARK
MT01	METAL CLADDING - SHALE GREY	MT02	METAL CLADDING - MONUMENT
RF01	EXPRESSED METAL ROOFING - SHALE GREY	RF02	EXPRESSED METAL ROOFING - MONUMENT
WN01	WINDOW FRAME - SHALE GREY PC FINISH	WN02	WINDOW FRAME - MONUMENT PC FINISH
GL01	CLEAR GLAZING	GL01	CLEAR GLAZING

NOTE - PERGOLA, GUTTERS AND FASCIAS TO MATCH PC FINISH OF ROOF DECK

TYPE 1A PALLETTE VARIATION

DWELLING	BUFF BRICK	RED BRICK
UNIT 31/32	✓	

STATUS **TOWN PLANNING**

REV	DESCRIPTION	DATE	BY
A	TOWN PLANNING	08/12/2025	MH

KEY PLAN

V / A ARCHITECTS
LEVEL 3, 377 LONSDALE STREET MELBOURNE VIC 3000
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PROJECT KEYTON - MOUNT MARTHA
ADDRESS 602 ESPLANADE, MT MARTHA
CLIENT KEYTON
DRAWING TITLE TYPE 1C - TYPICAL LAYOUT

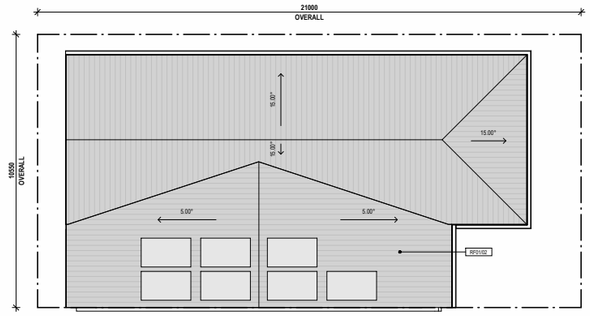
SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
1 : 100	LP	MH	2510011	TP80-003	A



RED BRICK - INDICATIVE VISUALISATION

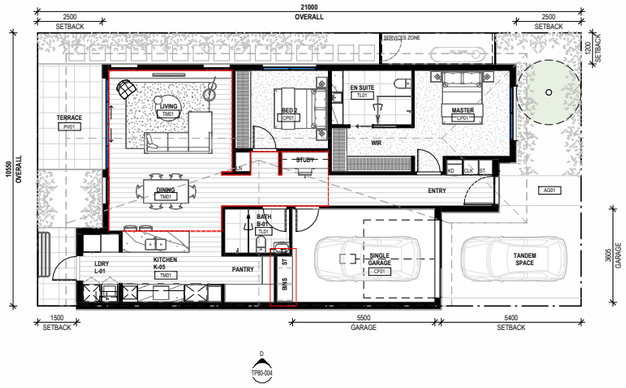


BUFF BRICK - INDICATIVE VISUALISATION



NOTE - SOLAR ARRAY IN LINE WITH SMP, SHOWN INDICATIVELY ONLY.
REFER SMP FOR SPECIFIC LOCATIONS

1 TYPE 2A ROOF PLAN
TP80-004 1 : 100



2 TYPE 2A FLOOR PLAN
TP80-004 1 : 100

LEGEND

PROPOSED TREE

LANDSCAPING SHOWN INDICATIVELY - REFER LANDSCAPE ARCHITECT DOCUMENTATION FOR FURTHER DETAIL

TITLE BOUNDARY

WALL ON BOUNDARY

RAKED CEILING EXTENT

LOT METRICS

TYPE 2A	X 9
LOT:	10.550m x 21.0m
BEDS:	2
GARAGE:	SINGLE
AREA:	
INTERNAL -	117m²
GARAGE -	22m²
AREA TOTAL:	139m²
SITE AREA	221.55m²
SITE COVERAGE	62.74%
PERMEABILITY	46.5m² // 20.9%

WINDOWS & OPENINGS

HLW HIGHLIGHT WINDOW

INTERNAL FLOOR FINISH TAGS

TM01 TIMBER FLOOR FINISH
TL01 TILED FLOOR FINISH
CP01 CARPET FLOOR FINISH
CF01 CONCRETE

EXTERNAL FLOOR FINISH TAGS

AG01 AGGREGATED CONCRETE
PV01 EXTERNAL PAVING

ELEVATION MATERIAL TAGS

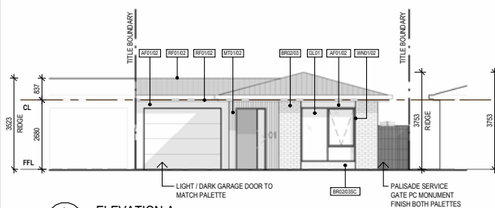
BUFF BRICK PALETTE		*RED BRICK PALETTE*	
BR02	MULTI BUFF BRICK	BR03	RED BRICK
BR02SC	BUFF BRICK (SOLDIER COURSE)	BR03SC	RED BRICK (SOLDIER COURSE)
AF01	APPLIED FINISH - LIGHT	AF02	APPLIED FINISH - DARK
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RF01	EXPRESSED METAL ROOFING - SHALE GREY	RF02	EXPRESSED METAL ROOFING - MONUMENT
WN01	WINDOW FRAME - SHALE GREY PC FINISH	WN02	WINDOW FRAME - MONUMENT PC FINISH
GL01	CLEAR GLAZING	GL01	CLEAR GLAZING

NOTE - GUTTER AND FASCIA TO MATCH PC FINISH OF ROOF DECK

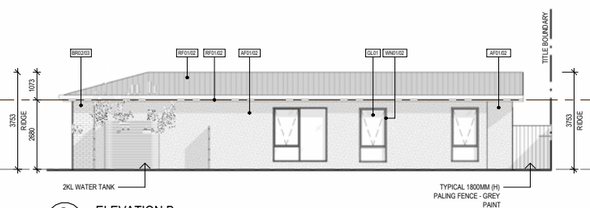
TYPE 2A PALETTE VARIATION

DWELLING	BUFF BRICK	RED BRICK
UNIT 1	✓	
UNIT 7		✓
UNIT 9/10	✓	
UNIT 11	✓	

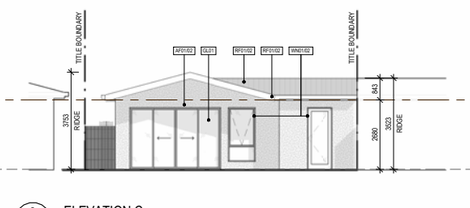
DWELLING	BUFF BRICK	RED BRICK
UNIT 15		✓
UNIT 17/18	✓	
UNIT 19		✓



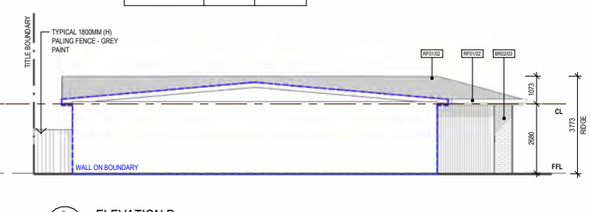
A ELEVATION A
TP80-004 1 : 100



B ELEVATION B
TP80-004 1 : 100



C ELEVATION C
TP80-004 1 : 100



D ELEVATION D
TP80-004 1 : 100

NOTE
- LANDSCAPE REMOVED FROM ELEVATIONS FOR CLARITY OF MATERIALITY
- TYPICAL ELEVATIONS SHOWN - REFER TP10-XXX SERIES FOR SITE SPECIFIC RL

STATUS **TOWN PLANNING**

REV	DESCRIPTION	DATE	BY
A	TOWN PLANNING	08/12/2025	MH

KEY PLAN

V / A ARCHITECTS
LEVEL 3, 377 LONSDALE STREET MELBOURNE VIC 3000
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PROJECT
KEYTON - MOUNT MARTHA

ADDRESS
602 ESPLANADE, MT MARTHA

CLIENT
KEYTON

DRAWING TITLE
TYPE 2A - TYPICAL LAYOUT

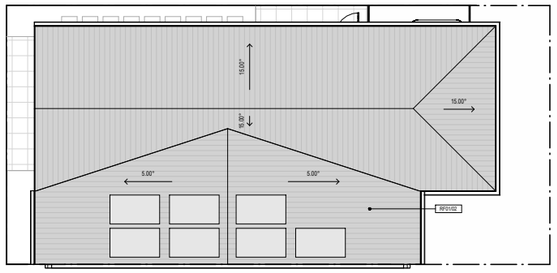
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1 : 100	LP	MH	2510011	TP80-004	A



RED BRICK - INDICATIVE VISUALISATION

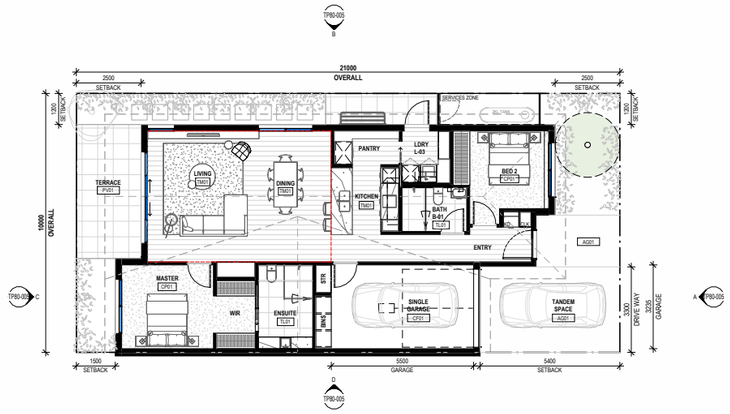


BUFF BRICK - INDICATIVE VISUALISATION



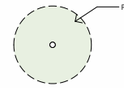
NOTE - SOLAR ARRAY IN LINE WITH SMP, SHOWN INDICATIVELY ONLY.
REFER SMP FOR SPECIFIC LOCATIONS

1 TP80-005 TYPE 2B ROOF PLAN 1 : 100



2 TP80-005 TYPE 2B FLOOR PLAN 1 : 100

LEGEND



LANDSCAPING SHOWN INDICATIVELY - REFER LANDSCAPE ARCHITECT DOCUMENTATION FOR FURTHER DETAIL

- TITLE BOUNDARY
- WALL ON BOUNDARY
- RAKED CEILING EXTENT

LOT METRICS

TYPE 2B	X4
LOT:	10.0m x 21.0m
BEDS:	2
GARAGE:	SINGLE
AREA:	
INTERNAL -	112m²
GARAGE -	22m²
AREA TOTAL:	134m²
SITE AREA	210.0m²
SITE COVERAGE	63.81%
PERMEABILITY	42.8m² // 20.3%

WINDOWS & OPENINGS

HLW	HIGHLIGHT WINDOW

INTERNAL FLOOR FINISH TAGS

TM01	TIMBER FLOOR FINISH
TL01	TILED FLOOR FINISH
CP01	CARPET FLOOR FINISH
CF01	CONCRETE

EXTERNAL FLOOR FINISH TAGS

AG01	AGGREGATED CONCRETE
PV01	EXTERNAL PAVING

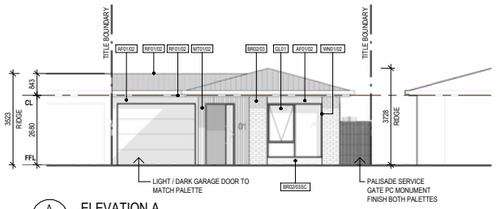
ELEVATION MATERIAL TAGS

BUFF BRICK PALETTE		*RED BRICK PALETTE*	
BR02	MULTI BUFF BRICK	BR03	RED BRICK
BR02SC	BUFF BRICK (SOLDIER COURSE)	BR03SC	RED BRICK (SOLDIER COURSE)
AF01	APPLIED FINISH - LIGHT	AF02	APPLIED FINISH - DARK
MT01	METAL CLADDING - SHALE GREY	MT02	METAL CLADDING - MONUMENT
RF01	EXPRESSED METAL ROOFING - SHALE GREY	RF02	EXPRESSED METAL ROOFING - MONUMENT
WN01	WINDOW FRAME - SHALE GREY PC FINISH	WN02	WINDOW FRAME - MONUMENT PC FINISH
GL01	CLEAR GLAZING	GL01	CLEAR GLAZING

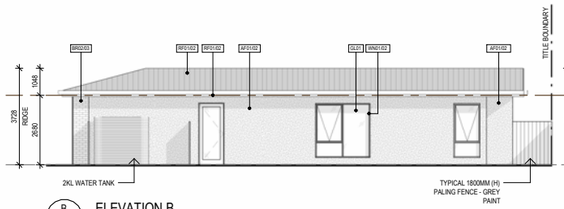
NOTE - GUTTER AND FASCIA TO MATCH PC FINISH OF ROOF DECK

TYPE 2B PALETTE VARIATION

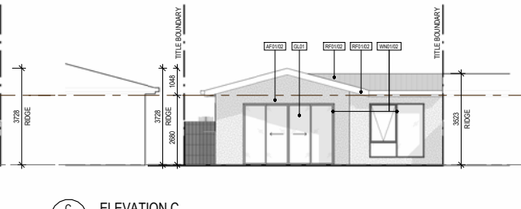
DWELLING	BUFF BRICK	RED BRICK
UNIT 6	✓	
UNIT 8		✓
UNIT 14	✓	
UNIT 16		✓



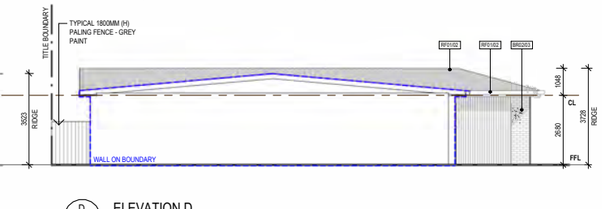
A TP80-005 ELEVATION A 1 : 100



B TP80-005 ELEVATION B 1 : 100



C TP80-005 ELEVATION C 1 : 100



D TP80-005 ELEVATION D 1 : 100

NOTE
- LANDSCAPE REMOVED FROM ELEVATIONS FOR CLARITY OF MATERIALITY
- TYPICAL ELEVATIONS SHOWN - REFER TP10-XXX SERIES FOR SITE SPECIFIC RL

STATUS **TOWN PLANNING**

REV	DESCRIPTION	DATE	BY
A	TOWN PLANNING	08/12/2025	MH

KEY PLAN

V / A
ARCHITECTS
LEVEL 3, 377 LONSDALE STREET MELBOURNE VIC 3000
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TIMESTAMP 08/12/2025 10:26:00 AM

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PROJECT KEYTON - MOUNT MARTHA
ADDRESS 602 ESPLANADE, MT MARTHA
CLIENT KEYTON
DRAWING TITLE TYPE 2B - TYPICAL LAYOUT

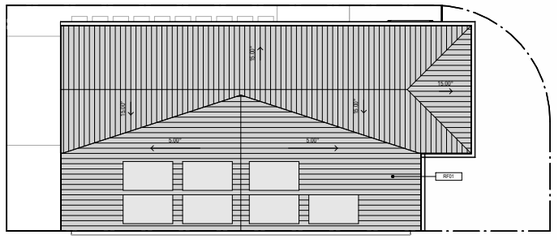
SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
1 : 100	LP	MH	2510011	TP80-005	A



RED BRICK - INDICATIVE VISUALISATION

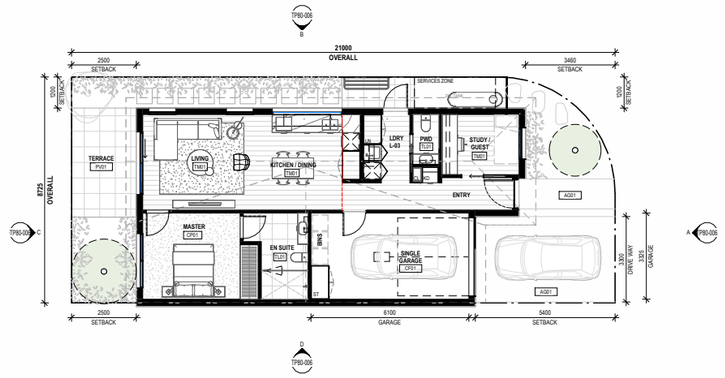


BUFF BRICK - INDICATIVE VISUALISATION



NOTE - SOLAR ARRAY IN LINE WITH SMP, SHOWN INDICATIVELY ONLY.
REFER SMP FOR SPECIFIC LOCATIONS

1 TYPE 3 ROOF PLAN
TP80-006 1 : 100



2 TYPE 3 FLOOR PLAN
TP80-006 1 : 100

LEGEND

PROPOSED TREE

LANDSCAPING SHOWN INDICATIVELY - REFER LANDSCAPE ARCHITECT DOCUMENTATION FOR FURTHER DETAIL

TITLE BOUNDARY

WALL ON BOUNDARY

RAKED CEILING EXTENT

LOT METRICS

TYPE 3	X 2
LOT:	8.725m x 21.0m
BEDS:	2
GARAGE:	SINGLE
AREA:	
INTERNAL -	84m²
GARAGE -	22m²
AREA TOTAL:	106m²
SITE AREA	180.0m²
SITE COVERAGE	58.88%
PERMEABILITY	41.3m² // 22.9%

WINDOWS & OPENINGS

HLW HIGHLIGHT WINDOW

INTERNAL FLOOR FINISH TAGS

TM01 TIMBER FLOOR FINISH

TL01 TILED FLOOR FINISH

CP01 CARPET FLOOR FINISH

CF01 CONCRETE

EXTERNAL FLOOR FINISH TAGS

AG01 AGGREGATED CONCRETE

PV01 EXTERNAL PAVING

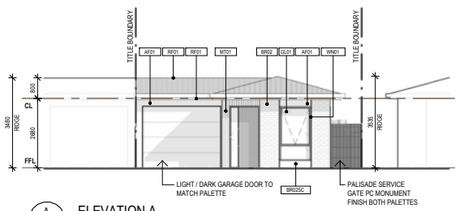
ELEVATION MATERIAL TAGS

BUFF BRICK PALETTE		*RED BRICK PALETTE*	
BR02	MULTI BUFF BRICK	BR03	RED BRICK
BR02SC	BUFF BRICK (SOLDIER COURSE)	BR03SC	RED BRICK (SOLDIER COURSE)
AF01	APPLIED FINISH - LIGHT	AF02	APPLIED FINISH - DARK
MT01	METAL CLADDING - SHALE GREY	MT02	METAL CLADDING - MONUMENT
RF01	EXPRESSED METAL ROOFING - SHALE GREY	RF02	EXPRESSED METAL ROOFING - MONUMENT
WN01	WINDOW FRAME - SHALE GREY PC FINISH	WN02	WINDOW FRAME - MONUMENT PC FINISH
GL01	CLEAR GLAZING	GL01	CLEAR GLAZING

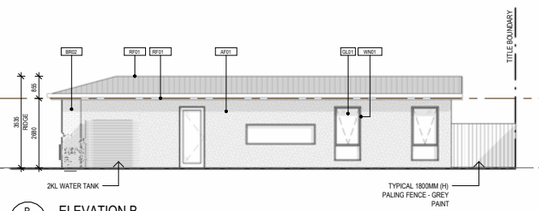
NOTE - GUTTER AND FASCIA TO MATCH PC FINISH OF ROOF DECK

TYPE 3 PALETTE VARIATION

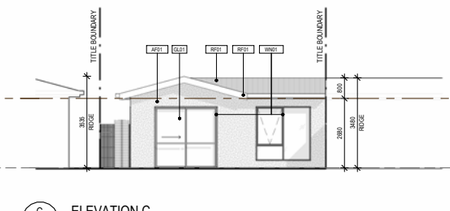
DWELLING	BUFF BRICK	RED BRICK
UNIT 12	✓	
UNIT 13	✓	



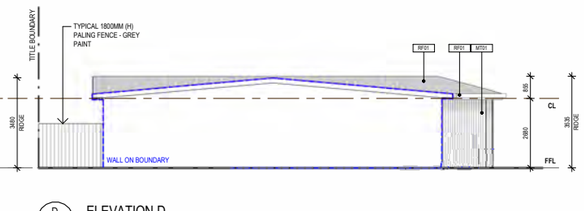
A ELEVATION A
TP80-006 1 : 100



B ELEVATION B
TP80-006 1 : 100



C ELEVATION C
TP80-006 1 : 100



D ELEVATION D
TP80-006 1 : 100

NOTE
- LANDSCAPE REMOVED FROM ELEVATIONS FOR CLARITY OF MATERIALITY
- TYPICAL ELEVATIONS SHOWN - REFER TP10-XXX SERIES FOR SITE SPECIFIC RL

STATUS **TOWN PLANNING**

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A	TOWN PLANNING	08/12/2025	MH

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KEY PLAN

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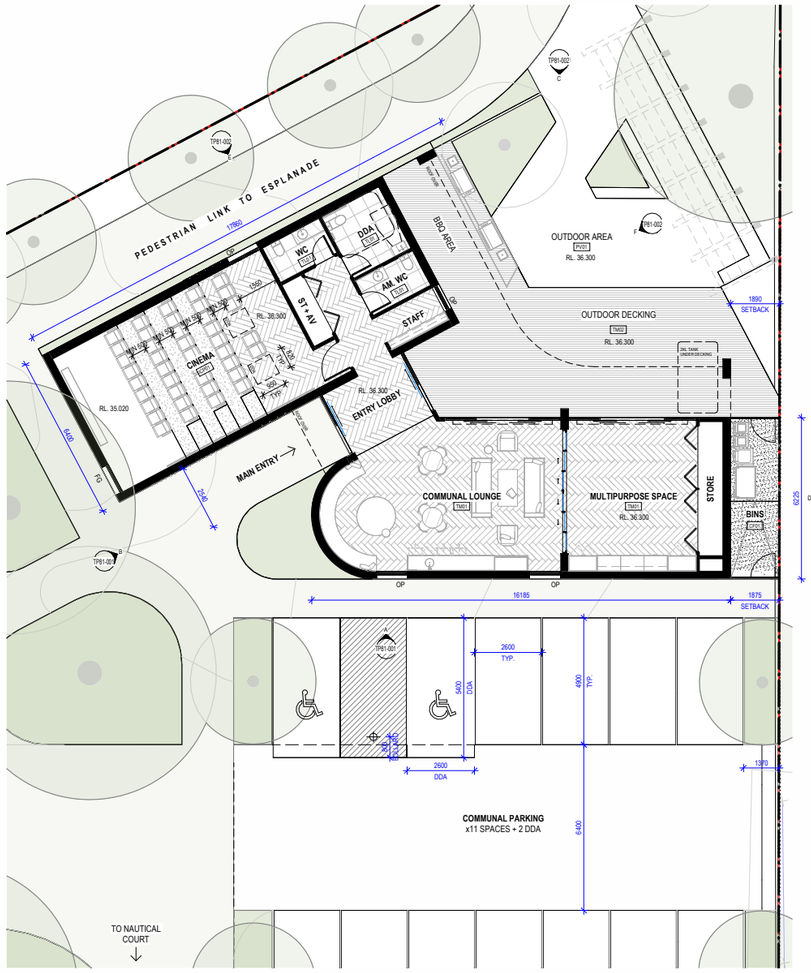
PROJECT
KEYTON - MOUNT MARTHA

ADDRESS
602 ESPLANADE, MT MARTHA

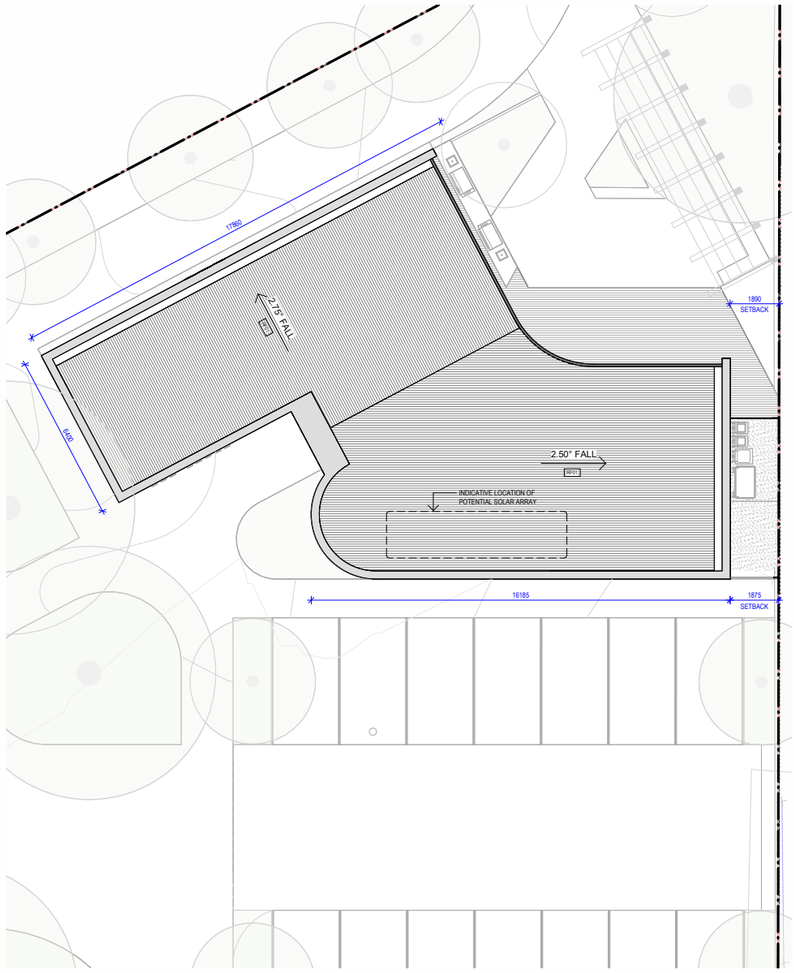
CLIENT
KEYTON

DRAWING TITLE
TYPE 3 - TYPICAL LAYOUT

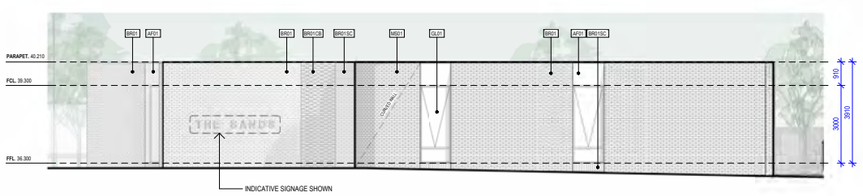
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1 : 100	LP	MH	2510011	TP80-006	A



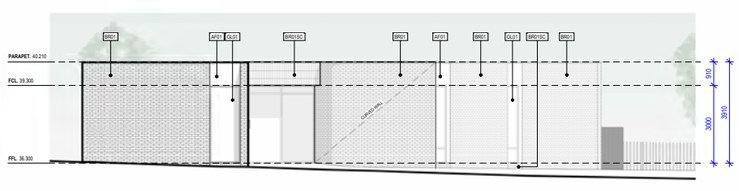
1 TP81-001 COMMUNAL FACILITY - GENERAL ARRANGEMENT PLAN
1 : 100



2 TP81-001 COMMUNAL FACILITY - ROOF PLAN
1 : 100

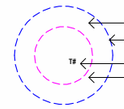


A TP81-001 ELEVATION A
1 : 100

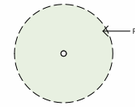


B TP81-001 ELEVATION B
1 : 100

LEGEND



EXISTING TREE TO BE RETAINED
TPZ
TREE NUMBER
SRZ



PROPOSED CANOPY TREE

SITE BOUNDARY

WINDOWS & OPENINGS

OP	OPERABLE WINDOW
FG	FIXED GLAZING
HLW	HIGHLIGHT WINDOW

INTERNAL FLOOR FINISH TAGS

TM01	TIMBER FLOOR FINISH
TL01	TILED FLOOR FINISH
CP01	CARPET FLOOR FINISH
CF01	CONCRETE

EXTERNAL FLOOR FINISH TAGS

AG01	AGGREGATED CONCRETE
TM02	TIMBER DECKING
PV01	EXTERNAL PAVING

ELEVATION MATERIAL TAGS

BR01	LIGHT BRICK - STRETCHER BOND
BR01SC	LIGHT BRICK - SOLIDER COURSE
BR01CB	LIGHT BRICK - CORBELLED BRICK
GL01	CLEAR GLAZING
AF01	APPLIED FINISH - LIGHT
AF02	APPLIED FINISH - DARK
RF01	EXPRESSED METAL ROOF - SHALE GREY
WN01	WINDOW FRAME - SHALE GREY PC FINISH

STATUS **TOWN PLANNING**

V / A ARCHITECTS

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A	TOWN PLANNING	08/12/2025	MH

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TIMESTAMP 08/12/2025 10:18:10 AM

KEY PLAN

NORTH POINT

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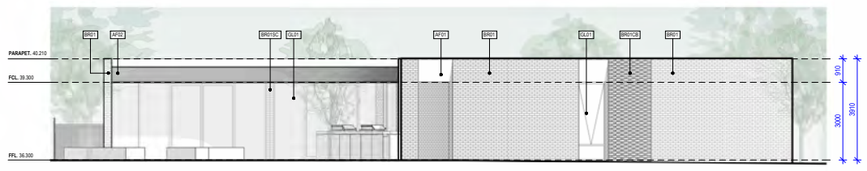
PROJECT
MARTHAS POINT EXTENSION

ADDRESS
602 ESPLANADE, MT MARTHA

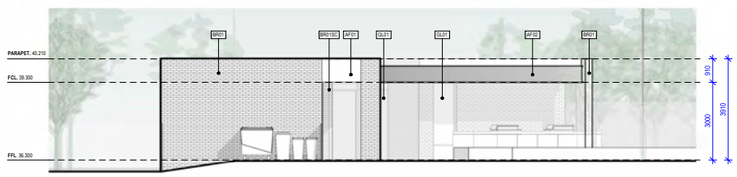
CLIENT
KEYTON

DRAWING TITLE
COMMUNAL FACILITY SHEET 01

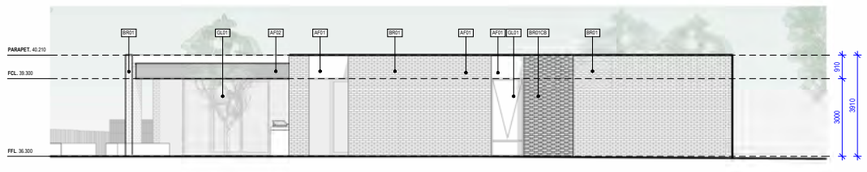
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1 : 100	LP	MH	2510011	TP81-001	A



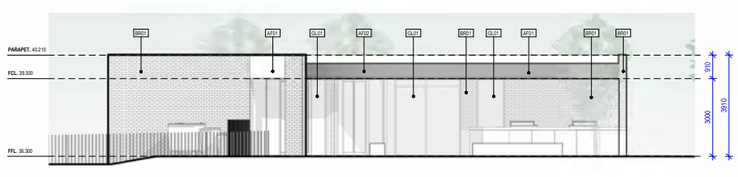
C ELEVATION C
TP81-002 1 : 100



D ELEVATION D
TP81-002 1 : 100

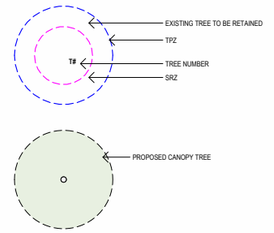


E ELEVATION E
TP81-002 1 : 100



F ELEVATION F
TP81-002 1 : 100

LEGEND



WINDOWS & OPENINGS

OP	OPERABLE WINDOW
FG	FIXED GLAZING
HLW	HIGHLIGHT WINDOW

INTERNAL FLOOR FINISH TAGS

TM01	TIMBER FLOOR FINISH
TL01	TILED FLOOR FINISH
CP01	CARPET FLOOR FINISH
CF01	CONCRETE

EXTERNAL FLOOR FINISH TAGS

AG01	AGGREGATED CONCRETE
TM02	TIMBER DECKING
PV01	EXTERNAL PAVING

ELEVATION MATERIAL TAGS

BR01	LIGHT BRICK - STRETCHER BOND
BR01SC	LIGHT BRICK - SOLIDER COURSE
BR01CB	LIGHT BRICK - CORBELLED BRICK
GL01	CLEAR GLAZING
AF01	APPLIED FINISH - LIGHT
AF02	APPLIED FINISH - DARK
RF01	EXPRESSED METAL ROOF - SHALE GREY
WN01	WINDOW FRAME - SHALE GREY PC FINISH

STATUS **TOWN PLANNING**

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KEY PLAN

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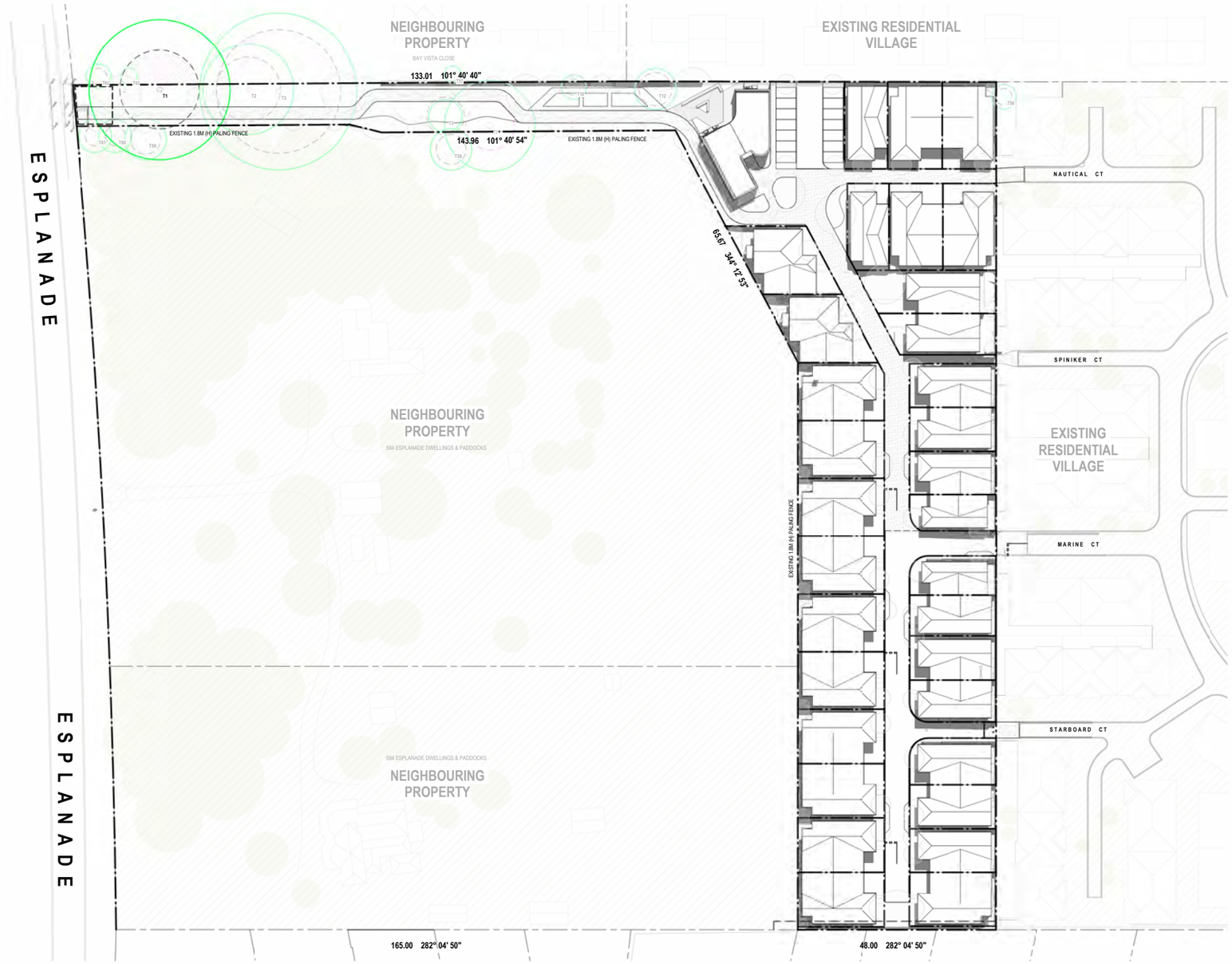
PROJECT
MARTHAS POINT EXTENSION

ADDRESS
602 ESPLANADE, MT MARTHA

CLIENT
KEYTON

DRAWING TITLE
COMMUNAL FACILITY SHEET 02

SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
1 : 100	LP	MH	2510011	TP81-002	A



LEGEND

SITE BOUNDARY

1 SHADOW DIAGRAM - 22/09 // 11AM
TP82-001 1 : 500

STATUS **TOWN PLANNING**

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A	TOWN PLANNING	08/12/2025	MH

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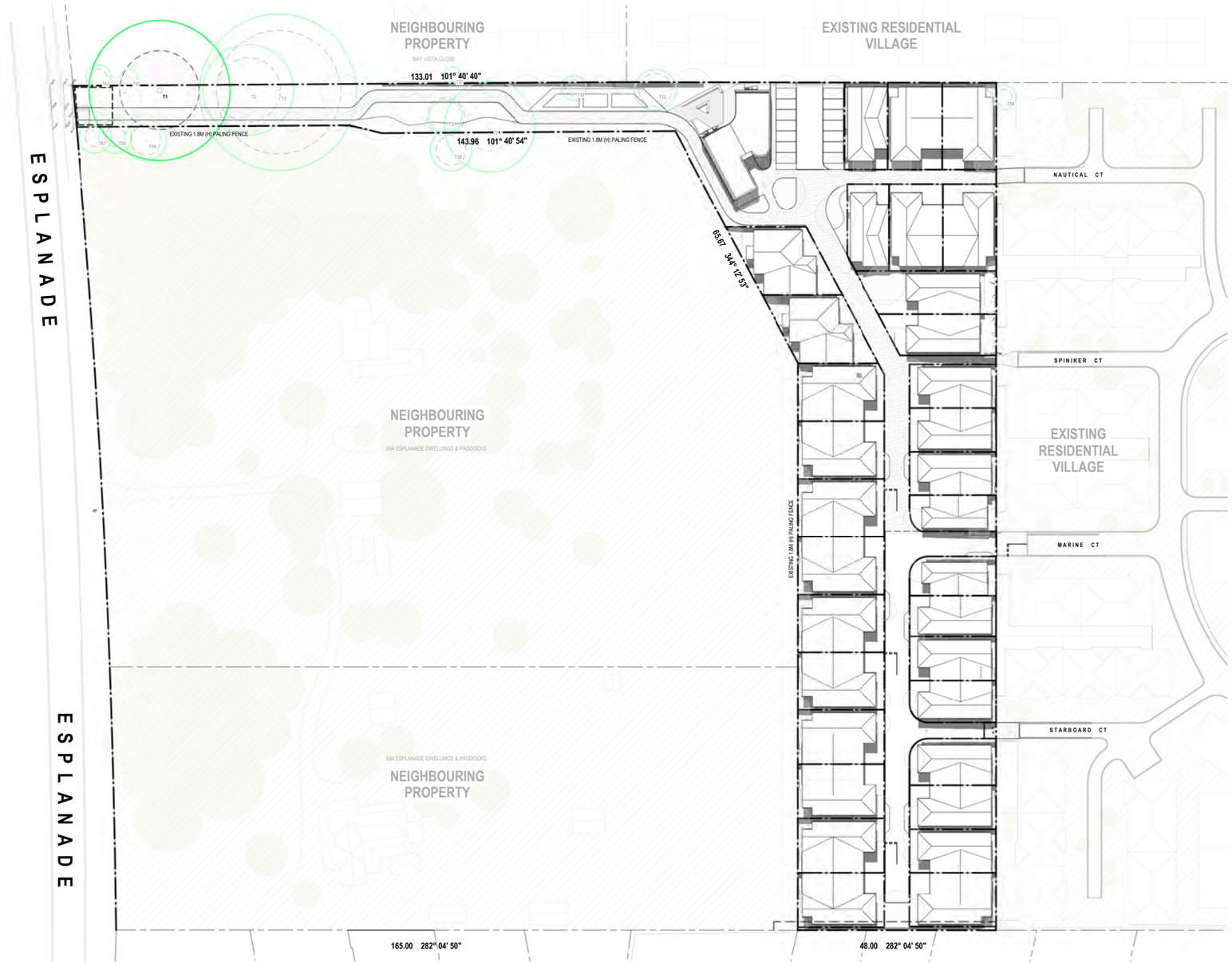
KEY PLAN

NORTH POINT

THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORK OR MAKING OF ANY SHOP DRAWINGS. FIGURED DIMENSIONS MUST BE USED IN PREFERENCE TO SCALING. SCALED DIMENSIONS MUST BE VERIFIED ON SITE. SHEET TO BE PRINTED IN COLOUR. THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF THE ARCHITECT.

PROJECT MARTHAS POINT EXTENSION
ADDRESS 602 ESPLANADE, MT MARTHA
CLIENT KEYTON
DRAWING TITLE SHADOW DIAGRAMS SHEET 01

SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
1 : 500	LP	MH	2510011	TP82-001	A



LEGEND

SITE BOUNDARY

1 SHADOW DIAGRAM - 22/09 // 12PM
TP82-002 1 : 500

STATUS **TOWN PLANNING**

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REV	DESCRIPTION	DATE	BY
A	TOWN PLANNING	08/12/2025	MH

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KEY PLAN

NORTH POINT

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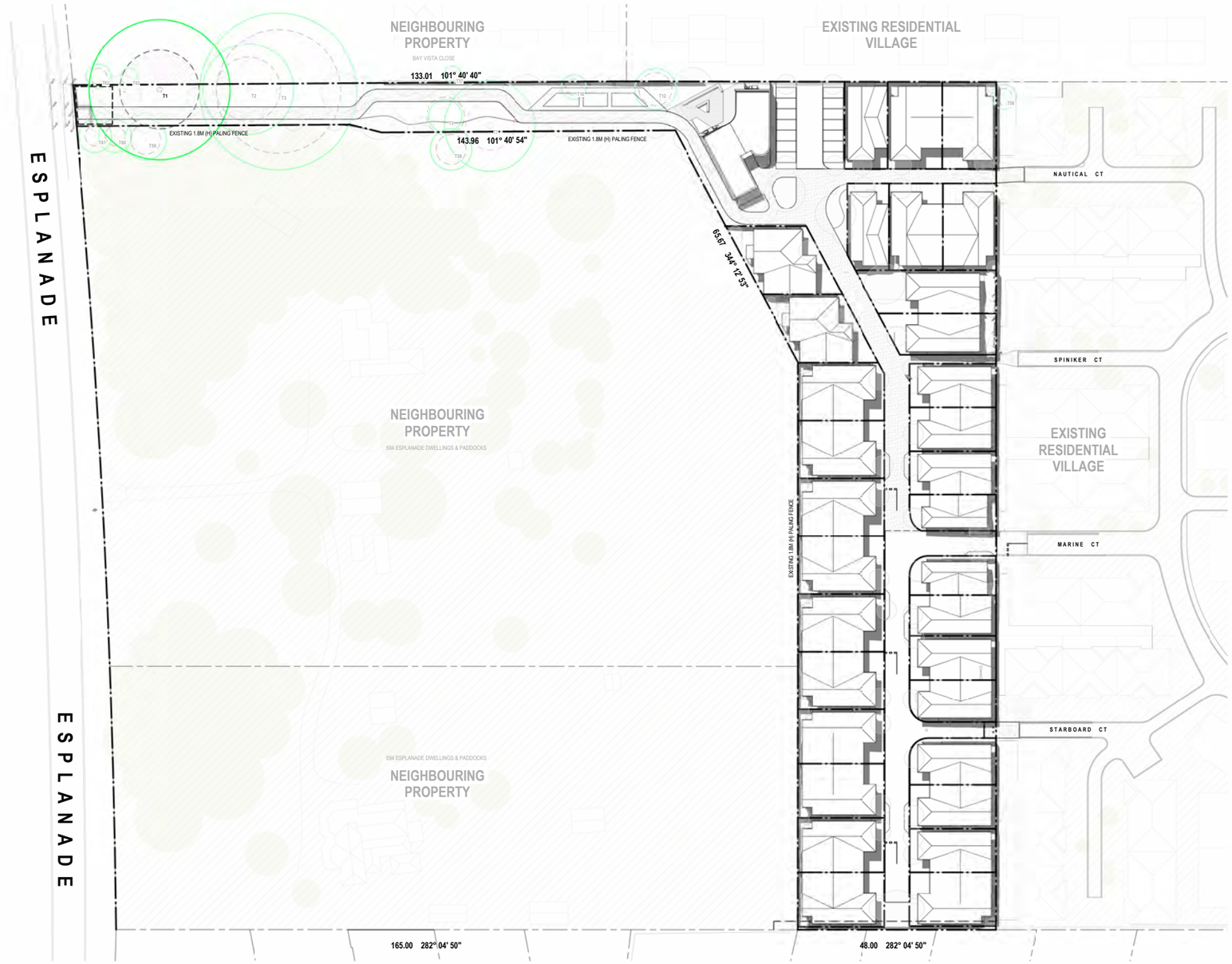
PROJECT
MARTHAS POINT EXTENSION

ADDRESS
602 ESPLANADE, MT MARTHA

CLIENT
KEYTON

DRAWING TITLE
SHADOW DIAGRAMS SHEET 02

SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
1 : 500	LP	MH	2510011	TP82-002	A



LEGEND

SITE BOUNDARY

1 SHADOW DIAGRAM - 22/09 // 1PM
TP82-003 1 : 500

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A	TOWN PLANNING	08/12/2025	MH

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KEY PLAN

NORTH POINT

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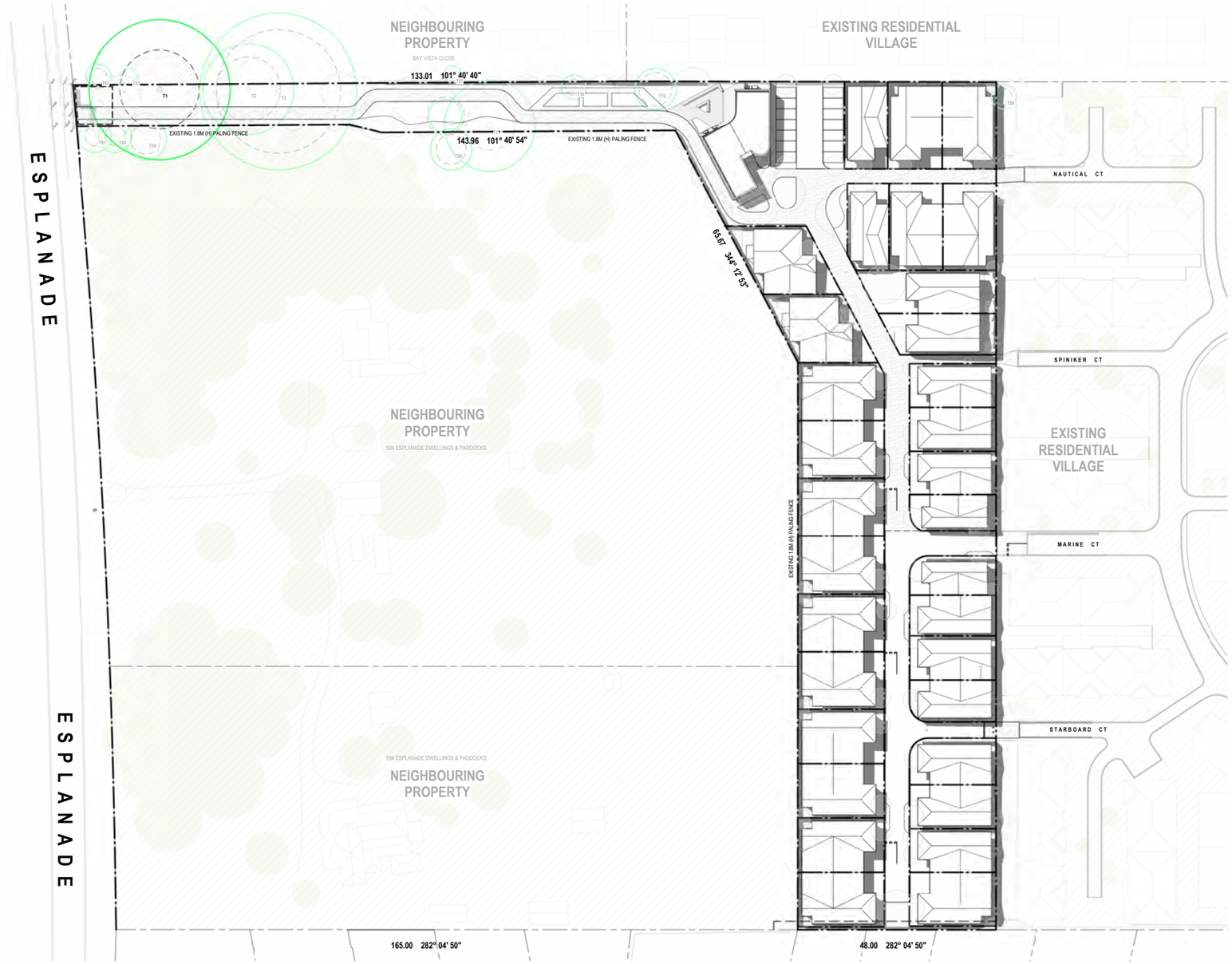
PROJECT
MARTHAS POINT EXTENSION

ADDRESS
602 ESPLANADE, MT MARTHA

CLIENT
KEYTON

DRAWING TITLE
SHADOW DIAGRAMS SHEET 03

SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
1 : 500	LP	MH	2510011	TP82-003	A



LEGEND

SITE BOUNDARY

1 SHADOW DIAGRAM - 22/09 // 2PM
TP82-004 1 : 500

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A	TOWN PLANNING	08/12/2025	MH

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KEY PLAN

NORTH POINT

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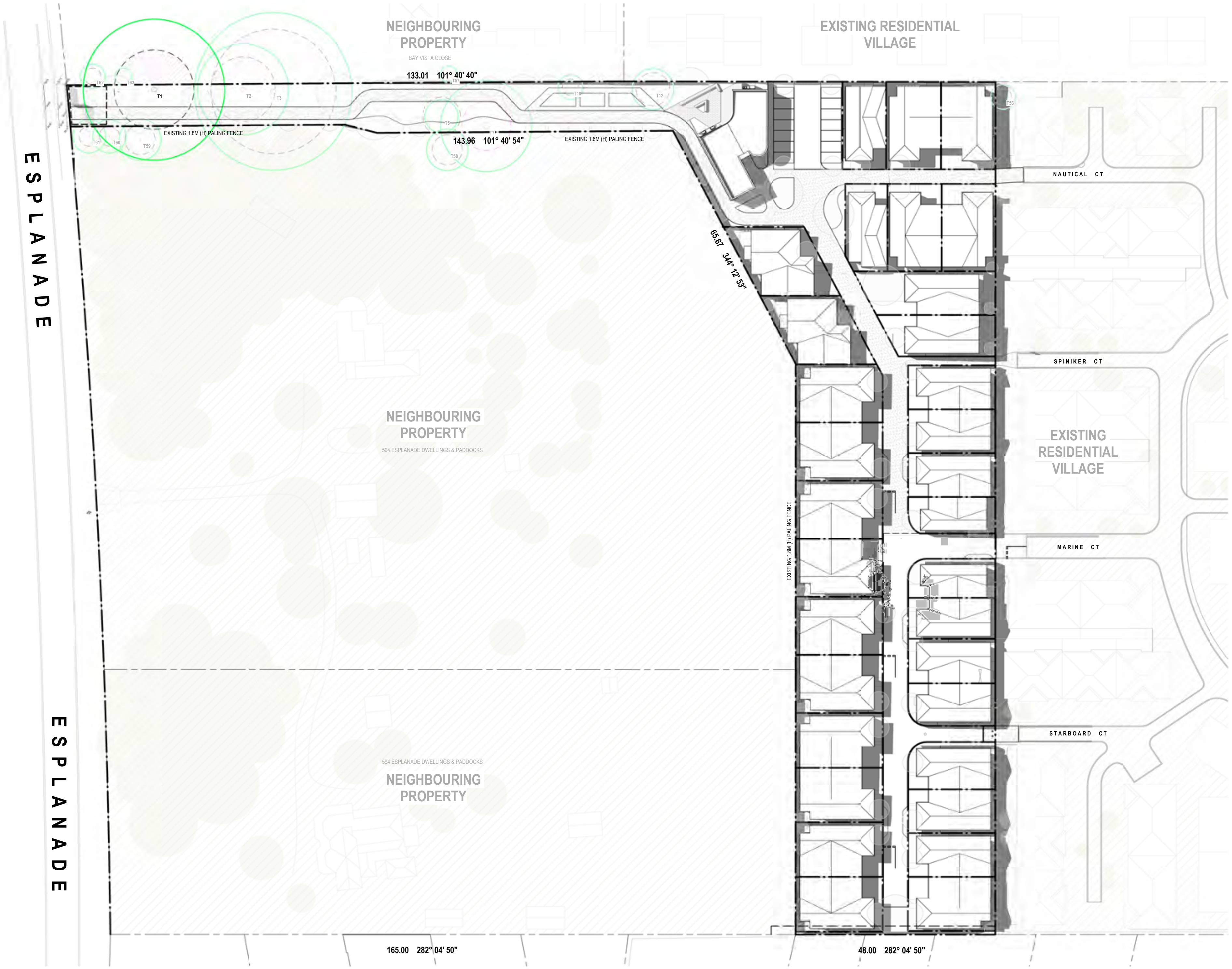
PROJECT
MARTHAS POINT EXTENSION

ADDRESS
602 ESPLANADE, MT MARTHA

CLIENT
KEYTON

DRAWING TITLE
SHADOW DIAGRAMS SHEET 04

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1 : 500	LP	MH	2510011	TP82-004	A



SHADOW DIAGRAM - 22/09 // 3PM
1 : 500

STATUS TOWN PLANNING

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REV	DESCRIPTION	DATE	BY
A	TOWN PLANNING	08/12/2025	MH

KEY PLAN

NORTH POINT

PROJECT: MARTHAS POINT EXTENSION
ADDRESS: 602 ESPLANADE, MT MARTHA
CLIENT: KEYTON
DRAWING TITLE: SHADOW DIAGRAMS SHEET 05

SCALE (@A1)	DRAWN BY	CHECKED BY	PROJECT No.	DRAWING No.	REV
1 : 500	LP	MH	2510011	TP82-005	A

MOUNT MARTHA - AGED CARE FACILITY

594 ESPLANADE & 602 ESPLANADE

DEVELOPMENT APPLICATION

DRAWING LIST	
Name	Number
COVER SHEET	000-00
SITE CONTEXT	000-01
SITE ANALYSIS	000-02
SITE PLAN	000-03
GROUND FLOOR PLAN	200-00
LEVEL 1 FLOOR PLAN	301-00
ROOF PLAN	303-00
ELEVATIONS	400-00
SECTIONS	500-00
SHADOW DIAGRAMS	900-02
AREA PLANS - FSR CALCULATION	900-31



AMENDMENTS

ISSUE	DESCRIPTION	APPROVED	DATE
A	DA APPLICATION	RP	04/10/2017

50mm on original

THIS DRAWING ISSUE HAS BEEN REVIEWED FOR

DA APPLICATION

APPROVED BY: GA
CHECKED BY: JL

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CLIENT
LEND LEASE

COVER SHEET

DATE 12/09/17
SCALE @ A0
DRAWN RP

PROJECT No. 253824 | SITE | DISCIP. | DRAWING No. MM-AD-000-00 | ISSUE A

PROJECT
RESIDENTIAL AGED CARE FACILITY
594 & 602 ESPLANADE
MOUNT MARTHA

Unit 2, Part R-G, 23 Hickson Road
Walsh Bay New South Wales 2000 Australia
T 61 2 9299 2722 F 61 2 9299 1150
E sydney@jacksonteece.com
Jackson Teece Chesterman Willis Pty Ltd
Trading as Jackson Teece
ABN 40 003 853 161
Nominated Architect: Ian Brodie 5470D

JACKSON TEECE



IMAGE 1



IMAGE 2



IMAGE 3



IMAGE 4



IMAGE 5



IMAGE 6



IMAGE 7



1 CONTEXT PLAN
SCALE 1 : 1000

NOTES:
PROPOSED ACCESS TO LOCAL AMENITIES
ACCESS TO LOCAL AMENITIES FOR NEIGHBOURING LEND LEASE RETIREMENT VILLAGES
NEIGHBORING LEND LEASE RETIREMENT VILLAGES
XX PHOTOGRAPHY VIEW ANGLES



IMAGE 8



IMAGE 9



IMAGE 10



IMAGE 11



IMAGE 12



IMAGE 13

AMENDMENTS

ISSUE	DESCRIPTION	APPROVED	DATE
A	DA APPLICATION	RP	04/10/2017

50mm on original
THIS DRAWING ISSUE HAS BEEN REVIEWED FOR
DA APPLICATION
APPROVED BY: QA CHECKED BY: JL

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CLIENT
LEND LEASE

SITE CONTEXT

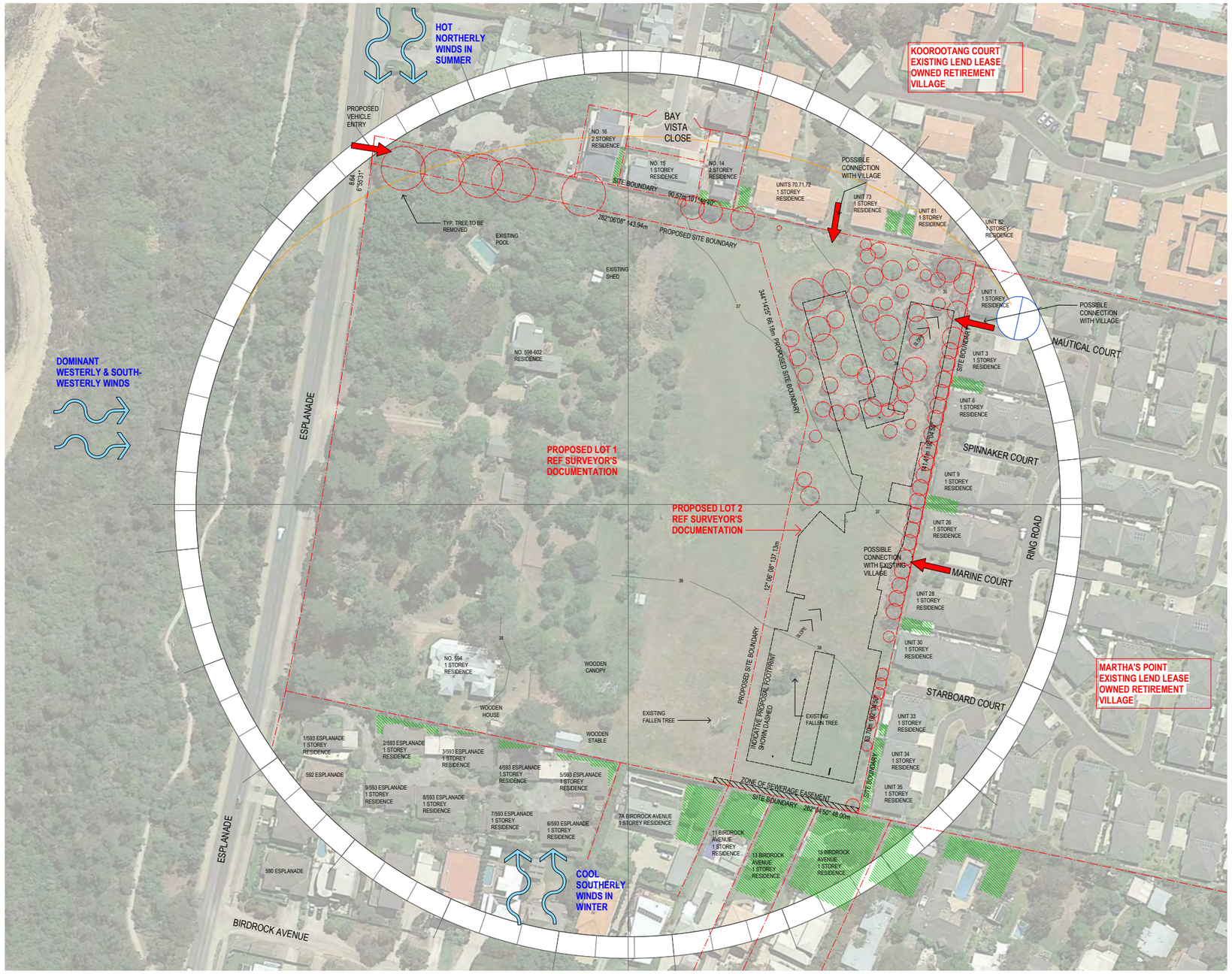
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12/09/2017	As indicated	RP

PROJECT No. 253824 | SITE | STAGE | DRAWING No. MM-AD-000-01 | ISSUE A

PROJECT
RESIDENTIAL AGED CARE FACILITY
594 & 602 ESPLANADE
MOUNT MARTHA

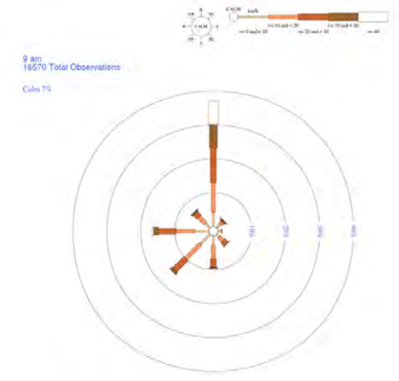
Lvl 1, Pier 8-9, 23 Hickson Road
Walsh Bay New South Wales 2000 Australia
T 61 2 9299 2722 F 61 2 9299 1150
E sydney@jacksonteece.com
Jackson Teece Chesterman Willis Pty Ltd
Nominated Architect
ABN 12 085 710 240
Nominated Architect Ian Moore 5472

JACKSON TEECE



NOTES:

- EXISTING TREES TO BE REMOVED
- INDICATES APPROXIMATE BUILDING OUTLINE
- INDICATES APPROXIMATE ADJACENT PRIVATE OPEN SPACE



Australian Government Bureau of Meteorology

PREVAILING WINDS - MELBOURNE AIRPORT

AMENDMENTS

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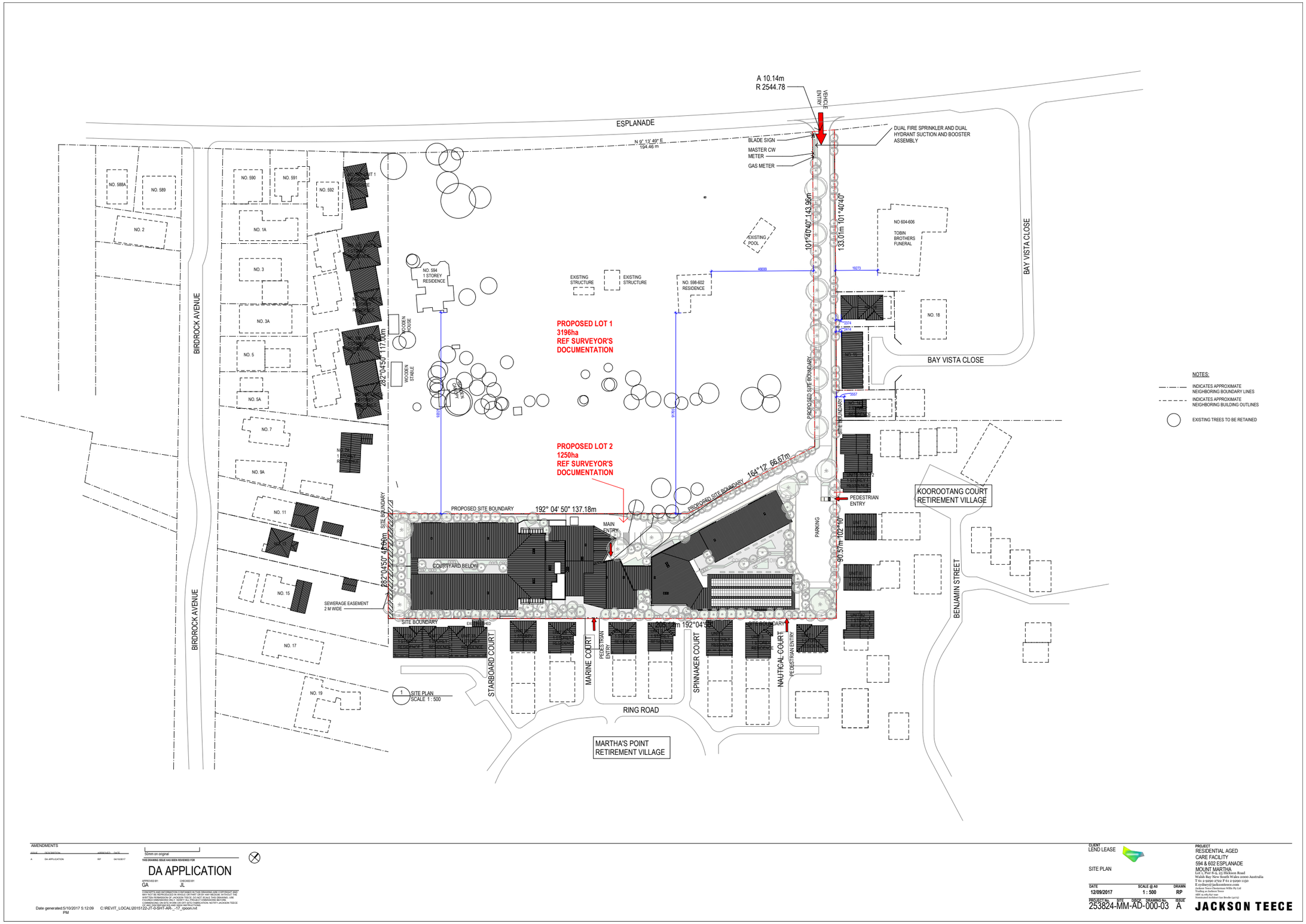
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PROJECT: RESIDENTIAL AGED CARE FACILITY
594 & 602 ESPLANADE
MOUNT MARTHA
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SITE PLAN

DATE	SCALE @ A0	DRAWN
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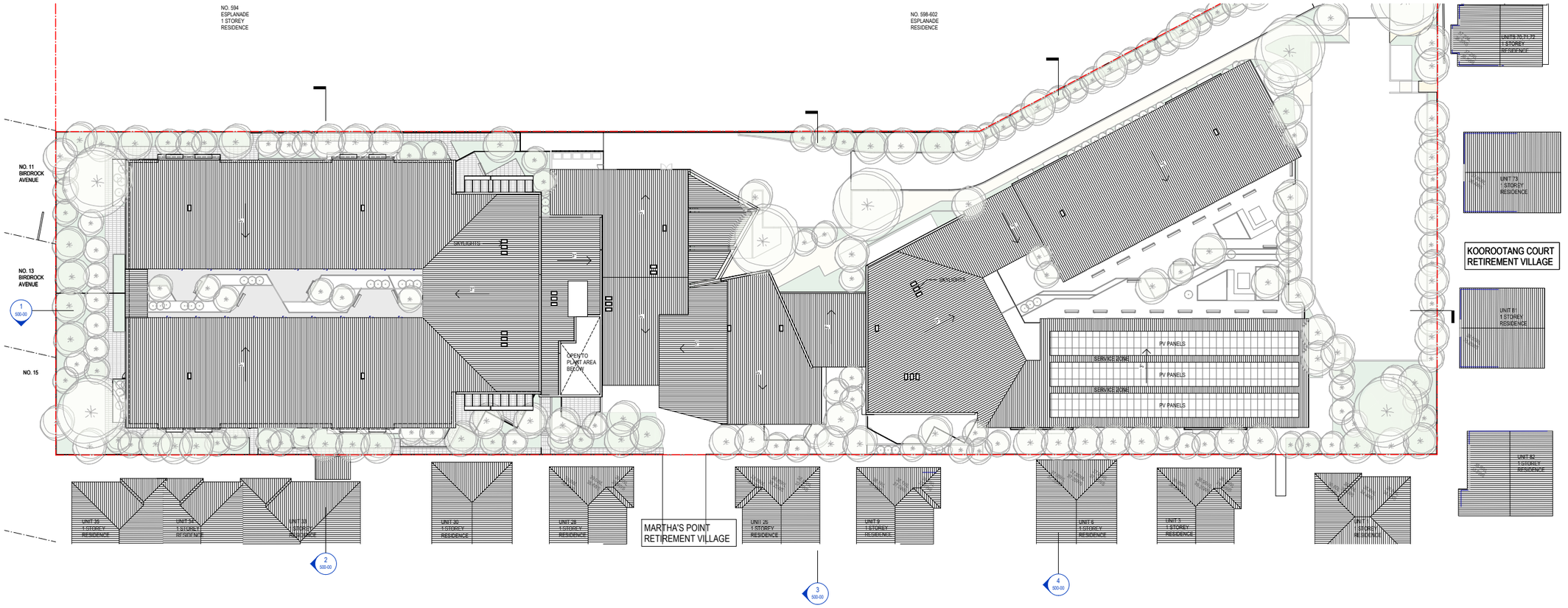
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PROJECT
RESIDENTIAL AGED CARE FACILITY
594 & 602 ESPLANADE
MOUNT MARTHA
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Grading in Architectural Practice
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Nominated Architect Ian Brodie 5407CD

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CONTINUED IN DRAWING 01
PROPOSED VEHICLE ACCESS
THE ESPLANADE
SITE BOUNDARY
3 PART GROUND FLOOR PLAN - SOUTH WEST BOUNDARY
SCALE 1 : 200
01 INTERSECTION WITH ESPLANADE
SCALE 1 : 200
KOOROOTANG COURT RETIREMENT VILLAGE
MARTHA'S POINT RETIREMENT VILLAGE
ACCESS
DA APPLICATION
NOTE: ALL EXTERNAL RL'S SHOWN FOR DESIGN INTENT. SUBJECT TO CIVIL AND LANDSCAPE DOCUMENTATION.
LEND LEASE
GROUND FLOOR PLAN
RESIDENTIAL AGED CARE FACILITY
594 & 602 ESPLANADE
MOUNT MARTHA
253824-MM-AD-200-00 B
JACKSON TEECE


NO. 11 BIRDROCK AVENUE
NO. 594 ESPLANADE 1 STOREY RESIDENCE
NO. 11 BIRDROCK AVENUE SINGLE STOREY BRICK RESIDENCE
NO. 13 BIRDROCK AVENUE DOUBLE STOREY RENDERED RESIDENCE
NO. 15 BIRDROCK AVENUE DOUBLE STOREY BRICK RESIDENCE
SITE BOUNDARY
UNIT 35 1 STOREY RESIDENCE
UNIT 34 1 STOREY RESIDENCE
2 PART FIRST FLOOR PLAN - SOUTH WEST BOUNDARY
SCALE 1 : 200
NO. 596-602 ESPLANADE RESIDENCE
UNITS 70,71,72 1 STOREY RESIDENCE
UNIT 73 1 STOREY RESIDENCE
KOOROOTANG COURT RETIREMENT VILLAGE
UNIT 81 1 STOREY RESIDENCE
UNIT 82 1 STOREY RESIDENCE
SKYLIGHTS
PV PANELS
SERVICE ZONE
PV PANELS
SERVICE ZONE
PV PANELS
EXISTING SHED
UNIT 30 1 STOREY RESIDENCE
UNIT 29 1 STOREY RESIDENCE
MARTHA'S POINT RETIREMENT VILLAGE
UNIT 28 1 STOREY RESIDENCE
UNIT 9 1 STOREY RESIDENCE
UNIT 6 1 STOREY RESIDENCE
UNIT 3 1 STOREY RESIDENCE
UNIT 1 1 STOREY RESIDENCE
DA APPLICATION
LEND LEASE
LEVEL 1 FLOOR PLAN
RESIDENTIAL AGED CARE FACILITY
594 & 602 ESPLANADE
MOUNT MARTHA
DATE 12/09/17
SCALE @ A0 1 : 200
DRAWN RP
PROJECT No. 253824-MM-AD-301-00
ISSUE B
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ROOF PLAN

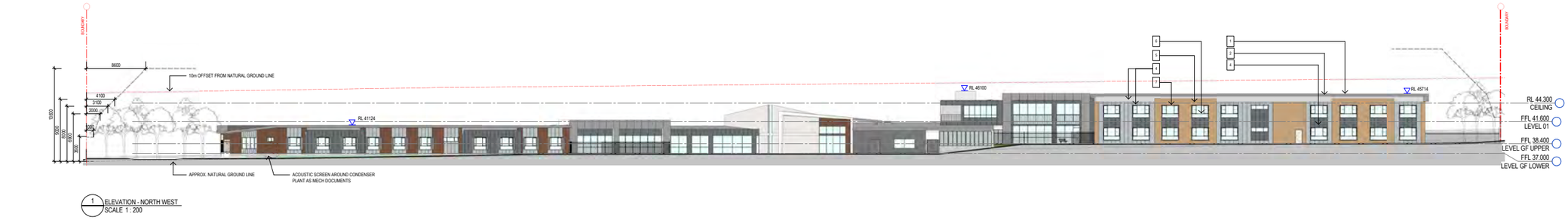
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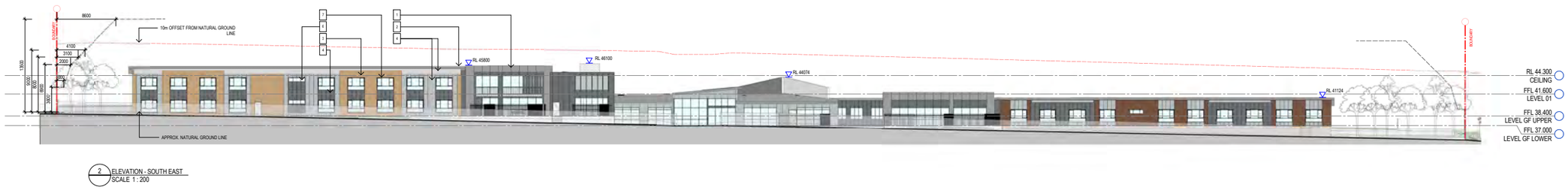
PROJECT
RESIDENTIAL AGED
CARE FACILITY
594 & 602 ESPLANADE
MOUNT MARTHA

Jackson Teece Chesterman Willis Pty Ltd
Trading as Jackson Teece
ABN 21 083 827 440
Nominated Architect Ian Brodie 14152

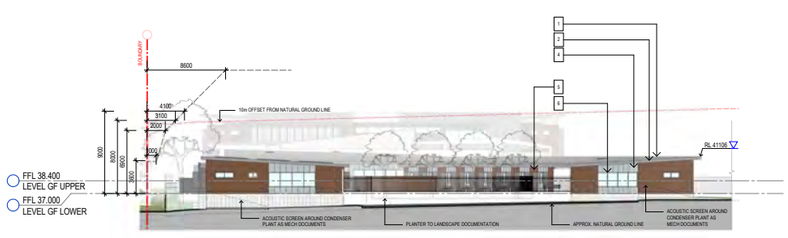
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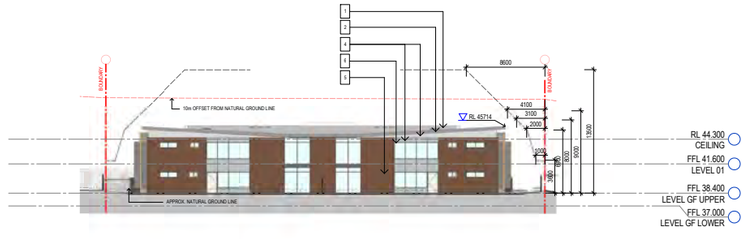
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SCALE 1 : 200



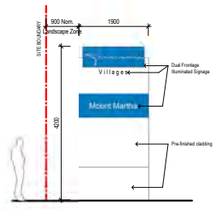
2 ELEVATION - SOUTH EAST
SCALE 1 : 200



4 ELEVATION - NORTH EAST
SCALE 1 : 200



3 ELEVATION - SOUTH WEST
SCALE 1 : 200



5 BUILDING SIGNAGE ELEVATION
SCALE 1 : 50

NOTES:

1. METAL ROOFING
2. METAL GUTTERS, EAVES, DOWNPIPES
3. RENDERED MASONRY
4. CLADDING
5. MASONRY
6. ALUMINIUM WINDOWS
7. SHADING ELEMENT - VARIABLE SIZES SUBJECT TO BCA SECTION J REQUIREMNTS

AMENDMENTS

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LEND LEASE

ELEVATIONS

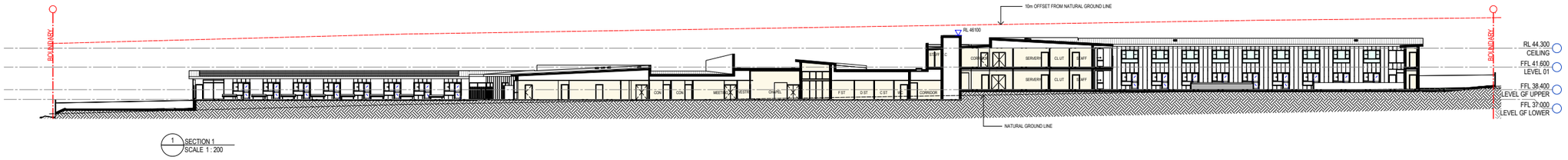
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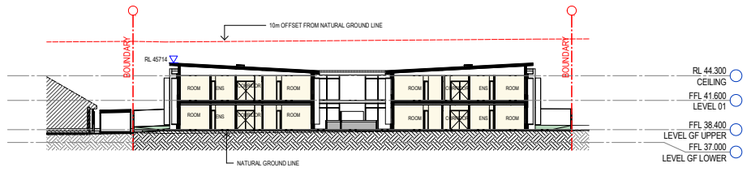
PROJECT
RESIDENTIAL AGED CARE FACILITY
594 & 602 ESPLANADE
MOUNT MARTHA

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Jackson Teece Chesterman Willis Pty Ltd
ACN 003 323 079
ABN 12 003 323 079
Nominated Architect Ian Moodie 5472

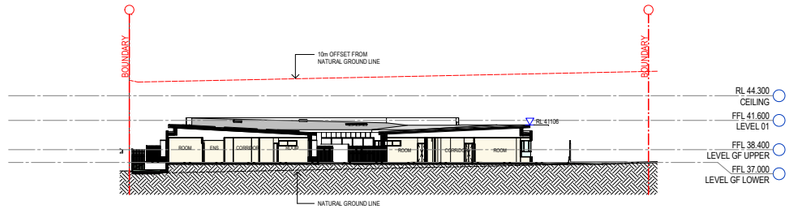
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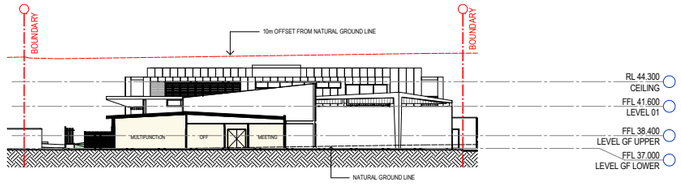
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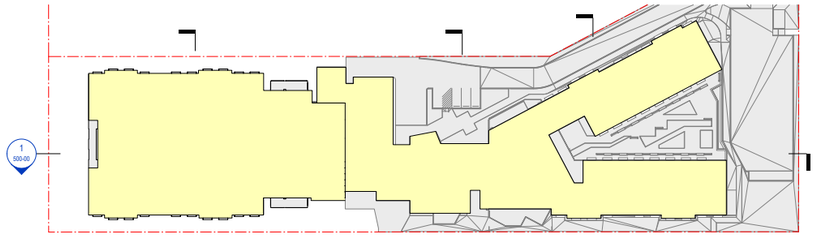
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SCALE 1 : 200



4 SECTION 4
SCALE 1 : 200



3 SECTION 3
SCALE 1 : 200



5 SECTIONS KEY PLAN

AMENDMENTS

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SECTIONS

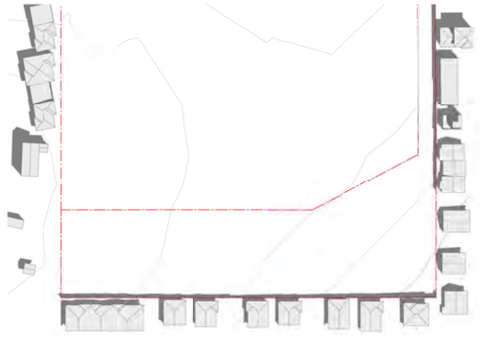
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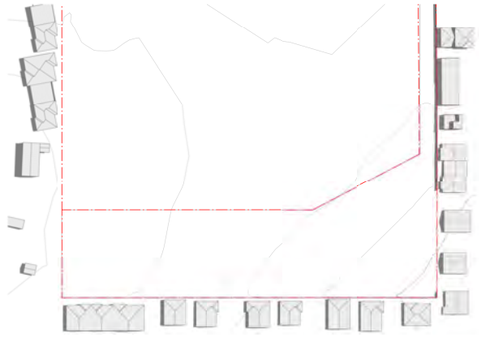
PROJECT
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594 & 602 ESPLANADE
MOUNT MARTHA

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Nominated Architect: Ian Brodie 5470D

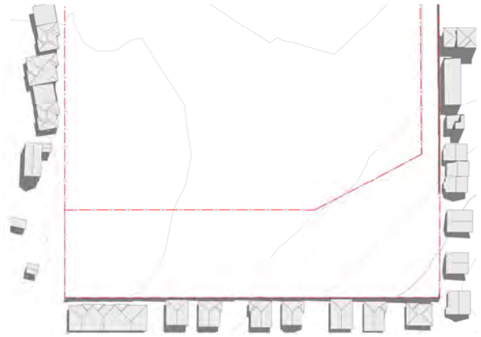
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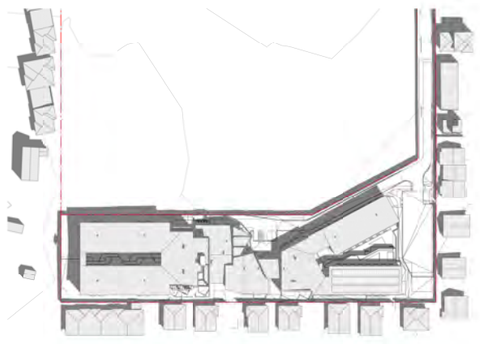
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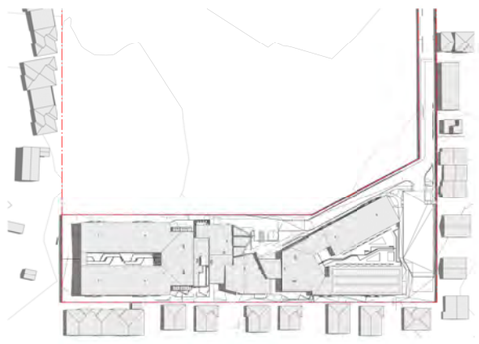
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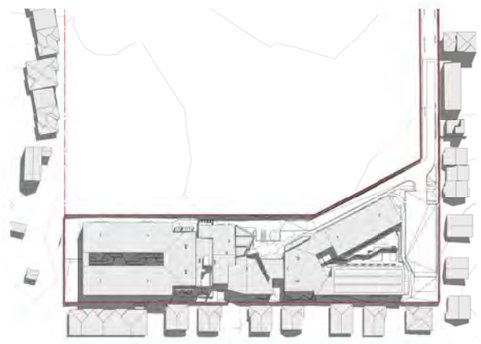
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4 SHADOW ANALYSIS 22ND SEPT 0900h - PROPOSED



5 SHADOW ANALYSIS 22ND SEPT 1200h - PROPOSED



6 SHADOW ANALYSIS 22ND SEPT 1500h - PROPOSED

AMENDMENTS

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SHADOW DIAGRAMS

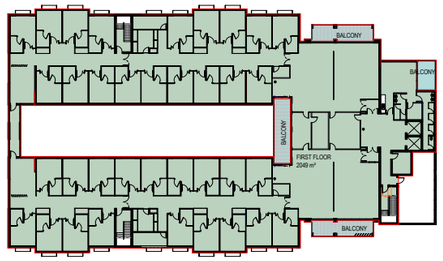
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253824-MM-AD-900-02 A

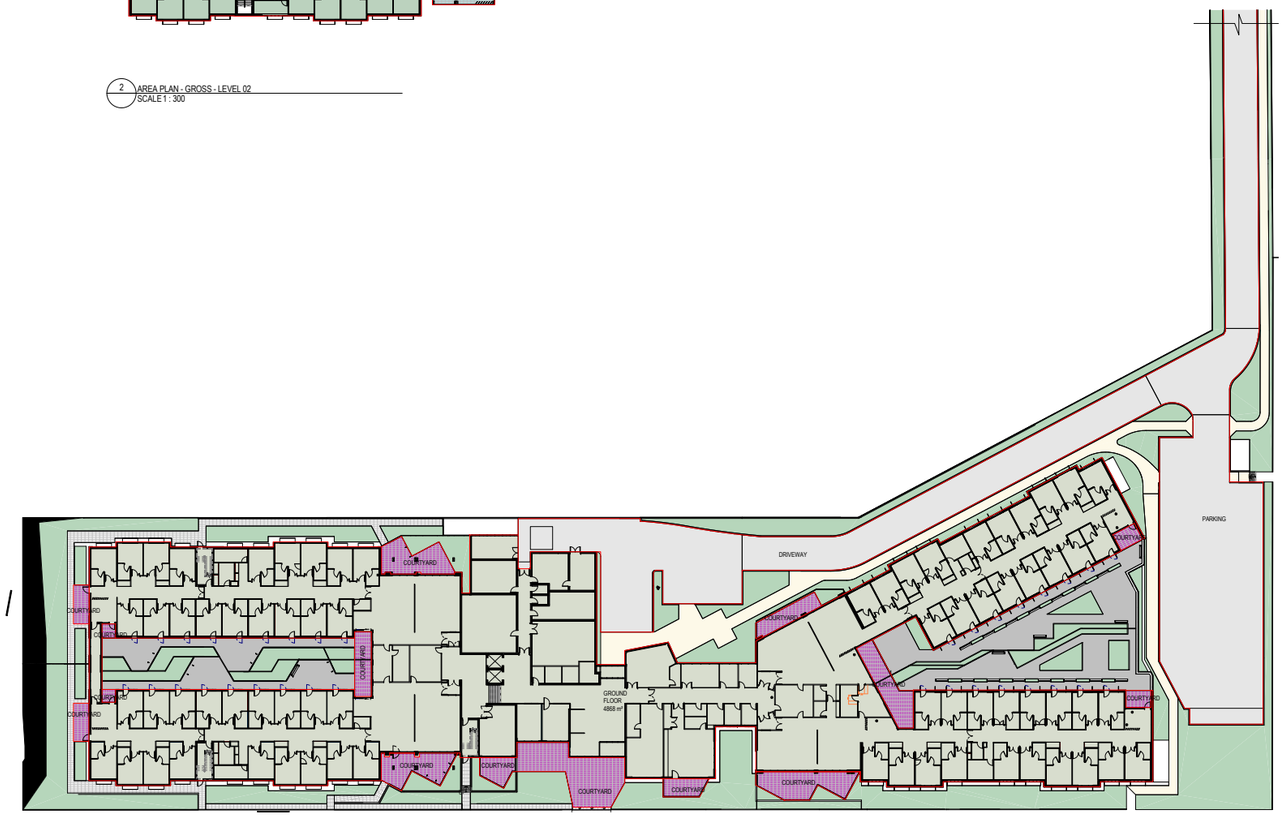
PROJECT
RESIDENTIAL AGED CARE FACILITY
594 & 602 ESPLANADE
MOUNT MARTHA

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E sydney@jacksonteece.com
Jackson Teece Chesterman Willis Pty Ltd
Trading as Jackson Teece
ABN 41 003 627 444
Nominated Architect: Ian Brodie 5470D

JACKSON TEECE



2 AREA PLAN - GROSS - LEVEL 02
SCALE 1 : 300



1 AREA PLAN - GROSS - GF
SCALE 1 : 300

AREAS - GFA (Lend Lease Standard)

Name	Level	Area
FIRST FLOOR	LEVEL 01	2049 m²
GROUND FLOOR	LEVEL GF LOWER	4868 m²
Grand total: 2		6917 m²

TOTAL BEDS	= 108
TOTAL M² BED	= 64.05 M²

AREAS - BALCONIES

Name	Level	Area
BALCONY		99 m²
COURTYARD		491 m²
Grand total: 27		591 m²

AREAS - GBA (GFA + BALCONIES)

Name	Level	Area
BALCONY		99 m²
COURTYARD		491 m²
FIRST FLOOR	LEVEL 01	2049 m²
GROUND FLOOR	LEVEL GF LOWER	4868 m²
Grand total: 29		7508 m²

AREAS - PARKING & DRIVEWAYS

Name	Level	Area
DRIVEWAY	LEVEL GF LOWER	2516 m²
PARKING	LEVEL GF LOWER	0 m²
Grand total: 2		2516 m²

NPWC GFA CALCULATIONS (INTERNAL FACE OF FACADE, INCLUDING LIFTS AND STAIRS)

GROUND FLOOR GFA = 4894 M²
FIRST FLOOR GFA = 1988 M²

TOTAL GFA = 6882 M²

AMENDMENTS

ISSUE	DESCRIPTION	AUTHORISED	DATE
1	PRE-DA	AK	17/02/17
2	PRE-DA	SC	22/03/17
3	PRELIMINARY	SC	25/08/2017
4	FOR CLIENT SIGN OFF	SC	01/09/2017
5	FOR DA APPLICATION	RP	12/09/2017
6	FOR DA APPLICATION	RP	04/10/2017
A	DA APPLICATION	RP	04/10/2017

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LEND LEASE

AREA PLANS - LEND LEASE
AREAS

DATE	SCALE @ A0	DRAWN
12/09/17	1 : 300	RP

PROJECT No. 253824 | SITE | STAGE | DRAWING No. MM-AD-900-30 | ISSUE A

PROJECT
RESIDENTIAL AGED CARE FACILITY
594 & 602 ESPLANADE
MOUNT MARTHA
Lot 1, Pier 8-9, 23 Hickson Road
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Jackson Teece Chesterman Willis Pty Ltd
ACN 003 708 564
ABN 16 081 797 599
Nominated Architect Ian Moore 5207Z

JACKSON TEECE

ecology & heritage partners

Final Report

Ecological Due Diligence Assessment: 594-602 The Esplanade, Mount Martha, Victoria

Prepared for

Lendlease

May 2017



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CANBERRA: PO Box 6067, O'Connor ACT 2602 SYDNEY: Level 5, 616 Harris Street, Ultimo, NSW, 2007
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Contents

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3 METHODS 5
4 RESULTS 8
5 LEGISLATIVE AND POLICY IMPLICATIONS 12
6 FURTHER REQUIREMENTS 16
REFERENCES 17
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APPENDIX 2 – FAUNA 25
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Document Control

Assessment	Ecological Due Diligence Assessment
Address	594-602 The Esplanade, Mount Martha, Victoria
Project number	9169
Project manager	Chelsy Moloney (Zoologist)
Other EHP staff	Monique Elsley (GIS Coordinator), Jared McGuiness (Technical Officer – Botany)
File name	9169_EHP_594-602Esplanade MountMartha_DueDiligence_Final_02052017
Client	Lendlease
Bioregion	Gippsland Plain
CMA	Port Philip and Westernport
Council	Mornington Peninsula Shire Council

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1 INTRODUCTION

Ecology and Heritage Partners Pty Ltd was commissioned by Lendlease to conduct an Ecological Due Diligence Assessment at 594-602 The Esplanade, Mount Martha, Victoria (the study area). The study area is being investigated for potential purchase to construct an aged care centre.

The purpose of the assessment was to identify the extent and type of remnant native vegetation present within the study area and to determine the potential presence of significant flora and fauna species and/or ecological communities. This report presents the results of the due diligence assessment and discusses the potential ecological and legislative implications associated with the proposed action. The report also provides recommendations to address or reduce impacts and, where necessary, highlights components that require further investigation.

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2 STUDY AREA

The study area is located at 594-602 The Esplanade, Mount Martha, Victoria, approximately 70 kilometres south-west of Melbourne's CBD (Figure 1). The site covers 4.4 hectares and is bound by The Esplanade to the west and private property to the north, south and east.

The geography is generally flat to undulating, with no ridges, crests or waterways within the study area. Two existing dwellings and related infrastructure are present in the west of the study area. The dwellings are surrounded by extensive gardens containing a variety of planted trees and shrubs. The eastern section of the study area is currently utilised for minor agricultural activities in the form of low-level grazing. The eastern section supports areas of remnant native vegetation, along with minor areas in the west (Figure 2). There is extensive soil disturbance throughout the study area associated with agricultural land use and gardens around the existing dwellings.

According to the Victorian Department of Environment, Land, Water and Planning (DELWP) Native Vegetation Information Management Tool (DELWP 2017a), the study area occurs within the Gippsland Plain bioregion. It is located within the jurisdiction of the Port Philip and Westernport Catchment Management Authority (CMA) and the Mornington Peninsula Shire Council municipality.

3 METHODS

3.1 Desktop Assessment

Relevant literature, online-resources and numerous databases were reviewed to provide an assessment of flora and fauna values associated with the study area. The following information sources were reviewed:

- The Victorian Department of Environment, Land, Water and Planning (DELWP) Native Vegetation Information Management (NVIM) Tool (DELWP 2017a) and Biodiversity Interactive Map (DELWP 2017c) for:
    - Modelled data for location risk, remnant vegetation patches, scattered trees and habitat for rare or threatened species; and,
    - The extent of historic and current Ecological Vegetation Classes (EVCs).
- EVC benchmarks (DELWP 2017b) for descriptions of EVCs within the relevant bioregion;
- The VBA (DELWP 2017d) for previously documented flora and fauna records within the project locality;
- The Flora Information System (FIS) (Viridans 2014a) and Atlas of Victorian Wildlife (AVW) (Viridans 2014b) for assistance with the distribution and identification of flora and fauna species;
- The Federal Department of the Environment and Energy (DoEE) Protected Matters Search Tool (PMST) for matters of National Environmental Significance (NES) protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (DoEE 2017);
- Relevant listings under the Victorian *Flora and Fauna Guarantee Act 1988* (FFG Act), including the latest Threatened and Protected Lists (DELWP 2015b; DELWP 2015c);
- The Planning Maps Online (DELWP 2017e) and Planning Schemes Online (DELWP 2017f) to ascertain current zoning and environmental overlays in the study area; and,
- Aerial photography of the study area.

3.2 Field Assessment

A field assessment was conducted on 28 April 2016 and 20 February 2017 to obtain information on flora and fauna values within the study area. The study area was walked, with the dominant flora and incidental observations of fauna species recorded, any significant records mapped and the overall condition of vegetation and habitats noted. Ecological Vegetation Classes (EVCs) were determined with reference to DELWP pre-1750 and extant (2005) EVC mapping and their published descriptions (DELWP 2017b).

3.3 Permitted Clearing Assessment (the Guidelines)

Under the *Planning and Environment Act 1987,* Clause 52.17 of the Planning Schemes requires a planning permit from the relevant local Council to remove, destroy or lop native vegetation. The assessment process for the clearing of vegetation follows the 'Permitted clearing of native vegetation - Biodiversity assessment guidelines' (the Guidelines) (DEPI 2013).

A formal Permitted Clearing Assessment was not conducted as a finalised development plan is not yet available. However, an indicative assessment based on the mapped extent of remnant native vegetation and modelled conditions scores using the DELWP EnSym Native Vegetation Regulations Tool have been used to estimate the potential offset requirement based on the removal of all identified remnant native vegetation in the study area (Figure 2). This will require amendment should the final development plan reduce impacts to all or part of the remnant native vegetation in the study area.

3.3.1 Risk-based Pathway

The Guidelines manage the impacts on biodiversity from native vegetation removal using a risk-based approach. Two factors – extent risk and location risk – are used to determine the risk associated with an application for a permit to remove native vegetation. The location risk (A, B or C) has been determined for all areas in Victoria and is available on DELWP's Native Vegetation Information Management (NVIM) Tool (DELWP 2017a). Determination of risk-based pathway is summarised in Table 1.

Table 1. Risk-based pathways for applications to remove native vegetation (DEPI 2013)

Extent		Location		
		A	B	C
Native Vegetation	< 0.5 hectares	Low	Low	High
	≥ 0.5 hectares and < 1 hectare	Low	Moderate	High
	≥ 1 hectare	Moderate	High	High
Scattered Trees	< 15 scattered trees	Low	Moderate	High
	≥ 15 scattered trees	Moderate	High	High

Notes: For the purpose of determining the risk-based pathway of an application to remove native vegetation the extent includes any other native vegetation that was permitted to be removed on the same contiguous parcel of land with the same ownership as the native vegetation to be removed, where the removal occurred in the five year period before an application to remove native vegetation is lodged.

3.3.2 Vegetation Assessment

Native vegetation (as defined in Table 2) is assessed using two key parameters: extent (in hectares) and condition. Extent is determined through a site assessment. The condition score for Moderate and High Risk-based pathways must be assessed through a habitat hectare[1] assessment conducted by a qualified ecologist. The condition score for Low Risk-based pathways may be based on either modelled data available on the NVIM Tool (DELWP 2017a), or through a habitat hectare assessment.

In addition, all mapped wetlands (based on the DELWP 'Current Wetlands' layer) must be included as native vegetation, with the modelled condition score assigned to them (DELWP 2015a).

[1] A 'habitat hectare' is a unit of measurement which combines the condition and extent of native vegetation.

Table 2. Determination of remnant native vegetation (DEPI 2013)

Category	Definition	Extent	Condition
Remnant patch of native vegetation	An area of vegetation where at least 25 per cent of the total perennial understorey plant cover is native. OR An area with three or more native canopy trees where the canopy foliage cover is at least 20 per cent of the area.	Measured in hectares. Based on hectare area of the remnant patch.	Vegetation Quality Assessment Manual (DSE 2004).
Scattered tree	A native canopy tree that does not form part of a remnant patch.	Measured in hectares. Each scattered tree is assigned an extent of 0.071 hectares (30m diameter).	Scattered trees are assigned a default condition score of 0.2.

Notes: Native vegetation is defined in the Victoria Planning Provisions as 'plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses'.

3.3.3 Offsets

Offsets are required to compensate for the permitted removal of native vegetation. The indicative offset requirements are presented in Appendix 3.

3.4 Assessment Qualifications and Limitations

The field assessment was conducted during autumn a sub-optimal season for the identification of flora and fauna species. The 'snap shot' nature of a standard ecological due diligence assessment, along with sub-optimal timing of the survey, meant that migratory, transitory or uncommon fauna species may have been absent from typically occupied habitats at the time of the field assessment. In addition, annual or cryptic flora species such as those that persist via underground tubers may also be absent. Compilation of detailed flora and fauna lists, a habitat hectare assessment, a formal Permitted Clearing Assessment and targeted surveys were not conducted, as this was beyond the scope of the due diligence assessment.

A portion of the study area could not be directly assessed due to access constraints (Figure 2). Where possible, the native vegetation in this area was inspected from the fenceline in the east of the study area and from the road reserve (Figure 2). This is considered adequate for broadly determining the presence of native vegetation in this section of the study area.

Nevertheless, the terrestrial flora and fauna data collected during the field assessment and information obtained from relevant desktop sources is considered adequate to provide an accurate assessment of the extent of ecological values present in the study area.

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4 RESULTS

4.1 Vegetation Condition

The study area supports three broad vegetation and habitat types: remnant woodland, planted indigenous and non-indigenous vegetation and areas dominated by introduced vegetation.

4.1.1 Remnant Patches

Remnant native vegetation in the study area is representative of the Grassy Woodland EVC (EVC 175). The presence of this EVC is generally consistent with the modelled pre-1750s native vegetation mapping (DELWP 2017a). Specific details relating to the observed EVC are provided below.

4.1.1.1 Grassy Woodland

Heavily modified remnants of Grassy Woodland are present in the north-east section of the study area (Figure 2). Coast Tea-tree *Leptospermum laevigatum* is the dominant species (Plate 1), with a sparse understorey of Bracken *Pteridium esculentum*, Pale Rush *Juncus pallidus*, Bower Spinach *Tetragonia implexicoma* and Wallaby-grass *Rytidosperma* spp. A small patch near the eastern end of the driveway access at 602 Esplanade also contains a Manna Gum *Eucalyptus viminalis* and Black Wattle *Acacia mearnsii.* Some remnant native vegetation is also present under planted non-indigenous and introduced vegetation in the west of the study area, where Bower Spinach has recolonised previously disturbed soils (Plate 2). Weeds, in particular Myrtle-leaf Milkwort *Polygala myrtifolia* and the Weed of National Significance Boxthorn *Lycium ferocissimum* are the dominant weeds in most areas of remnant native vegetation.

All observed remnants of Grassy Woodland are considered to be of poor to moderate quality due to lack of indigenous species diversity and high cover of weeds.

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Plate 1. Grassy Woodland dominated by Coast Tea-tree in the north east of the study area (EHP 28/04/2016).



Plate 2. Bower Spinach recolonising areas under planted exotic vegetation in the west of the study area (EHP 28/04/2016).

4.1.2 Introduced and Planted Vegetation

Areas not supporting remnant native vegetation area have a high cover (>80%) of exotic grass species including but not limited to Rye Grass *Lolium* spp. Brown-top Bent *Agrostis capillaris*, Panic Veldt-grass *Ehrharta erecta* var. *erecta,* Kikuyu *Cenchrus clandestinus* and Couch *Cynodon dactylon* var. *dactylon* in the east of the study area (Plate 3). Myrtle-leaf Milkwort and Sweet Pittosporum *Pittosporum undulatum* are the dominant woody weeds in the west of the study area. Although native to Victoria, Sweet Pittosporum is not considered indigenous to the local area (Viridans 2014a) and is listed as an environmental weed in the Mornington municipality under the Schedule to Clause 52.17 (Native Vegetation) of the local planning scheme (DELWP 2017f) (Plate 4). Noxious weeds including Soursob *Oxalis pes-caprae* are scattered throughout the study area. There are scattered occurrences of indigenous species throughout the study area, in particular Bracken and Wallaby-grass, however these did not have the required 25% cover to be considered a remnant patch.

Windrows of trees and shrubs planted for decorative or amenity purposes are present around the eastern and north eastern boundary of the study area (Plate 5). Locally indigenous species present include Manna Gum, as well as non-indigenous species such as Mugga *Eucalyptus sideroxylon* s.l. Bottlebrush *Callistemon* spp. and Spotted Gum *Corymbia maculata*.

Exotic planted trees are present in the west of the study area, particularly around the dwelling at 594 Esplanade, and include a variety of Bunya Pine *Araucaria* spp., Cypress *Cupressus* spp., Pine *Pinus* spp., Fig *Ficus* spp. and Elm *Ulmus* spp. (Plate 6). A variety of ornamental shrubs and succulents (genus *Aloe*) have also been planted around dwellings.



Plate 3. Introduced grasses in the east of the study area (28/04/2016).



Plate 4. West section of the study area dominated by Sweet Pittosporum (28/04/2016).



Plate 5. Windrow of planted eucalyptus along the eastern boundary of the study area (28/04/2016).



Plate 6. Exotic Elms in the east of the study area (28/04/2016).

4.2 Fauna Habitat

Patches of modified native woodland occur in the study area, all of which generally lack a eucalypt overstorey and are of similar condition. The habitat attributes of the woodland are suitable for common native fauna, particularly birds. Species observed include Australian Magpie *Cracticus tibicen,* Willie Wagtail *Rhipidura leucophrys,* Magpie-lark *Grallina cyanoleuca* and House Sparrow *Passer domesticus.* These species are also likely to utilise the modified, open areas in the east of the study area as a foraging resource. In addition to birds, both the modified woodland and open areas are likely to provide habitat for a small number of common, ground dwelling species such as reptiles (i.e. snakes and lizards) and potentially frogs such as Common Froglet *Crinia signifera*.

4.3 Significance Assessment

4.3.1 Flora

The State significant Spotted Gum is present in the planted windrow in the north-east of the study area. The species is commonly planted and is not indigenous to the study area, with natural occurrences restricted to East Gippsland (Viridans 2014a).

The VBA and FIS contain records of three nationally significant and an additional 20 State significant flora species previously recorded within 10 kilometres of the study area (DELWP 2017d; Appendix 1). The PMST nominated an additional six nationally significant species which have not been recorded but have the potential to occur in the locality (DoE 2017). Most records are confined to existing foreshore reserve and undeveloped areas around Balcombe Creek (DELWP 2017c).

The study area lacks the wetland and/or terrestrial habitat features generally associated with the significant species listed in Appendix 1. The previous extensive soil disturbance means that most species, particularly orchids such as Leafy Greenhood *Pterostylis cucullata*, are unlikely to persist in the study area. As such, the study area is not considered suitable habitat for any national or State significant species listed in Appendix 1.

4.3.2 Fauna

The VBA and AVW contain records of 13 nationally significant, 28 State significant and 12 regionally significant fauna species previously recorded within 10 kilometres of the study area (DELWP 2017d) (Appendix 2). The PMST nominated an additional 24 nationally significant species which have not been recorded in the locality but have the potential to occur (DoE 2017). Most of the records are for marine mammals or sea birds.

Based on the modified nature of the study area, there is no suitable habitat present for any significant fauna species listed in Appendix 2. A small number of seabirds (e.g. Pacific Gull) may occasionally fly over the study area and surrounding terrestrial environment.

4.3.3 Communities

Three nationally listed ecological communities are predicted to occur within 10 kilometres of the study area (DoE 2017):

- Natural Damp Grassland of the Victorian Coastal Plains;
- Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains; and,
- Subtropical and Temperate Coastal Saltmarsh.

The native vegetation within the study area did not meet the condition thresholds that define any national or State-significant communities.

4.3.4 Recommendation

Due to the highly modified condition of the study area, and lack of suitable habitat characteristics, targeted surveys for significant flora and fauna are unlikely to be required as part of the proposed development of the study area.

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5 LEGISLATIVE AND POLICY IMPLICATIONS

5.1 *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth)

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) establishes a Commonwealth process for the assessment of proposed actions likely to have a significant impact on any matters of National Environment Significance (NES).

The proposed development is unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister will not be required regarding matters listed under the EPBC Act as part of the proposed development.

5.2 *Flora and Fauna Guarantee Act 1988* (Victoria)

The FFG Act is the primary legislation dealing with biodiversity conservation and sustainable use of native flora and fauna in Victoria. Proponents are required to apply for an FFG Act Permit to 'take' listed and/or protected flora species, listed vegetation communities and listed fish species in areas of public land (i.e. within road reserves, drainage lines and public reserves). An FFG Act permit is generally not required for removal of species or communities on private land, or for the removal of habitat for a listed terrestrial fauna species.

The FFG Act protected species, Black Wattle is present in the study area. A permit for the removal of protected species is not required as the study area is currently private land.

5.3 *Planning and Environment Act 1987* (Victoria)

The *Planning and Environment Act 1987* outlines the legislative framework for planning in Victoria and for the development and administration of planning schemes. All planning schemes contain native vegetation provisions at Clause 52.17 which require a planning permit from the relevant local Council to remove, destroy or lop native vegetation on a site of more than 0.4 hectares, unless an exemption under clause 52.17-7 of the Victorian Planning Schemes applies or a subdivision is proposed with lots less than 0.4 hectares[2]. Local planning schemes may contain other provisions in relation to the removal of native vegetation (Section 5.3.1).

5.3.1 Local Planning Schemes

The study area is located within the Mornington Peninsula Shire Council municipality. The following relevant zoning and overlays apply (DELWP 2017f):

- General Residential Zone – Schedule 1 (GRZ1); and,
- Design and Development Overlay – Schedule 1 (DDO1).

[2] In accordance with the Victorian Civil and Administrative Tribunal's (VCAT) decision Villawood v Greater Bendigo CC (2005) VCAT 2703 (20 December 2005) all native vegetation is considered lost where proposed lots are less than 0.4 hectares in area and must be offset at the time of subdivision.

The decision guidelines of DDO1 include a requirement to address the effects of any proposed development on areas of remnant vegetation as well as other environmental considerations such as effects on foreshores, streamlines and areas prone to erosion (DELWP 2017f). Impacts with respect to ecological values (remnant vegetation) can be addressed as part of detailed ecological assessments once a final development plan is provided.

5.3.2 Permitted Clearing Assessment (the Guidelines) – Clause 52.17

The State Planning Policy Framework and the decision guidelines at Clause 52.17 (Native Vegetation) and Clause 12.01 require Planning and Responsible Authorities to have regard for 'Permitted clearing of native vegetation - Biodiversity assessment guidelines' (the Guidelines) (DEPI 2013).

5.3.2.1 Vegetation proposed to be removed

The study area is within Location A, with 0.444 hectares of remnant native vegetation potentially being removed as part of the proposed development. As such, the application would be assessed under the Low Risk-based pathway.

5.3.2.2 Indicative Offset Targets

Based on the removal of all identified remnant native vegetation in the study area, the indicative offset requirement is 0.017 General Biodiversity Equivalence Units (BEU).

A summary of proposed vegetation losses and indicative offset requirements is presented in Table 3 and Appendix 3.

Table 3. Offset targets

General Offsets Required	0.017 General BEUs
Specific Offsets Required	N/A
Vicinity (catchment / LGA)	Port Philip and Westernport CMA / Mornington Peninsula Shire Council
Minimum Strategic Biodiversity Score	0.092

Note: BEU = Biodiversity Equivalence Units

5.3.2.3 Relevant Exemptions

Planted vegetation in the study area that is native to Victoria, such as Spotted Gum, Bottlebrush and Manna Gum, is exempt from planning permit requirements under Clause 52.17-7 (Table of Exemptions) as it is planted on private land for amenity purposes (DELWP 2017f).

Sweet Pittosporum is also exempt from planning permit requirements as a scheduled weed under Clause 52.17 (Native Vegetation) of the local planning scheme (DELWP 2017f). The maximum extent of native vegetation removed, destroyed or lopped under the exemption on contiguous land in the same ownership in a five year period must not exceed any of the following (DELWP 2017f):

- One hectare of native vegetation which does not include a tree;
- 15 native trees if each tree has a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

A planning permit from Mornington Peninsula Shire Council is required to remove, destroy or lop any native vegetation. The application will be referred to DELWP if greater than 0.5 hectares of native vegetation are proposed for removal based on the final development plan.

5.4 *Wildlife Act 1975* and Wildlife Regulations 2013 (Victoria)

The *Wildlife Act 1975* (and associated Wildlife Regulations 2013) is the primary legislation in Victoria providing for protection and management of wildlife. Authorisation for habitat removal may be obtained under the *Wildlife Act 1975* through a licence granted under the *Forests Act 1958*, or under any other Act such as the *Planning and Environment Act 1987*. Any persons engaged to remove, salvage, hold or relocate native fauna during construction must hold a current Management Authorisation under the *Wildlife Act 1975*, issued by DELWP.

5.5 *Catchment and Land Protection Act 1994* (Victoria)

The *Catchment and Land Protection Act 1994* (CaLP Act) contains provisions relating to catchment planning, land management, noxious weeds and pest animals. Landowners are responsible for the control of any infestation of noxious weeds and pest fauna species to minimise their spread and impact on ecological values.

Weeds listed as noxious under the CaLP Act and Weeds of National Significance were recorded during the assessment, including Soursob and Boxthorn. A Weed Management Plan may be required if listed as a condition of the planning permit for the proposed development.

5.6 Best Practice Mitigation Measures

Recommended measures to mitigate impacts upon terrestrial and aquatic values present within the study area may include:

- Consideration of Water Sensitive Urban Design techniques where applicable;
- Minimise impacts to remnant native vegetation and habitats through construction and micro-siting techniques, including fencing retained areas of native vegetation. If indeed necessary, trees should be lopped or trimmed rather than removed. Similarly, soil disturbance and sedimentation within wetlands should be avoided or kept to a minimum, to avoid, or minimise impacts to fauna habitats;
- All contractors should be aware of ecologically sensitive areas to minimise the likelihood of inadvertent disturbance to areas marked for retention. Habitat Zones (areas of sensitivity) should be included as a mapping overlay on any construction plans;
- Removal of any habitat trees or shrubs (particularly hollow-bearing trees) should be undertaken between February and September to avoid the breeding season for the majority of fauna species. If any habitat trees or shrubs are proposed to be removed, this should be undertaken under the supervision of an appropriately qualified zoologist to salvage and translocate any displaced fauna. A Fauna Management Plan may be required to guide the salvage and translocation process;
- Where possible, construction stockpiles, machinery, roads, and other infrastructure should be placed away from areas supporting native vegetation, LOTs and/or wetlands;

- Ensure that best practice sedimentation and pollution control measures are undertaken at all times, in accordance with Environment Protection Agency guidelines (EPA 1991; EPA 1996; Victorian Stormwater Committee 1999) to prevent offsite impacts to waterways and wetlands; and,
- As indigenous flora provides valuable habitat for indigenous fauna, it is recommended that any landscape plantings that are undertaken as part of the proposed works are conducted using indigenous species sourced from a local provenance, rather than exotic deciduous trees and shrubs.

In addition to these measures, the following documents should be prepared and implemented prior to any construction activities if required as a condition of a planning permit or other related legislative approvals:

- Construction Environmental Management Plan (CEMP). The CEMP should include specific species/vegetation conservation strategies, daily monitoring, sedimentation management, site specific rehabilitation plans, weed and pathogen management measures, etc.; and,
- Weed Management Plan. This plan should follow the guidelines set out in the CaLP Act, and clearly outline any obligations of the project team in relation to minimising the spread of weeds as a result of this project. This may include a pre-clearance weed survey undertaken prior to any construction activities to record and map the locations of all noxious and environmental weeds.

5.7 Offset Options

Based on the available information in the Ecology and Heritage Partners Over-the-Counter Offset Scheme, the indicative cost of purchasing the required offset would be approximately $2,900.00 to $3,600.00 (excluding GST).

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6 FURTHER REQUIREMENTS

Further requirements associated with development of the study area, as well as additional assessments or reporting that may be required, are provided in Table 4.

Table 4. Further requirements associated with development of the study area

Relevant Legislation	Implications	Further Action
Environment Protection and Biodiversity Conservation Act 1999	The proposed development is unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister will not be required regarding matters listed under the EPBC Act as part of the proposed development.	No further action required.
Flora and Fauna Guarantee Act 1988	The FFG Act protected species, Black Wattle is present in the study area. A permit for the removal of protected species is not required as the study area is currently private land.	No further action required.
Planning and Environment Act 1987	The study area is within Location A, with 0.444 hectares of remnant native vegetation potentially being removed as part of the proposed development. As such, the application would be assessed under the Low Risk-based pathway. Based on the removal of all identified remnant native vegetation in the study area, the indicative offset requirement is 0.017 General Biodiversity Equivalence Units (BEU).	Conduct a field assessment (including habitat hectare assessment if required), calculate offsets based on impacts of the final development plan and prepare a Biodiversity Assessment report. Proponent to prepare and submit a Planning Permit application, including a Biodiversity Assessment report that addresses the information requirements under Clause 52.17 as supporting documentation.
Catchment and Land Protection Act 1994	Several weed species listed under the CaLP Act were recorded within the study area. To meet requirements under the CaLP Act, listed noxious weeds should be appropriately controlled throughout the study area.	Planning Permit conditions may include a requirement for a Weed Management Plan.
Wildlife Act 1975	Any persons engaged to conduct salvage and translocation or general handling of terrestrial fauna species must hold a current Management Authorisation.	Ensure wildlife specialists hold a current Management Authorisation.

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FIGURES

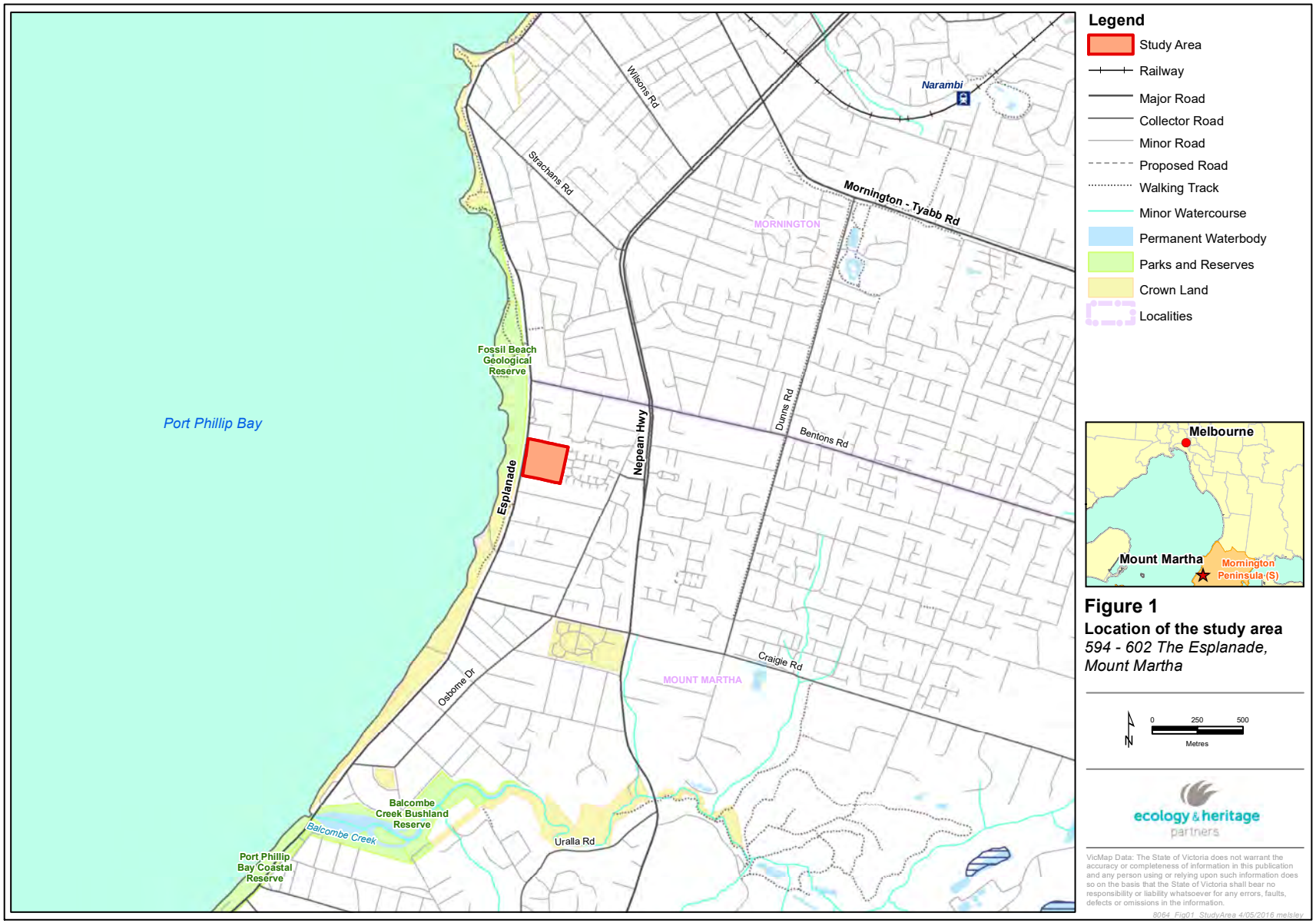


Figure 1
Location of the study area
594 - 602 The Esplanade, Mount Martha

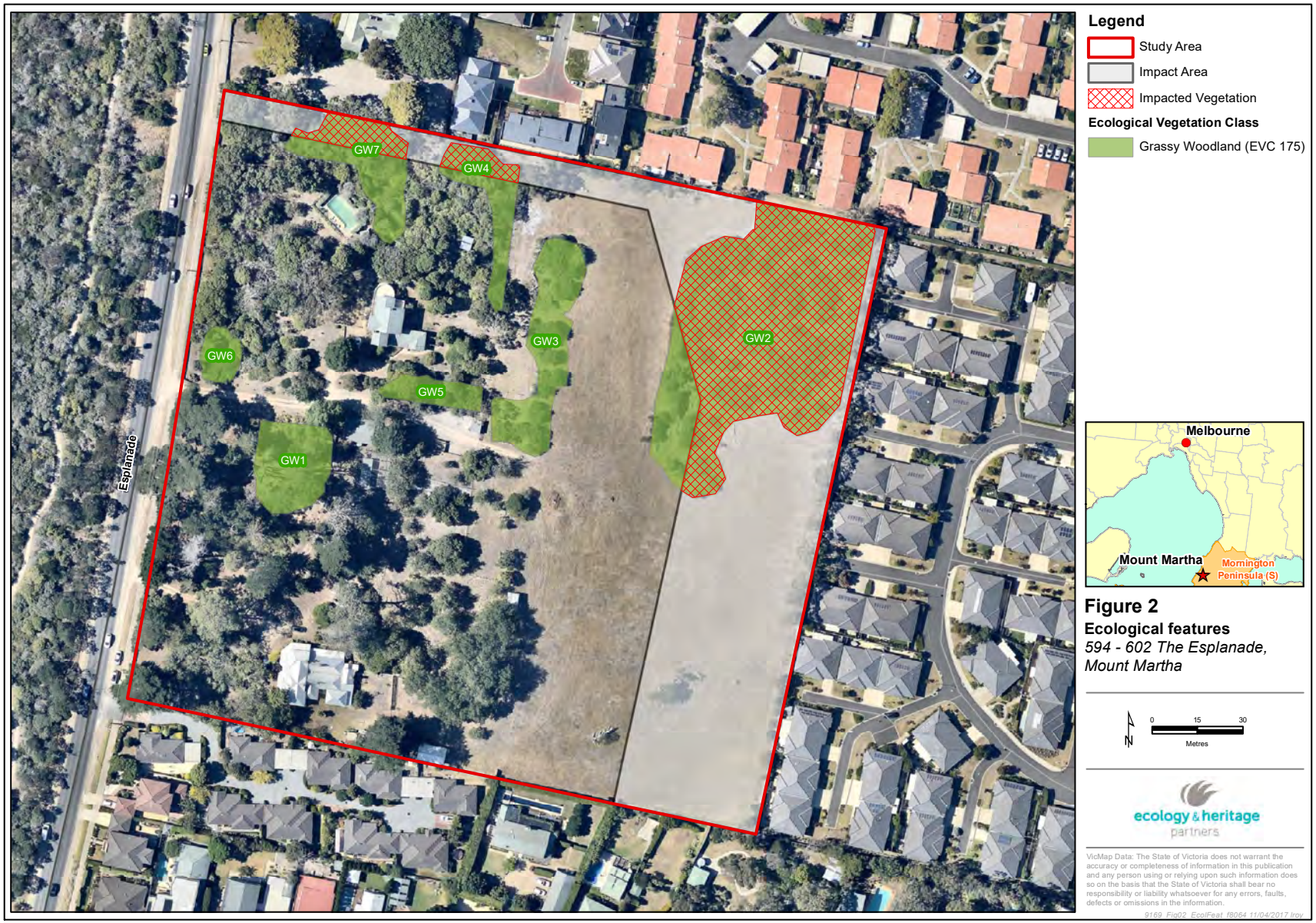


Figure 2
Ecological features
594 - 602 The Esplanade, Mount Martha

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APPENDIX 1 – FLORA

Table A1.1 Significant flora recorded within 10 kilometres of the study area

Likelihood: Habitat characteristics of significant flora species previously recorded within 10 kilometres of the study area, or that may potentially occur within the study area were assessed to determine their likelihood of occurrence. The likelihood of occurrence rankings are defined below.

1 - Known occurrence
- Recorded within the study area recently (i.e. within ten years)

2 - High Likelihood
- Previous records of the species in the local vicinity; and/or,
- The study area contains areas of high quality habitat.

3 - Moderate Likelihood
- Limited previous records of the species in the local vicinity; and/or,
- The study area contains poor or limited habitat.

4 - Low Likelihood
- Poor or limited habitat for the species however other evidence (such as a lack of records or environmental factors) indicates there is a very low likelihood of presence.

5 – Unlikely
- No suitable habitat and/or outside the species range.

Scientific name	Common name	Total # of documented records	Last documented record	EPBC	FFG	DEPI	Likely occurrence in study area
NATIONAL SIGNIFICANCE							
Amphibromus fluitans #	River Swamp Wallaby-grass	-	-	VU	-	-	4
Caladenia tessellata	Thick-lip Spider-orchid	1	1970	VU		v	4
Caladenia thysanochila	Fringed Spider-orchid	2	1997	EN	L	x	4
Eucalyptus crenulata	Buxton Gum	1	1990	EN	L	e	4
Euphrasia collina subsp. *muelleri* #	Purple Eyebright	-	-	EN	L	e	4
Glycine latrobeana #	Clover Glycine	-	-	VU	L	v	4
Pterostylis cucullata	Leafy Greenhood	-	-	VU	L	v	4
Prasophyllum frenchii #	Maroon Leek-orchid	-	-	EN	L	e	4
Xerochrysum palustre	Swamp Everlasting	-	-	VU	L	v	4

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Scientific name	Common name	Total # of documented records	Last documented record	EPBC	FFG	DEPI	Likely occurrence in study area
STATE SIGNIFICANCE							
Acacia howittii	Sticky Wattle	1	2002	-	-	r	4
Austrostipa rudis subsp. *australis*	Veined Spear-grass	2	2008	-	-	r	4
Caladenia australis	Southern Spider-orchid	1	1927	-	-	k	4
Caladenia venusta	Large White Spider-orchid	1	1905	-	-	r	4
Chiloglottis X *pescottiana*	Bronze Bird-orchid	2	1997	-	-	r	4
Corymbia maculata	Spotted Gum	5	2010	-	-	v	1 (planted)
Diuris behrii	Golden Cowslips	1	2005	-	-	v	4
Diuris punctata	Purple Diuris	14	2001	-	L	v	4
Eucalyptus carolaniae	Mount Martha Bundy	10	2007	-	-	e	4
Eucalyptus globulus subsp. *globulus*	Southern Blue-gum	1	1998	-	-	r	4
Grevillea rosmarinifolia	Rosemary Grevillea	2	2005	-	-	P	4
Lachnagrostis punicea subsp. *punicea*	Purple Blown-grass	3	2005	-	-	r	4
Melaleuca armillaris subsp. *armillaris*	Giant Honey-myrtle	12	2010	-	-	r	4
Oxalis thompsoniae	Fluffy-fruit Wood-sorrel	1	1988	-	-	k	4
Poa labillardierei var. (Volcanic Plains)	Basalt Tussock-grass	6	2005	-	-	k	4
Prasophyllum lindleyanum	Green Leek-orchid	1	1885	-	-	v	4
Pterostylis X *ingens*	Sharp Greenhood	1	2004	-	-	r	4
Salsola tragus subsp. *pontica*	Coast Saltwort	2	1995	-	-	r	4
Sarcocornia quinqueflora subsp. *tasmanica*	Beaded Glasswort	5	1989	-	I	k	4
Stylidium dilatatum	TasmanTriggerplant	1	2004	-	-	k	4
Thelymitra X *macmillanii*	Crimson Sun-orchid	1	1865	-	-	v	4

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Notes: EPBC = Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), FFG = Flora and Fauna Guarantee Act 1988 (FFG Act), DEPI = Advisory List of Threatened Flora in Victoria (DEPI 2014), L = Listed, # = Records identified from EPBC Act Protected Matters Search Tool. Data source: Victorian Biodiversity Atlas (DELWP 2017d); Protected Matters Search Tool (DoE 2017). Order: Alphabetical.

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APPENDIX 2 – FAUNA

Table A2.1. Significant fauna within 10 kilometres of the study area.

Likelihood: Habitat characteristics of significant fauna species previously recorded within 10 kilometres of the study area, or that may potentially occur within the study area were assessed to determine their likelihood of occurrence. The likelihood of occurrence rankings are defined below.

1 - High Likelihood
- Known resident in the study area based on site observations, database records, or expert advice; and/or,
- Recent records (i.e. within five years) of the species in the local area (DELWP 2017d); and/or,
- The study area contains the species' preferred habitat.

2 - Moderate Likelihood
- The species is likely to visit the study area regularly (i.e. at least seasonally); and/or,
  - Previous records of the species in the local area (DELWP 2017d); and/or,
- The study area contains some characteristics of the species' preferred habitat.

3 - Low Likelihood
- The species is likely to visit the study area occasionally or opportunistically whilst en route to more suitable sites; and/or,
- There are only limited or historical records of the species in the local area (i.e. more than 20 years old); and/or,
- The study area contains few or no characteristics of the species' preferred habitat.

4 - Unlikely
- No previous records of the species in the local area; and/or,
- The species may fly over the study area when moving between areas of more suitable habitat; and/or,
- Out of the species' range; and/or,
- No suitable habitat present.

Common Name	Scientific Name	Last Documented Record (VBA)	# Records (VBA)	EPBC Act	FFG ACT	DSE (2013)	National Action Plan	Likelihood
NATIONAL SIGNIFICANCE								
Swamp Antechinus	*Antechinus minimus maritimus*	#	-	VU	L	NT	VU	4
Southern Brown Bandicoot	*Isoodon obesulus obesulus*	1965	13	EN	L	NT	NT	4
Greater Glider	*Petauroides volans*	#	-	VU	-	VU	VU	4
Grey-headed Flying-fox	*Pteropus poliocephalus*	#	-	VU	L	VU	VU	4
Smoky Mouse	*Pseudomys fumeus*	#	-	EN	L	EN	RA	4
Southern Elephant Seal	*Mirounga leonina*	2006	1	VU	-	-	-	4
Southern Right Whale	*Eubalaena australis*	1998	3	EN	L	CR	-	4
Humpback Whale	*Megaptera novaeangliae*	2006	2	VU	L	VU	-	4

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Common Name	Scientific Name	Last Documented Record (VBA)	# Records (VBA)	EPBC Act	FFG ACT	DSE (2013)	National Action Plan	Likelihood
Wandering Albatross	*Diomedea exulans*	1980	2	VU	L	EN	VU	4
Southern Royal Albatross	*Diomedea epomophora epomophora*	#	-	VU	-	-	VU	4
Northern Royal Albatross	*Diomedea epomophora sanfordi*	#	-	EN	-	-	VU	4
Black-browed Albatross	*Thalassarche melanophris melanophris*	#	-	VU	-	VU	NT	4
Shy Albatross	*Thalassarche cauta*	#	-	VU	L	EN	VU	4
Grey-headed Albatross	*Thalassarche chrysostoma*	#	-	EN	L	VU	VU	4
Antipodean Albatross	*Diomedea exulans antipodensis*	#	-	VU	-	-	VU	4
Campbell Albatross	*Thalassarche melanophris impavida*	#	-	VU	-	-	VU	4
White-capped Albatross	*Thalassarche cauta steadi*	#	-	VU	-	-	VU	4
Salvin's Albatross	*Thalassarche salvini*	#	-	VU	-	-	VU	4
Northern Buller's Albatross	*Thalassarche bulleri platei*	#	-	VU	-	-	VU	4
Gibson's Albatross	*Diomedea exulans gibsoni*	#	-	VU	-	-	VU	4
Sooty Albatross	*Phoebetria fusca*	#	-	VU	L	-	VU	4
Southern Giant-Petrel	*Macronectes giganteus*	1975	1	EN	L	VU	VU	4
Northern Giant-Petrel	*Macronectes halli*	2005	1	VU	L	NT	-	4
Fairy Prion	*Pachyptila turtur*	1978	1	VU	-	VU	-	4
Gould's Petrel	*Pterodroma leucoptera*	#	-	EN	-	-	VU	4
Australasian Bittern	*Botaurus poiciloptilus*	1999	7	EN	L	EN	VU	4
Australian Painted Snipe	*Rostratula australis*	#	-	VU	L	CR	VU	4
Northern Siberian Bar-tailed Godwit	*Limosa lapponica menzbieri*	#	-	EN	-	-	VU	4
Eastern Curlew	*Numenius madagascariensis*	#	-	CR	-	VU	-	4
Red Knot	*Calidris canutus*	#	-	EN	-	EN	-	4

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Common Name	Scientific Name	Last Documented Record (VBA)	# Records (VBA)	EPBC Act	FFG ACT	DSE (2013)	National Action Plan	Likelihood
Curlew Sandpiper	*Calidris ferruginea*	1978	2	CR	-	EN	-	4
Fairy Tern	*Sternula nereis nereis*	#	-	VU	L	EN	-	4
Swift Parrot	*Lathamus discolor*	2005	5	CR	L	EN	EN	3
Orange-bellied Parrot	*Neophema chrysogaster*	#	-	CR	L	CR	CR	4
Regent Honeyeater	*Anthochaera phrygia*	#	-	CR	L	CR	EN	4
Painted Honeyeater	*Grantiella picta*	#	-	VU	L	VU	NT	4
Loggerhead Turtle	*Caretta caretta*	#	-	EN	-	-	VU	4
Green Turtle	*Chelonia mydas*	#	-	VU	-	-	VU	4
Leathery Turtle	*Dermochelys coriacea*	1975	1	EN	L	CR	VU	4
Growling Grass Frog	*Litoria raniformis*	1994	5	VU	L	EN	VU	4
Great White Shark	*Carcharodon carcharias*	#	-	VU	L	VU	-	4
Flat-headed Galaxias	*Galaxias rostratus*	1954	1	CR	-	VU	RA	4
Dwarf Galaxias	*Galaxiella pusilla*	2011	160	VU	L	EN	VU	4
Australian Grayling	*Prototroctes maraena*	1900	4	VU	L	VU	VU	4
Macquarie Perch	*Macquaria australasica*	1931	2	EN	L	EN	DD	4
Golden Sun Moth	*Synemon plana*	#	-	CR	L	CR	-	4
STATE SIGNIFICANCE								
White-footed Dunnart	*Sminthopsis leucopus*	1974	2	-	L	NT	DD	4
Magpie Goose	*Anseranas semipalmata*	1999	5	-	L	NT	-	4
Musk Duck	*Biziura lobata*	2008	63	-	-	VU	-	4
Australasian Shoveler	*Anas rhynchotis*	2005	28	-	-	VU	-	4
Hardhead	*Aythya australis*	2006	56	-	-	VU	-	4

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Common Name	Scientific Name	Last Documented Record (VBA)	# Records (VBA)	EPBC Act	FFG ACT	DSE (2013)	National Action Plan	Likelihood
Blue-billed Duck	*Oxyura australis*	2006	45	-	L	EN	-	4
White-throated Needletail	*Hirundapus caudacutus*	2003	18	-	-	VU	-	3
Eastern Great Egret	*Ardea modesta*	2001	58	-	L	VU	-	3
Little Egret	*Egretta garzetta nigripes*	1999	3	-	L	EN	-	4
Square-tailed Kite	*Lophoictinia isura*	2012	1	-	L	VU	-	3
White-bellied Sea-Eagle	*Haliaeetus leucogaster*	2006	14	-	L	VU	-	3
Grey Goshawk	*Accipiter novaehollandiae novaehollandiae*	1935	1	-	L	VU	-	4
Lewin's Rail	*Lewinia pectoralis pectoralis*	2000	2	-	L	VU	NT	4
Baillon's Crake	*Porzana pusilla palustris*	1982	2	-	L	VU	-	4
Major Mitchell's Cockatoo	*Lophocroa leadbeateri*	1981	1	-	L	VU	-	4
Grey Plover	*Pluvialis squatarola*	2005	1	-	-	EN	-	4
Common Sandpiper	*Actitis hypoleucos*	2000	3	-	-	VU	-	4
Grey-tailed Tattler	*Tringa brevipes*	1980	1	-	L	CR	-	4
Common Greenshank	*Tringa nebularia*	1978	1	-	-	VU	-	4
Marsh Sandpiper	*Tringa stagnatilis*	1978	1	-	-	VU	-	4
Caspian Tern	*Hydroprogne caspia*	1988	6	-	L	NT	-	4
Powerful Owl	*Ninox strenua*	2007	1	-	L	VU	-	4
Grey-crowned Babbler	*Pomatostomus temporalis temporalis*	2002	29	-	L	EN	NT	4
Hooded Robin	*Melanodryas cucullata cucullata*	1981	2	-	L	NT	NT	4
Lace Goanna	*Varanus varius*	1988	2	-	-	EN	-	4
Swamp Skink	*Lissolepis coventryi*	2001	4	-	L	VU	-	4
Southern Toadlet	*Pseudophryne semimarmorata*	2006	28	-	-	VU	-	4

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Common Name	Scientific Name	Last Documented Record (VBA)	# Records (VBA)	EPBC Act	FFG ACT	DSE (2013)	National Action Plan	Likelihood
Southern Pygmy Perch	*Nannoperca australis*	2011	148	-	-	-	-	4
REGIONAL SIGNIFICANCE								
Pied Cormorant	*Phalacrocorax varius*	2003	88	-	-	NT	-	4
Black-faced Cormorant	*Phalacrocorax fuscescens*	2001	46	-	-	NT	-	4
Nankeen Night Heron	*Nycticorax caledonicus hillii*	2003	10	-	-	NT	-	3
Royal Spoonbill	*Platalea regia*	2003	51	-	-	NT	-	4
Latham's Snipe	*Gallinago hardwickii*	2001	25	-	-	NT	-	4
Whiskered Tern	*Chlidonias hybridus javanicus*	1988	3	-	-	NT	-	4
White-fronted Tern	*Sterna striata*	2001	5	-	-	NT	-	4
Pacific Gull	*Larus pacificus pacificus*	2003	117	-	-	NT	-	3
Black-eared Cuckoo	*Chrysococcyx osculans*	1978	1	-	-	NT	-	4
Spotted Quail-thrush	*Cinclosoma punctatum*	1902	1	-	-	NT	-	4
Long-necked Turtle	*Chelodina longicollis*	2008	8	-	-	DD	-	4
River Blackfish	*Gadopsis marmoratus*	1981	3	-	-	-	-	4

Notes: EPBC = *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), FFG = *Flora and Fauna Guarantee Act 1988* (FFG Act), DSE = Advisory List of Rare or Threatened Fauna in Victoria (DSE 2013), **#** = Records identified from EPBC Act Protected Matters Search Tool, L = Listed. Data sources: Victorian Biodiversity Atlas (DELWP 2017d); Victorian Fauna Database (Viridans 2014b); Protected Matters Search Tool (DoEE 2017). Taxonomic order: Mammals (Strahan 1995 in Menkhorst and Knight 2004; Woinarski 2014); Birds (Christidis and Boles, 2008); Reptiles and Amphibians (Cogger *et al.* 1993 in Cogger 1996); Fish (Nelson 1994); Mussels and Crustaceans (Alphabetical); Invertebrates (Alphabetical).

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APPENDIX 3 – BIODIVERSITY ASSESSMENT REPORT (ENSYM NATIVE VEGETATION REGULATIONS TOOL)

Biodiversity impact and offset requirements report

This report **does not represent an assessment by DELWP** of the proposed native vegetation removal. It provides biodiversity information for low risk-based pathway applications for permits to remove native vegetation under clause 52.16 or 52.17 of the planning schemes in Victoria.

Date of issue: **13/04/2017** **DELWP ref: EHP_0647**
Time of issue: **2:13 pm**

Project ID	EHP9169_MountMartha_VicGrid94

Summary of marked native vegetation

Risk-based pathway	**Low**
Total extent	0.444 ha
Remnant patches	0.444 ha
Scattered trees	0 trees
Location risk	A

Strategic biodiversity score of all marked native vegetation	0.115

Offset requirements if a permit is granted

If a permit is granted to remove the marked native vegetation, a requirement to obtain a native vegetation offset will be included in the permit conditions. The offset must meet the following requirements:

Offset type	**General offset**
General offset amount (general biodiversity equivalence units)	0.017 general units
General offset attributes	
Vicinity	Port Phillip and Westernport Catchment Management Authority (CMA) **or** Mornington Peninsula Shire Council
Minimum strategic biodiversity score	0.092[1]

See Appendices 1 and 2 for details in how offset requirements were determined.

NB: values presented in tables throughout this document may not add to totals due to rounding

[1] Minimum strategic biodiversity score is 80 per cent of the weighted average score across habitat zones where a general offset is required

Modified condition

Biodiversity impact and offset requirements report

Next steps

This proposal to remove native vegetation must meet the application requirements of the low risk-based pathway and it will be assessed under the low risk-based pathway.

If you wish to remove the marked native vegetation you are required to apply for a permit from your local council. Council will then refer your application to DELWP for assessment, as required. **This report is not a referral assessment by DELWP.**

The biodiversity assessment report from NVIM and this biodiversity impact and offset report should be submitted with your application for a permit to remove native vegetation you plan to remove, lop or destroy.

This report provides the following information to meet application requirements for a permit to remove native vegetation:

- Confirmation of the risk-based pathway of the application for a permit to remove native vegetation
- The area of the patch of native vegetation and/or the number of any scattered trees to be removed
- The strategic biodiversity score of the native vegetation to be removed
- The offset requirements should a permit be granted to remove native vegetation.

Refer to the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* and for a full list and details of application requirements.

Modelled condition

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Obtaining this publication does not guarantee that an application will meet the requirements of clauses 52.16 or 52.17 of the Victoria Planning Provisions or that a permit to remove native vegetation will be granted.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of clauses 52.16 or 52.17 of the Victoria Planning Provisions

Biodiversity impact and offset requirements report

Appendix 1 – Biodiversity impact of removal of native vegetation

Habitat hectares

Habitat hectares are calculated for each habitat zone within your proposal using the extent and condition scores in the GIS data you provided.

Habitat zone	Modelled condition score	Extent (ha)	Habitat hectares
1-1-A	0.324	0.029	0.010
2-2-B	0.200	0.395	0.079
3-3-C	0.320	0.019	0.006
TOTAL			**0.095**

Clearing site biodiversity equivalence score(s)

The general biodiversity equivalence score for the habitat zone(s) is calculated by multiplying the habitat hectares by the strategic biodiversity score.

Habitat zone	Habitat hectares	Strategic biodiversity score	General biodiversity equivalence score (GBES)
1-1-A	0.010	0.167	0.002
2-2-B	0.079	0.110	0.009
3-3-C	0.006	0.154	0.001

Modelled condition

Biodiversity impact and offset requirements report

Appendix 2 – Offset requirements detail

If a permit is granted to remove the marked native vegetation the permit condition will include the requirement to obtain a native vegetation offset.

To calculate the required offset amount required the biodiversity equivalence scores are aggregated to the proposal level and multiplied by the relevant risk multiplier.

Offsets also have required attributes:

- General offsets must be located in the same Catchment Management Authority (CMA) boundary or Local Municipal District (local council) as the clearing and must have a minimum strategic biodiversity score of 80 per cent of the clearing.[2]

The offset requirements for your proposal are as follows:

Offset type	Clearing site biodiversity equivalence score	Risk multiplier	Offset requirements	
			Offset amount (biodiversity equivalence units)	Offset attributes
General	0.011 GBES	1.5	0.017 general units	Offset must be within Port Phillip And Westernport CMA or Mornington Peninsula Shire Council Offset must have a minimum strategic biodiversity score of 0.092

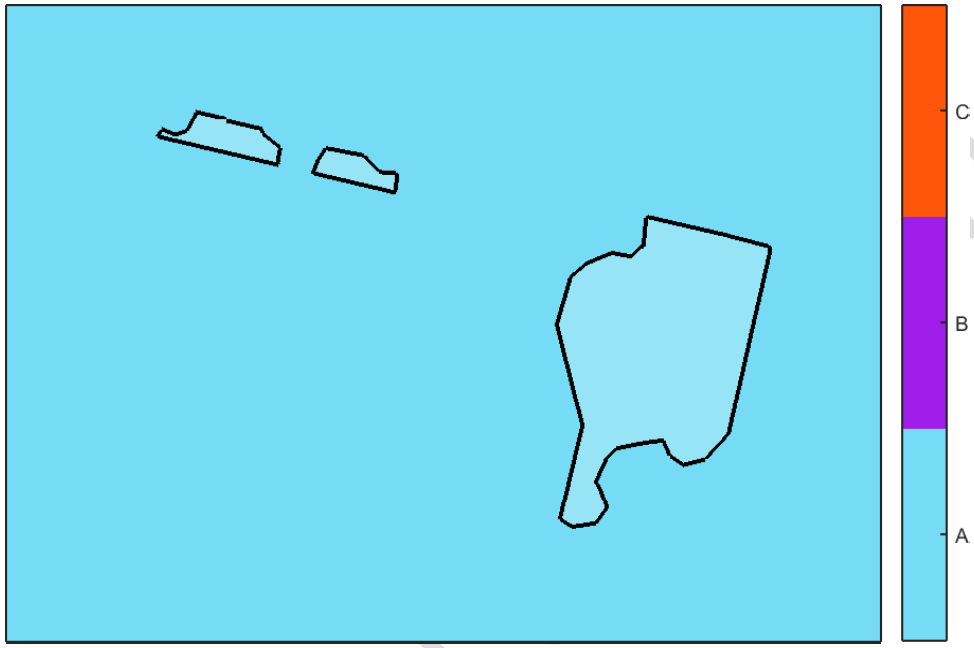
Modelled condition

[2] Strategic biodiversity score is a weighted average across habitat zones where a general offset is required

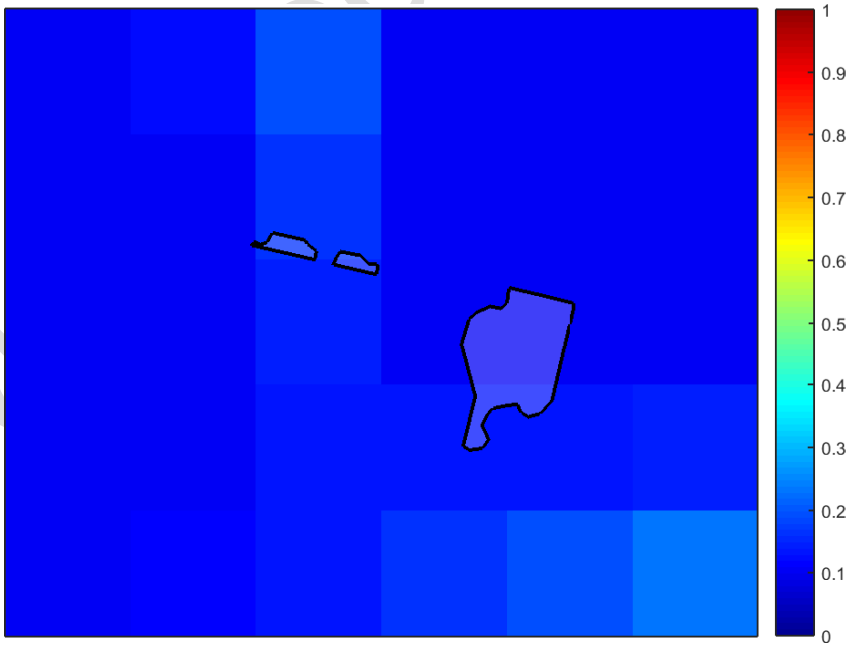
Biodiversity impact and offset requirements report

Appendix 3 – Images of marked native vegetation

1. Native vegetation location risk map



2. Strategic biodiversity score map



Biodiversity impact and offset requirements report

3. Aerial photograph showing marked native vegetation



Modelled

Biodiversity impact and offset requirements report

Glossary

Condition score

This is the site-assessed condition score for the native vegetation. Each habitat zone in the clearing proposal is assigned a condition score according to the habitat hectare assessment method. This information has been provided by or on behalf of the applicant in the GIS file.

Dispersed habitat

A dispersed species habitat is a habitat for a rare or threatened species whose habitat is spread over a relatively broad geographic area greater than 2,000 hectares.

General biodiversity equivalence score

The general biodiversity equivalence score quantifies the relative overall contribution that the native vegetation to be removed makes to Victoria's biodiversity. The general biodiversity equivalence score is calculated as follows:

$$\textit{General biodiversity equivalence score} = \textit{habitat hectares} \times \textit{strategic biodiversity score}$$

General offset amount

This is calculated by multiplying the general biodiversity equivalence score of the native vegetation to be removed by the risk factor for general offsets. This number is expressed in general biodiversity equivalence units and is the amount of offset that is required to be provided should the application be approved. This offset requirement will be a condition to the permit for the removal of native vegetation.

$$\textit{Risk adjusted general biodiversity equivalence score} = \textit{general biodiversity equivalence score clearing} \times 1.5$$

General offset attributes

General offset must be located in the same Catchment Management Authority boundary or Municipal District (local council) as the clearing site. They must also have a strategic biodiversity score that is at least 80 per cent of the score of the clearing site.

Habitat hectares

Habitat hectares is a site-based measure that combines extent and condition of native vegetation. The habitat hectares of native vegetation is equal to the current condition of the vegetation (condition score) multiplied by the extent of native vegetation. Habitat hectares can be calculated for a remnant patch or for scattered trees or a combination of these two vegetation types. This value is calculated for each habitat zone using the following formula:

$$\textit{Habitat hectares} = \textit{total extent}\ (\textit{hectares}) \times \textit{condition score}$$

Habitat importance score

The habitat importance score is a measure of the importance of the habitat located on a site for a particular rare or threatened species. The habitat importance score for a species is a weighted average value calculated from the habitat importance map for that species. The habitat importance score is calculated for each habitat zone where the habitat importace map indicates that species habitat occurs.

Habitat zone

Habitat zone is a discrete contiguous area of native vegetation that:

- is of a single Ecological Vegetation Class
- has the same measured condition.

Modified condition

Biodiversity impact and offset requirements report

Highly localised habitat

A highly localised habitat is habitat for a rare or threatened species that is spread across a very restricted area (less than 2,000 hectares). This can also be applied to a similarly limited sub-habitat that is disproportionately important for a wide-ranging rare or threatened species. Highly localised habitats have the highest habitat importance score (1) for all locations where they are present.

Minimum strategic biodiversity score

The minimum strategic biodiversity score is an attribute for a general offset.

The strategic biodiversity score of the offset site must be at least 80 per cent of the strategic biodiversity score of the native vegetation to be removed. This is to ensure offsets are located in areas with a strategic value that is comparable to, or better than, the native vegetation to be removed. Where a specific and general offset is required, the minimum strategic biodiversity score relates only to the habitat zones that require the general offset.

Offset risk factor

There is a risk that the gain from undertaking the offset will not adequately compensate for the loss from the removal of native vegetation. If this were to occur, despite obtaining an offset, the overall impact from removing native vegetation would result in a loss in the contribution that native vegetation makes to Victoria's biodiversity.

To address the risk of offsets failing, an offset risk factor is applied to the calculated loss to biodiversity value from removing native vegetation.

$$Risk\ factor\ for\ general\ offsets = 1.5$$

$$Risk\ factor\ for\ specific\ offset = 2$$

Offset type

The specific-general offset test determines the offset type required.

When the specific-general offset test determines that the native vegetation removal will have an impact on one or more rare or threatened species habitat above the set threshold of 0.005 per cent, a specific offset is required. This test is done at the permit application level.

A general offset is required when a proposal to remove native vegetation is not deemed, by application of the specific-general offset test, to have an impact on any habitat for any rare or threatened species above the set threshold of 0.005 per cent. All habitat zones that do not require a specific offset will require a general offset.

Proportional impact on species

This is the outcome of the specific-general offset test. The specific-general offset test is calculated across the entire proposal for each species on the native vegetation permitted clearing species list. If the proportional impact on a species is above the set threshold of 0.005 per cent then a specific offset is required for that species.

Specific offset amount

The specific offset amount is calculated by multiplying the specific biodiversity equivalence score of the native vegetation to be removed by the risk factor for specific offsets. This number is expressed in specific biodiversity equivalence units and is the amount of offset that is required to be provided should the application be approved. This offset requirement will be a condition to the permit for the removal of native vegetation.

$$Risk\ adjusted\ specific\ biodiversity\ equivalence\ score = specific\ biodiversity\ equivalence\ score\ clearing \times 2$$

Modelled condition

Biodiversity impact and offset requirements report

Specific offset attributes

Specific offsets must be located in the modelled habitat for the species that has triggered the specific offset requirement.

Specific biodiversity equivalence score

The specific biodiversity equivalence score quantifies the relative overall contribution that the native vegetation to be removed makes to the habitat of the relevant rare or threatened species. It is calculated for each habitat zone where one or more species habitats require a specific offset as a result of the specific-general offset test as follows:

$$\textit{Specific biodiversity equivalence score} = \textit{habitat hectares} \times \textit{habitat importance score}$$

Strategic biodiversity score

This is the weighted average strategic biodiversity score of the marked native vegetation. The strategic biodiversity score has been calculated from the *Strategic biodiversity map* for each habitat zone.

The strategic biodiversity score of native vegetation is a measure of the native vegetation's importance for Victoria's biodiversity, relative to other locations across the landscape. The *Strategic biodiversity map* is a modelled layer that prioritises locations on the basis of rarity and level of depletion of the types of vegetation, species habitats, and condition and connectivity of native vegetation.

Total extent (hectares) for calculating habitat hectares

This is the total area of the marked native vegetation in hectares.

The total extent of native vegetation is an input to calculating the habitat hectares of a site and in calculating the general biodiversity equivalence score. Where the marked native vegetation includes scattered trees, each tree is converted to hectares using a standard area calculation of 0.071 hectares per tree. This information has been provided by or on behalf of the applicant in the GIS file.

Vicinity

The vicinity is an attribute for a general offset.

The offset site must be located within the same Catchment Management Authority boundary or Local Municipal District as the native vegetation to be removed.

Modelled condition

602 Esplanade Mount Martha Residential Aged Care

Town Planning Submission Landscape Design Report

Job Reference Number: B17017

253824-MM-LR-200-00-02

27 September 2017

lendlease | ASPECT Studios™

Overview

Drawing Name	Page Number	Scale
Overview		
Site Plan	B17017 - SK1.0	nts
Entry Avenue		
Entry Avenue Landscape Plan	B17017 - SK2.0	1:400
Village North		
Village North Landscape Plan	B17017 - SK3.0	1:400
Village North Courtyard Landscape Plan	B17017 - SK3.1	1:200
Section A: Village North Building to Boundary Section	B17017 - SK3.2	1:100
Section B & C: Village North Courtyard Section	B17017 - SK3.3	1:100
Village Central		
Village Central Landscape Plan	B17017 - SK4.0	1:400
Section D: Village Central Building to Boundary Section	B17017 - SK4.1	1:100
Village South		
Village South Landscape Plan	B17017 - SK5.0	1:400
Village South Courtyard Landscape Plan	B17017 - SK5.1	1:200
Section E: Village North Building to Boundary Section	B17017 - SK5.2	1:100
Section F & G: Village South Courtyard Section	B17017 - SK5.3	1:100
Landscape Elements		
Picnic Shelter	B17017 - SK6.0	n/a
Barriers, screens and artwork	B17017 - SK6.1	n/a
Furniture	B17017 - SK6.2	n/a
Fence Design		
Fence Location Plan	B17017 - SK7.0	1:1000
Existing Tree Survey		
Existing Tree Location Plan & Tree Assessment Summary	B17017 - SK8.0	1:1000
Planting Design		
Planting Plan & Preliminary Planting Schedule	B17017 - SK9.0	1:1000
Courtyard Palette	B17017 - SK9.1	n/a
Entry Avenue & Native Buffer Palette	B17017 - SK9.2	n/a
General Specification Notes		



SITE PLAN

Mount Martha Residential Aged Care | Development Application

ASPECT Studios™

In collaboration with: **Jackson Teece**

Client: **Lendlease Building Pty Ltd**

Drawn: **AL / SL** Scale: **nts**
Checked: **SL** Date: 25 **September 17**

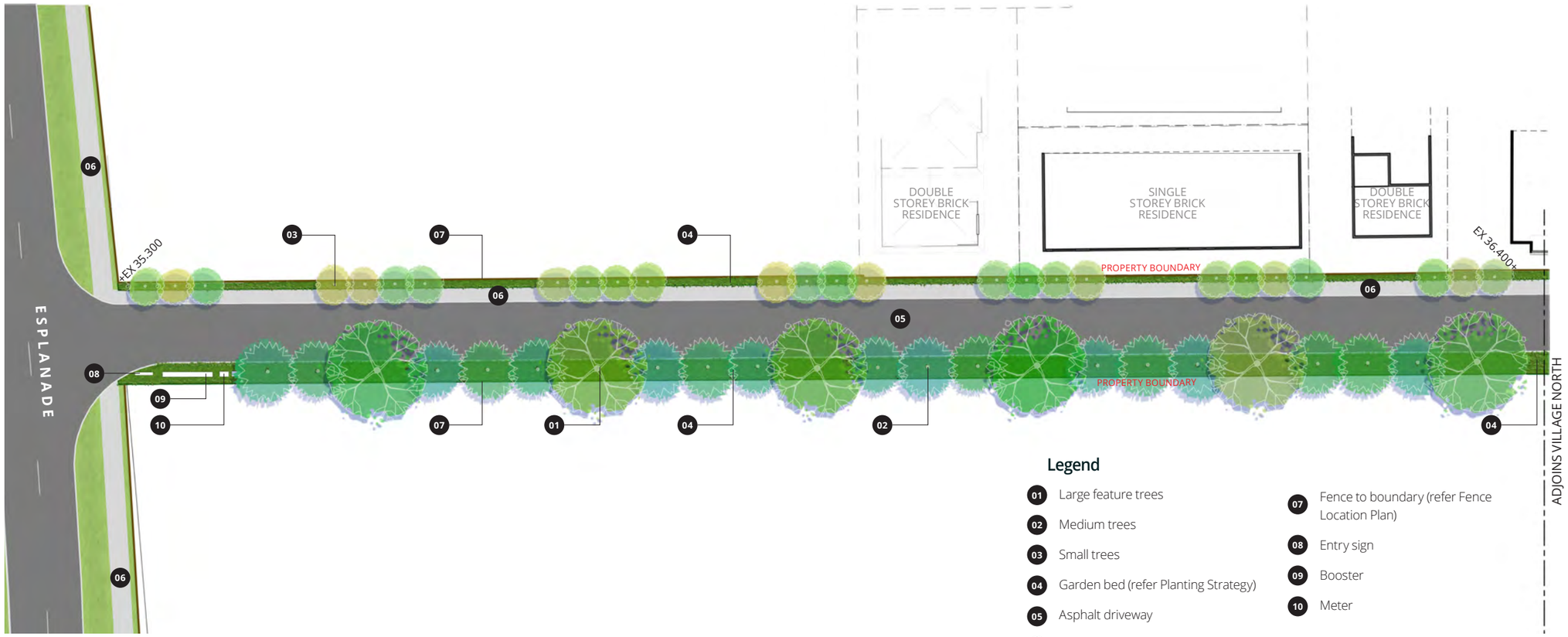
Dwg no. : **B17017 - SK1.0**
Rev: **P1**

Entry Avenue

Landscape Design Response

The Entry Avenue, connected to The Esplanade, is the primary road connection into the Mt Martha Residential aged care facility. Vehicular access via the road will be the primary method of arrival to the facility with a 1.5m wide footpath provided to cater for pedestrian access. The facility will also be sign-posted on the Esplanade frontage with an attractive entry sign.

The design intent for the Entry Avenue is to provide a sense of arrival using a considered plant palette of ornamental shrubs and ground-covers with a hierarchy of trees; small, medium and large feature species with flowering or autumnal colour. One and two-storey housing exists to the Northern side of the Entry Avenue which will be separated by a 2m high timber 'lap and cap' fence to the boundary. The southern undeveloped side of the Entry Avenue will have a planted buffer interface with a 'rural' character post and rail type fence (refer to drawing B17017 - SK7.0 for fence types) .



ENTRY AVENUE LANDSCAPE PLAN

Legend

01 Large feature trees
02 Medium trees
03 Small trees
04 Garden bed (refer Planting Strategy)
05 Asphalt driveway
06 Pedestrian pavement - broom finished concrete
07 Fence to boundary (refer Fence Location Plan)
08 Entry sign
09 Booster
10 Meter

Mount Martha Residential Aged Care | Development Application

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Dwg no. : **B17017 - SK2.0**
Rev: **P1**

Village North



VILLAGE NORTH LANDSCAPE PLAN

Legend

01 Large feature trees
02 Medium trees
03 Small trees
04 Feature shrubs
05 Garden bed (refer Planting Plan B17017 - SK9.0)
06 Asphalt driveway - refer Engineer's drawings
07 Car park - refer Engineer's drawings
08 Pedestrian pavement - broom finished concrete
09 Fence to boundary (refer Fence Location Plan B17017 - 8.0)
10 Retaining wall to boundary - refer Engineer's drawings
11 600mm wide concrete maintenance edge around building
12 Proposed substation location (refer Engineer's drawings)

Landscape Design Response

Upon arrival to the facility visitors will be greeted with a sense generous planting to the front of the building to compliment the architecture. The intent is to soften the hardstand pavement areas whilst enhancing the facility with a distinct planting character.

Buffer planting, made up of primarily native plants, to the edges of the carpark will be used to obscure and screen the neighbouring development and boundary fence, as well as provide visual interest and contribution to the wider biodiversity of the area.

The Courtyard, located centrally to the Northern end of the facility, focuses on providing a safe and stimulating outdoor recreational amenity for residents. Residents can meander around the fenced courtyard in a circuit designed to provide multiple points of interest, without feeling a sense of enclosure.

The design intent is focused on providing a range of seating experiences in a walled garden setting with ample access to different garden typologies i.e. in-ground beds, raised beds, climbing plants, etc. to cater for a range of physical ability. The courtyard experience is further enhanced by the inclusion of spaces to include garden art and sculptures.

Mount Martha Residential Aged Care | Development Application

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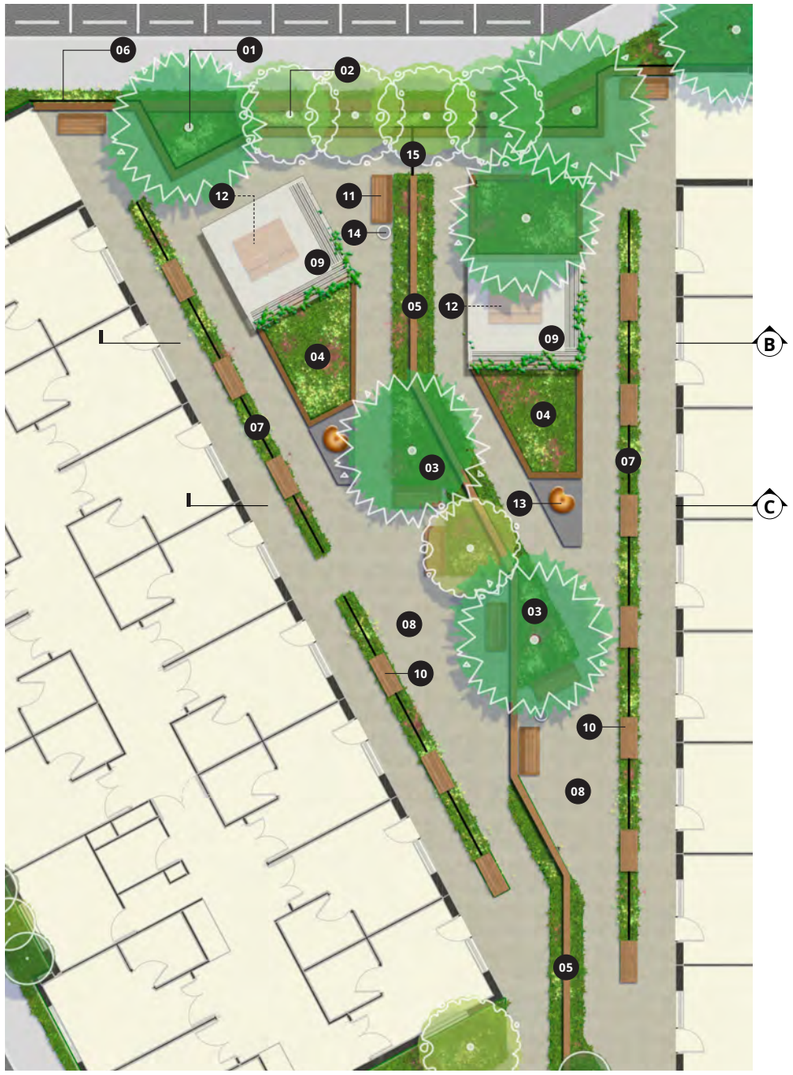
Client: **Lendlease Building Pty Ltd**

Drawn: **AL / SL**
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Scale: **1:400@A3**
Date: 25 **September 17**

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Dwg no. : **B17017 - SK3.0**
Rev: **P1**

Village North



VILLAGE NORTH COURTYARD LANDSCAPE PLAN

Legend

01 Medium tree

02 Small tree

03 Garden bed (refer Planting Plan B17017 - SK9.0)

04 Raised garden bed (refer Planting Plan B17017 - SK9.0)

05 2.1m high masonry wall with recessed for displaying garden artwork

06 Fence (refer Fence Location Plan B17017 - 8.0)

07 1.8m high decorative privacy screen with climbing plants

08 Feature pedestrian pavement in courtyard - exposed aggregate concrete (lightly exposed)

09 Picnic shelter with timber batten edge and climbing plants - refer Picnic Shelter images B17017 - SK6.0

10 Bench seat

11 Bench seat with arm rests and back

12 Outdoor table setting

13 Garden sculpture on 450mm high plinth

14 Pot with feature pot plant specimen

15 Gate for maintenance and emergency access only

Courtyard

The Courtyard includes a circuit of pathways designed to meander residents through a series of safe and interesting spaces. Along each route, residents will encounter regular points of interest: flowering and textural plants; sunny and shady moments; garden sculptures; seating and resting opportunities; and a shelter where they may meet and socialise with other people.

In order to evoke the feeling of a walled garden rather than a secured space, courtyards are separated by a 2.1m high masonry wall. A solid gate will be located between the two courtyard spaces for maintenance and staff purposes only.

The wall articulation has been designed to add visual interest and aid in reducing the scale of the structure. By angling the direction of the wall, spaces are formed where garden beds or footpaths widen and will be utilised to create unique 'moments' in the planting selection, the placement of trees or inclusion of a garden sculpture.

1.8m high privacy screens in a row of planting are designed to obscure direct views into residents rooms from the central courtyard communal area. These screens will be decorative, with trellis for climbing plants and will add another element of visual interest to the space.

Raised garden beds provide opportunities for residents to participate in gardening activities and being at seat height will also enable residents to stop and rest if required.

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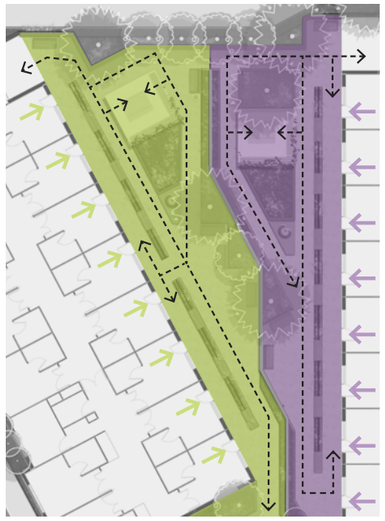
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Rev: **P1**

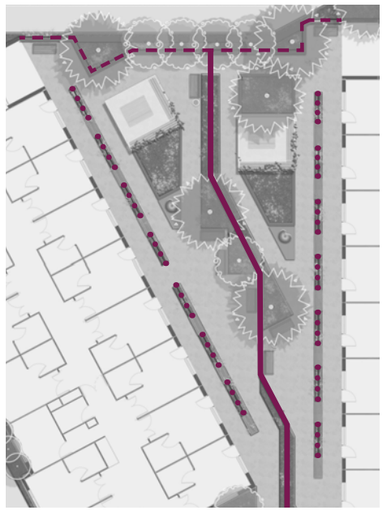
Village North



NTS

Circulation & Space

- Eastern side
- Adjoining eastern room
- Western side
- Adjoining western room
- Resident circulation



NTS

Barriers

- Impermeable both visually and physically
- Impermeable physically (security), permeable visually
- Obscured visually (privacy)



SECTION A: VILLAGE NORTH BUILDING TO BOUNDARY
SCALE 1:100 @ A3



SECTION A: VILLAGE NORTH BUILDING TO BOUNDARY
SCALE 1:100 @ A3

Mount Martha Residential Aged Care | Development Application

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Scale: **1:100@A3**
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Dwg no. : **B17017 - SK3.2**
Rev: **P1**

Village North



SECTION B: VILLAGE NORTH COURTYARD



SECTION C: VILLAGE NORTH COURTYARD

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Date: 25 **September 17**

0 1 2 3 4M

Dwg no. : **B17017 - SK3.3**
Rev: **P1**

Village Central



VILLAGE CENTRAL LANDSCAPE PLAN

Landscape Design Response

Landscape treatments to the central part of the facility are an extension of the northern end. The access driveway on the Western side of the building provides emergency access and a vehicular drop-off zone. An extension of the Entry Avenue planting palette to buffers the adjacent neighbouring future development.

Recreational amenity in this part of the facility is provided by various scaled, secured courtyards located on the Eastern and Western side of the building. These outdoor areas will be buffered by a native planting palette to the exterior. Each courtyard will have a range of seating opportunities and ornamental planting.

External courtyards provide breakout spaces from terraces and internal living areas. Seating nodes and garden beds provide opportunities for residents to engage with the landscape and with each other.

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Scale: **1:400@A3**
Date: 25 **September 17**
0 4 8 12 16M

Dwg no. : **B17017 - SK4.0**
Rev: **P1**

Village Central



SECTION D: VILLAGE CENTRAL BUILDING TO BOUNDARY



SECTION D: VILLAGE CENTRAL BUILDING TO BOUNDARY

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Date: 25 **September 17**

0 1 2 3 4M

Dwg no. : **B17017 - SK4.1**
Rev: **P1**

Village South



Landscape Design Response

The Southern end of the facility is surrounded by a wrap-around buffer of native vegetation to the boundary line.

The centrally located Courtyard is linear space, surrounded by resident rooms defined by an articulated wall splitting the courtyard into two halves. Each side of the courtyard will have access to numerous seating nodes; in-ground and raised planted beds; wall art and other wall-mounted features for interest.

The linear nature of the courtyard requires a careful design response that creates interest and diversity of landscape experience. The central garden wall is articulated to create garden 'rooms' accommodating seating nodes, trees, gardens, raised planter beds and opportunities for embellishment such as art work, sculptures and bird-baths.

VILLAGE SOUTH LANDSCAPE PLAN

Mount Martha Residential Aged Care | Development Application

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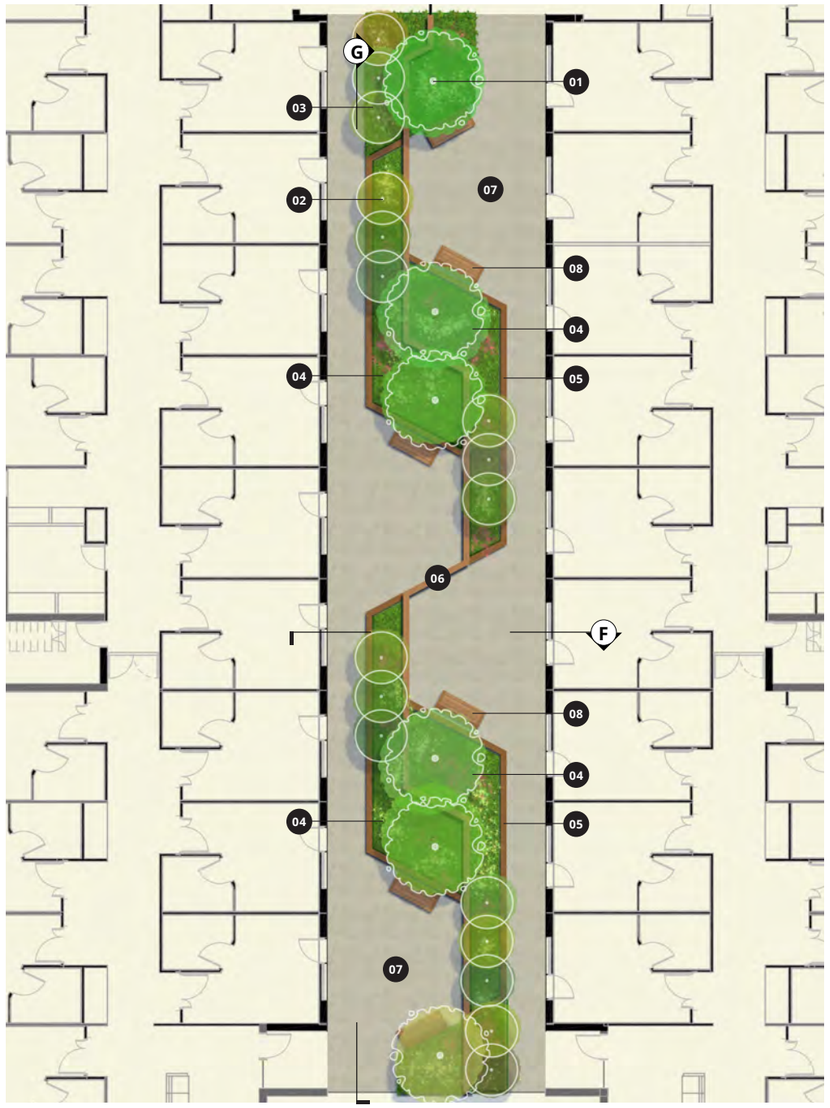
Client: **Lendlease Building Pty Ltd**

Drawn: **AL / SL**
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Scale: **1:400@A3**
Date: 25 **September 17**

0 2 4 6 8M

Dwg no. : **B17017 - SK5.0**
Rev: **P1**

Village South



VILLAGE SOUTH COURTYARD LANDSCAPE PLAN

Legend

01 Small tree

02 Feature shrubs

03 Garden bed (refer Planting Plan B17017 - SK9.0)

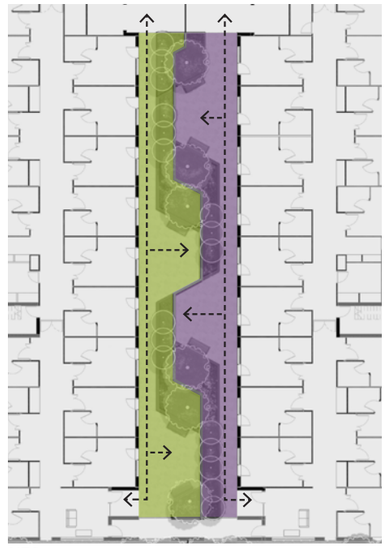
04 Raised garden bed (refer Planting Plan B17017 - SK9.0)

05 600mm high planter wall

06 2.1m high masonry wall with recesses for displaying garden artwork

07 Feature pedestrian pavement in courtyard - exposed aggregate concrete (lightly exposed)

08 Bench seat with arm rests and back



NTS

Spaces

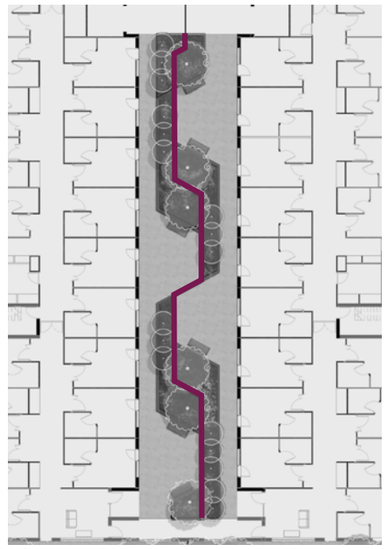
Eastern side

Adjoining eastern room

Western side

Adjoining western room

Resident circulation



NTS

Barriers

Impermeable both visually and physically

Mount Martha Residential Aged Care | Development Application

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0 2 4 6 8M

Dwg no. : **B17017 - SK5.1**
Rev: **P1**

Village South



SECTION E: VILLAGE SOUTH BUILDING TO BOUNDARY



SECTION E: VILLAGE SOUTH BUILDING TO BOUNDARY

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0 1 2 3 4M

Dwg no. : **B17017 - SK5.2**
Rev: **P1**

Village South



SECTION F: VILLAGE SOUTH COURTYARD



SECTION G: VILLAGE SOUTH COURTYARD

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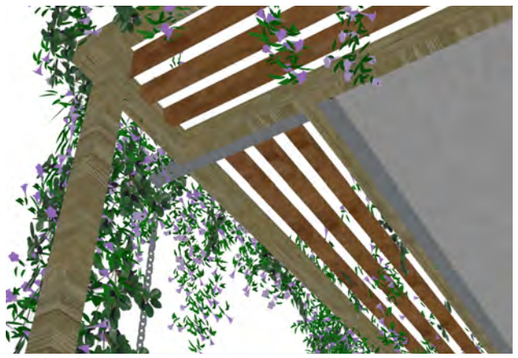
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Rev: **P1**

Landscape Elements

Picnic Shelter



Courtyard shelters feature a roof for full solar and rain protection. Feature chain in lieu of down-pipe, drainage run-off into raised garden beds



Battened arbour edge softened with climbing wisteria



Wheelchair outdoor table setting under each shelter

Precedent Images



Wisteria growing on arbour



Chain down-pipe



Two-tone timber picnic shelter

Mount Martha Residential Aged Care | Development Application

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Dwg no. : **B17017 - SK6.0**
Rev: **P1**

Landscape Elements

Barriers, Screens & Artwork



Scale of 2.1m high masonry wall reduced with 50mm recesses niche for garden wall art gallery with low, textural planting to the foreground



Exterior security fence blended with trees and planting



Fixed garden sculptures on concrete plinth

Precedent Images



Fence located in garden bed to visually blend into the landscape



Garden sculptures fixed to concrete plinths - MCQ Sandgate

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Dwg no. : **B17017 - SK6.1**
Rev: **P1**

Landscape Elements

Furniture



Priority seating area, located underneath the shelters will contain a wheelchair accessible table - at one end, the leg will be moved inward 400mm to allow inclusive wheelchair access



Incidental seating/perching opportunity on 600mm high planter wall



Seating node under trees

Furniture Palette



Wheelchair accessible picnic setting under picnic shelters



1500mm long hardwood timber bench seat and powder-coated frame



1500mm long hardwood timber bench seat with back rest and powder-coated frame



1500mm long hardwood timber bench seat with back rest, arm rests and powder-coated frame

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Dwg no. : **B17017 - SK6.2**
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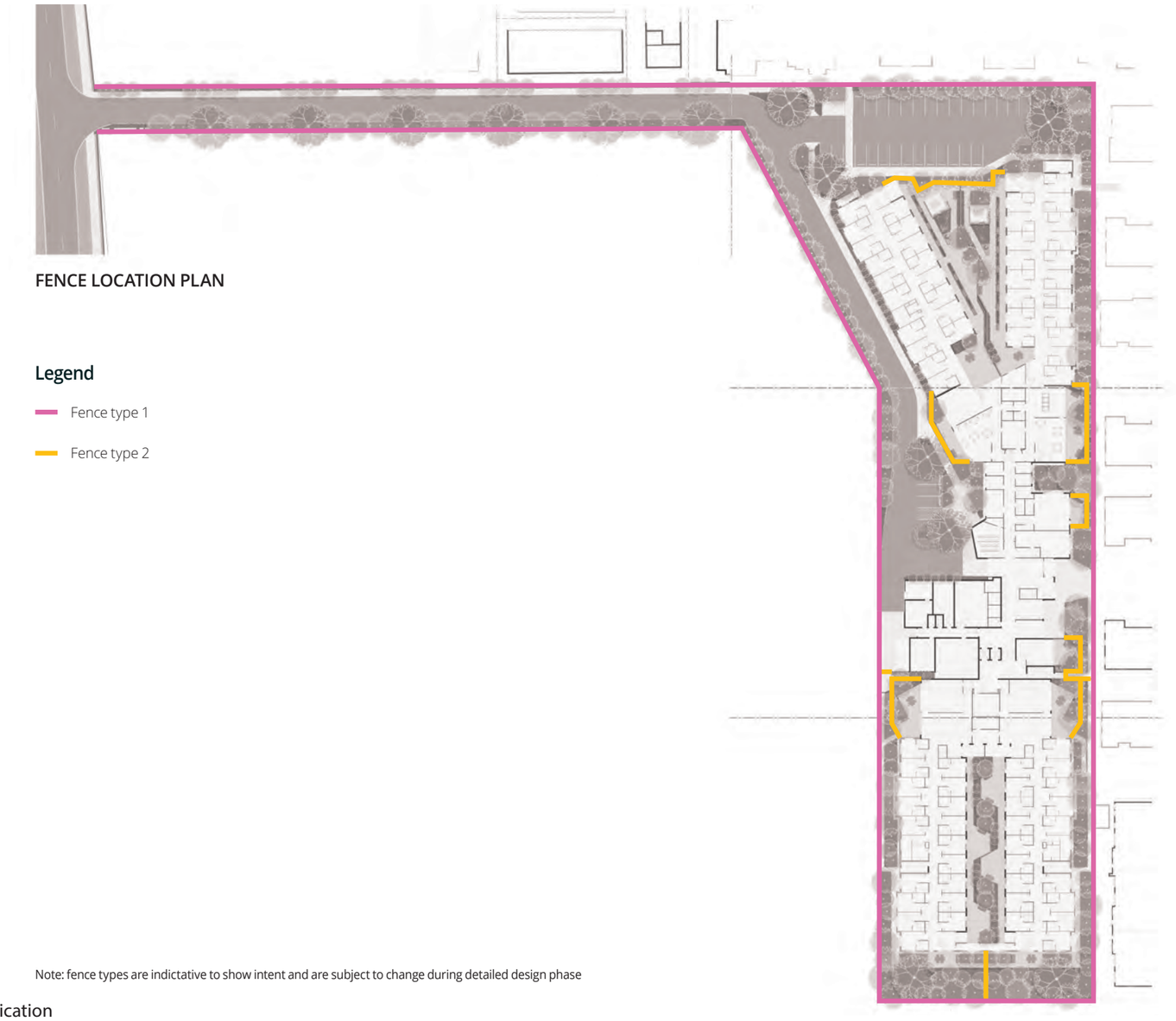
Fence Design



Fence Type 1: 1800mm high timber 'lap and cap' fence



Fence Type 2: ARC Fences 'Ambassador' security fence



FENCE LOCATION PLAN

Legend

- Fence type 1
- Fence type 2

Note: fence types are indictative to show intent and are subject to change during detailed design phase

Mount Martha Residential Aged Care | Development Application

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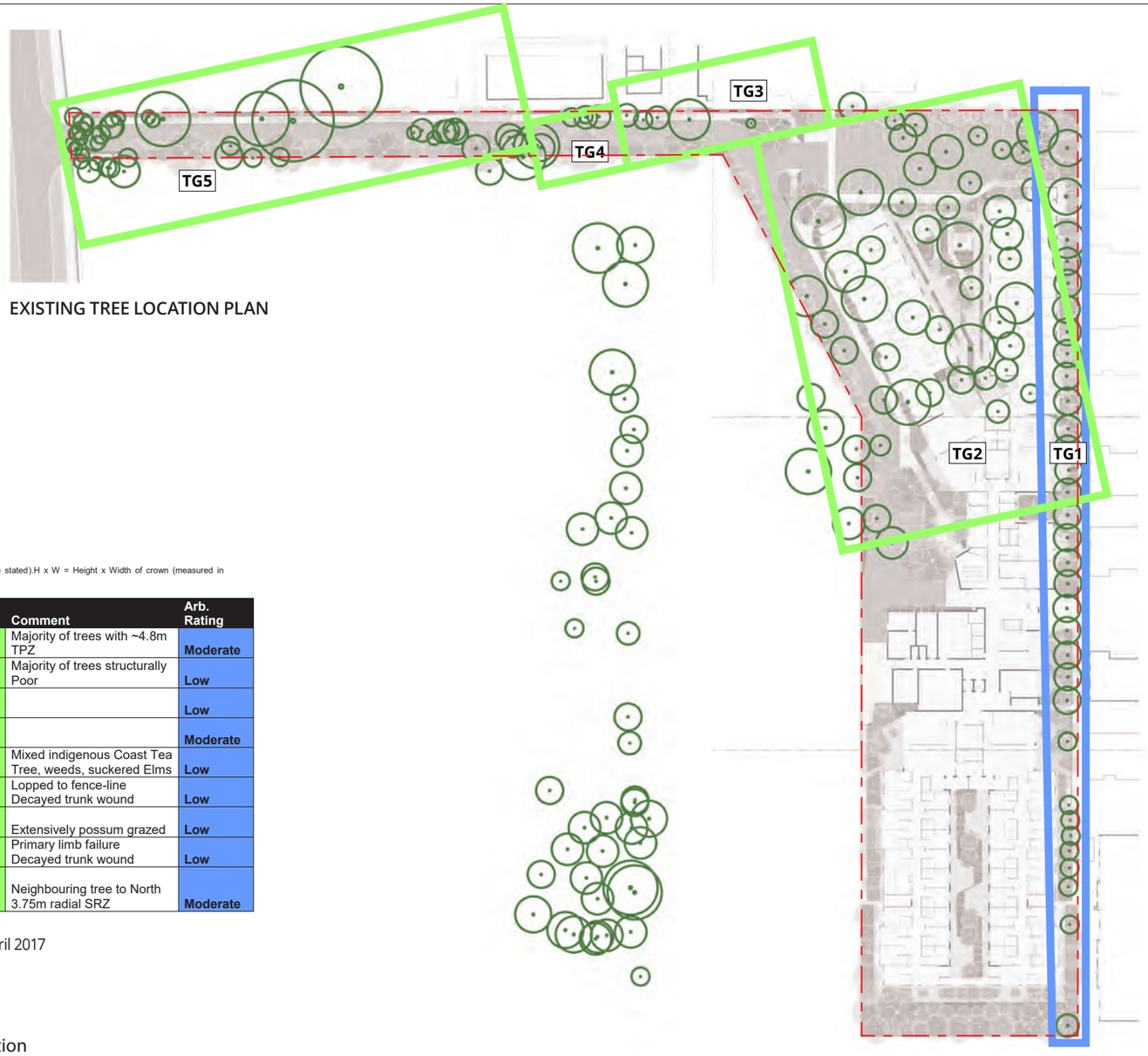
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Scale: **1:1000@A3**
Date: 25 **September 17**

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Dwg no. : **B17017 - SK7.0**
Rev: **P1**

Existing Tree Survey

For tree survey information refer to 598-602 Esplanade Mt. Martha Arborcultural Review, By Tree Logic, 18 April 2017



EXISTING TREE LOCATION PLAN

Tree Assessment Summary

Appendix 1: Tree Assessment Table
See Appendix 3 for tree descriptors. DBH = Diameter at Breast Height (measured in centimetres at 1.4 m above ground unless otherwise stated).H x W = Height x Width of crown (measured in metres). TPZ = Tree Protection Zone (12 x DBH). * Assessment limited to from boundary.

No	Species/ Common Name	DBH (cm)	H x W (m)	Health	Structure	TPZ (m)	Comment	Arb. Rating
TG1	Mixed planted native trees	15 - 70	12 x 12	Fair to Poor	Fair to Poor	**To 8.4**	Majority of trees with ~4.8m TPZ	**Moderate**
TG2	*Leptospermum laevigatum* Coast Tea Tree	10 – 50	4 x 10	Fair to Poor	Fair-poor to Failed	**To 6.0**	Majority of trees structurally Poor	**Low**
TG3	Mixed natives & Cypress	15 - 55	10 x 12	Fair/Fair-poor	Fair to Poor	**To 6.6**		**Low**
TG4	Mixed Gums & Coast Tea Tree	Up to 40	14 x 14	Fair	Fair	**4.8**		**Moderate**
TG5	Mixed Trees	10 - 20	4 x 6	Fair	Fair to Fair-poor	**To 2.4**	Mixed indigenous Coast Tea Tree, weeds, suckered Elms	**Low**
1	*Eucalyptus pryoriana* Coast Manna Gum	125@25	15 x 18	Fair	Poor	**14.4**	Lopped to fence-line Decayed trunk wound	**Low**
2	Corymbia *sp.* Spotted or Lemon Scented	55	14 x 16	Poor	Fair	**6.6**	Extensively possum grazed	**Low**
3	*Eucalyptus robusta* Swamp Mahogany	75@100	14 x 14	Fair	Poor	**9.0**	Primary limb failure Decayed trunk wound	**Low**
4	*Hesperocyparis macrocarpa* 'Goldcrest' Golden Monterey Cypress	135@25	15 x 17	Fair	Fair	**15.0**	Neighbouring tree to North 3.75m radial SRZ	**Moderate**

Table Source: Tree Logic, 598-602 Esplanade Mt. Martha Arborcultural Review, 18 April 2017

Mount Martha Residential Aged Care | Development Application

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Client: **Lendlease Building Pty Ltd**

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0 10 20 30 40M

Dwg no. : **B17017 - SK8.0**
Rev: **P1**

Planting Design

Preliminary Planting Schedule

Code	Botanical Name	Common Name	Type	Mature Size H x W (m)	Density	Qty
COURTYARD PALETTE						
TREES						
LAG ind	Lagerstroemia indica 'white'	Crepe Myrtle	Tree	6 x 4	n/a	20
MAG LG	Magnolia grandiflora 'little gem'	Dwarf evergreen magnolia	Tree	4 x 2.5	n/a	15
ULM par	Ulmus parvifolia 'Burnley Select'	Chinese Elm	Tree	5 x 3	n/a	6
CLIMBERS						
TRA jas	Trachelospermum jasminoides	Chinese Star Jasmine	Climber	0.3 x 1-2	1/m2	20
WIS sin	Wisteria sinensis	Chinese Wisteria	Climber	0.3 x 1-2	1/m2	20
SHRUBS						
ACM smi	Acmena smithii 'Allyn Magic'	Dwarf lillypilly	Shrub	0.8 x 1.0	1/m2	30
LAV den	Lavandula dentata	French lavender	Shrub	0.75 x 0.75	4/m2	120
WES fru	Westringia fruticosa 'Mundi'	Mundi Coastal Rosemary	Shrub	1.5 x 1.5	2/m2	100
LOW COVER						
AJU rep	Ajuga reptans	Ajuga	Groundcover	0.1 x 1.0	2/m2	132
ASP ela	Aspidistra elatior	Cast Iron Plant	Groundcover	0.6 x 0.4	4/m2	132
BER BW	Bergenia bressingham white	Elephant's ears	Groundcover	0.6 x 0.6	4/m2	132
CHR api	Chrysocephalum apiculatum	Everlasting daisy	Groundcover	0.5 x 0.8	6/m2	198
CLI min	Clivia miniata	Kaffir lily	Clumping Plant	0.5 x 0.5	6/m2	396
DIA LJ	Dianella 'Little Jess'	Ozbreed Little Jess	Clumping Plant	0.5 x 1	4/m2	264
DIC SF	Dichondra repens 'silver falls'	Dichondra Silver Falls	Groundcover	0.1 x 0.7	6/m2	198
EDIBLE HERB GARDEN (EXAMPLE SPECIES)						
ACH mil	Achillea millefolium	Yarrow	Herb	1.5 x 1.5	4/m2	10
ALL sch	Allium schoenoprasum	Chives	Herb	0.3 x 0.3	8/m2	20
ALL sch	Allium tuberosum	Garlic Chives	Herb	0.3 x 0.3	8/m2	20
LOB mar	Lobularia maritima	Sweet alyssum	Herb	0.3 x 0.3	8/m2	20
MAR rec	Matricaria recutita	German chamomile	Herb	0.5 x 0.3	8/m2	20
MAR rec	Matricaria recutita	German chamomile	Herb	0.5 x 0.3	8/m2	20
OCI bas	Ocimum basilicum	Sweet basil	Herb	0.5 x 0.5	4/m2	10
PET cri	Petroselinum crispum	Parsley	Herb	0.6 x 0.3	8/m2	20
ROS off	Rosmarinus officinalis	Rosemary	Shrub	1.5 x 1.5	2/m2	5
ENTRY AVENUE PALETTE						
TREES						
BAN int	Banksia integrifolia	Coast banksia	Tree	12 x 6	n/a	40
EUC vim	Eucalyptus viminalis ssp. pryoriana	Gippsland Manna Gum	Tree	15 x 6	n/a	16
MEL arm	Melaleuca armillaris	Bracelet honey myrtle	Tree	8 x 6	n/a	65
SHRUBS						
ACA sua	Acacia suaveolens	Sweet-scented wattle	Shrub	3 x 2	1/m2	95
COR alb	Correa alba	White Correa	Shrub	1.5 x 1.5	2/m2	190
OZO fer	Ozothamnus ferrugineus	Tree everlasting	Shrub	4 x 2	1/m2	60
LOM tan	Lomandra longifolia 'LM300'	Tanika	Clumping Plant	1 x 1	4/m2	228
WES fru	Westringia fruticosa 'Mundi'	Mundi Coastal Rosemary	Shrub	1.5 x 1.5	2/m2	150
LOW COVER						
BRA mul	Brachyscome multifida 'white delight'	Cut-leaf daisy	Groundcover	0.3 x 0.5	6/m2	720
BUL bul	Bulbine bulbosa	Bulbine Lily	Clumping Plant	0.6 x 0.3	8/m2	460
GOO ova	Goodenia ovata 'Goldcover'	Groundcover Goodenia	Groundcover	0.15 x 1	4/m2	480
JUN hor	Junipers horizontalis 'Ice Blue'	Icee Blue Juniper	Groundcover	0.2 x 1.5	2/m2	120
LIR.MUS	Liriope muscari 'Just Right'	Just Right Liriope	Clumping Plant	0.2 x 0.5	4/m2	480
MYO par	Myoporum parvifolium	Creeping boobialla	Groundcover	0.1 x 1	4/m2	480
PAT occ	Patersonia occidentalis	Native iris	Clumping Plant	0.3 x 0.5	6/m2	360
NATIVE BUFFER PALETTE						
TREES						
ALL lit	Allocasuarina littoralis	Black sheoak	Tree	10 x 4	n/a	39
EUC vim	Eucalyptus viminalis ssp. pryoriana	Gippsland Manna Gum	Tree	15 x 6	n/a	25
MEL arm	Melaleuca armillaris	Bracelet honey myrtle	Tree	8 x 6	n/a	13
SHRUBS						
ACA sua	Acacia suaveolens	Sweet-scented wattle	Shrub	3 x 2	1/m2	50
COR alb	Correa alba	White correa	Shrub	1.5 x 1.5	2/m2	100
LOM lon	Lomandra longifolia	Mat rush	Clumping plant	1 x 1	2/m2	135
LOW COVER						
BRA mul	Brachyscome multifida 'white delight'	Cut-leaf daisy	Groundcover	0.3 x 0.5	6/m2	594
DIC rep	Dichondra repens	Kidney weed	Groundcover	0.2 x 1.2	2/m2	266
FIC nod	Ficinia nodosa	Knobby club rush	Clumping Plant	0.5 x 0.5	6/m2	798
PAT occ	Patersonia occidentalis	Native iris	Clumping Plant	0.3 x 0.5	4/m2	264
TET imp	Tetragonia implexicoma	Bower Spinnach	Groundcover	0.3 x 1	4/m2	664
VIO hed	Viola hederacea	Native violet	Groundcover	0.15 x 1	4/m2	396



Note: plant densities and quantities are indictative and are subject to change during detailed design phase

Mount Martha Residential Aged Care | Development Application

ASPECT Studios™

In collaboration with: **Jackson Teece**

Client: **Lendlease Building Pty Ltd**

Drawn: **AL / SL** Scale: **nts**
Checked: **SL** Date: 25 **September 17**

Dwg no. : **B17017 - SK9.0**
Rev: **P1**

Planting Design

Courtyard Palette

TREES


Lagerstroemia indica 'white'


Magnolia 'little gem'


Ulmus parvifolia 'Burnley Select'

CLIMBERS


Trachelospermum jasminoides


Wisteria sinensis

SHRUBS


Acmena smithii 'Allyn Magic'


Lavandula dentata


Westringia fruticosa 'Mundi'

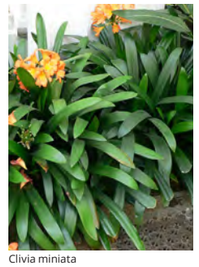
LOW COVER


Ajuga reptans


Aspidistra elatior


Bergenia 'bressingham white'


Chrysocephalum apiculatum


Clivia miniata


Dianella 'Little Jess'


Dichondra repens silver falls

EDIBLE HERB GARDEN

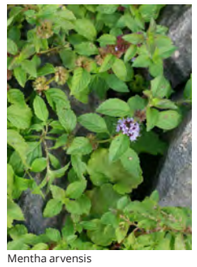

Achillea millefolium


Allium schoenoprasum


Allium schoenoprasum


Lobularia maritima


Lobularia maritima


Mentha arvensis


Mentha piperita


Ocimum basilicum


Petroselinum crispum


Rosmarinus officinalis

Mount Martha Residential Aged Care | Development Application

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Drawn: **AL / SL**
Checked: **SL**
Date: 25 **September 17**

Dwg no. : **B17017 - SK9.1**
Rev: **P1**

Planting Design

Entry Avenue Palette

TREES


Banksia integrifolia


Eucalyptus viminalis ssp. pryoriana


Melaleuca armillaris

SHRUBS


Correa alba


Ozothamnus ferrugineus


Lomandra longifolia ‘LM300’


Westringia fruticosa ‘Mundi’

LOW COVER


Bulbine bulbosa

LOW COVER


Goodenia ovata ‘Goldcover’


Junipers horizontalis ‘Ice Blue’


Liriope muscari ‘Just Right’


Myoporum parvifolium


Patersonia occidentalis

Native Buffer Palette

TREES


Allocasuarina littoralis


Eucalyptus viminalis ssp. pryoriana


Melaleuca armillaris

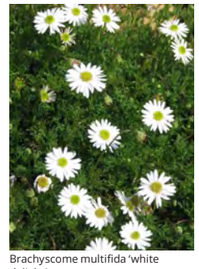
SHRUBS


Acacia suaveolens


Correa alba


Lomandra longifolia

LOW COVER

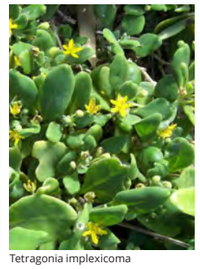

Brachyscome multifida ‘white delight’

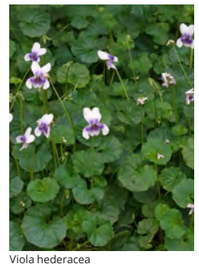

Dichondra repens

LOW COVER


Ficinia nodosa


Patersonia occidentalis


Tetragonia implexicoma


Viola hederacea

Mount Martha Residential Aged Care | Development Application

ASPECT Studios™

In collaboration with: **Jackson Teece**

Client: **Lendlease Building Pty Ltd**

Drawn: **AL / SL**
Checked: **SL** Date: 25 **September 17**

Dwg no. : **B17017 - SK9.2**
Rev: **P1**

General Specification Notes

1. GENERAL

Scope of works as shown on drawings. All garden areas to have minimum internal width of 600mm. A durable edge is to be provided between all garden beds and turfed areas or areas of other loose material. Also under all fences on common boundaries and road frontages.

2. CULTIVATION

Subsoil is to be cultivated prior to spreading topsoil to a minimum depth of 150mm unless this will adversely affect the roots of established trees.

3. TOPSOIL

Standards: To AS 4419 'Soils for landscaping and garden use.' Priority is to be given to using existing site topsoil provided it meets or can be cost-effectively ameliorated to be the Australian Standard. If additional soil is required to meet the minimum depths, the imported topsoil is to meet the Australian Standard.

Minimum depths:

- To garden beds - 400mm
- To tree holes in deep planting areas - 1000mm deep over an area of 1500mm x 1500mm
- To tree holes and pits - 400mm or 1.5 x rootball depth

- whichever is greater - over an area of twice the rootball diameter for trees supplied in pots or bags

4. MULCH

Standards: To AS4454 'Compost, soil conditioners and mulches'.

Mulch Type: Hoop Pine bark - 100mm deep

5. TREES

Minimum sizes:

Street trees - min 45 litre stock

Other areas - 25 litre stock

Trees adjacent to pathways, entries, parking areas and driveways shall be capable of attaining a 1.8m clear trunk height on maturity.

Staking: All trees shall be staked.

All trees supplied are to comply with AS 2303 - Tree Stock for Landscape Use.

6. SHRUBS AND GROUNDCOVERS

Minimum sizes:

Shrubs - 200mm stock

Groundcovers - 140mm stock

Tree selection along a pathway is to ensure a clear trunk height of 1.8m at maturity. Shrubs shall not exceed 1m height along street frontages, pathways and adjacent to open space areas.

Landscaping, planting and mounding shall not interfere with visibility along a pathway.

Planting densities and stock sizes are to ensure full coverage of mulched planting areas within 2 years.

7. PEDESTRIAN PAVEMENTS

All pedestrian pavements shall be stable and usable in all weathers.

All pedestrian surfaces shall have a classification of 'W' or 'V' to AS/NZS 4586 'Slip Resistance classification of new pedestrian surface materials'.

8. IRRIGATION

All garden beds and planter boxes in common areas shall be irrigated by a reticulated irrigation system. Irrigation controllers shall be located in accessible areas. Storage tank harvesting roof water with potable backup to be provided.

Hose cocks shall be provided in each private landscape and recreation area.

The irrigation system is to be designed by a suitably qualified person accredited as a certified irrigation designer by the Irrigation Association of Australia, holding a diploma of Irrigation, or with equivalent experience.

For landscaping located on a podium, a minimum of 75% of the plant's water needs is to be sourced from other than the reticulated water supply.

9. DRAINAGE

All pavements, turf and planted areas shall be adequately drained.

All garden beds and planter boxes shall be drained with subsurface drains connected to stormwater. Wherever possible surface run off shall be directed towards garden beds, turf or other permeable surfaces where water quality is conducive to plant growth. Landscaping uses appropriate materials to maintain the function of an overland flow path.

10.LIGHTING

Lighting shall be provided to entries, driveways, parking areas and pedestrian pathways.

Standards: To AS/NZS 1158 'Lighting for Roads and Public Spaces'.

11.ESTABLISHMENT AND DEFECTS LIABILITY

An establishment period of 12 weeks from the date of practical completion shall apply to landscape softworks (planting).

A defects liability period of 12 months from the date of practical completion shall apply to landscape hardworks.

Mount Martha Residential Aged Care | Development Application

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Date: 25 **September 17**

Dwg no. : **B17017 - SK10.0**
Rev: **P1**

Keyton, Mt Martha

Tract

Landscape Masterplan

Landscape Town Planning Report

Prepared for Keyton

Tract Wurundjeri Country
Level 6, 6 Riverside Quay, Southbank VIC 3006
(03) 9429 6133.
tract.com.au

324-0747-01-L-01-RP01_602 Esplanade Mt Martha Landscape Report
02 December 2025
Issued
03 December 2025

Acknowledgement of Country

We pay our respects to the Traditional Custodians of Country throughout Australia, their Elders and ancestors, recognising their rich heritage and enduring connection to Country and acknowledging the ongoing sovereignty of all Aboriginal and Torres Strait Islander Nations.

We recognise the profound connection to land, waters, sky and community of the First Nations peoples, with continuing cultures that are among the oldest in human history. We recognise that they are skilled land shapers and place makers, with a deep and rich knowledge of this land which they have cared for, protected and balanced for millennia.

Our Country, 2022
88 x 119 cm Acrylic on canvas
Original artwork by
Alfred Carter
Gunaikurnai

Quality Assurance

602 Esplanade, Mt Martha
Landscape Masterplan

Town planing Report

Prepared for
Keyton

Project Number
324-0747-00-L-01-RP01

Revisions

No.	Date	Description	Prepared By	Reviewed By	Project Principal
01	03 November 2025	DRAFT	L.Z	C.D	C.D
02	14 November 2025	DRAFT	L.Z	C.D	C.D
03	02 December 2025	FOR SUBMISSION	L.Z	C.D	C.D

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1 Landscape Vision and Design Drivers

1.1 Landscape Vision

Gardens by the Bay

The landscape will provide a high standard of amenity for residents with quality open spaces that encourage social engagement. A strong focus on native and indigenous plants within both public and private open spaces will create a distinctive coastal character whilst providing biodiversity and habitat.

In generating the landscape design the following design objectives will be adopted:

COMMUNITY

Nurturing community by creating places where meaningful interactions can develop

WALKABILTY & PEDESTRIAN PRIORITY

Shared streets and pedestrian linkages through the site that prioritise walking









2 Landscape Key Areas

Green Link

- Linear landscape with retained and new trees
- Shared path
- Indigenous planting comprising taller canopy, mid-level shrubs with grasses and groundcovers
- Dog run and productive garden opportunities

Beach Access

- Gated control point with seating
- Directional / wayfinding signage directing residents to the formal road crossing to the north



Community Hub

- Shared community facilities, gathering space to encourage social interaction
- Green space with canopy (pergola and trees)
- Outdoor deck BBQ and seating with connection to productive garden

Pedestrian Link

- Main pedestrian connection from existing village to beach / the esplanade
- Designated shared zone with alternative pavements to slow traffic

Streetscapes

- Garden fill comprising, native and indigenous planting with small-medium canopy Trees
- Roads designed to slow traffic, making them walkable

3 Overall Masterplan



	Drawing Title		Revision	Drawn	Checked	Project Principal	Date	Scale
Tract	**Landscape Masterplan**	324-0747-01-L-01-RP01_602 Esplanade Mt Martha Landscape Report	03	LZ	CD	CD	02 December 2025	1:2000 (A3) 06 / 20

0 20 50 100

3 Masterplan - Tree Retention and Removal Plan



Legend

Retained Tree

Removed Tree

Retained Trees

Tree	Species	Common Name	Arborist Rating	Calculated Towards Canopy Calculation
1	Eucalyptus microcorys	Tallowood	Mod. C	Yes
2	Corymbia maculata	Spotted Gum	Mod. B	Yes
3	Eucalyptus botryoides	Southern Mahogany	Mod. A	Yes
5	Leptospermum laevigatum	Coast Tea-tree	Mod. C	Yes
7	Eucalyptus globulus	Southern Blue Gum	Mod. A	Yes
11	Eucalyptus nicholii	Red-flowering Gum	Low	Yes
57	Magnolia grandiflora	Bull Bay	Very Low	No
58	Eucalyptus botryoides	Southern Mahogany	Mod. B	No
59	Acacia mearnsii	Late Black Wattle	Mod. C	No
60	Ulmus procera	English Elm	Mod. C	No
61	Pittosporum undulatum	Sweet Pittosporum	Very Low	No
62	Ulmus procera	English Elm	Very Low	No
63	Photinia Xfraserii 'Robusta'	Christmas Berry	Very Low	No

Refer to Tree Logic's Arboricultural Impact Assessment for Martha's Point Extension (602 Esplanade, Mount Martha) Version 2 26th November 2025 for details

	Drawing Title	Revision	Drawn	Checked	Project Principal	Date	Scale
Tract	324-0747-01-L-01-RP01_602 Esplanade Mt Martha Landscape Report	03	LZ	CD	CD	02 December 2025	07 / 20

3 Masterplan - Tree Canopy Plan and Calculations



Tree Canopy Calculation

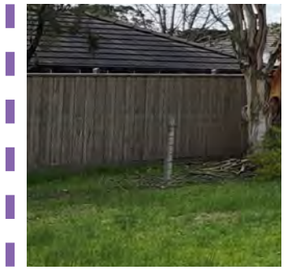
Site Area	12638 m2
Target Value (20% of Site Area)	2527 m2
20% of site area + 50% of existing canopy over 20%	N/A
Total Target	2527m2
Retained Canopy	808 m2
Proposed canopy from large Trees	503 m2
Proposed Canopy from small Trees	1592 m2
Total Designed Canopy	2902 m2
% of Canopy over Site	23%

Drawing Title		Revision	Drawn	Checked	Project Principal	Date	Scale	
Tract	324-0747-01-L-01-RP01_602 Esplanade Mt Martha Landscape Report	03	LZ	CD	CD	02 December 2025		08 / 20

3 Masterplan - Fencing Plan

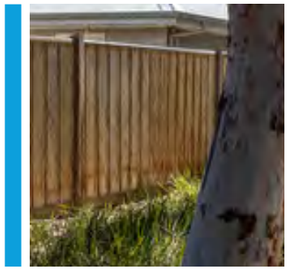


Legend



Fence Type 1

Retain existing fence and make good



Fence Type 2

1.8m Height Privacy Fence



Fence Type 3

1.8m Combination Fin and/or Angle Fence

Drawing Title		Revision	Drawn	Checked	Project Principal	Date	Scale
Tract	324-0747-01-L-01-RP01_602 Esplanade Mt Martha Landscape Report	03	LZ	CD	CD	02 December 2025	09 / 20

4 Linear Link



Legend

1. Signage and wayfinding
2. Garden bed
3. Access Gate
4. Proposed Tree
5. Retained Tree
6. Concrete footpath
7. Gravel
8. Seating
9. Off lead area
10. Productive Kitchen garden

	Drawing Title		Revision	Drawn	Checked	Project Principal	Date	Scale	
Tract	**Landscape Masterplan**	324-0747-01-L-01-RP01_602 Esplanade Mt Martha Landscape Report	03	LZ	CD	CD	02 December 2025	1:2000 (A3) 0 20 50 100	10 / 20

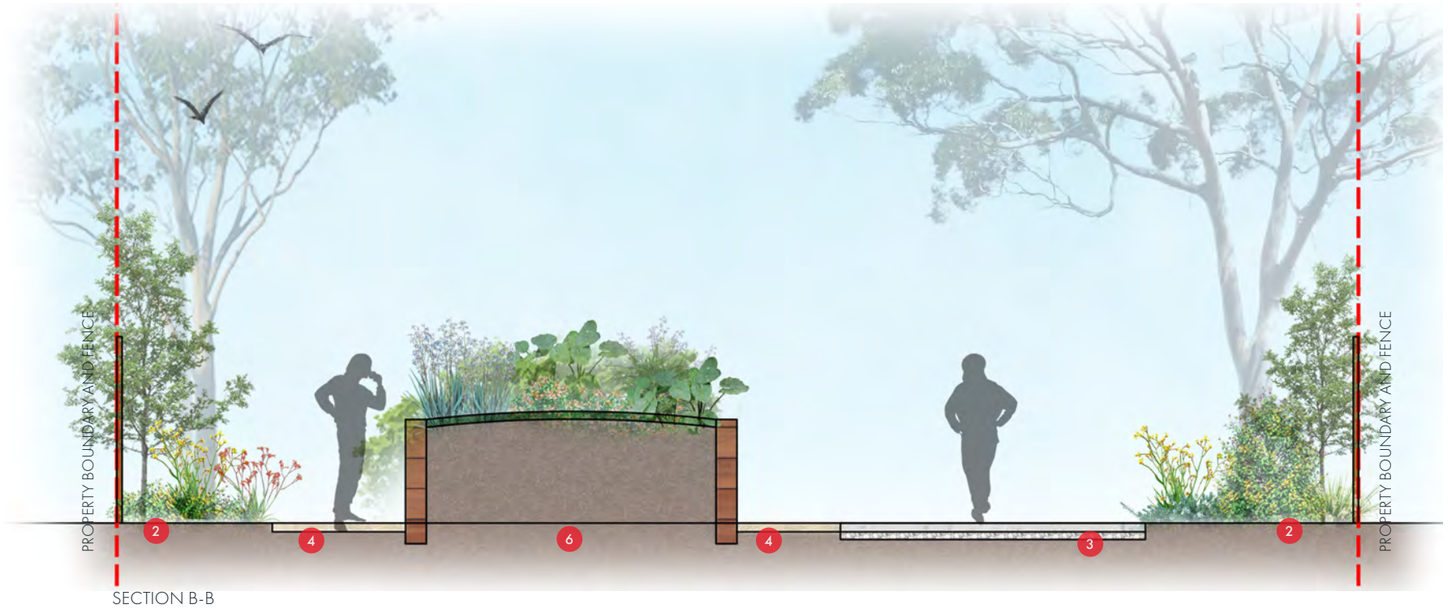
4 Sections - Lineal Link

Legend

1. Retained Tree
2. Garden bed
3. Concrete footpath
4. Gravel
5. Off lead area
6. Productive Kitchen garden
7. Seat



SECTION A-A



SECTION B-B

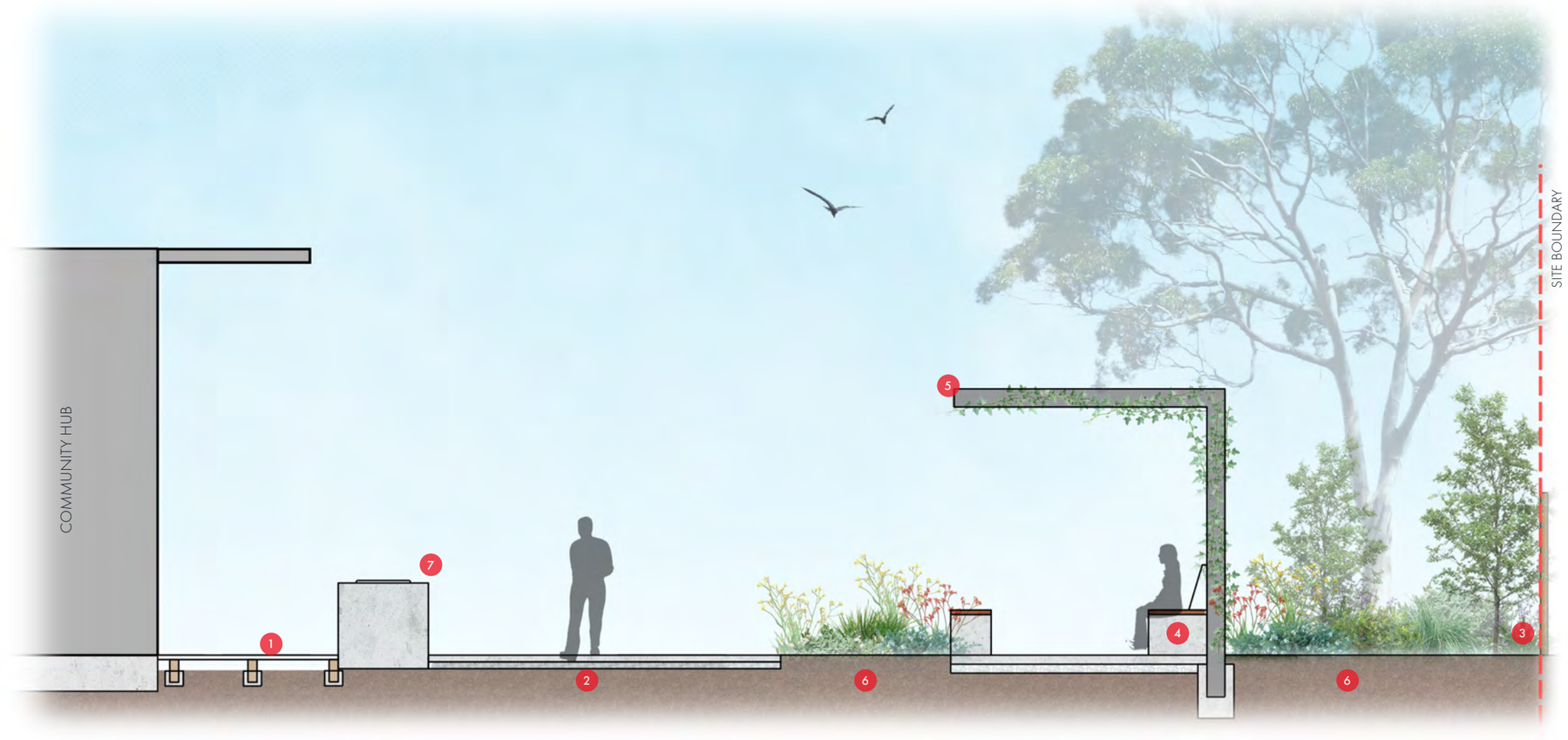
	Drawing Title		Revision	Drawn	Checked	Project Principal	Date	Scale
Tract	**Landscape Sections**	324-0747-01-L-01-RP01_602 Esplanade Mt Martha Landscape Report	03	LZ	CD	CD	02 December 2025	1:100 (A3) 0 1 2 5 — 11 / 20

5 Community Hub



	Drawing Title		Revision	Drawn	Checked	Project Principal	Date	Scale
Tract	**Landscape Masterplan**	324-0747-01-L-01-RP01_602 Esplanade Mt Martha Landscape Report	03	LZ	CD	CD	02 December 2025	1:2000 (A3) 0 20 50 100 — 12 / 20

5 Sections - Community Hub



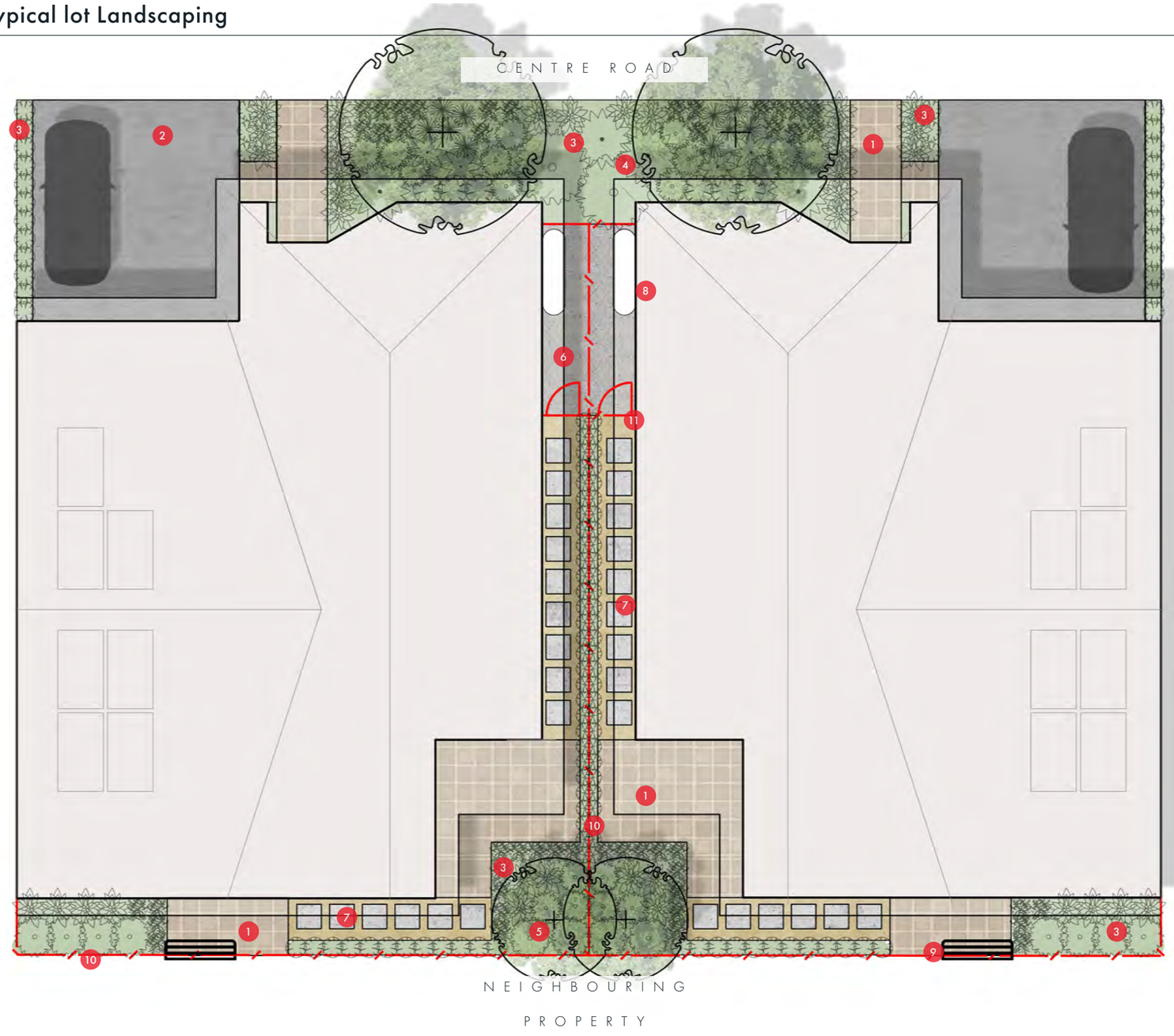
Legend

1. Deck
2. Feature Paving
3. Boundary Fence
4. Seating
5. Arbour with Climbing Plants
6. Garden bed
7. BBQ and sink facilities

SECTION C-C

	Drawing Title		Revision	Drawn	Checked	Project Principal	Date	Scale
Tract	**Landscape Sections**	324-0747-01-L-01-RP01_602 Esplanade Mt Martha Landscape Report	03	LZ	CD	CD	02 December 2025	1:100 (A3) 0 1 2 5 13 / 20

6 Typical lot Landscaping



Legend

1. Feature Paving
2. Driveway
3. Garden Bed
   Note: Refer to planting palette for indicative species
4. Canopy Tree
5. Small Tree
6. Concrete
7. Pavers in Gravel
8. Tank
9. Clothes Line
10. Fence
11. Access Gate

	Drawing Title		Revision	Drawn	Checked	Project Principal	Date	Scale	
Tract	**Landscape Masterplan**	324-0747-01-L-01-RP01_602 Esplanade Mt Martha Landscape Report	03	LZ	CD	CD	02 December 2025	1:100 (A3) 0 1 2.5 5	14 / 20

7 Planting Palette

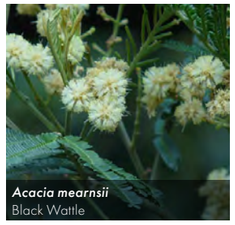
Martha's Point - Preliminary Plant Palette

Community Hub

Scientific Name	Common Name	EVC	Size at Maturity	Installation Size
Trees				
Acacia paradoxa	Hedge Wattle	175	4 x 4m	200mm Pot
Acacia mearnsii	Black Wattle	175	12 x 8m	45 Litre Pot
Allocasuarina verticillata	Drooping Sheoke	175	8 x 6m	45 Litre Pot
Allocasuarina littoralis	Black Sheoak	175	12 x 7	45 Litre Pot
Banksia integrifolia	Coast Banksia	2	12 x 6m	45 Litre Pot
Banksia marginata	Silver Banksia		5 x 4m	45 Litre Pot
Banksia serrata	Old Man Banksia		8 x 5m	45 Litre Pot
Corymbia citriodora 'Scentuous'	Dwarf Lemon Scented Gum		7 x 3m	45 Litre Pot
Corymbia ficifolia ' Wildfire'	Dwarf Red Flowering Gum		6 x 4m	46 Litre Pot
Eucalyptus leucoxylon 'Euky Dwarf'	Dwarf Yellow Gum		7 x 4m	45 Litre Pot
Eucalyptus pauciflora nana	Dwarf Snow Gum		6 x 4m	45 Litre Pot
Eucalyptus radiata s.l.	Narrow Leaved Peppermint	175	15 x 12m	45 Litre Pot
Leptospermum laevigatum	Coast Tea-tree	161	6 x 4m	200mm Pot
Shrubs				
Astroloma humifusum	Cranberry Heath	175	0.5 x 1m	150mm Pot /Tube
Cassinia aculeata	Common Cassinia	175	4 x 2m	150mm Pot /Tube
Epacris impressa	Common Heath	175	1.5 x 1m	150mm Pot /Tube
Hibbertia riparia	Erect Guinea-flower	175	0.5 x 0.5m	150mm Pot /Tube
Leptospermum continentale	Prickly Tea-tree	175	3 x 2m	150mm Pot /Tube
Leucophyta brownii	Cushion Bush	161	1 x 1m	150mm Pot /Tube
Leucopogon parviflorus	Coast Beard-heath	161	3 x 2m	150mm Pot /Tube
Pimelea humilis	Common Rice-flower	175	0.6 x 1m	150mm Pot /Tube
Rhagodia candolleana ssp. candolleana	Seaberry Saltbush	161	1.5 x 1.5m	150mm Pot /Tube
Grasses and Tussocks				
Austrodanthonia caespitosa	Common Wallaby-grass	161	0.5 x 0.2m	150mm Pot /Tube
Deyeuxia quadriseta	Reed Bent-grass	175	0.2 x 0.4m	150mm Pot /Tube
Dianella brevicaulis	Small-flower Flax-lily	161	0.3 x 0.5m	150mm Pot /Tube
Ficinia nodosa	Knobby Club-sedge	161	1 x 1m	150mm Pot /Tube
Gahnia radula	Thatch Saw-sedge	175	1.5 x 1.5m	150mm Pot /Tube
Lachnagrostis billardierei s.l.	Coast Blown-grass	161	0.4 x 0.5m	150mm Pot /Tube
Lepidosperma laterale	Variable Sword-sedge	175	1 x 1.5m	150mm Pot /Tube
Lomandra filiformis	Wattle Mat-rush	175	0.3 x 0.3m	150mm Pot /Tube
Lomandra longifolia	Spiny-headed Mat-rush	175	1.5 x 1.5m	150mm Pot /Tube
Poa poiformis	Coast Tussock-grass	161	0.8 x 0.8m	150mm Pot /Tube
Poa sieberiana	Grey Tussock-grass	175	0.3 x 0.4m	150mm Pot /Tube
Themeda triandra	Kangaroo Grass	175	0.5 x 0.8m	150mm Pot /Tube
Xanthorrhoea minor ssp. lutea	Small Grass-tree	175	0.6 x 1m	150mm Pot /Tube
Groundcovers				
Bossiaea prostrata	Creeping Bossiaea	175	Prostrate x 1m	150mm Pot /Tube
Dichondra repens	Kidney-weed	161	0.2 x 2m	150mm Pot /Tube
Disphyma crassifolium ssp. clavellatum	Rounded Noon-flower	161	0.2 x 2m	150mm Pot /Tube
Tetragonia implexicoma	Bower Spinach	161	0.2 x 1.5m	150mm Pot /Tube
Climbers				
Billardiera scandens	Common Apple-berry	175	Climbing	150mm Pot /Tube
Clematis microphylla	Small-leaved Clematis	161	Climbing	150mm Pot /Tube
Comesperma volubile	Love Creeper	175	Climbing	150mm Pot /Tube
Herbs and Forbes				
Opercularia varia	Variable Stinkweed	175	0.3 x 0.3m	150mm Pot /Tube
Acrotriche serrulata	Honey-pots	175	0.3 x 0.5m	150mm Pot /Tube
Gonocarpus tetragynus	Common Raspwort	175	0.3 x 0.4m	150mm Pot /Tube
Feature Planting				
Acacia 'Mini Cog'	Mini Cog Wattle		0.5 x 1m	150mm Pot /Tube
Adenanthos 'Coral Carpet'	Jug Flower		0.3 x 2m	150mm Pot /Tube
Alyogyne huegelii 'West Coast Gem'	Native Hibiscus		2 x 2m	150mm Pot /Tube
Banksia blechnifolia	Fern Leaf Banksia		0.4 x 1.5m	150mm Pot /Tube
Banksia 'Birthday Candles'	Birthday Candles Banksia		0.5 x 1m	150mm Pot /Tube
Brachyscome multfida	Cut Leaf Daisy		0.3 x 0.3m	150mm Pot /Tube
Calothamnus quadrifidus	One Sided Bottlebrush		1.5 x 2m	150mm Pot /Tube
Carpobrostus rossi	Karkalla		0.3 x 2m	150mm Pot /Tube
Casuarina glauca 'Cousin It'	Cousin It Sheoke		0.2 x 1.5m	150mm Pot /Tube
Correa alba	White Correa		1.5 x 2m	150mm Pot /Tube
Rhagodia 'Aussie Flat Bush'	Aussie Flat Bush		0.5 x 1m	150mm Pot /Tube
Scaevola humilis	Fan Flower		0.4 x 1.5m	150mm Pot /Tube
Themeda 'Mingo'	Mingo Kangaroo Grass		0.4 x 0.5m	150mm Pot /Tube

Trees


Acacia paradoxa
Hedge Wattle


Acacia mearnsii
Black Wattle


Allocasuarina verticillata
Drooping Sheoak

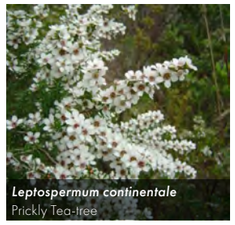

Banksia integrifolia
Coastal Banksia


Eucalyptus radiata
Narrow-leaf Peppermint

Shrubs


Epacris impressa
Common Heath


Leucophyta brownii
Cushion Bush


Leptospermum continentale
Prickly Tea-tree

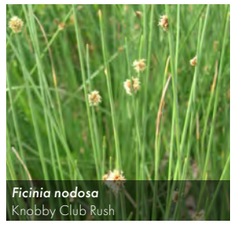

Astroloma humifusum
Cranberry Heath


Rhagodia candolleana
Seaberry Salt-bush

Grasses


Themeda trianda
Kangaroo Grass


Poa poiformis
Coast Tussock Grass


Ficinia nodosa
Knobby Club Rush

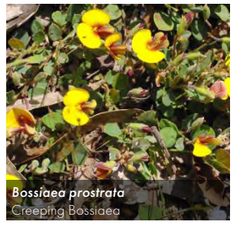

Lomandra longifolia
Spiny-headed Mat-rush


Lepidosperma laterale
Variable Sword Sedge

Groundcovers


Dichondra repens
Kidney Weed


Disphyma crassifolium
Rounded Noon-flower

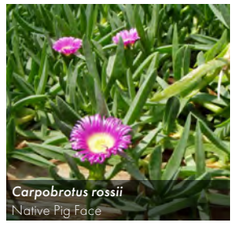

Bossiaea prostrata
Creeping Bossiaea


Tetragonia implexicoma
Bower Spinach

Feature Planting


Acacia cognata 'Mini Cog'
Dwarf River Wattle


Banksia spinulosa 'Birthday Candles'
Dwarf Hairpin Banksia


Carpobrotus rossii
Native Pig Face


Casuarina glauca 'Cousin It'
Cousin It


Alyogyne 'West Coast Gem'
Native Hibiscus

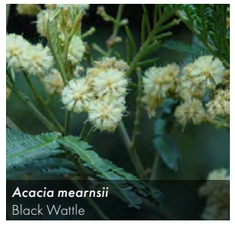
7 Planting Palette

Esplanade Link

Scientific Name	Common Name	EVC	Size at Maturity	Installation Size
Trees				
Acacia paradoxa	Hedge Wattle	175	4 x 4m	200mm Pot
Acacia mearnsii	Black Wattle	175	12 x 8m	45 Litre Pot
Allocasuarina verticillata	Drooping Sheoke	175	8 x 6m	45 Litre Pot
Allocasuarina littoralis	Black Sheoak	175	12 x 7	45 Litre Pot
Banksia integrifolia	Coast Banksia	2	12 x 6m	45 Litre Pot
Eucalyptus radiata s.l.	Narrow Leaved Peppermint	175	15 x 12m	45 Litre Pot
Leptospermum laevigatum	Coast Tea-tree	161	6 x 4m	200mm Pot
Shrubs				
Astroloma humifusum	Cranberry Heath	175	0.5 x 1m	150mm Pot /Tube
Cassinia aculeata	Common Cassinia	175	4 x 2m	150mm Pot /Tube
Epacris impressa	Common Heath	175	1.5 x 1m	150mm Pot /Tube
Hibbertia riparia	Erect Guinea-flower	175	0.5 x 0.5m	150mm Pot /Tube
Leptospermum continentale	Prickly Tea-tree	175	3 x 2m	150mm Pot /Tube
Leucophyta brownii	Cushion Bush	161	1 x 1m	150mm Pot /Tube
Leucopogon parviflorus	Coast Beard-heath	161	3 x 2m	150mm Pot /Tube
Pimelea humilis	Common Rice-flower	175	0.6 x 1m	150mm Pot /Tube
Rhagodia candolleana ssp. candolleana	Seaberry Saltbush	161	1.5 x 1.5m	150mm Pot /Tube
Grasses and Tussocks				
Austrodanthonia caespitosa	Common Wallaby-grass	161	0.5 x 0.2m	150mm Pot /Tube
Deyeuxia quadriseta	Reed Bent-grass	175	0.2 x 0.4m	150mm Pot /Tube
Dianella brevicaulis	Small-flower Flax-lily	161	0.3 x 0.5m	150mm Pot /Tube
Ficinia nodosa	Knobby Club-sedge	161	1 x 1m	150mm Pot /Tube
Gahnia radula	Thatch Saw-sedge	175	1.5 x 1.5m	150mm Pot /Tube
Lachnagrostis billardierei s.l.	Coast Blown-grass	161	0.4 x 0.5m	150mm Pot /Tube
Lepidosperma laterale	Variable Sword-sedge	175	1 x 1.5m	150mm Pot /Tube
Lomandra filiformis	Wattle Mat-rush	175	0.3 x 0.3m	150mm Pot /Tube
Lomandra longifolia	Spiny-headed Mat-rush	175	1.5 x 1.5m	150mm Pot /Tube
Poa poiformis	Coast Tussock-grass	161	0.8 x 0.8m	150mm Pot /Tube
Poa sieberiana	Grey Tussock-grass	175	0.3 x 0.4m	150mm Pot /Tube
Themeda triandra	Kangaroo Grass	175	0.5 x 0.8m	150mm Pot /Tube
Xanthorrhoea minor ssp. lutea	Small Grass-tree	175	0.6 x 1m	150mm Pot /Tube
Groundcovers				
Bossiaea prostrata	Creeping Bossiaea	175	Prostrate x 1m	150mm Pot /Tube
Dichondra repens	Kidney-weed	161	0.2 x 2m	150mm Pot /Tube
Disphyma crassifolium ssp. clavellatum	Rounded Noon-flower	161	0.2 x 2m	150mm Pot /Tube
Tetragonia implexicoma	Bower Spinach	161	0.2 x 1.5m	150mm Pot /Tube
Climbers				
Billardiera scandens	Common Apple-berry	175	Climbing	150mm Pot /Tube
Clematis microphylla	Small-leaved Clematis	161	Climbing	150mm Pot /Tube
Comesperma volubile	Love Creeper	175	Climbing	150mm Pot /Tube
Herbs and Forbes				
Opercularia varia	Variable Stinkweed	175	0.3 x 0.3m	150mm Pot /Tube
Acrotriche serrulata	Honey-pots	175	0.3 x 0.5m	150mm Pot /Tube
Gonocarpus tetragynus	Common Raspwort	175	0.3 x 0.4m	150mm Pot /Tube

Trees


Acacia paradoxa
Hedge Wattle


Acacia mearnsii
Black Wattle


Allocasuarina verticillata
Drooping Sheoak


Banksia integrifolia
Coastal Banksia

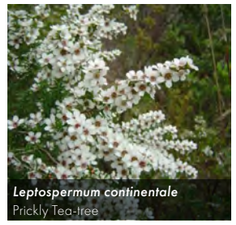

Eucalyptus radiata
Narrow-leaf Peppermint

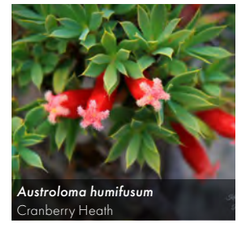
Shrubs


Pimelea humilis
Common Rice Flower


Epacris impressa
Common Heath


Leucophyta brownii
Cushion Bush


Leptospermum continentale
Prickly Tea-tree


Astroloma humifusum
Cranberry Heath

Grasses


Dianella brevicaulis
Small Flowered Flax-lily


Lepidosperma laterale
Variable Sword Sedge


Xanthorrhoea minor ssp. lutea
Small Grass-tree

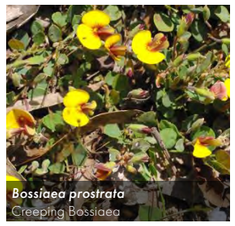

Poa poiformis
Tussock Grass


Themeda trianda
Kangaroo Grass

Groundcovers


Dichondra repens
Kidney Weed


Disphyma crassifolium
Rounded Noon-flower


Bossiaea prostrata
Creeping Bossiaea


Tetragonia implexicoma
Bower Spinach

Climbers


Billardiera scandens
Common Apple-berry


Comesperma volubile
Lover Creeper

7 Planting Palette

Residential Gardens

Scientific Name	Common Name	EVC	Size at Maturity	Installation Size
Trees				
Banksia integrifolia	Coast Banksia	2	12 x 6m	45 Litre Pot
Banksia marginata	Silver Banksia		5 x 4m	45 Litre Pot
Banksia serrata	Old Man Banksia		8 x 5m	45 Litre Pot
Corymbia citriodora 'Scentuous'	Dwarf Lemon Scented Gum		7 x 3m	45 Litre Pot
Corymbia ficifolia ' Wildfire'	Dwarf Red Flowering Gum		6 x 4m	46 Litre Pot
Eucalyptus leucoxylon 'Euky Dwarf'	Dwarf Yellow Gum		7 x 4m	45 Litre Pot
Eucalyptus pauciflora nana	Dwarf Snow Gum		6 x 4m	45 Litre Pot
Shrubs				
Alyogyne huegelii 'West Coast Gem'	Native Hibiscus		2 x 2m	150mm Pot /Tube
Astroloma humifusum	Cranberry Heath	175	0.5 x 1m	150mm Pot /Tube
Calothamnus quadrifidus	One Sided Bottlebrush		1.5 x 2m	150mm Pot /Tube
Darwinia citriodora 'Seaspray'			1 x 1m	150mm Pot /Tube
Epacris impressa	Common Heath	175	1.5 x 1m	150mm Pot /Tube
Hibbertia riparia	Erect Guinea-flower	175	0.5 x 0.5m	150mm Pot /Tube
Leucophyta brownii	Cushion Bush	161	1 x 1m	150mm Pot /Tube
Leucopogon parviflorus	Coast Beard-heath	161	3 x 2m	150mm Pot /Tube
Pimelea humilis	Common Rice-flower	175	0.6 x 1m	150mm Pot /Tube
Correa alba	White Correa		1.5 x 2m	150mm Pot /Tube
Rhagodia 'Aussie Flat Bush'	Aussie Flat Bush		0.5 x 1m	150mm Pot /Tube
Westringia fruticosa 'Wynnabbie Gem'	Coastal Rosemary		1.5 x 1m	150mm Pot /Tube
Grasses and Tussocks				
Austrodanthonia caespitosa	Common Wallaby-grass	161	0.5 x 0.2m	150mm Pot /Tube
Dianella brevicaulis	Small-flower Flax-lily	161	0.3 x 0.5m	150mm Pot /Tube
Ficinia nodosa	Knobby Club-sedge	161	1 x 1m	150mm Pot /Tube
Lomandra filiformis	Wattle Mat-rush	175	0.3 x 0.3m	150mm Pot /Tube
Lomandra longifolia	Spiny-headed Mat-rush	175	1.5 x 1.5m	150mm Pot /Tube
Poa poiformis	Coast Tussock-grass	161	0.8 x 0.8m	150mm Pot /Tube
Poa sieberiana	Grey Tussock-grass	175	0.3 x 0.4m	150mm Pot /Tube
Themeda triandra	Kangaroo Grass	175	0.5 x 0.8m	150mm Pot /Tube
Themeda 'Mingo'	Mingo Kangaroo Grass		0.4 x 0.5m	150mm Pot /Tube
Groundcovers				
Bossiaea prostrata	Creeping Bossiaea	175	Prostrate x 1m	150mm Pot /Tube
Dichondra repens	Kidney-weed	161	0.2 x 2m	150mm Pot /Tube
Disphyma crassifolium ssp. clavellatum	Rounded Noon-flower	161	0.2 x 2m	150mm Pot /Tube
Adenanthos 'Coral Carpet'	Jug Flower		0.3 x 2m	150mm Pot /Tube
Carpobrostus rossi	Karkalla		0.3 x 2m	150mm Pot /Tube
Casuarina glauca 'Cousin It'	Cousin It Sheoke		0.2 x 1.5m	150mm Pot /Tube
Scaevola humilis	Fan Flower		0.4 x 1.5m	150mm Pot /Tube
Myoporum parvifolium	Creeping Boobialla		0.1 x 2m	150mm Pot /Tube
Climbers				
Hardenbergia violacea	Purple Coral Pea		Climbing	150mm Pot /Tube
Pandorea pandorana 'Wonga Gold'	Wonga Gold Vine		Climbing	150mm Pot /Tube
Herbs and Forbes				
Brachyscome multifida	Cut Leaf Daisy		0.3 x 0.3m	150mm Pot /Tube
Xerochrysum bracteatum	Golden Everlasting Daisy		0.6 x 0.6m	150mm Pot /Tube

Trees









Shrubs











Grasses



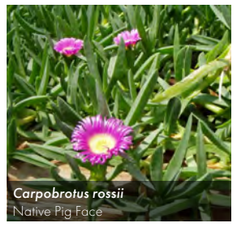








Groundcovers









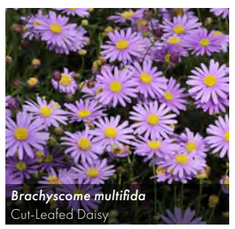


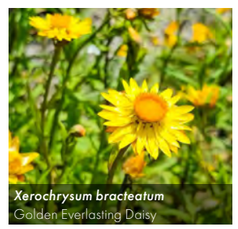
Climbers





Herbs and Forbes





8 Materials Palette

Hardscape



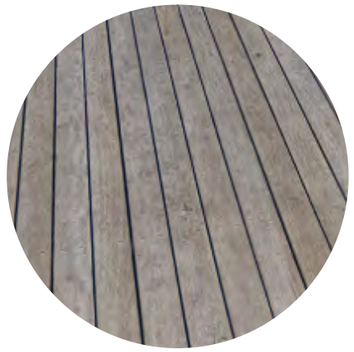
Shared path &
Public footpaths
Concrete to Council Standard



Exposed Aggregate Concrete
Coloured concrete banding to break up extent of paving to surround of Community Hub



Gravel
Gravel to secondary path areas



Timber Decking
To Community Hub

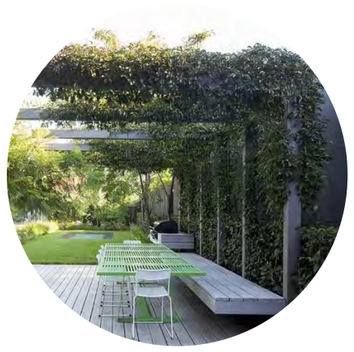


Ascending height
In-situ concrete planters
To Community Hub

Furniture



Seating
Timber seating to nodes

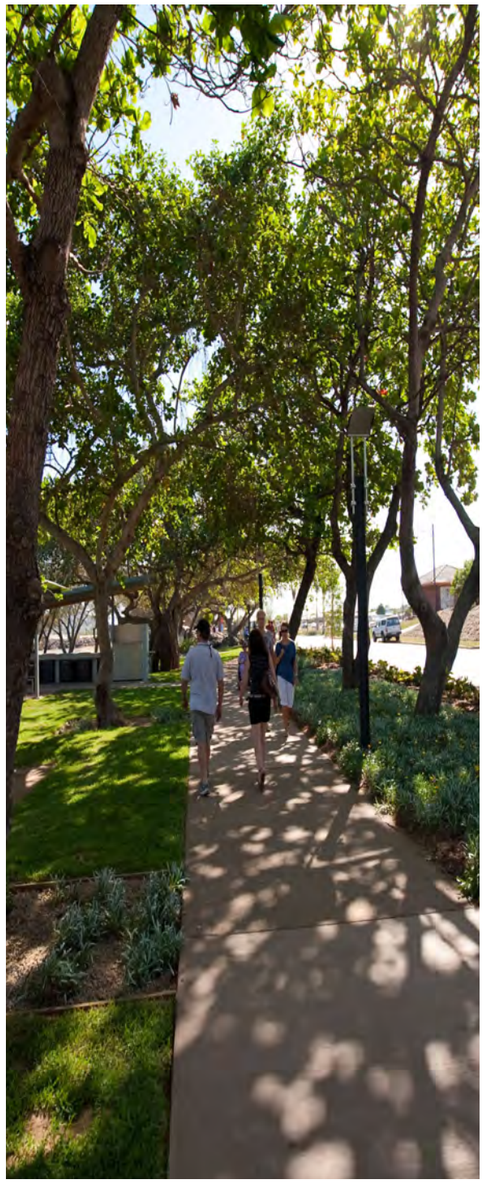
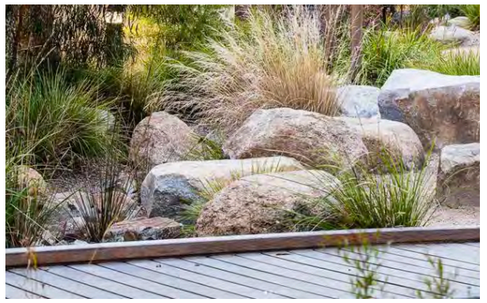


Pergola Structure with climbing plants



Productive Gardens

9 Precedent Images





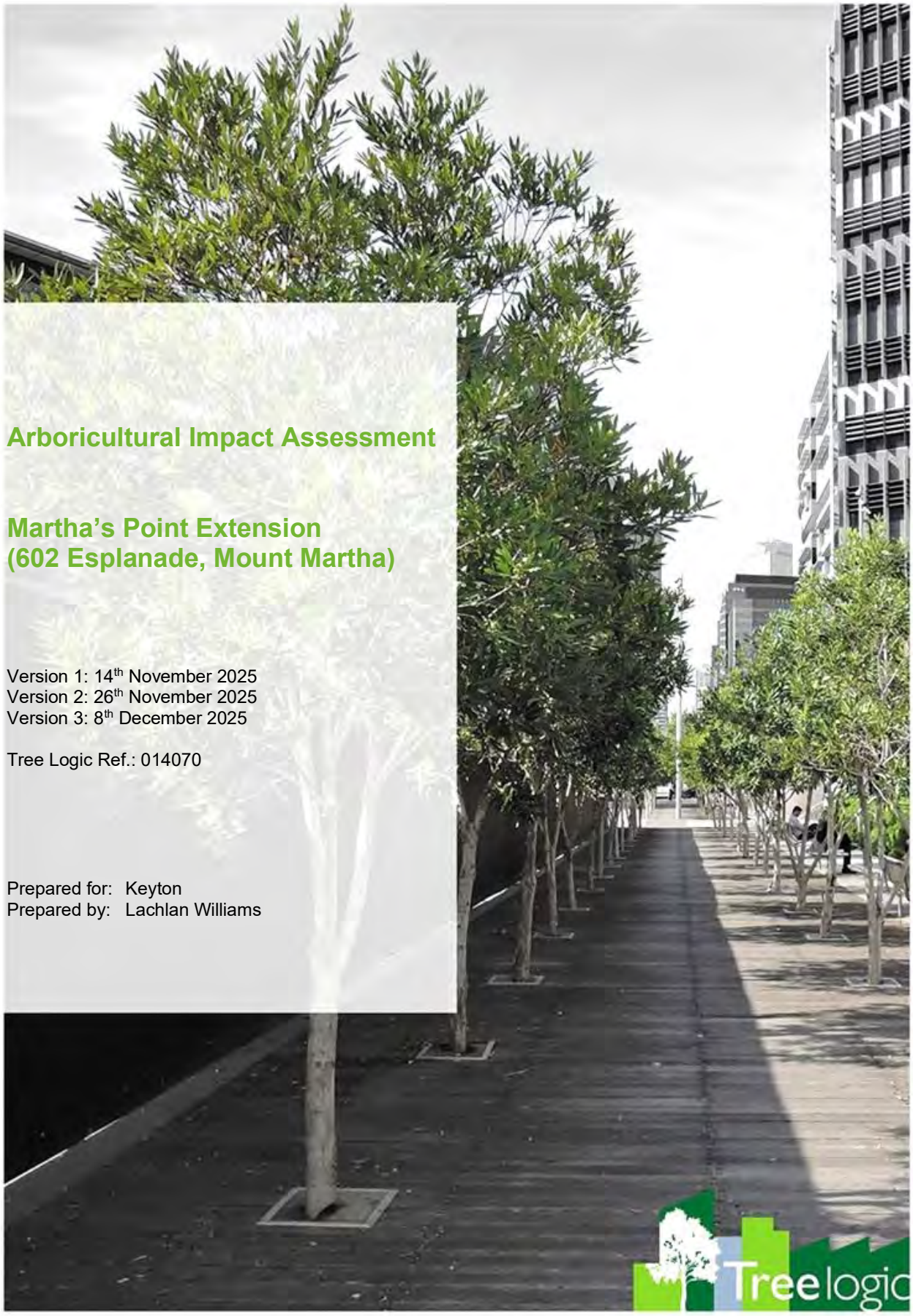



Tract

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melbourne@tract.net.au

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Arboricultural Impact Assessment

Martha's Point Extension
(602 Esplanade, Mount Martha)

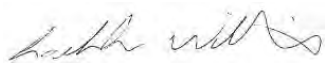
Version 1: 14th November 2025
Version 2: 26th November 2025
Version 3: 8th December 2025

Tree Logic Ref.: 014070

Prepared for: Keyton
Prepared by: Lachlan Williams

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Lachlan Williams B.Hort. (Arb.)
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1 Scope

Treelogic was contacted by the client to provide an arboricultural assessment of significant trees within the site, and trees on adjoining property where a tree's protection zones overlap the site. A preliminary arboricultural report was prepared for this site by Treelogic (Nick Kelly, 18 April 2017), but time elapsed necessitated a second site assessment. Tree numbering between reports is not consistent.

This report analyses the proposed design with reference to *As4970-2025 Protection of trees on development sites*. The Version 2 of this report includes assessment of updated/additional plans provided.

2 Method

- A site inspection was carried out on 24th September 2025. The trees were inspected from the ground (Level 2 basic visual tree assessment) and observations were made of the growing environment and surrounding area. No advanced diagnostics were conducted (e.g. Level 3 assessments including aerial inspections, soil analysis, root mapping or resistance drilling).
- Observations were made of the assessed trees to determine the species, age category, and condition. Measurements were taken to establish tree crown height (measured with a laser range finder), crown width (paced and averaged where asymmetry occurred) and trunk dimensions (measured at base and at 1.4 metres above ground with a diameter tape as directed under *As4970-2025 Protection of trees on development sites*).
- Only significant trees exposed to proposed works were assessed (e.g. trees of 3+ size on private property, whose protection zones overlap the nominated works extent).
- Where multiple trees are growing as a single entity (e.g. mutual canopies and root zones) or where multiple trees exist with uniform attributes (e.g. species, size and protection requirements) they were assessed as a group (e.g. trees G1-G26).
- Trees of insignificant stature (e.g. <3m height) were recorded with limited detail (e.g. S1-S7).
- Each of the assessed trees was attributed an 'Arboricultural Rating'. The arboricultural rating correlates the combination of tree condition factors (health and structure) with tree amenity value. It must be noted that the arboricultural rating is different to the conservation/ecological values placed on trees by other professions. Definitions of arboricultural ratings can be seen in Appendix 3.
- Each assessed trees were allocated a Notional Root Zone (NRZ) and a Structural Root zone (SRZ), as calculated in accordance with *As4970-2025 Protection of trees on development sites*. NRZ and SRZ distances are measured as a radius, from the centre of the trunk at (or near) ground level.
- Assessment details, permit triggers and design encroachment details are listed in Appendix 1, a copy of the tree location plan can be seen in Appendix 2.

Limitations & Assumptions:

- Many of the *Leptospermum laevigatum* (Coast Tea-tree) was surveyed as 'Vegetation Extent' patches (e.g. G7-G15). Identifying individual trees and trunk locations within these patches was not practical in most cases. Grouped trees have been located on approximate trunk locations.
- No significant vegetation exists on the nature strip fronting the site.
- Layout of new services is not known (e.g. stormwater drainage). Earthworks for connection of services including power and stormwater may impact trees not assessed.

Relevant Documents Provided:

- Plans:
    - 'Consolidated Architectural Plans.PDF' (VIA Architects, Rev.A Town Planning, 4/12/2025) – contains 20 sheets.
    - 'Landscape Masterplan' (Tract, Rev.02, 14 November 2025) – contains 17 sheets.
- Auxiliary documents:
    - 'Feasibility Study 602 Esplanade, Mount Martha' (VIA Architects, 06/02/2024).
    - 'Pre-Application Package – for Keyton 602 Esplanade, Mount Martha' (VIA Architects, September 2025).
    - 'Product Review 602 Esplanade, Mount Martha' (VIA Architects, Rev A, September 2025).
    - 'Arboricultural Review' (Treelogic, 18 April 2017).
    - 'Stormwater Management Report' (Ratio, 31 October 2025).
    - 'Photo Report' (SMEC, undated).
    - 'Biodiversity Assessment: 602 Esplanade Mount Martha' (draft report, Ecology & Heritage Partners, November 2025).

3 Observations

- The site is a large private property without any development (no roads/buildings). It is characterised by planted gum trees along the narrow/western section and eastern boundary, plus extensive patches of Coast tea-tree within the northern half of the main site area (likely to be of natural origin). Grassed areas occupy sections without trees. Exotic weeds exist in some areas (primarily Cape Sweet Pea).
- The site has an elevated locality limiting rainfall runoff. It has a minor slope and north-northeast aspect. Soils are considered to have limited fertility. The site has moderate exposure to salt-laden winds.

Assessed Tree Summary

- All gum trees appear planted; most are approximately 30-40 years of age. Tree management (e.g. formative pruning, mulching) appears negligible, but recent reduction pruning of trees on the eastern boundary has occurred recently (e.g. Trees 15-48 pruned to boundary). Together these trees afford widespread site character and wildlife habitat, but minimal management has allowed structural deficiencies to develop. Presence of Phellinus sp. (bracket fungi) on many of the gum trees along the eastern boundary raises concern on long-term viability of these trees near existing dwellings.
- Coast tea-tree are mostly over-mature, with many having partial trunk failures. While they do have desirable health and combine to afford moderate habitat value, they are of poor structural quality which limits their suitability for retention. It is also considered that while this species is indigenous to the area, it is also far more prolific in the region than estimated pre-European settlement (e.g. reduced fire frequency has allowed this species to proliferate). Because of urbanisation, this species is degrading biodiversity of other indigenous species. It is also noted that Coast Tea-tree is not on the council's species list for the site (EVC 175 – Grassy Woodland).
- Trees 1-3 & 7 are the most significant trees in the northwestern section of the site. Trees 1 & 3 are likely to be 50-60+ years old. Tree 1 has significant structural deficiencies but is considered worth retaining. Tree 2 from is influenced by competition from Tree 3. Tree 3 has had its northern canopy lopped, and surfacing roots exist within the subject site which increase its vulnerability to damage from site works. All three trees have large diameter deadwood which reflects prior moisture stress and need for remedial works (e.g. hazard pruning).

Figure 1- Note the bias towards inferior health.

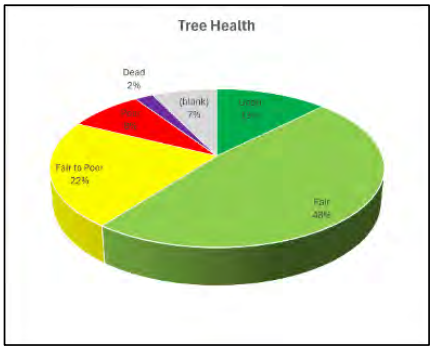
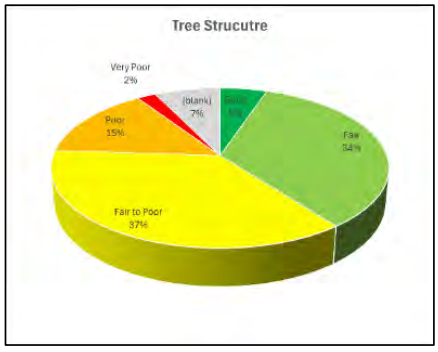


Figure 2- Note the bias towards inferior structure.



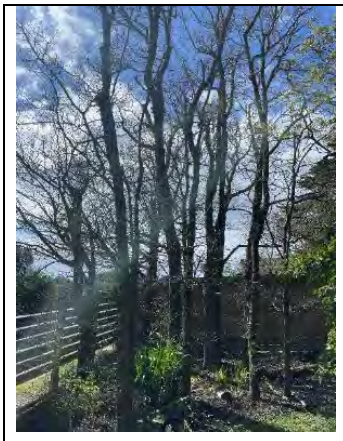
Arboricultural Ratings

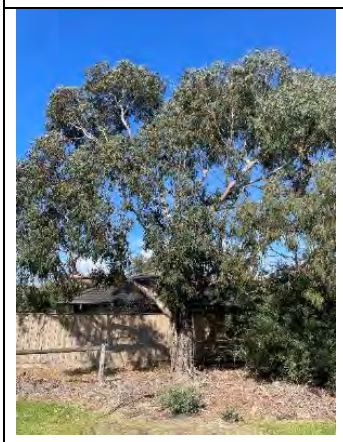
- Prioritising retention of trees based on their arboricultural rating is an appropriate management strategy. No trees were allocated a High arboricultural rating. Several trees have notable dimensions, but structural defects (e.g. failures/decay, codominant stems) limited their rating (e.g. Tree 3).

Arb. Rating	Tree No.s	Count
Mod.A	3, 7	2
Mod.B	1, 2, 15, 16, 19, 20, 33, 36, 50, 58, G6	11
Mod.C	5, 6, 12, 13, 14, 18, 22, 24, 26, 29, 30, 32, 34, 35, 37, 38, 39, 40, 41, 43, 44, 45, 46, 53, 59, 60, G1, G9, G10, G12, G13, G14, G20, G22	34
Low	4, 9, 10, 11, 21, 25, 27, 28, 42, 47, 48, 51, 52, 54, 55, 56, G3, G5, G7, G11, G15, G16, G17, G19, G21, G24, G25, G26	28
Very Low	8, 17, 23, 31, 49, 57, 61, 62, 63, G2, G4, G8, G18, G23	14
None	S1, S2, S3, S4, S5, S6, S7	7
Total		96

- None: trees with this rating do not warrant retention regardless of design impacts. Removal and replacement of such trees is advised.
- Low & Very Low: generally not considered worthy of being a constraint on design intent or expenditure of resources to protect. Young and Semi-mature trees often attain this rating, primarily based on their size, but are often well suited to retention because of their condition and long-term potential. Retention of Low-rated trees must not be dismissed.
- Moderate (A, B & C): such trees can be expected to continue growing for the foreseeable future if their growing environment is not altered to any great extent. Their retention warrants priority and pursuing design alternatives to minimise impacts, however selected removal of such trees may be justifiable based on site/design constraints, other trees being retained, and proposed landscape works (e.g. new tree planting). Where choices demand, Moderate-A rated trees must be prioritized for protection over lesser rated trees (e.g. Moderate-B and Moderate-C).
- High: these trees must be retained and suitably protected as they afford substantial amenity benefits. Design and construction alternatives must be pursued and implemented to minimise adverse impacts to these trees. Removal of such trees must be avoided during planning.

4 Photos

 G1	 Tree 1	 Trees 2 & 3
 Tree 7	 Tree 11	 Tree 14
 Coast Tea-Tree (G7-G15)	 Coast Tea-Tree (G7-G15)	 Coast Tea-Tree (G7-G15)

 G7-G15 from south	 Trees 20-30	 Trees 30-48
 Tree 15	 Tree 17	 Tree 29
 Tree 33 (Trees 34 & 35 to right)	 Tree 38	 G17 (Tree 46 to left)
 G20	 G21	 G22

 Tree 49 (failed)	 G6 (to right) & G26 (to left)	 Trees 59-61

5 Tree Permit Requirements

Permit requirements for each tree can be found in Appendix 1. The subject site falls within the Mornington Peninsula Shire Council, with the following planning controls:

- Local Law:
  - No local law, permit only required where specific overlays apply.
- General Residential Zone – Schedule 1 (GRZ1):
  - No tree controls apply.
- Heritage Overlay (HO65):
  - Tree controls apply for Woodclyffe Cottage (594 Esplanade, which forms the southern section of 602 Esplanade).
  - It is unclear from the HO which trees the control applies to, however, area appears to include Trees 38-49, G17 & G18.
- Design and development Overlay - Schedule 1 (DDO1):
  - No tree controls apply.
- Clause 52.17:
  - Offset type/amount to be calculated (e.g. via NVIM tool).
  - See Appendix 1 for trees needing 52.17 permit.

- Most assessed trees appear to have been planted (making them exempt), while G5-G18 are likely to be naturally derived. Refer to the Biodiversity Assessment prepared by Ecology and Heritage Partners for further details.

- Clause 52.37 – Canopy trees:
  - Permit required to remove canopy trees (e.g. >5m height and >4m width and trunk circumference >50cm @ 1.4m above ground).
  - Boundary canopy trees (trunk within 6m of narrowest street frontage, or within 4.5m of rear boundary) – exempt from permit if Clause 54, 55, 57 or 58 applies and the tree is not removed until the permit is issued.
  - New canopy tree (at least 6m x 4m when mature).
  - Aims to maximise the retention of existing canopy tree cover where no development is proposed (e.g. to mitigate heat island effects).
  - Canopy coverage requirements apply (e.g. combination of existing and new canopy trees).
  - Permit exemptions apply (e.g. boundary canopy trees, dead trees, emergency works, fire protection, pruning, environmental weeds).
- 10/50 Rule:
  - Does not apply to site as no building built before 2009 exists.

6 Proposed Works & Tree Impacts

Proposed development works:

- Expansion of the existing retirement village complex, including 32 new dwellings, a communal building, new pedestrian paths, new vehicle road/carparks, and new landscaping.
- Removal of all trees, except:
    - Trees 1-3, 5, 7, 12 & G18 (within the subject site).
    - Tree 56 (within existing retirement village area).
    - Trees 57-63 plus G19-22 & G25 (neighbours' trees).
- Trees 14, 48, 50-55 & G24 are proposed for retention, but are not within the subject site. Of these:
    - Trees 14, 50-55 & G24 are on adjoining retirement village areas, indicating consent from owners to remove these trees has been obtained.
    - Tree 48 is on a neighbour's site, but the bulk of the tree is leaning over the subject site, it is therefore assumed consent to remove this tree with the neighbour has been pursued.
- Proposed landscaping includes several palettes of native/indigenous species.

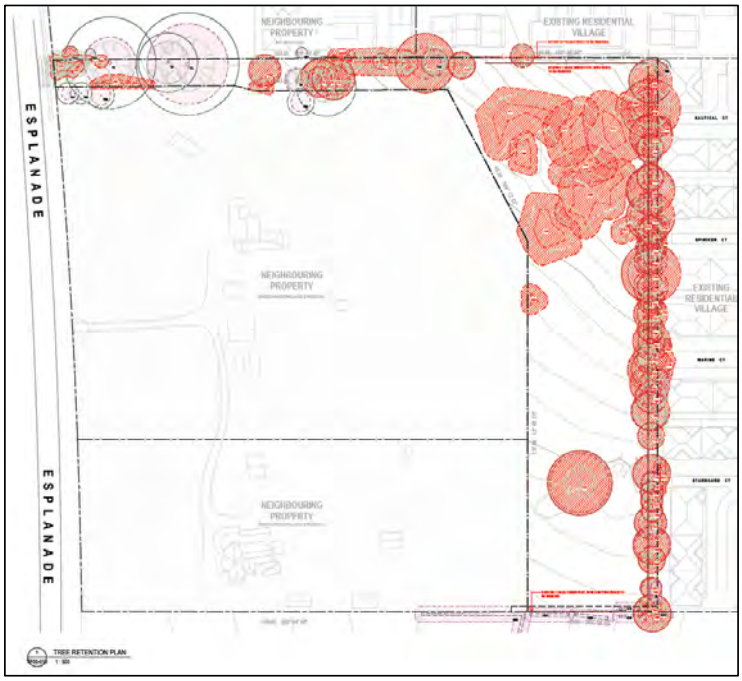


Figure 1 – Extract of tree retention plan.

Tree Protection Zone Encroachment Summary:

See Appendix 1.2 for details of design impacts to all assessed trees.

- Northwest section of site (e.g. Trees 1-12 & 57-63 plus G1-G6):
    - Removal of Tree 1 (second largest tree assessed) has been avoided via path adjustment (e.g. locating path on southern side of area as per Trees 2 & 3). Tree 1 does have inferior attributes, but with general pruning (e.g. deadwood removal, targeted weight reduction, and an aerial inspection), retention for 10-20+ years is considered appropriate.
    - Retention of Trees 1-3 & 7 will preserve landscape character in this vicinity.
    - Removal of G1-G4 & G6 is reasonable based on their species and/or condition. Retention of several of these would be achievable with path adjustment. Retention of G5 does not require path adjustment, but removal is proposed.
    - Above-grade path where NRZs of retained trees extend will be important to avoid significant root impacts. Tree 3 has surfacing roots where the path is proposed, highlighting the need for 'low-impact' surfacing here (e.g. installed above-grade).
- Main site area (e.g. Trees 13-56 & G7-G25):
    - The extent of development in the main section of the site necessitates removal of Trees 15-49 plus G7-G18 & G23.
    - Removal of Trees 51, 53 & 54 does not appear necessary based on NRZ encroachments.
    - If low-impact surfacing (e.g. permeable and installed above-grade), retention of trees with NRZ encroachment <20% from other design elements (e.g. building) may be achievable (e.g. Trees 52 & 55).
    - Retention of G18 appears unachievable and is of minimal landscape value – its removal is advised which warrants design update.
    - Neighbours' trees (G19-22 & G25) are all expected to tolerate proposed works based on their size/maturity and boundary setback (see Appendix 1). Boundary fencing is expected to provide sufficient protection during works.
- Landscaping:
    - Landscape plans have been provided, all species are native/indigenous and appear suited to the site. It is noted that *Acacia mearnsii* (Black Wattle) is relatively short-lived (e.g. likely to require removal within 10-15 years).
    - Tree layout must consider canopy overhang to buildings, and setback from structures to avoid future damage (e.g. 2m+ setback for trees <8m mature height, and 3m+ setback for trees of 8m+ mature height).

- Protection requirements:
    - Detailed protection measures are best formulated once plans are endorsed and civil/engineering plans are resolved. This can be done by the project arborist in a Tree Protection Specifications (TPS) report, which can identify appropriate Tree Protection Zones (TPZ) for each retained tree.
    - Design refinements are expected prior to planning approval, which allows capacity to refine locations and construction methods to reduce impacts to retained trees, and possibly reduce the extent of tree removals. Design refinements to be considered include:
        - Consider retention of Tree 1, 51, 53 & 54.
        - Removal of G18.
        - Retaining existing levels where NRZs of retained trees extend (e.g. remove 50mm turf/organic layer only).
        - Utilise low-impact surfacing within the NRZ of retained trees (e.g. above-grade permeable paving).
        - Setback of canopy trees from buildings (e.g. 2-3m+ based on mature tree size).
        - No underground services in SRZs of retained trees, and use boring @800mm+ depth where NRZs cannot be avoided.
    - Protection measures will require a combination of exclusion fencing, ground protection, plus timely supervision and periodic monitoring by the project arborist.

7 Summary

- 63 individual trees, 26 groups of trees, plus several shrubs were assessed within/near the site. Most are native and appear planted approximately 30-40 years ago, with notable exceptions including Trees 1-3. G7-G15 combine to create a large patch of habitat for small birds, but most have partially failed stems, and the species is arguably not indigenous to the vicinity.
- The design proposes removal of most trees, but retention of higher-quality trees in the northwest section (e.g. Trees 2, 3 & 7) has been accommodated.
- Design refinement (e.g. path to allow retention of Tree 1) and use of low-impact surfacing (e.g. in NRZs of retained trees), plus considered drainage layout will be important to avoid excessive tree impacts.
- Tree protection measures required will be largely limited to the northwest section of the site, but will require diligent implementation to ensure retained trees remain viable post-development.

Appendix 1.1: Tree Assessment Data

Refer to the following page(s).

- DSH = Diameter at breast height, 1.4m above ground level, unless otherwise indicated.
- Basal dimensions is trunk diameter at base immediately above root buttress.
- Arb. Rating = arboricultural rating.
- ULE = Useful Life Expectancy
- NRZ = Notional Protection Zone in radial metres, measured from centre of trunk at ground level.
- SRZ = Structural Root Zone in radial metres, measured from centre of trunk at ground level.
- Definition of the descriptor categories used in the assessment can be seen in Appendix 3.

Tree ID	Species	Common Name	Age Class	Origin Type	DBH (cm)	Basal (cm)	Height (m)	Width (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	NRZ (rad. m)	SRZ (rad. m)
1	*Eucalyptus microcorys*	Tallowood	Maturing	Australian native	80	84	14	17	Fair	Fair to Poor	Mod.B	11 to 20	Acute forks, congested primary union, deadwood >50mm, past branch failure, trunk wounds.	9.6	3.1
2	*Corymbia maculata*	Spotted Gum	Maturing	Victorian native	65	88	12	11	Fair to Poor	Fair to Poor	Mod.B	21 to 40	Deadwood >50mm. Upper canopy dieback.	7.8	3.1
3	*Eucalyptus botryoides*	Southern Mahogany	Maturing	Victorian native	152	158	15	19	Fair	Fair to Poor	Mod.A	21 to 40	Deadwood >50mm, over-extended limbs. Branches on north side lopped, low branch to south, surfacing root 5m to south.	15	4
4	*Leptospermum laevigatum*	Coast Tea-tree	Maturing	Indigenous	29,24,23	58	5	6	Fair	Poor	Low	11 to 20	Co-dominant stems. Bias to southwest.	5.3	2.6
5	*Leptospermum laevigatum*	Coast Tea-tree	Maturing	Indigenous	24,21,16 ,14	44	5	4	Fair	Fair to Poor	Mod.C	21 to 40	2x other suppressed trees to west.	4.6	2.3
6	*Eucalyptus botryoides*	Southern Mahogany	Early-mature	Victorian native	37	44	12	7	Good	Fair to Poor	Mod.C	11 to 20	Deadwood >50mm, trunk wounds. Congested union at 7m, dieback above.	4.4	2.3
7	*Eucalyptus globulus*	Southern Blue Gum	Maturing	Australian native	49	72	18	11	Fair	Good	Mod.A	>40	Apical dominance.	5.9	2.9
8	*Eucalyptus sp.*	Gum Tree	Over-mature	Australian native	44	50	11	8	Dead	Fair to Poor	Very Low	<1	No hollows.	5.3	2.5
9	*Leptospermum laevigatum*	Coast Tea-tree	Over-mature	Indigenous	36,25	51	4	5	Fair to Poor	Fair to Poor	Low	6 to 10	Co-dominant stems.	5.3	2.5
10	*Corymbia ficifolia*	Red-flowering Gum	Semi-mature	Australian native	14	17	5	3	Fair to Poor	Fair	Low	11 to 20	Suppressed.	2	1.6
11	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	Over-mature	Australian native	48	56	11	11	Fair to Poor	Fair to Poor	Low	6 to 10	Deadwood >50mm, declining, hangers.	5.8	2.6
12	*Melaleuca nesophila*	Showy Honey-myrtle	Maturing	Australian native	33	37	4	5	Good	Fair	Mod.C	11 to 20	Bias to west.	4	2.2
13	*Eucalyptus sideroxylon*	Red Ironbark	Early-mature	Australian native	42	51	8	5	Fair to Poor	Fair	Mod.C	11 to 20	Lacking vigour, trunk swellings.	5	2.5
14	*Eucalyptus leucoxylon 'Rosea'*	Pink-flowered Yellow Gum	Early-mature	Australian native	35,11	46	6	4	Fair	Fair to Poor	Mod.C	21 to 40		4.4	2.4
15	*Eucalyptus viminalis*	Manna Gum	Early-mature	Indigenous (Planted)	66	78	12	8	Fair	Fair	Mod.B	21 to 40	Over-extended limbs. Pruned to boundary on east side, crowded unions.	7.9	3
16	*Eucalyptus viminalis*	Manna Gum	Maturing	Indigenous (Planted)	62	73	14	11	Fair	Fair	Mod.B	21 to 40	Minor pruning on east side.	7.4	2.9
17	*Eucalyptus viminalis*	Manna Gum	Over-mature	Indigenous (Planted)	64	74	12	8	Poor	Fair to Poor	Very Low	1 to 5	Deadwood >50mm, declining, trunk wounds. Significant dieback.	7.7	2.9
18	*Eucalyptus sideroxylon*	Red Ironbark	Maturing	Australian native	46	52	10	5	Fair to Poor	Fair to Poor	Mod.C	11 to 20	Lacking vigour, pruned on east side.	5.5	2.5

Tree ID	Species	Common Name	Age Class	Origin Type	DBH (cm)	Basal (cm)	Height (m)	Width (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	NRZ (rad. m)	SRZ (rad. m)
19	*Eucalyptus sideroxylon*	Red Ironbark	Maturing	Australian native	41	49	12	5	Fair	Good	Mod.B	21 to 40	Pruned on east side.	4.9	2.5
20	*Eucalyptus viminalis*	Manna Gum	Maturing	Indigenous (Planted)	66,25	81	12	9	Fair	Fair	Mod.B	21 to 40	Pruned on east side.	8.5	3
21	*Eucalyptus viminalis*	Manna Gum	Early-mature	Indigenous (Planted)	38	46	7	4	Poor	Fair to Poor	Low	6 to 10	Suppressed. Pruned on east side.	4.6	2.4
22	*Eucalyptus viminalis*	Manna Gum	Maturing	Indigenous (Planted)	63	77	11	9	Fair	Fair to Poor	Mod.C	11 to 20	Co-dominant stems. Pruned on east side.	7.6	3
23	*Eucalyptus viminalis*	Manna Gum	Early-mature	Indigenous (Planted)	48	54	7	5	Poor	Fair to Poor	Very Low	1 to 5	Deadwood >50mm, declining. Stormwater pit in SRZ to east.	5.8	2.6
24	*Eucalyptus sideroxylon*	Red Ironbark	Early-mature	Australian native	48	51	8	5	Fair	Fair to Poor	Mod.C	21 to 40		5.8	2.5
25	*Eucalyptus viminalis*	Manna Gum	Early-mature	Indigenous (Planted)	51	56	8	5	Poor	Poor	Low	1 to 5	Co-dominant stems, deadwood >50mm, declining.	6.1	2.6
26	*Eucalyptus viminalis*	Manna Gum	Maturing	Victorian native	48,39,36	80	13	11	Fair	Poor	Mod.C	21 to 40	Co-dominant stems, congested primary union. Pruned on east side.	8.6	3
27	*Eucalyptus saligna*	Sydney Blue Gum	Early-mature	Australian native	53	58	10	5	Fair to Poor	Fair to Poor	Low	1 to 5	Bracket fungi, deadwood >50mm, declining.	6.4	2.6
28	*Eucalyptus viminalis*	Manna Gum	Early-mature	Indigenous (Planted)	42	49	11	4	Poor	Fair to Poor	Low	6 to 10	Declining, trunk wounds.	5	2.5
29	*Eucalyptus sideroxylon*	Red Ironbark	Early-mature	Australian native	40,34	71	9	5	Fair	Fair to Poor	Mod.C	21 to 40	Co-dominant stems. Ratchet straps on stems.	6.3	2.9
30	*Eucalyptus sp.*	Gum Tree	Early-mature	Australian native	34,21	44	8	5	Fair to Poor	Fair to Poor	Mod.C	11 to 20	Co-dominant stems. E.globulus?.	4.8	2.3
31	*Eucalyptus sp.*	Gum Tree	Over-mature	Australian native	58	65	7	5	Dead	Poor	Very Low	<1	Past branch failure.	7	2.8
32	*Eucalyptus globulus*	Southern Blue Gum	Early-mature	Indigenous (Planted)	52	65	9	5	Fair to Poor	Fair to Poor	Mod.C	11 to 20	Bracket fungi, co-dominant stems. Stormater pit in SRZ to east.	6.2	2.8
33	*Eucalyptus viminalis*	Manna Gum	Maturing	Indigenous (Planted)	70	77	13	7	Fair	Fair to Poor	Mod.B	21 to 40	Co-dominant stems, included bark. Pruned on east side.	8.4	3
34	*Eucalyptus globulus*	Southern Blue Gum	Early-mature	Indigenous (Planted)	57,24	68	10	4	Fair to Poor	Fair to Poor	Mod.C	11 to 20	Bracket fungi, co-dominant stems, congested primary union.	7.4	2.8
35	*Eucalyptus viminalis*	Manna Gum	Early-mature	Indigenous (Planted)	33,20	55	10	6	Fair	Poor	Mod.C	11 to 20	Co-dominant stems, epicormic shoots.	4.6	2.6
36	*Eucalyptus viminalis*	Manna Gum	Early-mature	Indigenous (Planted)	60	68	10	7	Good	Fair to Poor	Mod.B	21 to 40	Co-dominant stems. Pruned on east side.	7.2	2.8
37	*Eucalyptus sideroxylon*	Red Ironbark	Early-mature	Indigenous (Planted)	29	41	7	5	Fair	Fair	Mod.C	21 to 40	Co-dominant stems. Pruned on east side.	3.5	2.3
38	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	Maturing	Australian native	38,34	62	9	7	Fair	Fair to Poor	Mod.C	11 to 20	Co-dominant stems. Pruned on east side.	6.1	2.7

Tree ID	Species	Common Name	Age Class	Origin Type	DBH (cm)	Basal (cm)	Height (m)	Width (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	NRZ (rad. m)	SRZ (rad. m)
39	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	Early-mature	Australian native	28,20	45	6	4	Fair	Fair to Poor	Mod.C	21 to 40	Suppressed.	4.1	2.4
40	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	Early-mature	Australian native	36	46	7	4	Fair to Poor	Fair to Poor	Mod.C	11 to 20	Co-dominant stems, declining.	4.3	2.4
41	*Eucalyptus sideroxylon*	Red Ironbark	Early-mature	Australian native	34	43	6	4	Fair	Fair	Mod.C	21 to 40	Suppressed.	4.1	2.3
42	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	Early-mature	Australian native	23,21	40	7	4	Fair to Poor	Poor	Low	6 to 10	Co-dominant stems, included bark forks. Pruned on east side.	3.7	2.3
43	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	Maturing	Australian native	30,23	46	7	6	Good	Fair to Poor	Mod.C	21 to 40	Co-dominant stems. Pruned on east side.	4.5	2.4
44	*Eucalyptus sideroxylon*	Red Ironbark	Maturing	Australian native	53	61	6	7	Good	Fair to Poor	Mod.C	21 to 40	Co-dominant stems. Pruned on east side, possum grazing on upper canopy.	6.4	2.7
45	*Eucalyptus pauciflora*	Snow Gum	Early-mature	Victorian native	27	41	6	5	Good	Fair	Mod.C	21 to 40	Co-dominant stems.	3.2	2.3
46	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	Maturing	Australian native	30	36	5	4	Fair to Poor	Fair	Mod.C	11 to 20	Suppressed.	3.6	2.2
47	*Acacia melanoxylon*	Blackwood	Over-mature	Victorian native	33	36	9	4	Poor	Fair	Low	1 to 5	Declining.	4	2.2
48	*Eucalyptus botryoides*	Southern Mahogany	Early-mature	Victorian native	25,20	40	7	7	Fair to Poor	Poor	Low	11 to 20	Leaning trunk. Neighbour's tree leaning over subject site.	3.8	2.3
49	*Pinus radiata*	Monterey Pine	Over-mature	Exotic conifer	92	100	4	12	Fair	Very Poor	Very Low	<1	Root plate failure. Trunk on ground to west.	11	3.3
50	*Banksia marginata*	Silver Banksia	Semi-mature	Victorian native	15	20	8	4	Fair	Fair	Mod.B	>40	Neighbour's tree 3m from fence.	2	1.7
51	*Callistemon cv.*	Bottlebrush cultivar	Early-mature	Australian native	10	15	4	3	Good	Fair	Low	11 to 20	Neighbour's tree 2m from fence.	2	1.5
52	*Callistemon cv.*	Bottlebrush cultivar	Semi-mature	Australian native	10	10	3	2	Fair	Fair	Low	11 to 20	Neighbour's tree 0.5m from fence.	2	1.5
53	*Banksia integrifolia*	Coast Banksia	Semi-mature	Victorian native	10	15	4	2	Fair	Good	Mod.C	>40	Neighbour's tree 2.5m from fence.	2	1.5
54	*Callistemon cv.*	Bottlebrush cultivar	Semi-mature	Australian native	10	15	5	3	Fair to Poor	Fair	Low	11 to 20	Neighbour's tree 2m from fence.	2	1.5
55	*Acacia cultriformis*	Knife Wattle	Maturing	Australian native	10	15	4	3	Good	Fair	Low	6 to 10	Neighbour's tree 1m from fence.	2	1.5
56	*Callistemon cv.*	Bottlebrush cultivar	Early-mature	Australian native	10	15	3	3	Fair	Fair	Low	11 to 20	Neighbour's tree 1m from fence.	2	1.5
57	*Magnolia grandiflora*	Bull Bay	Early-mature	Exotic evergreen	5	10	4	2	Poor	Fair	Very Low	1 to 5	Neighbour's tree 0.5m from fence. Declining.	2	1.5
58	*Eucalyptus botryoides*	Southern Mahogany	Early-mature	Victorian native	30	35	13	5	Fair	Fair	Mod.B	21 to 40	Neighbour's tree 1.5m from fence.	3.6	2.1

Tree ID	Species	Common Name	Age Class	Origin Type	DBH (cm)	Basal (cm)	Height (m)	Width (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	NRZ (rad. m)	SRZ (rad. m)
59	*Acacia mearnsii*	Late Black Wattle	Maturing	Victorian native	30	35	9	5	Fair	Fair	Mod.C	6 to 10	Neighbour's tree 2.5m from fence.	3.6	2.1
60	*Ulmus procera*	English Elm	Semi-mature	Exotic deciduous	20	25	8	4	Fair	Fair	Mod.C	21 to 40	Neighbour's tree 1.5m from fence. Woody weed species.	2.4	1.8
61	*Pittosporum undulatum*	Sweet Pittosporum	Maturing	Victorian native	20	25	6	4	Fair to Poor	Fair	Very Low	<1	Neighbour's tree 2m from fence.	2.4	1.8
62	*Ulmus procera*	English Elm	Semi-mature	Exotic deciduous	10	15	6	3	Fair	Fair to Poor	Very Low	21 to 40	Ndighbour's tree 1m from fence.	2	1.5
63	*Photinia Xfraserii 'Robusta'*	Christmas Berry	Semi-mature	Exotic evergreen	5	10	3	2	Fair	Fair to Poor	Very Low	21 to 40	Neighbour's tree 0.5m from fence.	2	1.5
G1	*Ulmus procera*	English Elm	Semi-mature	Exotic deciduous	20	25	9	3	Fair	Fair	Mod.C	21 to 40	Some pruning for line clearance.	2.4	1.8
G2	*Pittosporum undulatum*	Sweet Pittosporum	Over-mature	Victorian native	15	20	8	4	Poor	Fair	Very Low	<1	Woody weed sp.	2	1.7
G3	*Ulmus procera*	English Elm	Semi-mature	Exotic deciduous	15	15	7	3	Fair to Poor	Fair	Low	11 to 20	Suppressed.	2	1.5
G4	*Pittosporum undulatum; Ulmus procera*	Sweet Pittosporum, English Elm	Semi-mature	Victorian native,	8	10	6	2	Fair	Fair	Very Low	21 to 40		2	1.5
G5	*Leptospermum laevigatum*	Coast Tea-tree	Early-mature	Indigenous	15	20	5	3	Fair	Good	Low	21 to 40		2	1.7
G6	*Cupressus macrocarpa*	Monterey Cypress	Early-mature	Exotic conifer	40	50	9	5	Fair	Fair to Poor	Mod.B	21 to 40	Some canker, pruned to boundary on north side.	4.8	2.5
G7	*Leptospermum laevigatum*	Coast Tea-tree	Over-mature	Indigenous	50	60	5	8	Fair	Poor	Low	11 to 20	Sprawling old trees with partial failures, weed creepers present.	6	2.7
G8	*Leptospermum laevigatum; Pyracantha sp.*	Coast Tea-tree, Firethorn	Maturing	Indigenous	20	30	3	4	Fair	Fair to Poor	Very Low	21 to 40	Mix of weeds and smaller Tea-tree.	2.4	2
G9	*Leptospermum laevigatum*	Coast Tea-tree	Over-mature	Indigenous	50	60	4	7	Fair	Poor	Mod.C	11 to 20	Sprawling trees with stems on ground.	6	2.7
G10	*Acacia longifolia var. sophorae; Leptospermum laevigatum*	Coast Wattle, Coast Tea-tree	Over-mature	Indigenous	45	55	5	5	Fair	Fair to Poor	Mod.C	11 to 20	Stems on ground, creeper present.	5.4	2.6
G11	*Leptospermum laevigatum*	Coast Tea-tree	Over-mature	Indigenous	30	45	4	4	Fair to Poor	Poor	Low	6 to 10	Stem on ground, one tree mostly lopped.	3.6	2.4
G12	*Leptospermum laevigatum*	Coast Tea-tree	Over-mature	Indigenous	60	65	4	8	Fair	Poor	Mod.C	6 to 10	Stems on ground, partial failures.	7.2	2.8
G13	*Leptospermum laevigatum*	Coast Tea-tree	Over-mature	Indigenous	50	60	4	6	Fair	Poor	Mod.C	11 to 20		6	2.7

Tree ID	Species	Common Name	Age Class	Origin Type	DBH (cm)	Basal (cm)	Height (m)	Width (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	NRZ (rad. m)	SRZ (rad. m)
G14	*Leptospermum laevigatum*	Coast Tea-tree	Maturing	Indigenous	45	55	4	6	Fair	Poor	Mod.C	11 to 20	Weedy creepers present.	5.4	2.6
G15	*Leptospermum laevigatum; Melaleuca styphelioides*	Coast Tea-tree, Prickly Paperbark	Maturing	Indigenous	35	40	4	5	Fair	Fair to Poor	Low	11 to 20		4.2	2.3
G16	*Acacia longifolia var. sophorae; Leptospermum laevigatum*	Coast Wattle, Coast Tea-tree	Early-mature	Indigenous (Planted)	10	15	3	4	Fair	Fair	Low	21 to 40		2	1.5
G17	*Acacia melanoxylon*	Blackwood	Early-mature	Indigenous	10	15	8	2	Fair	Good	Low	11 to 20	Co-dominant stems.	2	1.5
G18	*Acacia melanoxylon; Coprosma repens*	Blackwood, Mirror Bush	Maturing	Indigenous, Exotic	20	25	3	4	Fair	Fair	Very Low	<1	Woody weed sp.	2.4	1.8
G19	*Eucalyptus macrandra; Olea europaea*	River Yate, Olive	Early-mature	Australian native,	15	20	5	2	Good	Fair	Low	21 to 40	Neighbour's trees, mostly obscured from view.	2	1.7
G20	*Acmena smithii*	Lilly Pilly	Early-mature	Australian native	15	20	5	2	Good	Fair	Mod.C	21 to 40	Neighbour's hedge 1-2m from fence.	2	1.7
G21	*Acacia floribunda; Banksia marginata; Leptospermum laevigatum*	Coast Wattle, Coast Banksia, Coast Tea-tree	Early-mature	Indigenous (Planted)	10	15	4	2	Fair	Fair	Low	21 to 40	Neighbour's trees 0.5-1.5m from fence.	2	1.5
G22	*Syzygium paniculatum; XCupressocyparis leylandii*	Bush Cherry, Leyland Cypress	Early-mature	Australian native,	20	25	3	2	Good	Poor	Mod.C	21 to 40	Neighbour's hedge.	2.4	1.8
G23	*Leptospermum laevigatum; Solanum aviculare*	Coast Tea-tree, Kangaroo Apple	Over-mature	Indigenous	30	40	2	7	Fair to Poor	Very Poor	Very Low	<1	Tea-tree failed, Kangaroo Apple declining.	3.6	2.3
G24	*Magnolia grandiflora*	Bull Bay	Early-mature	Exotic evergreen	5	10	3	2	Fair to Poor	Fair	Low	6 to 10	1m from fence.	2	1.5
G25	*Coprosma repens; Eucalyptus botryoides*	Mirror Bush, Southern Mahogany	Early-mature	Australian native	15	20	4	2	Fair to Poor	Fair to Poor	Low	11 to 20	Neighbour's trees 0.75m from fence.	2	1.7
G26	*Pyrus calleryana*	Callery's Pear	Early-mature	Exotic deciduous	5	10	6	2	Good	Fair	Low	11 to 20	Neighbour's trees 0.5m from fence.	2	1.5
S1	*Coprosma repens*	Mirror Bush		Exotic evergreen			2	2					Woody weed sp.		
S2	*Dipogon lignosus*	Cape Sweet Pea		Exotic creeper			2	3					Weed sp.		
S3	*Pyracantha sp.*	Firethorn		Exotic evergreen			3	3					Woody weed sp.		
S4	*Ulex europaeus*	Gorse		Exotic evergreen			2	2					Weed sp.		
S5	*Dipogon lignosus*	Cape Sweet Pea		Exotic creeper			2	5					Weed sp.		
S6	*Unknown*	Unknown		N/A			1	1					stump		

Tree ID	Species	Common Name	Age Class	Origin Type	DBH (cm)	Basal (cm)	Height (m)	Width (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	NRZ (rad. m)	SRZ (rad. m)
S7	*Unknown*	Unknown		N/A			2	1					stump		

Appendix 1.2: Tree Encroachment Data

Refer to the following page(s).

- NRZ = Notional Protection Zone in radial metres, measured from centre of trunk at ground level.
- SRZ = Structural Root Zone in radial metres, measured from centre of trunk at ground level.

Tree ID	Species	Common Name	DBH (cm)	Height (m)	Width (m)	NRZ (rad. m)	SRZ (rad. m)	Impact	Impact Type	Impact (%)	Design Status	Permit (Clause 52.17)	Permit (Clause 52.37)
1	*Eucalyptus microcorys*	Tallowood	80	14	17	9.6	3.1	path - 15.76% / (Non-Contiguous Areas: path - 7.12%)	NRZ Major (>20%)	22.87	Retain	No (not Vic. native)	Yes
2	*Corymbia maculata*	Spotted Gum	65	12	11	7.8	3.1	path - 15.29% / (Non-Contiguous Areas: path - 0.59%)	NRZ Moderate (10-20%)	15.88	Retain	No (planted)	Yes
3	*Eucalyptus botryoides*	Southern Mahogany	152	15	19	15	4	path - 11.93% / (Non-Contiguous Areas: path - 21.97%)	SRZ	33.9	Retain	No (planted)	Yes
4	*Leptospermum laevigatum*	Coast Tea-tree	29,24,23	5	6	5.3	2.6	path - 34.55% / (Non-Contiguous Areas: path - 65.44%)	Within	100	Remove	Yes	Yes
5	*Leptospermum laevigatum*	Coast Tea-tree	24,21,16 ,14	5	4	4.6	2.3	path - 6.62%	NRZ Minor (<10%)	6.62	Remove	Yes	Yes
6	*Eucalyptus botryoides*	Southern Mahogany	37	12	7	4.4	2.3	path - 12.9%	NRZ Moderate (10-20%)	12.9	Remove	No (planted)	Yes
7	*Eucalyptus globulus*	Southern Blue Gum	49	18	11	5.9	2.9	path - 1.31%	NRZ Minor (<10%)	1.31	Retain	No (planted)	Yes
8	*Eucalyptus sp.*	Gum Tree	44	11	8	5.3	2.5	path - 34.15% / (Non-Contiguous Areas: path - 3.72%)	SRZ	37.87	Remove	No (planted)	Yes
9	*Leptospermum laevigatum*	Coast Tea-tree	36,25	4	5	5.3	2.5	path - 30.49% / (Non-Contiguous Areas: path - 3.37%)	SRZ	33.86	Remove	Yes	Yes
10	*Corymbia ficifolia*	Red-flowering Gum	14	5	3	2	1.6	kitchen garden - 4.16%	NRZ Minor (<10%)	4.16	Remove	No (not Vic. native)	No (under size)
11	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	48	11	11	5.8	2.6	kitchen garden - 16.51%,path - 3.05%	SRZ	19.57	Remove	No (not Vic. native)	Yes
12	*Melaleuca nesophila*	Showy Honey-myrtle	33	4	5	4	2.2				Retain	No (not Vic. native)	No
13	*Eucalyptus sideroxylon*	Red Ironbark	42	8	5	5	2.5				Remove	No (planted)	Yes
14	*Eucalyptus leucoxylon 'Rosea'*	Pink-flowered Yellow Gum	35,11	6	4	4.4	2.4	carpark/road - 23.92%,path - 2.01%	SRZ	25.93	Remove	No (planted)	Yes
15	*Eucalyptus viminalis*	Manna Gum	66	12	8	7.9	3	building - 55.61%,paving - 9.3%	Within	64.91	Remove	No (planted)	Yes
16	*Eucalyptus viminalis*	Manna Gum	62	14	11	7.4	2.9	building - 24.82%,driveway - 5.99%,path - 2.64%,paved road - 25.7%,paving - 0.9% / (Non-Contiguous Areas: paved road - 6.92%)	SRZ	66.47	Remove	No (planted)	Yes

Tree ID	Species	Common Name	DBH (cm)	Height (m)	Width (m)	NRZ (rad. m)	SRZ (rad. m)	Impact	Impact Type	Impact (%)	Design Status	Permit (Clause 52.17)	Permit (Clause 52.37)
17	*Eucalyptus viminalis*	Manna Gum	64	12	8	7.7	2.9	building - 34.34%,driveway - 5.99%,path - 1.92%,paved road - 16.32%,paving - 2.18%	Within	60.65	Remove	No (planted)	Yes
18	*Eucalyptus sideroxylon*	Red Ironbark	46	10	5	5.5	2.5	building - 67.79%,paving - 6.83%	Within	74.33	Remove	No (planted)	Yes
19	*Eucalyptus sideroxylon*	Red Ironbark	41	12	5	4.9	2.5	building - 26.99%,paving - 32.11% / (Non-Contiguous Areas: paving - 1.6%)	SRZ	59.01	Remove	No (planted)	Yes
20	*Eucalyptus viminalis*	Manna Gum	66,25	12	9	8.5	3	building - 29.41%,paving - 17.4% / (Non-Contiguous Areas: paving - 0.23%)	SRZ	47.01	Remove	No (planted)	Yes
21	*Eucalyptus viminalis*	Manna Gum	38	7	4	4.6	2.4	building - 20.56%,paving -9.85%	SRZ	30.41	Remove	No (planted)	Yes
22	*Eucalyptus viminalis*	Manna Gum	63	11	9	7.6	3	building - 29.63%,paving - 9.39%	SRZ	41.38	Remove	No (planted)	Yes
23	*Eucalyptus viminalis*	Manna Gum	48	7	5	5.8	2.6	building - 10.16%,building - 7.37%,paving - 28.58%	SRZ	45.82	Remove	No (planted)	Yes
24	*Eucalyptus sideroxylon*	Red Ironbark	48	8	5	5.8	2.5	building - 40.57%,paving - 25.12%	Within	65.35	Remove	No (planted)	Yes
25	*Eucalyptus viminalis*	Manna Gum	51	8	5	6.1	2.6	building - 51.46%,paving - 17.28%	Within	68.64	Remove	No (planted)	Yes
26	*Eucalyptus viminalis*	Manna Gum	48,39,36	13	11	8.6	3	building - 46.23%,paving - 14.26%	SRZ	60.44	Remove	No (planted)	Yes
27	*Eucalyptus saligna*	Sydney Blue Gum	53	10	5	6.4	2.6	building - 37.91%,paving - 5.08%,paving - 19.06%	Within	61.97	Remove	No (not Vic. native)	Yes
28	*Eucalyptus viminalis*	Manna Gum	42	11	4	5	2.5	building - 34.91%,paving - 34.78%	Within	69.5	Remove	No (planted)	Yes
29	*Eucalyptus sideroxylon*	Red Ironbark	40,34	9	5	6.3	2.9	building - 52.44%,paving - 14.07%	Within	66.45	Remove	No (planted)	Yes
30	*Eucalyptus sp.*	Gum Tree	34,21	8	5	4.8	2.3	building - 54.71%,paving - 13.6%	Within	68.3	Remove	No (planted)	Yes
31	*Eucalyptus sp.*	Gum Tree	58	7	5	7	2.8	building - 31.07%,paving - 15.06%,road - 10.93%	Within	57.06	Remove	No (planted)	Yes
32	*Eucalyptus globulus*	Southern Blue Gum	52	9	5	6.2	2.8	building - 6.53%,paving - 17.06%,road - 38.52% / (Non-Contiguous Areas: paving - 6.83%)	Within	62.41	Remove	No (planted)	Yes
33	*Eucalyptus viminalis*	Manna Gum	70	13	7	8.4	3	building - 19.33%,paving - 13.16%,road - 25.2%	SRZ	57.68	Remove	No (planted)	Yes
34	*Eucalyptus globulus*	Southern Blue Gum	57,24	10	4	7.4	2.8	building - 43.89%,paving - 12.96%,road - 3.45%	SRZ	60.23	Remove	No (planted)	Yes
35	*Eucalyptus viminalis*	Manna Gum	33,20	10	6	4.6	2.6	building - 49.2%,paving - 8.87%	Within	57.97	Remove	No (planted)	Yes

Tree ID	Species	Common Name	DBH (cm)	Height (m)	Width (m)	NRZ (rad. m)	SRZ (rad. m)	Impact	Impact Type	Impact (%)	Design Status	Permit (Clause 52.17)	Permit (Clause 52.37)
36	*Eucalyptus viminalis*	Manna Gum	60	10	7	7.2	2.8	building - 42.04%,paving - 21.9%	Within	63.87	Remove	No (planted)	Yes
37	*Eucalyptus sideroxylon*	Red Ironbark	29	7	5	3.5	2.3	building - 48.65%,paving - 21.85%	SRZ	70.45	Remove	No (planted)	Yes
38	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	38,34	9	7	6.1	2.7	building - 20.1%,paved road - 19.59%,paving - 17.71%,road - 15.32%	Within	72.71	Remove	No (not Vic. native)	Yes
39	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	28,20	6	4	4.1	2.4	building - 1.1%,paved road - 34.97%,paving - 11.3%,road - 22.24%	Within	69.56	Remove	No (not Vic. native)	Yes
40	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	36	7	4	4.3	2.4	building - 22.29%,paved road - 11.01%,paving - 22.72%,road - 6.05%	Within	61.94	Remove	No (not Vic. native)	Yes
41	*Eucalyptus sideroxylon*	Red Ironbark	34	6	4	4.1	2.3	building - 42.02%,paving - 22.73%	Within	64.62	Remove	No (not Vic. native)	Yes
42	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	23,21	7	4	3.7	2.3	building - 48.76%,paving - 16.02%	Within	64.76	Remove	No (not Vic. native)	Yes
43	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	30,23	7	6	4.5	2.4	building - 57.11%,paving - 15.16%	Within	72.27	Remove	No (not Vic. native)	Yes
44	*Eucalyptus sideroxylon*	Red Ironbark	53	6	7	6.4	2.7	building - 32.95%,paving - 27.25%	Within	60.13	Remove	No (planted)	Yes
45	*Eucalyptus pauciflora*	Snow Gum	27	6	5	3.2	2.3	building - 43.09%,paving - 23.19%	Within	66.06	Remove	No (planted)	Yes
46	*Eucalyptus nicholii*	Narrow-leaved Black Peppermint	30	5	4	3.6	2.2	building - 62.26%,paving - 5.52%	Within	67.77	Remove	No (not Vic. native)	Yes
47	*Acacia melanoxylon*	Blackwood	33	9	4	4	2.2	building - 19.71%,paving - 22.8%	Within	42.37	Remove	Yes	Yes
48	*Eucalyptus botryoides*	Southern Mahogany	25,20	7	7	3.8	2.3	paving - 7.83%	SRZ	7.83	Remove	No (planted)	Yes
49	*Pinus radiata*	Monterey Pine	92	4	12	11	3.3	building - 38.36%,driveway - 12.9%,path - 1.08%,road - 36.2% / (Non-Contiguous Areas: road - 2.95%)	Within	91.36	Remove	No (exotic)	Yes
50	*Banksia marginata*	Silver Banksia	15	8	4	2	1.7				Remove	No (planted)	Yes
51	*Callistemon cv.*	Bottlebrush cultivar	10	4	3	2	1.5				Remove	No (planted)	No (under size)
52	*Callistemon cv.*	Bottlebrush cultivar	10	3	2	2	1.5	paving - 29.59%	SRZ	29.59	Remove	No (planted)	No (under size)
53	*Banksia integrifolia*	Coast Banksia	10	4	2	2	1.5				Remove	No (planted)	No (under size)
54	*Callistemon cv.*	Bottlebrush cultivar	10	5	3	2	1.5				Remove	No (planted)	No (under size)

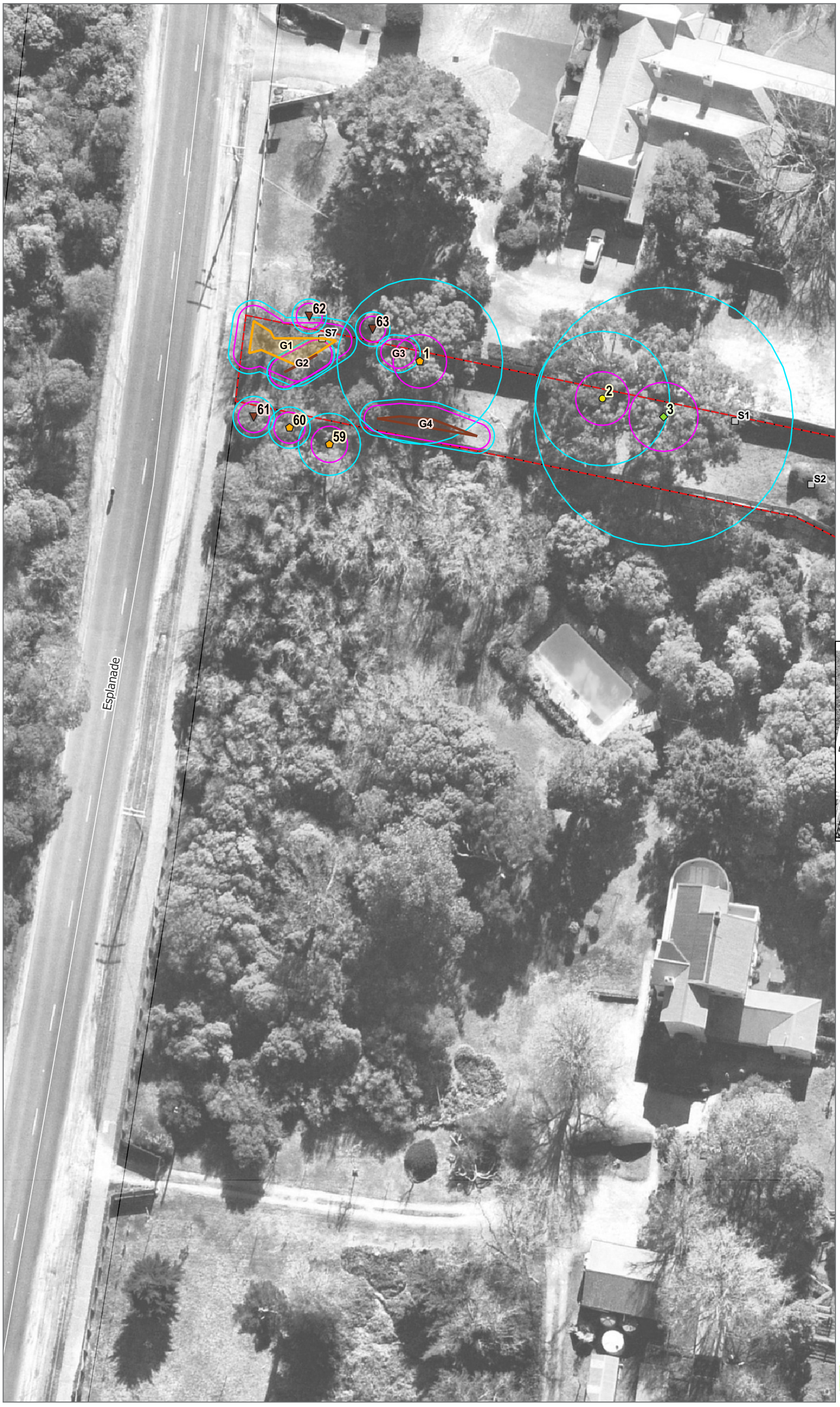
Tree ID	Species	Common Name	DBH (cm)	Height (m)	Width (m)	NRZ (rad. m)	SRZ (rad. m)	Impact	Impact Type	Impact (%)	Design Status	Permit (Clause 52.17)	Permit (Clause 52.37)
55	*Acacia cultriformis*	Knife Wattle	10	4	3	2	1.5	paved road - 15.64%	SRZ	15.64	Remove	No (not Vic. native)	No (under size)
56	*Callistemon cv.*	Bottlebrush cultivar	10	3	3	2	1.5	paving - 12.26%	SRZ	12.26	Retain	No (not Vic. native)	No (under size)
57	*Magnolia grandiflora*	Bull Bay	5	4	2	2	1.5				Retain	No (exotic)	No (under size)
58	*Eucalyptus botryoides*	Southern Mahogany	30	13	5	3.6	2.1				Retain	No (not Vic. native)	Yes
59	*Acacia mearnsii*	Late Black Wattle	30	9	5	3.6	2.1				Retain	No (not Vic. native)	Yes
60	*Ulmus procera*	English Elm	20	8	4	2.4	1.8				Retain	No (exotic)	Yes
61	*Pittosporum undulatum*	Sweet Pittosporum	20	6	4	2.4	1.8	path - 1.52%	NRZ - minor	1.52	Retain	Yes	Yes
62	*Ulmus procera*	English Elm	10	6	3	2	1.5				Retain	No (exotic)	Yes
63	*Photinia Xfraserii 'Robusta'*	Christmas Berry	5	3	2	2	1.5				Retain	No (exotic)	No (under size)
G1	*Ulmus procera*	English Elm	20	9	3	2.4	1.8	path - 10.7%	SRZ	10.7	Remove	No (exotic)	Yes
G2	*Pittosporum undulatum*	Sweet Pittosporum	15	8	4	2	1.7	path - 28.21%	Within	28.21	Remove	Yes	Yes
G3	*Ulmus procera*	English Elm	15	7	3	2	1.5				Remove	No (exotic)	Yes
G4	*Pittosporum undulatum; Ulmus procera*	Sweet Pittosporum, English Elm	8	6	2	2	1.5	path - 53.68%	Within	53.68	Remove	Yes (Pu), No (Up)	Yes
G5	*Leptospermum laevigatum*	Coast Tea-tree	15	5	3	2	1.7				Remove	Yes	No (under size)
G6	*Cupressus macrocarpa*	Monterey Cypress	40	9	5	4.8	2.5	kitchen garden - 23.13%	SRZ	23.13	Remove	No (exotic)	Yes
G7	*Leptospermum laevigatum*	Coast Tea-tree	50	5	8	6	2.7	building - 19.65%,carpark - 4.14%,carpark/road - 21.23%,path - 24.6%,paved road - 16.61%,paving - 2.28% / (Non-Contiguous Areas: paved road - 4.04%,paving - 1.54%)	Within	92.6	Remove	Yes	Yes
G8	*Leptospermum laevigatum; Pyracantha sp.*	Coast Tea-tree, Firethorn	20	3	4	2.4	2	building - 35.18%,carpark - 8.75%,path - 3.6%,paved road - 29.88%,paving - 2.5%	Within	79.88	Remove	Yes	Yes
G9	*Leptospermum laevigatum*	Coast Tea-tree	50	4	7	6	2.7	building - 59.34%,driveway -6.98%,path - 0.95%,paved road - 5.11%,paving - 6.58%	Within	78.83	Remove	Yes	Yes

Tree ID	Species	Common Name	DBH (cm)	Height (m)	Width (m)	NRZ (rad. m)	SRZ (rad. m)	Impact	Impact Type	Impact (%)	Design Status	Permit (Clause 52.17)	Permit (Clause 52.37)
G10	*Acacia longifolia var. sophorae; Leptospermum laevigatum*	Coast Wattle, Coast Tea-tree	45	5	5	5.4	2.6	building - 39.51%,driveway - 3.78%,path - 0.75%,paved road - 20.11%,paving - 5.17% / (Non-Contiguous Areas: paved road - 7.46%)	Within	73.41	Remove	Yes	Yes
G11	*Leptospermum laevigatum*	Coast Tea-tree	30	4	4	3.6	2.4	building - 70.74%,paving - 23.26% / (Non-Contiguous Areas: paving - 21.78%)	Within	99.97	Remove	Yes	Yes
G12	*Leptospermum laevigatum*	Coast Tea-tree	60	4	8	7.2	2.8	building - 51.92%,driveway - 21.7%,path - 2.05%,paved road - 14.43%,paving - 0.23%	Within	90.31	Remove	Yes	Yes
G13	*Leptospermum laevigatum*	Coast Tea-tree	50	4	6	6	2.7	building - 24.3%,carpark/road - 0.07%,driveway - 14.48%,path - 3.56%,paved road - 24.31%,paving - 1.41% / (Non-Contiguous Areas: driveway - 0.04%)	Within	68.16	Remove	Yes	Yes
G14	*Leptospermum laevigatum*	Coast Tea-tree	45	4	6	5.4	2.6	building - 49.17%,driveway - 2.71%,paved road - 14.88%,paving - 16.32%	Within	82.91	Remove	Yes	Yes
G15	*Leptospermum laevigatum; Melaleuca styphelioides*	Coast Tea-tree, Prickly Paperbark	35	4	5	4.2	2.3	building - 42.25%,driveway - 28.58%,path - 2.59%,paved road - 18.54%	Within	91.96	Remove	Yes (Ll), No (Ms)	Yes
G16	*Acacia longifolia var. sophorae; Leptospermum laevigatum*	Coast Wattle, Coast Tea-tree	10	3	4	2	1.5	building - 42.83%,paved road - 3.41%,paving - 20.05%	Within	69.44	Remove	No (planted)	No (under size)
G17	*Acacia melanoxylon*	Blackwood	10	8	2	2	1.5	building - 14.68%,paving - 13.3%	SRZ	27.97	Remove	Yes	Yes
G18	*Acacia melanoxylon; Coprosma repens*	Blackwood, Mirror Bush	20	3	4	2.4	1.8	building - 28.4%,paving - 22.73%	Within	51.02	Retain	Yes (Am), No (Cr)	Yes
G19	*Eucalyptus macrandra; Olea europaea*	River Yate, Olive	15	5	2	2	1.7	paving - 8.02%	SRZ	8.02	Retain	No (not Vic. native/exoti	No (under size)
G20	*Acmena smithii*	Lilly Pilly	15	5	2	2	1.7				Retain	No (planted)	No (under size)
G21	*Acacia floribunda; Banksia marginata; Leptospermum laevigatum*	Coast Wattle, Coast Banksia, Coast Tea-tree	10	4	2	2	1.5	paving - 0.04%	NRZ - minor	0.04	Retain	No (planted)	No (under size)
G22	*Syzygium paniculatum; XCupressocyparis leylandii*	Bush Cherry, Leyland Cypress	20	3	2	2.4	1.8				Retain	No (planted)	No
G23	*Leptospermum laevigatum; Solanum aviculare*	Coast Tea-tree, Kangaroo Apple	30	2	7	3.6	2.3	building - 44.24%,paving - 8.38%	Within	52.62	Remove	Yes	Yes
G24	*Magnolia grandiflora*	Bull Bay	5	3	2	2	1.5	paved road - 37.78%,paving - 8.57%	Within	46.36	Retain	No (exotic)	No (under size)
G25	*Coprosma repens; Eucalyptus botryoides*	Mirror Bush, Southern Mahogany	15	4	2	2	1.7				Remove	No (exotic/not Vic. native)	No (under size)
G26	*Pyrus calleryana*	Callery's Pear	5	6	2	2	1.5				Remove	No (exotic)	Yes

Tree ID	Species	Common Name	DBH (cm)	Height (m)	Width (m)	NRZ (rad. m)	SRZ (rad. m)	Impact	Impact Type	Impact (%)	Design Status	Permit (Clause 52.17)	Permit (Clause 52.37)
S1	*Coprosma repens*	Mirror Bush		2	2						Remove	No (exotic)	No (under size)
S2	*Dipogon lignosus*	Cape Sweet Pea		2	3						Remove	No (exotic)	No (under size)
S3	*Pyracantha sp.*	Firethorn		3	3						Remove	No (exotic)	No (under size)
S4	*Ulex europaeus*	Gorse		2	2						Remove	No (exotic)	No (under size)
S5	*Dipogon lignosus*	Cape Sweet Pea		2	5						Remove	No (exotic)	No (under size)
S6	*Unknown*	Unknown		1	1						Remove	No (dead & <40cm)	No (under size)
S7	*Unknown*	Unknown		2	1						Remove	No (dead & <40cm)	No (under size)

Appendix 2.1: Tree Location Plans (Existing Conditions)

Refer to the following page(s).

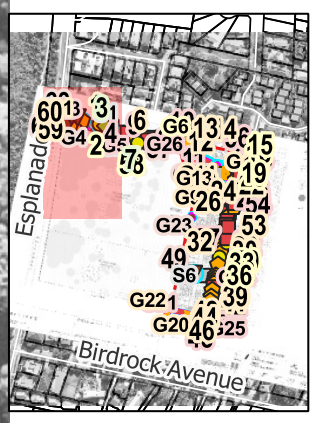


LEGEND

Arb. rating (trees)
- High
- Mod-A
- Mod-B
- Mod-C
- Low
- Very Low

Arb. rating (groups)
- High
- Mod-A
- Mod-B
- Mod-C
- Low
- Very Low

- S1-S7 (shrubs/ weeds/stumps)
- Site Boundary
- Tree Protection Zone
- Structural Root Zone



APPENDIX 2.1
TREE LOCATIONS & PROTECTION AREAS

PROJECT
Martha's Point (602 Esplanade, Mt Martha)

TL REF. 014070
MAP NO. 1 / 4
CLIENT Keyton
DATE 2025-11-26

DATA SOURCES
'Existing Site Plan' (Via Architects, 14/11/2025)

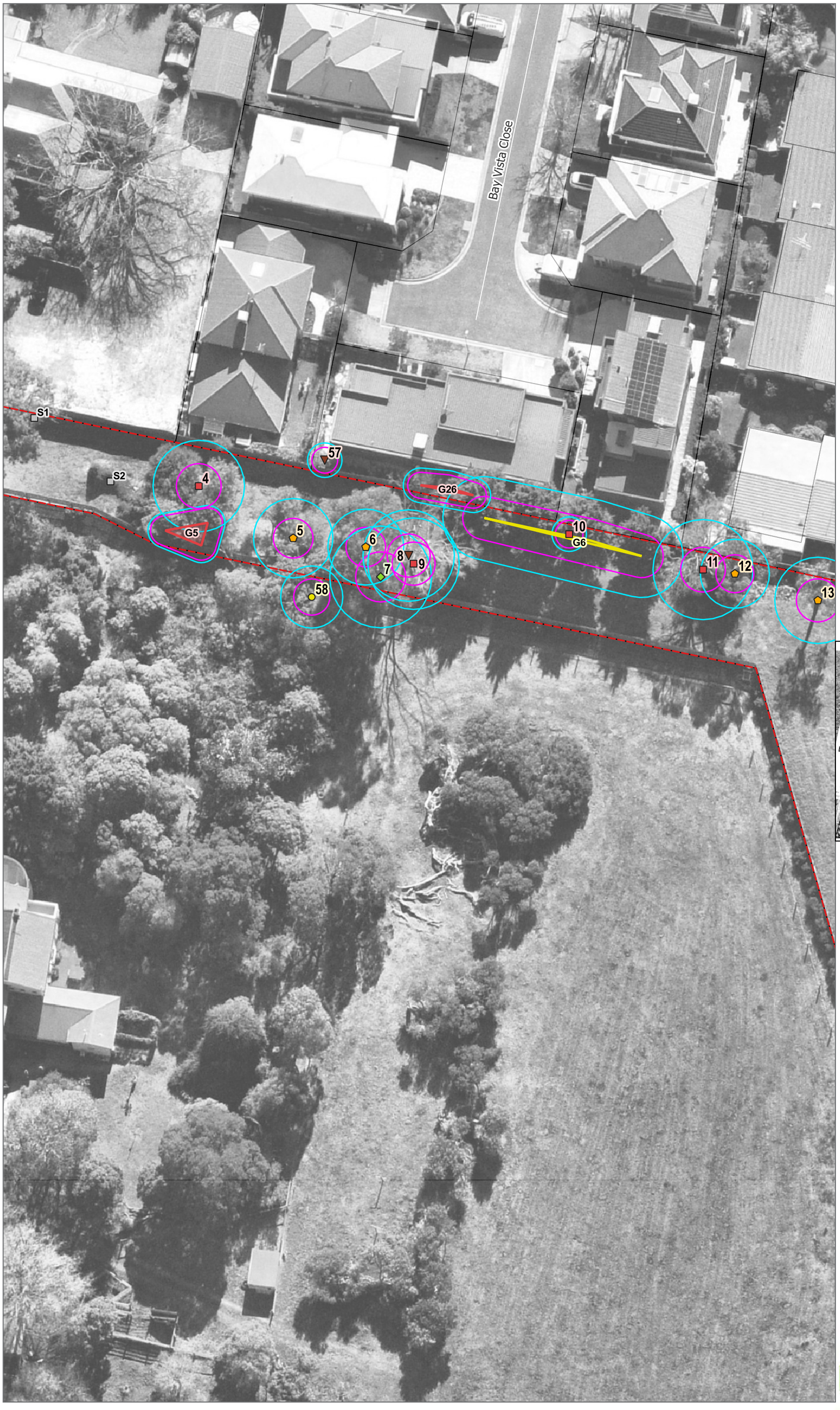
TREE LOCATION DISCLAIMER
Tree locations are approximate

COORDINATE REFERENCE SYSTEM
EPSG:7855 | GDA 94 MGA Zone 55

0 5 10m

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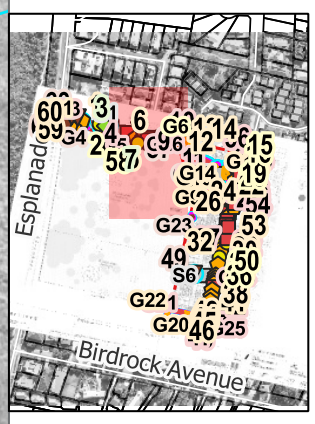


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APPENDIX 2.1
TREE LOCATIONS & PROTECTION AREAS

PROJECT
Martha's Point (602 Esplanade, Mt Martha)

TL REF. 014070
MAP NO. 2 / 4
CLIENT Keyton
DATE 2025-11-26

DATA SOURCES
'Existing Site Plan' (Via Architects, 14/11/2025)

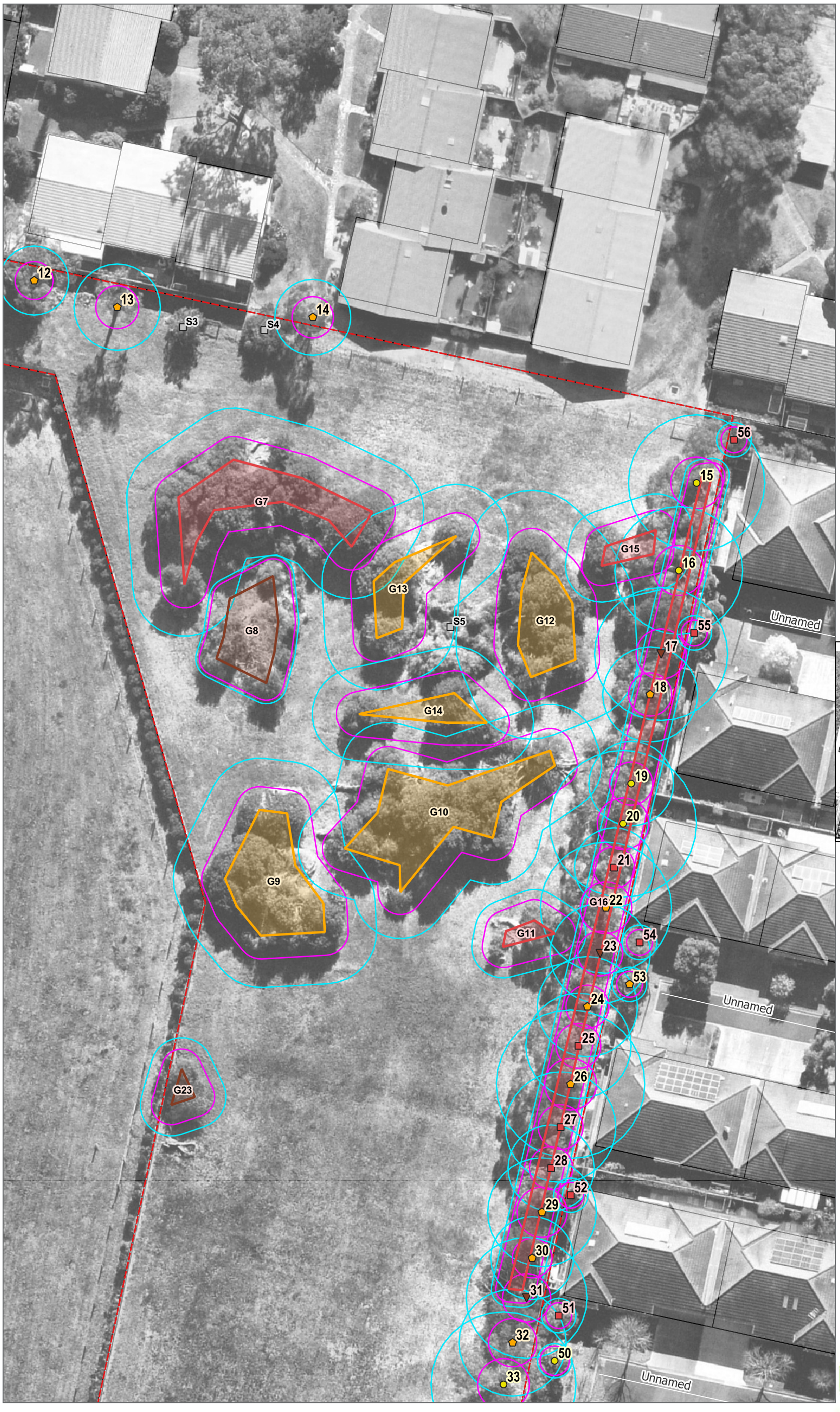
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- Mod-B
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S1-S7 (shrubs/ weeds/stumps)

Site Boundary

Tree Protection Zone
Structural Root Zone

APPENDIX 2.1
TREE LOCATIONS & PROTECTION AREAS

PROJECT
Martha's Point (602 Esplanade, Mt Martha)

TL REF. 014070
MAP NO. 3 / 4
CLIENT Keyton
DATE 2025-11-26

DATA SOURCES
'Existing Site Plan' (Via Architects, 14/11/2025)

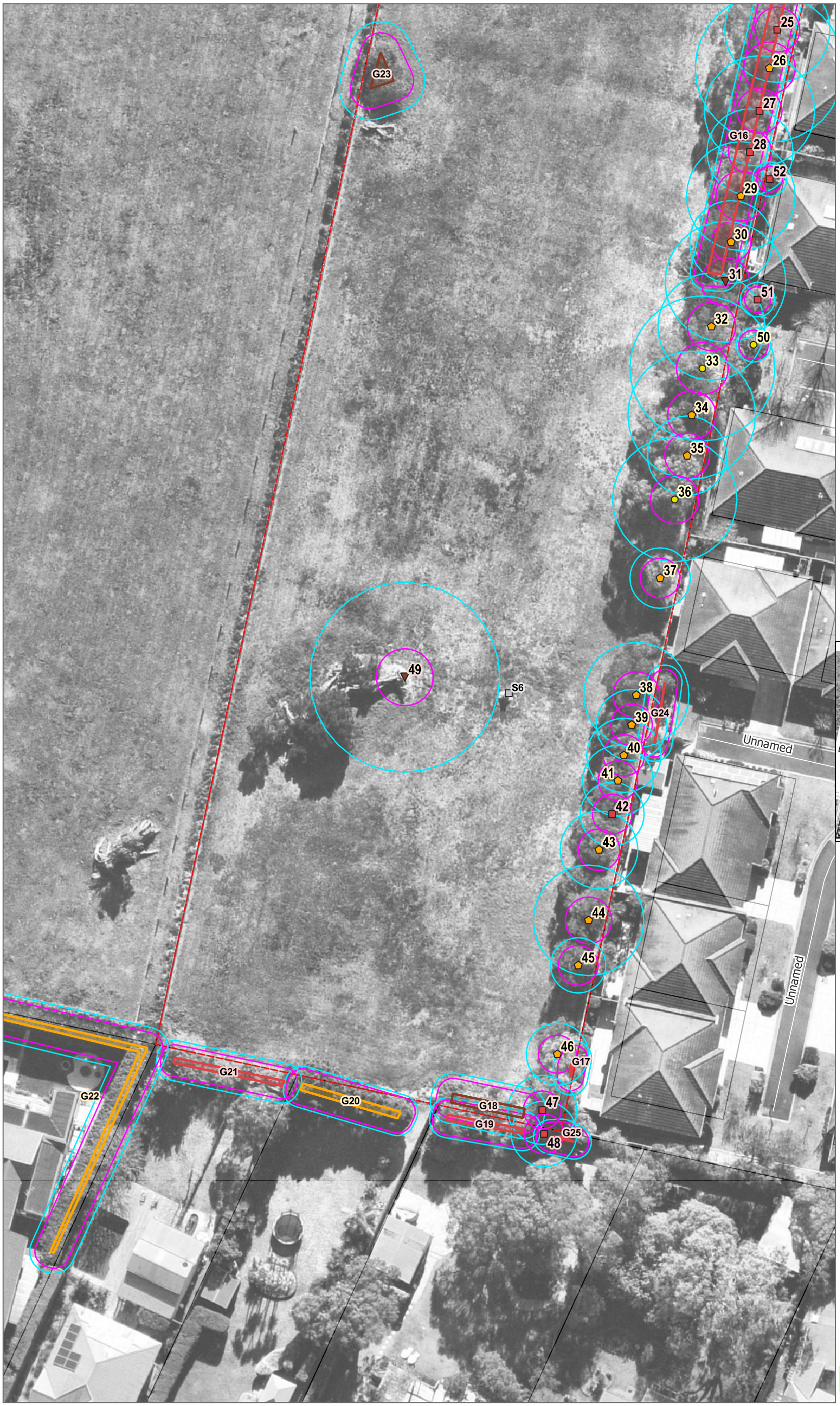
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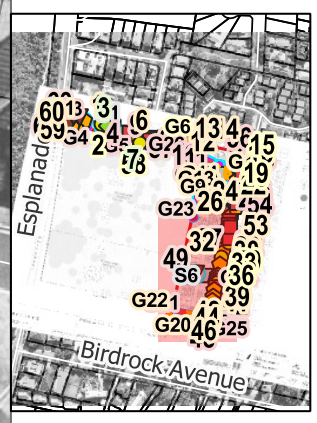


LEGEND

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- Mod-C
- Low
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Arb. rating (groups)
- High
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- S1-S7 (shrubs/ weeds/stumps)
- Site Boundary
- Tree Protection Zone
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APPENDIX 2.1
TREE LOCATIONS & PROTECTION AREAS

PROJECT
Martha's Point (602 Esplanade, Mt Martha)

TL REF. 014070
MAP NO. 4 / 4
CLIENT Keyton
DATE 2025-11-26

DATA SOURCES
'Existing Site Plan' (Via Architects, 14/11/2025)

TREE LOCATION DISCLAIMER
Tree locations are approximate

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Appendix 2.2: Tree Location Plan (Design Encroachments)

Refer to the following page(s).



LEGEND

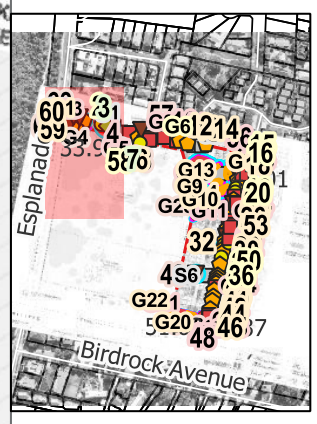
Arb. rating (trees)
- High
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- Mod-B
- Mod-C
- Low
- Very Low

Arb. rating (groups)
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- Mod-A
- Mod-B
- Mod-C
- Low
- Very Low

S1-S7 (shrubs/ weeds/stumps)

Site Boundary

Tree Protection Zone
Structural Root Zone



APPENDIX 2.2
TREE LOCATIONS & DESIGN IMPACTS

PROJECT
Martha's Point (602 Esplanade, Mt Martha)

TL REF. 014070
MAP NO. 1 / 4
CLIENT Keyton
DATE 2025-12-08

DATA SOURCES
'Overall Ground Floor Plan' (Rev A. 04/12/2025)

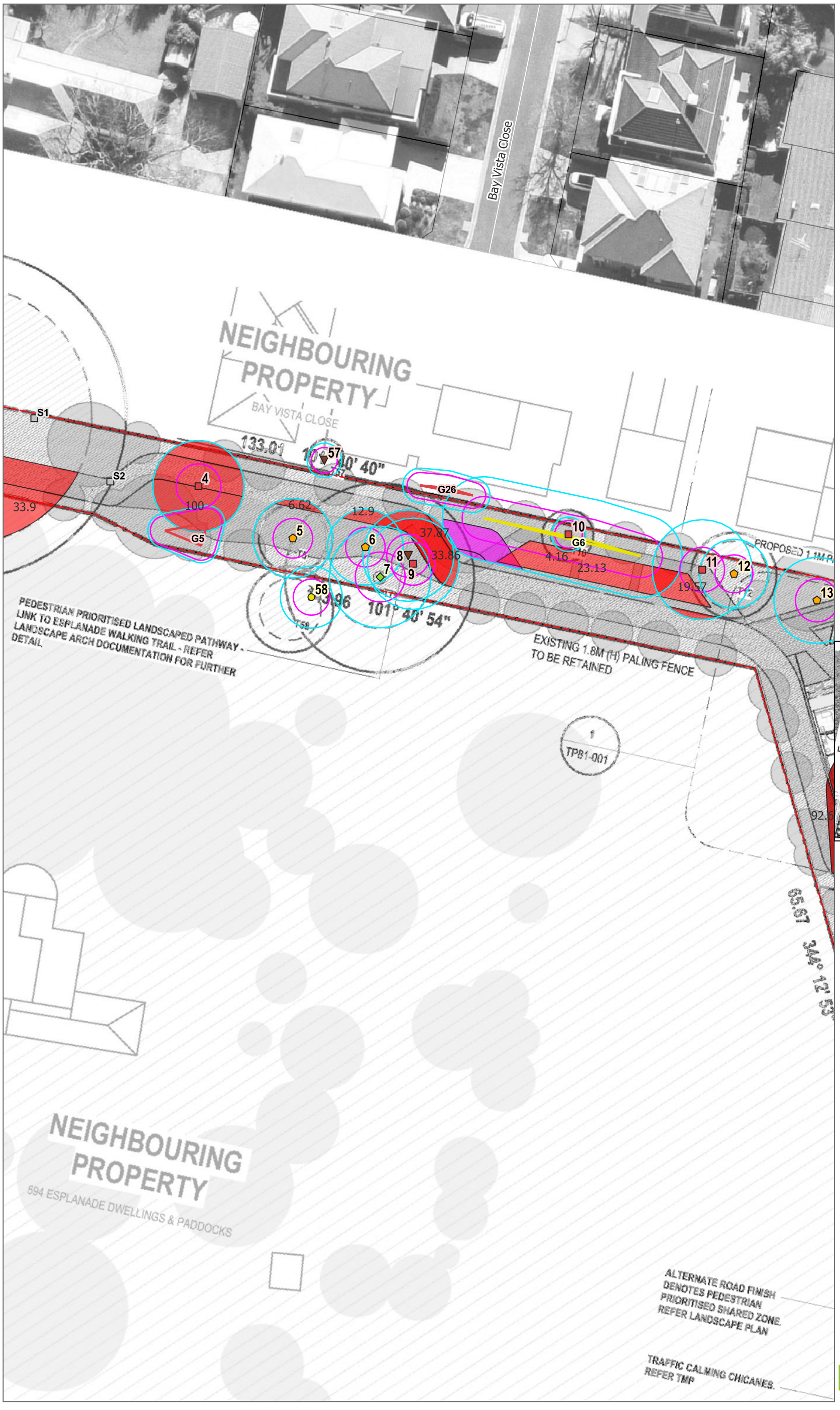
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- Tree Protection Zone
  Structural Root Zone

APPENDIX 2.2
TREE LOCATIONS & DESIGN IMPACTS

PROJECT
Martha's Point (602 Esplanade, Mt Martha)

TL REF. 014070
MAP NO. 2 / 4
CLIENT Keyton
DATE 2025-12-08

DATA SOURCES
'Overall Ground Floor Plan' (Rev A. 04/12/2025)

TREE LOCATION DISCLAIMER
Tree locations are approximate

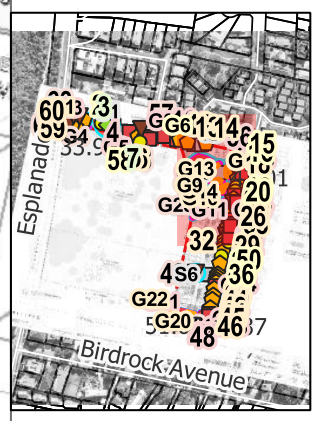
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- Very Low

S1-S7 (shrubs/ weeds/stumps)

Site Boundary

Tree Protection Zone
Structural Root Zone

APPENDIX 2.2
TREE LOCATIONS & DESIGN IMPACTS

PROJECT
Martha's Point (602 Esplanade, Mt Martha)

TL REF. 014070
MAP NO. 3 / 4
CLIENT Keyton
DATE 2025-12-08

DATA SOURCES
'Overall Ground Floor Plan' (Rev A. 04/12/2025)

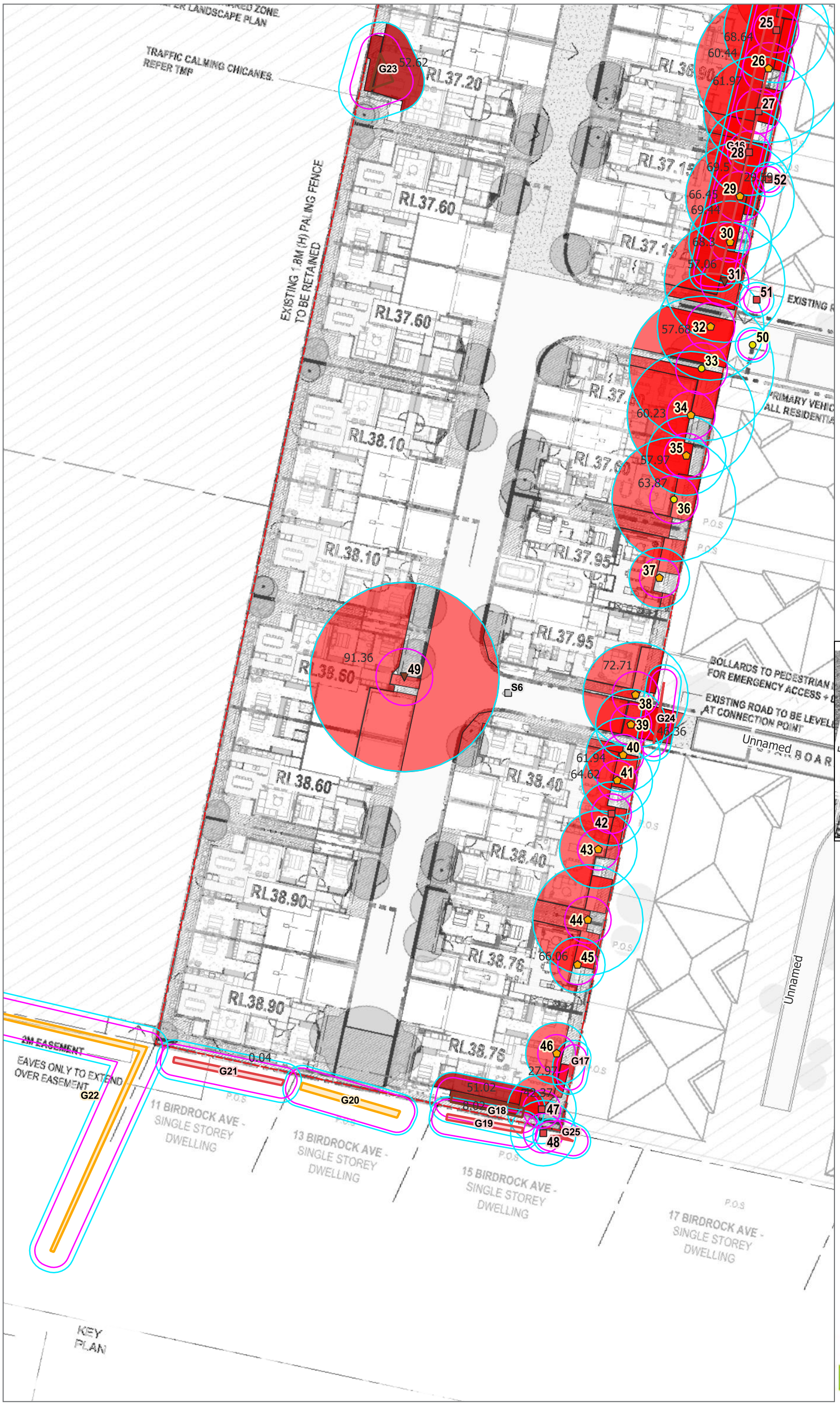
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APPENDIX 2.2
TREE LOCATIONS & DESIGN IMPACTS

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Appendix 3: Arboricultural Descriptors

Note that not all of the described tree descriptors may be used in a tree assessment and report. The assessment is undertaken with regard to contemporary arboricultural practices and consists of a visual inspection of external and above-ground tree parts.

1. Tree Condition

The assessment of tree condition evaluates factors of health and structure. The descriptors of health and structure attributed to a tree evaluate the individual specimen to what could be considered typical for that species growing in its location under current climatic conditions. For example, some species can display inherently poor branching architecture, such as multiple acute branch attachments with included bark. Whilst these structural defects may technically be considered arboriculturally poor, they are typical for the species and may not constitute an increased risk of failure. These trees may be assigned a structural rating of fair-poor (rather than poor) at the discretion of the assessor.

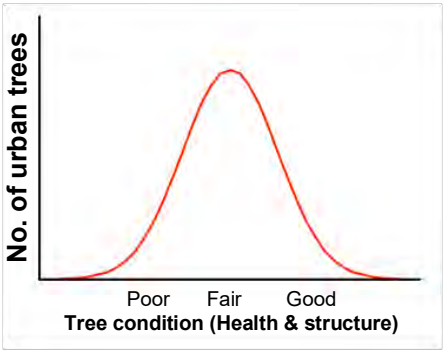


Diagram 1: Indicative normal distribution curve for tree condition

Diagram 1, provides an indicative distribution curve for tree condition to illustrate that within a normal tree population the majority of specimens are centrally located within the condition range (normal distribution curve). Furthermore, that those individual trees with an assessed condition approaching the outer ends of the spectrum occur less often.

2. Tree Name

Provides botanical name, (genus, species, variety and cultivar) according to accepted international code of taxonomic classification, and common name.

3. Tree Type

Describes the general geographic origin of the species and its type e.g. deciduous or evergreen.

Category	Description
Indigenous	Occurs naturally in the area or region of the subject site. Remnant.
Victorian native	Occurs naturally within some part of the State of Victoria (not exclusively) but is not indigenous (component of EVC benchmark). Could be planted indigenous trees.
Australian native	Occurs naturally within Australia but is not a Victorian native or indigenous
Exotic deciduous	Occurs outside of Australia and typically sheds its leaves during winter
Exotic evergreen	Occurs outside of Australia and typically holds its leaves all year round
Exotic conifer	Occurs outside of Australia and is classified as a gymnosperm
Native conifer	Occurs naturally within Australia and is classified as a gymnosperm

Native Palm	Occurs naturally within Australia. Woody monocotyledon
Exotic Palm	Occurs outside of Australia. Woody monocotyledon

4. Height and Width

Indicates height and width of the individual tree; dimensions are expressed in metres. Crown heights are measured with a height meter where possible. Due to the topography of some sites and/or the density of vegetation it may not be possible to do this for every tree. Tree heights may be estimated in line with previous height meter readings in conjunction with assessor's experience. Crown widths are generally paced (estimated) at the widest axis or can be measured on two axes and averaged. In some instances the crown width can be measured on the four cardinal direction points (North, South, East and West).

Crown height, crown spread are generally recorded to the nearest half metre (crown spread would be rounded up) for dimensions up to 10 m and the nearest whole metre for dimensions over 10 m. Estimated dimensions (e.g. for off-site or otherwise inaccessible trees where accurate data cannot be recovered) shall be clearly identified in the assessment data.

5. Trunk diameters

The position where trunk diameters are captured may vary dependent on the requirements of the specific assessment and an individual trees specific characteristics. DBH is the typical trunk diameter captured as it relates to the allocation of tree protection distances. The basal trunk diameter assists in the allocation of a structural root zone. Some municipalities require trunk diameters be captured at different heights, with 1.0 m above grade being a common requirement. The specific planning schemes will be checked to ascertain requirements.

Stem diameters shall be recorded in centimetres, rounded to the nearest 1 cm (0.01 m).

Diameter at Breast Height (DBH)

Indicates the trunk diameter (expressed in centimetres) of an individual tree measured at 1.4m above the existing ground level or where otherwise indicated, multiple leaders are measured individually. Plants with multiple leader habit may be measured at the base. The range of methods to suit particular trunk shapes, configurations and site conditions can be seen in Appendix A of Australian Standard *AS 4970-2009 Protection of trees on development site*s. Measurements undertaken using foresters tape or builders tape.

Basal trunk diameter

The basal dimension is the trunk diameter measured at the base of the trunk or main stem(s) immediately above the root buttress. Used to ascertain the Structural Root Zone (SRZ) as outlined in AS4970.

6. Age class

Relates to the physiological stage of the tree's life cycle.

Category	Description
Young	Sapling tree and/or recently planted. Approximately 5 or less years in location.
Semi-mature	Tree increasing in size and yet to achieve expected size in situation. Primary developmental stage.
Early-mature	Tree established, generally growing vigorously. > 50% of attainable age/size.
Mature	Specimen approaching expected size in situation, with reduced incremental growth.
Over-mature	Mature full-size with a retrenching crown. Tree is senescent and in decline. Significant decay generally present.

7. Health

Assesses various attributes to describe the overall health and vigour of the tree.

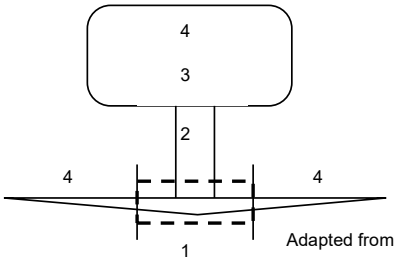
Health Category	Vigour, Extension growth	Decline symptoms, Deadwood, Dieback	Foliage density, colour, size, intactness	Pests and or disease
Good	Above typical. Excellent. Full canopy density	Negligible	Better than typical	Negligible
Fair	Typical vigour. >80% canopy density	Minor or expected. Little or no dead wood	Typical. Minor deficiencies or defects could be present.	Minor, within damage thresholds
Fair to Poor	Below typical - low vigour	More than typical. Small sub-branch dieback	Exhibiting deficiencies. Could be thinning, or smaller	Exceeds damage thresholds
Poor	Minimal - declining	Excessive, large and/or prominent amount & size of dead wood	Exhibiting severe deficiencies. Thinning foliage, generally smaller or deformed	Extreme and contributing to decline
Dead	N/A	N/A	N/A	N/A

8. Structure

Assesses principal components of tree structure (Diagram 2).
Structure ratings will also take into account general branching architecture, stem taper, live crown ratio, crown symmetry (bias or lean) and crown position such as tree being suppressed amongst more dominant trees.

Diagram 2: Tree structure zones

1. Root plate & lower stem
2. Trunk
3. Primary branch support
4. Outer crown & roots



Adapted from Coder (1996)

The lowest or worst descriptor assigned to the tree in any column could generally be the overall rating assigned to the tree. The assessment for structure is limited to observations of external and above ground tree parts. It does not include any exploratory assessment of underground or internal tree parts unless this is requested as part of the investigation. Trees are assessed and then given a rating for a point in time. Generally, trees with a poor or very poor structure are beyond the benefit of practical arboricultural treatments.

The management of trees in the urban environment requires appropriate arboricultural input and consideration of risk. Risk potential will take into account the combination of likelihood of failure and impact, including the perceived importance of the target(s). See table over page.

Structure Category	Zone 1 - Root plate & lower stem	Zone 2 - Trunk	Zone 3 - Primary branch support	Zone 4 - Outer crown and roots
Good	No obvious damage, disease or decay; obvious basal flare / stable in ground	No obvious damage, disease or decay; well tapered	Well formed, attached, spaced and tapered. No history of failure.	No obvious damage, disease, decay or structural defect. No history of failure.
Fair	Minor damage or decay. Basal flare present.	Minor damage or decay	Generally well attached, spaced and tapered branches. Minor structural deficiencies may be present or developing. No history of branch failure.	Minor damage, disease or decay; minor branch end-weight or over-extension. No history of branch failure.
Fair to Poor	Moderate damage or decay; minimal basal flare.	Moderate damage or decay; approaching recognised thresholds	Weak, decayed or with acute branch attachments; previous branch failure evidence.	Moderate damage, disease or decay; moderate branch end-weight or over-extension. Minor branch failure evident.

Poor	Major damage, disease or decay; fungal fruiting bodies present. Excessive lean placing pressure on root plate	Major damage, disease or decay; exceeds recognised thresholds; fungal fruiting bodies present. Acute lean. Stump re-sprout	Decayed, cavities or has acute branch attachments with included bark; excessive compression flaring; failure likely. Evidence of major branch failure.	Major damage, disease or decay; fungal fruiting bodies present; major branch end-weight or over-extension. Branch failure evident.
Very Poor	Excessive damage, disease or decay; unstable / loose in ground; altered exposure; failure probable	Excessive damage, disease or decay; cavities. Excessive lean. Stump re-sprout	Decayed, cavities or branch attachments with active split; failure imminent. History of major branch failure.	Excessive damage, disease or decay; excessive branch end-weight or over-extension. History of branch failure.

Useful life expectancy (ULE)

Assessment of useful life expectancy provides an indication of health and tree appropriateness and involves an estimate of how long a tree is likely to remain in the landscape based on species, stage of life (cycle), health, amenity, environmental services contribution, conflicts with adjacent infrastructure and risk to the community. It would enable tree managers to develop long-term plans for the eventual removal and replacement of existing trees in the public realm. It is not a measure of the biological life of the tree within the natural range of the species. It is more a measure of the health status and the trees positive contribution to the urban landscape.

Within an urban landscape context, particularly in relation to street trees, it could be considered a point where the costs to maintain the asset (tree) outweigh the benefits the tree is returning.

The assessment is based on the site conditions not being significantly altered and that any prescribed maintenance works are carried out (site conditions are presumed to remain relatively constant and the tree would be maintained under scheduled maintenance programs). See table over page.

Useful Life Expectancy category	Typical characteristics
<1 year (No remaining ULE)	Tree may be dead or mostly dead. Tree may exhibit major structural faults. Tree may be an imminent failure hazard. Excessive infrastructure damage with high risk potential that cannot be remedied.
1-5 years (Transitory, Brief)	Tree is exhibiting severe chronic decline. Crown is likely to be less than 50% typical density. Crown may be mostly epicormic growth. Dieback of large limbs is common (large deadwood may have been pruned out). Tree may be over-mature and senescing. Infrastructure conflicts with heightened risk potential. Tree has outgrown site constraints.
6-10 years (Short)	Tree is exhibiting chronic decline. Crown density will be less than typical and epicormic growth is likely to present. The crown may still be mostly entire, but some dieback is likely to be evident. Dieback may include large limbs. Over-mature and senescing or early decline symptoms in short-lived species. Early infrastructure conflicts with potential to increase regardless of management inputs.
11-20 years (Moderate)	Tree not showing symptoms of chronic decline, but growth characteristics are likely to be reduced (bud development, extension growth etc.). Tree may be over-mature and beginning to senesce. Potential for infrastructure conflicts regardless of management inputs.
21-40 years (Moderately long)	Trees displaying normal growth characteristics but vigour is likely to be reduced (bud development, extension growth etc.). Tree may be growing in restricted environment (e.g. streetscapes) or may be in late maturity. Semi-mature and mature trees exhibiting normal growth characteristics. Juvenile trees in streetscapes.
>40 years (Long)	Generally juvenile and semi-mature trees exhibiting normal growth characteristics within adequate spaces to sustain growth, such as in parks or open space. Could also pertain to maturing, long-lived trees. Tree well suited to the site with negligible potential for infrastructure conflicts.

Note that ULE may change for a tree dependent on the prevailing climatic conditions, which can either increase or decrease, or sudden changes to a tree's growing environment creating an acute stress.

The ULE may not be applicable for trees that are manipulated, such as topiary, or grown for specific horticultural purposes, such as fruit trees.

There may be instances where remedial tree maintenance could be extend a tree's ULE.

9. Arboricultural Rating

Relates to the combination of tree condition factors, including health and structure (arboricultural merit), and also conveys an amenity value. Amenity relates to the trees biological, functional and aesthetic characteristics (Hitchmough 1994) within an urban landscape context. The presence of any serious disease or tree-related hazards that would impact risk potential are taken into account. See table over page.

Arboricultural rating Category	Description
High	Tree of high quality in good to fair condition; good vigour. Generally a prominent arboricultural/landscape feature. Particularly good example of the species; rare or uncommon. Tree may have significant conservation or other cultural value. These trees have the potential to be a medium- to long-term components of the landscape (moderately long to long ULE) if managed appropriately. Retention of these trees is highly desirable.
Moderate	*General -* Tree of moderate quality, in fair or better condition. Tree may have a condition, and or structural problem that will respond to arboricultural treatment. These trees have the potential to be a moderate- to long-term component of the landscape (moderate to long ULE) if managed appropriately. Retention of these trees is generally desirable. The following sub-categories relate predominately to age and size and amenity.
	A. Moderate to large, maturing tree. Contributes to the landscape character. Tree may have conservation or other cultural value.
	B. Moderate sized, established tree, > 50% of attainable age/size. Contributes to the landscape character. Maturing tree with amenity value but with identified deficiencies
	C. Small and/or semi-mature tree, established, >5 years in the location. May not be a dominant canopy. No special qualities. Maturing tree, accumulating deficiencies, trending towards being of Low arboricultural value.
Low	Unremarkable tree of low quality or little amenity value. Tree in either poor health or with poor structure or a combination. Short to transitory useful life expectancy. Tree is not significant because of either its size or age, such as young trees with a stem diameter below 15 cm. Trees regularly pruned to restrict size. These trees are easily replaceable. Tree (species) is functionally inappropriate to specific location and would be expected to be problematic if retained. Retention of such trees may be considered if not requiring a disproportionate expenditure of resources for a tree in its condition and location.

Arboricultural rating Category	Description
Very Low	Trees of low quality with an estimated remaining life expectancy of less than 5 years. Tree has either a severe structural defect or health problem or combination that cannot be sustained with practical arboricultural techniques and the loss of the tree would be expected in the short term. Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. Tree infected with pathogens of significance to either the health or safety of the tree or other adjacent trees. Tree whose retention would not be viable after the removal of adjacent trees (includes trees that have developed in close spaced groups and would not be expected to acclimatise to severe alterations to surrounding environment – removal of adjacent shelter trees). Tree has a detrimental effect on the environment, for example, the tree is a recognised environmental woody weed with potential to spread into waterways or natural areas. Unremarkable tree of no material landscape, conservation or other cultural value.

Trees have many values, not all of which are considered when an arboricultural assessment is undertaken. However, individual trees or tree group features may be considered important community resources because of unique or noteworthy characteristics or values other than their age, dimensions, health or structural condition. Recognition of one or more of the following criterion is designed to highlight other considerations that may influence the future management of such trees.

Significance	Description
Horticultural Value/ Rarity	Outstanding horticultural or genetic value; could be an important source of propagating stock, including specimens that are particularly resistant to disease or exposure. Any tree of a species or variety that is rare.
Historic, Aboriginal Cultural or Heritage Value	Tree could have value as a remnant of a particular important historical period or a remnant of a site or activity no longer in action. Tree has a recognised association with historic aboriginal activities, including scar trees. Tree commemorates a particular occasion, including plantings by notable people, or having associations with an important event in local history.
Ecological Value	Tree could have value as habitat for indigenous wildlife, including providing breeding, foraging or roosting habitat, or is a component of a wildlife reserve. Remnant Indigenous vegetation that contribute to biological diversity

Appendix 4: Protection Zones

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1. Introduction

To sustain trees on a development site, consideration must be given to the establishment of tree protection zones (TPZ).

The physical dimensions of tree protection zones can sometimes be difficult to define. The projection of a tree's crown can provide a guide but is by no means the definitive measure. The TPZ must also factor in variables including: the unpredictable nature of root spread, variations in root morphology between species, tolerance of the species and specimen in question, obstructions causing root bias, prior root disturbance, and the soil profile.

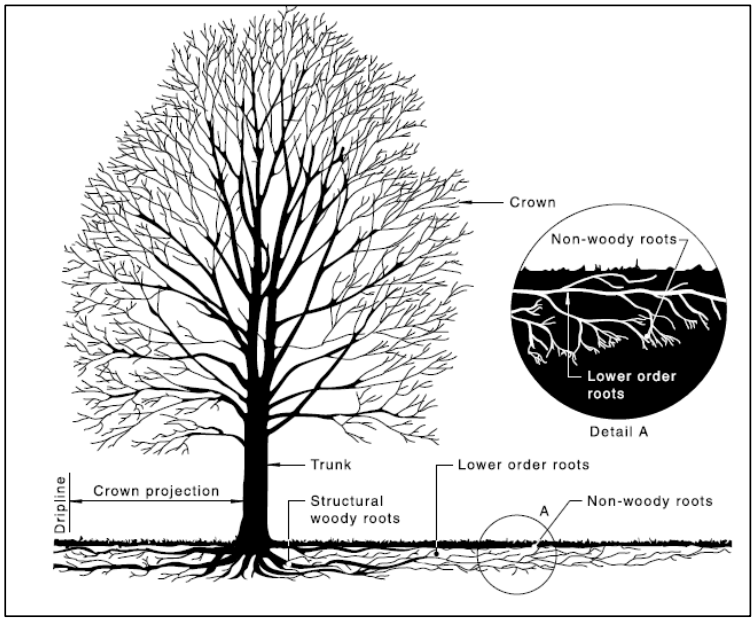


Diagram 1. Structure of a tree in a normal growing environment. Extract from: AS4970-2025, Figure B-1, p28 of 46)

Most vigorous, broad canopied trees survive well if the area within the drip-line of the canopy is protected. Fine root density is usually greater beneath the canopy than beyond (Gilman, 1997). If few to no roots over 3cm in diameter are encountered and severed during excavation the tree will probably tolerate the impact and root loss. A healthy tree can sustain a loss of between 30% and 50% of absorbing roots (Harris, Clark, Matheny, 1999), however encroachment into the structural root system of a tree may be problematic. Refer to Table 1 for a guide on significant root sizes for trees of given heights.

The structural root system of a tree is responsible for ensuring the stability of the entire tree structure in the ground. A tree could not sustain loss of structural root system and be expected to survive let alone stand up to average annual wind loads upon the crown. Each tree is allocated an SRZ to accommodate the tree's projected structural root requirements.

2. Notional Root Zone (NRZ)

Calculation of the NRZ (as defined in Australian Standard AS 4970-2025 *Protection of trees on development*

sites) is a theoretical zone that surrounds each tree radially. The NRZ for individual trees is calculated based on trunk (stem) diameter (DSH), measured at 1.4 metres above ground level. The radius of the NRZ is calculated by multiplying the trees DBH by 12. NRZ distances are measured as a radius from the centre of the trunk at (or near) ground level. The minimum NRZ is no less than 2m and the maximum no more than 15m radius. The NRZ of palms is not less than 1.0m outside the crown projection.

Encroachment into the NRZ is permissible under certain circumstances though is dependent on both site conditions and tree characteristics.

- Minor encroachment, up to 10% of the NRZ, is generally permissible provided encroachment is compensated for by recruitment of an equal area contiguous with the NRZ. Examples are provided in Diagram 2.
- Moderate encroachment, between 10-20% of the NRZ, requires engagement of a Project Arborist to review the proposed impact. The encroachment is only permissible if the Project Arborist demonstrates that after such encroachment the tree would remain viable.
- Major Encroachment, greater than 20% of the NRZ and/or incursion into the SRZ, may have deleterious effects on tree condition/stability and requires engagement of a project arborist to assist with alternative design options and/or undertake advanced investigations to demonstrate that the tree would remain viable.

Existing infrastructure around some trees may be within the NRZ or root plate radius. The roots of some trees may have grown in response to the site conditions and therefore if existing hard surfaces and building alignments are utilised in new designs the impacts on the trees should be minimal.

The most reliable way to investigate moderate to major rootzone encroachments is to find out where the roots are in relation to the demolition, excavation or construction works that will take place (Matheny & Clark, 1998). Exploratory excavation prior to commencement of construction can help establish the extent of the root system and where it may be appropriate to excavate or build.

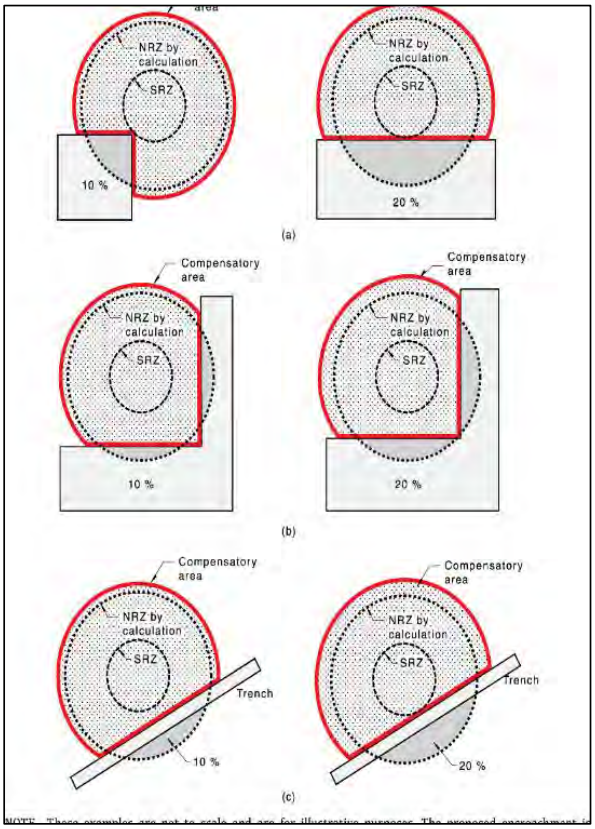


Diagram 2. Examples of minor, moderate and major encroachment into a NRZ. (Extract from: AS4970-2025, Figure 1, p23 of 46).

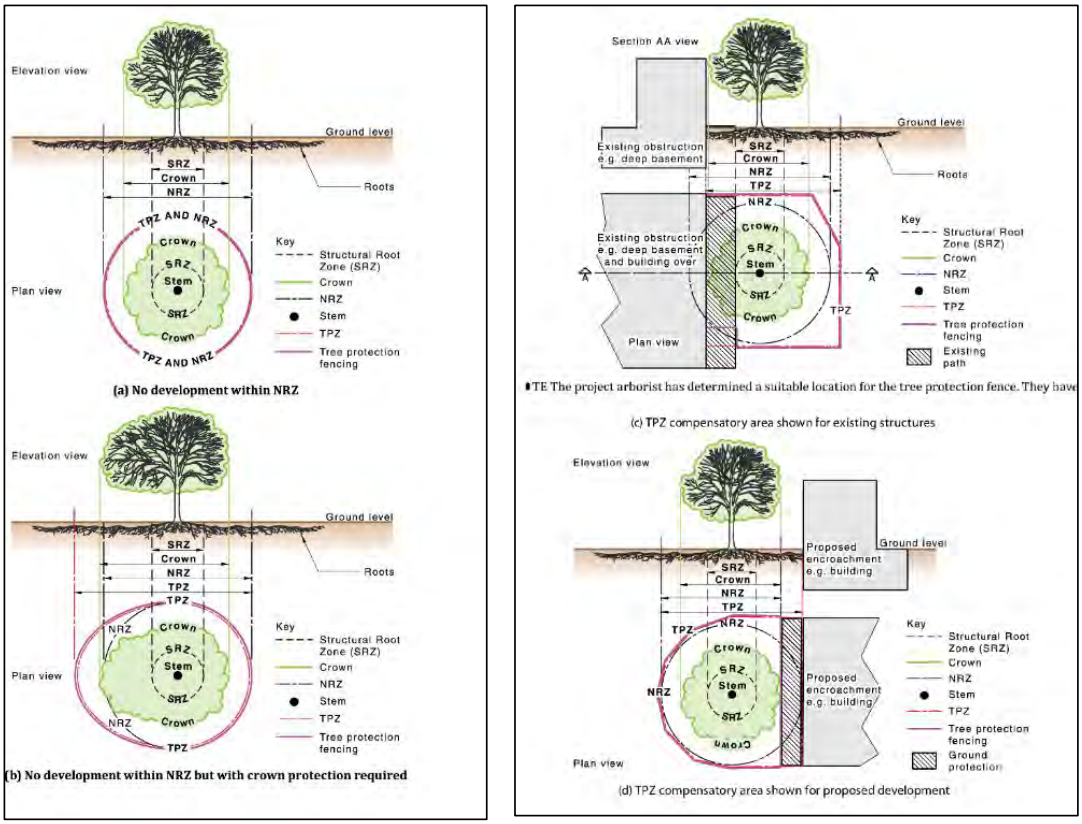
3. Allocation of Tree Protection Zone (TPZ)

Once it has been established, through an arboricultural assessment, which trees and tree groups are to be retained, the next step will require careful management through the development process to minimise any impacts on the designated trees. The successful retention of trees on any particular site will require the commitment and understanding of all parties involved in the development process. The most important activity, after determining the trees that will be retained, is the implementation of a TPZ.

The intention of tree protection zones is to:

- mitigate tree hazards;
- provide adequate root space to sustain the health and aesthetics of the tree into the future;
- minimise changes to the trees growing environment, which is particularly important for mature specimens;
- minimise physical damage to the root system, canopy and trunk; and
- define the physical alignment of the tree protection fencing

TPZs are to be allocated to trees being retained within a site redevelopment. The method of allocating a TPZ to a tree will be influenced by the NRZ (and permitted NRZ encroachment) along with site factors, the tree species, its age, and developed form.



Diagrams 3, 4 (left) & 5, 6 (right). Examples of TPZ establishment in different scenarios (Extract from: AS4970-2025, Figure 3, pp25-26 of 46)

Tree root growth is opportunistic and occurs where the essentials to life (primarily air and water) are present. Heterogeneous soil conditions, existing barriers, hard surfaces and buildings may have inhibited the development of a symmetrically radiating root system. The TPZ should factor in site conditions along with any allowed encroachments, and allocate a zone that can realistically be protected and provide sufficient nourishment for the tree's ongoing vitality.

The TPZ must also consider the canopy and overall form of the tree which may require expanding the TPZ beyond the NRZ in some areas (e.g. see Diagram 4). If the canopy requires severe pruning to accommodate development, it may be worthwhile considering altering the design or removing the tree.

Importantly, the TPZ will account for any allowed encroachment within the NRZ, by allocating a compensatory

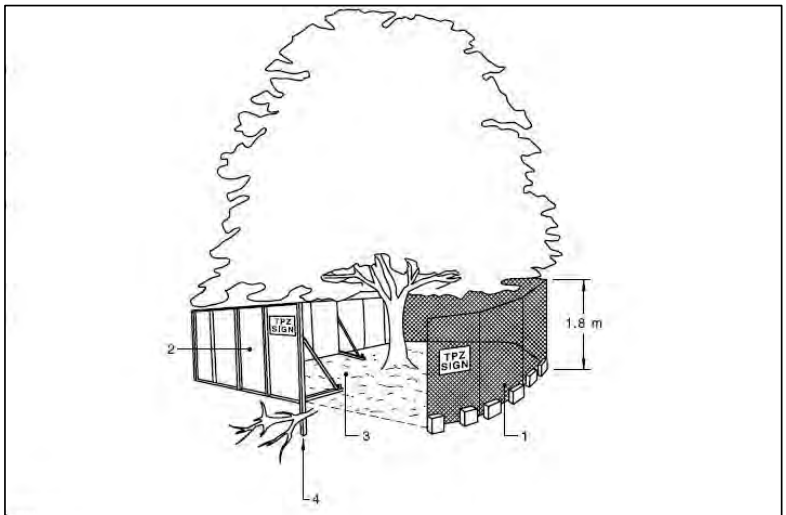
area equal to the encroachment onto another area contiguous to the TPZ (see Diagrams 2 and 6).

General tree protection guidelines

The most important factors are:

- Prior to construction works the trees nominated for tree works should be pruned to provide adequate clearance from the proposed development and associated activities. Pruning works may also identify other tree hazards that require remedial works.
- Installation of tree protection fencing. Once the tree protection zones have been determined the next step is to mulch the zone with composted woodchip (if specified) and erect tree protection fencing. This must be completed prior to any materials being brought on-site, erection of temporary site facilities or demolition/earth works. The protection fencing must be sturdy and withstand winds and construction impacts. The location of the protection fence is to remain as outlined in the Tree Protection Plan (TPP) protection fence and can only be moved with approval of the Project Arborist and/or responsible authority. Other root zone protection methods can be incorporated if the TPZ area needs to be traversed.
- Appropriate signage is to be fixed to the fencing to alert people as to importance of the tree protection zone.
- The importance of tree preservation must be communicated to all relevant parties involved with the site.
- Inspection of trees during excavation works.

Diagram 7: Protective fencing (Extract from: AS4970-2025, Figure 4, p28 of 46)



KEY:

1 Chain wire mesh panels that are held in place with concrete feet.

2 Alternatively, plywood or wooden paling fence panels may be used. This fencing material also prevents building materials or soil from entering the TPZ.

3 Mulch installation across the surface of the TPZ (as detailed in the TPS). No excavation, construction activity grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ other than those indicated in the TPS.

4 Bracing may be used within the TPZ. Installation of posts or supports should avoid damaging roots.

Non-Destructive Root Investigation (NDRI)

The most reliable way to estimate root disturbance is to find out where the roots are in relation to the demolition, excavation or construction works that will take place (Matheny & Clark, 1998).

Exploratory excavation prior to commencement of construction can help establish the extent of the root system and where it may be appropriate to excavate or build. This also allows management decisions to be made and allows time for redesign works if required.

Any exploratory excavation within the allocated NRZ is to be undertaken with due care of the roots. Minor exploration is possible with hand tools. More extensive exploration may require the use of high pressure water or air excavation techniques. Either hydraulic or pneumatic excavation techniques can safely expose tree roots; both have specific benefits dependent on the situation and soil type. An arborist is to be consulted on which system is best suited for the site conditions.

Substantial roots are to be exposed and left intact.

Once roots are exposed decisions can be made regarding the management of the tree. Decisions will be dependent on the tree species, its condition, its age, its relative tolerance to root loss, and the amount of root system exposed and requiring pruning.

If using hydro excavation, the following guidelines must be followed to minimise damage to tree roots:

- The pressure on the water jet must be dialled back to avoid damaging the epidermis of tree roots.
- Water pressure should be set to between 750 and 1000 psi.
- Compressor to be set at a lower rpm for greater control.
- Use a spray head that has the effect of dispersing the pressure.
- Do not use a turbo head that will cut and damage tree roots.

Other alternative measures to encroaching the NRZ may include boring or tunnelling. An arborist is to be consulted on appropriate depth of boring under an NRZ, although in general, most of a tree's root system should be avoided at depths >1m to top of pipe.

How to determine the diameter of a substantial root

The size of a substantial root will vary according to the distance of the exposed root to the trunk of the tree. The further away from the trunk of a tree that a root is, the less significant the root is likely to be to the tree's health and stability.

The determination of what is a substantial root is often difficult because the form, depth and spread of roots will vary between species and sites. However, because smaller roots are connected to larger roots in a framework, there can be no doubt that if larger roots are severed, the smaller roots attached to them will die. Therefore, the larger the root, the more significant it may be.

Gilman (1997) suggests that trees may contain 4-11 major lateral roots and that the five largest lateral roots account (act as a conduit) for 75% of the total root system. These large lateral roots quickly taper within a distance to the tree, this distance is identified as the Structural Root Zone (SRZ). Within the SRZ distance, all roots and the soil surrounding the roots are deemed significant.

No root or soil disturbance is permitted within the SRZ

In the area outside the SRZ the tree may tolerate the loss of one or a number of roots. The table below indicates the size of tree roots, outside the SRZ that would be deemed substantial for various tree heights. The assessment of combined root loss within the NRZ would need to be undertaken by an arborist on an individual basis because the location of the tree, its condition and environment would need to be assess

Table 1: Estimated significant root sizes outside SRZ

Height of tree	Diameter of root	Height of tree	Diameter of root
Less than 5m	≥ 30mm	Less than 5m	≥ 30mm
Between 5m - 15m	≥ 50mm	Between 5m - 15m	≥ 50mm
More than 15m	≥ 70mm	More than 15m	≥ 70mm

Ground protection

Where works are required to be undertaken within the tree root zone, surface, ground protection and trunk and limb protection must be provided to minimise the potential for soil to become compacted and avoid potential for impact wounds to occur to surface roots, trunk or limbs. Refer below.

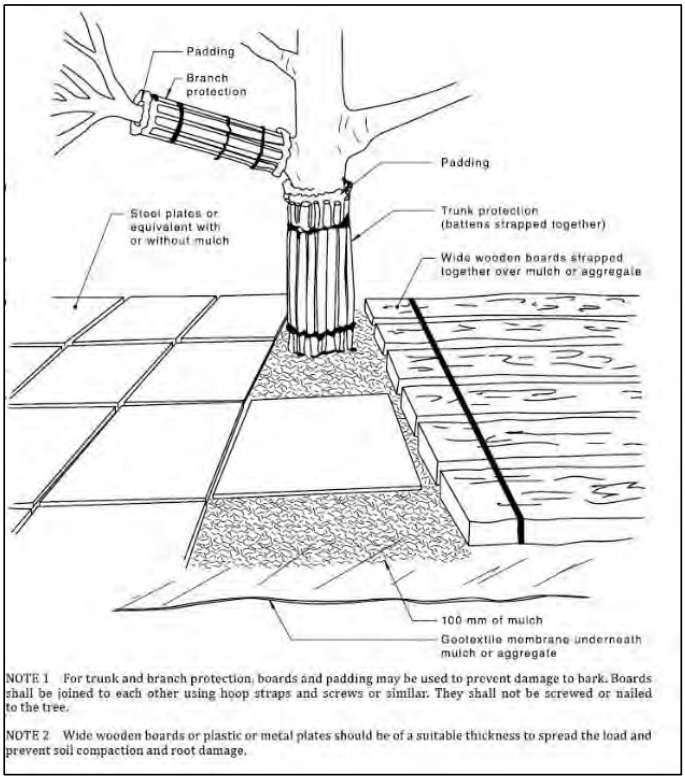


Diagram 8. Examples of ground buffering and trunk and limb protection (Extract from: AS4970-2025, Figure 5, p30 of 46)

Construction Guidelines

The following are guidelines that must be implemented to minimise the impact of the proposed construction works on the retained trees.

- The Tree Protection Zone (TPZ) is fenced and clearly always marked. The actual fence specifications should be a minimum of 1.2 - 1.5 metres of chain mesh or like fence with 1.8m posts (e.g. treated pine or star pickets) or like support every 3-4 metres and a top line of high visibility plastic hazard tape. The posts should be strong enough to sustain knocks from on-site excavation equipment. This fence will deter the placement of building materials, entry of heavy equipment and vehicles and also the entry of workers and/or the public into the TPZ. Note: There are many different variations on the construction type and material used for TPZ fences, suffice to say that the fence must satisfy the responsible authority.

- Contractors and site workers must receive written and verbal instruction as to the importance of tree protection and preservation within the site. Successful tree preservation occurs when there is a commitment from all relevant parties involved in designing, constructing and managing a development project. Members of the project team need to interact with each other to minimise the impacts to the trees, either through design decisions or construction practices. The importance of tree preservation must be communicated to all relevant parties involved with the site.

- The consultant arborist is on-site to supervise excavation works around the existing trees where the TPZ will be encroached.

- A layer of organic mulch (woodchips) to a depth of no more than 100mm should be placed over the root systems within the TPZ of trees, which are to be retained so as to assist with moisture retention and to reduce the impact of compaction.

- No persons, vehicles or machinery to enter the TPZ without the consent of the consulting arborist or site manager.

- Where machinery is required to operate inside the TPZ it must be a small skid drive machine (i.e Dingo or similar) operating only forwards and backwards in a radial direction facing the tree trunk and not altering direction whilst inside the TPZ to avoid damaging, compacting or scuffing the roots.

- Any underground service installations within the allocated TPZ should be bored and utility authorities should common trench where possible.

- No fuel, oil dumps or chemicals shall be allowed in or stored on the TPZ and the servicing and re-fuelling of equipment and vehicles should be carried out away from the root zones.

- No storage of material, equipment or temporary building should take place over a root zone.

- Nothing whatsoever should be attached to any tree including temporary services wires, nails, screws or any other fixing device.

- Supplementary watering should be provided to all trees through any dry periods during and after the construction process. Proper watering is the most important maintenance task in terms of successfully retaining the designated trees. The areas under the canopy drip lines should be mulched with woodchip to a depth of no more than 100mm. The mulch will help maintain soil moisture levels. Testing with a soil probe in a number of locations around the tree will help ascertain soil moisture levels and requirements to irrigate. Water needs to be applied slowly to avoid runoff. A daily watering with 5 litres of water for every 30 mm of trunk calliper may provide the most even soil moisture level for roots (Watson & Himelick, 1997), however light frequent irrigations should be avoided. Irrigation should wet the entire root zone and be allowed to dry out prior to another application.

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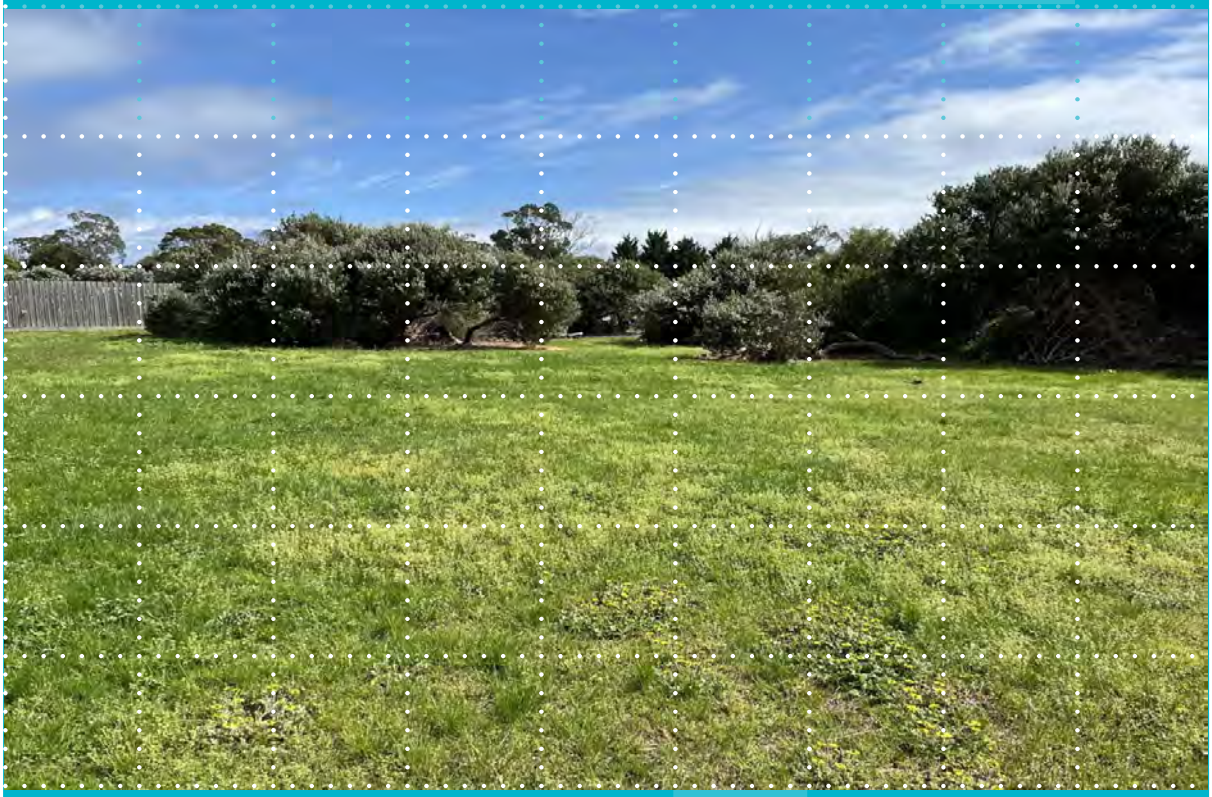
Final Report

Biodiversity Assessment: 602 Esplanade, Mount Martha, Victoria

Prepared for

Keyton

December 2025



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SUMMARY OF CLAUSE 52.17 APPLICATION REQUIREMENTS

Clause 52.17 Native Vegetation outlines the requirements for a permit to remove, destroy or lop native vegetation, including dead vegetation, under the Victoria Planning Provisions. There are nine application requirements that must be met in order to satisfy this clause (Table S1).

Table S1. Application requirements for a permit to remove native vegetation (Table 6 in Department of Energy, Environment and Climate Action [DEECA] 2025).

No.	Application Requirement	Response
Application requirements under the Intermediate Assessment Pathway		
1	Information about the native vegetation to be removed, including: • The assessment pathway and reason for the assessment pathway; • A description of the native vegetation to be removed; • Maps showing the native vegetation and property in context; and • The offset requirement that will apply if the native vegetation is approved to be removed.	Refer to Section 3.1, Section 4.2, Figure 2, Appendix 3 (NVR Report) and Appendix 4
2	Topographic and land information relating to the native vegetation to be removed, showing ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate.	Refer to Section 1.2 and Figure 1
3	Recent dated photographs of the native vegetation to be removed.	Refer to Section 3.1
4	Details of any other native vegetation that was permitted to be removed on the same property with the same ownership as the native vegetation to be removed, where the removal occurred in the five-year period before the application to remove native vegetation is lodged.	No native vegetation has been removed by the proponent within the property within the past five years
5	An avoid and minimise statement. The statement describes any efforts to avoid the removal of and minimise the impacts on the biodiversity and other values of native vegetation, and how these efforts focussed on areas of native vegetation that have the most value.	Refer to Section 4.1
6	A copy of any Property Vegetation Plan contained within an agreement made pursuant to section 69 of the *Conservation, Forests and Lands Act 1987* that applies to the native vegetation to be removed.	Not applicable
7	Where the removal of native vegetation is to create defendable space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required when the creation of defendable space is in conjunction with an application under the Bushfire Management Overlay.	Not applicable as the vegetation clearance is not for defendable space
8	If the application is under Clause 52.16, a statement that explains how the proposal responds to the Native Vegetation Precinct Plan considerations at decision guideline 8.	Not applicable as the application responds to Clause 52.17
9	An offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.	Refer to Section 4.2.3

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1 INTRODUCTION

1.1 Background

Ecology and Heritage Partners Pty Ltd was commissioned by Keyton to undertake a Biodiversity Assessment at 602 Esplanade, Mount Martha, Victoria.

We understand that Keyton is proposing to submit a planning application to facilitate future development works, including a retirement living facility, and a Biodiversity Assessment is required for the town planning submission.

The purpose of this assessment was to identify the extent and type of native vegetation present within the study area and to determine the likely presence of significant flora and fauna species and/or ecological communities. This report presents the results of the assessment and discusses the potential ecological and legislative implications associated with the proposed action.

1.2 Study Area

The study area is located at 602 Esplanade, Mount Martha and is approximately 70 kilometres south of Melbourne's CBD (Figure 1). It covers approximately 1.3 hectares and is bound by private property to the north, south and east, and Esplanade (road) to the west.

The study area is currently vacant. It is generally flat, with no ridges, crests or waterbodies within or immediately adjacent to the site.

According to the Victorian Department of Energy, Environment and Climate Action (DEECA) NatureKit Map (DEECA 2025a), the study area is located within the Gippsland Plain bioregion, Melbourne Water Catchment Management Authority (CMA) and Mornington Peninsula Shire municipality.

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2 METHODS

2.1 Desktop Assessment

Relevant literature, online-resources and databases were reviewed to provide an assessment of flora and fauna values associated with the study area. The following information sources were reviewed:

- The DEECA NatureKit Map (DEECA 2025a) and Native Vegetation Regulation (NVR) Map (DEECA 2025b) for:
    - Modelled data for location risk, native vegetation patches, scattered trees and habitat for rare or threatened species; and,
    - The extent of historic and current Ecological Vegetation Classes (EVCs).
- EVC benchmarks (DEECA 2025c) for descriptions of EVCs within the relevant bioregion;
- The Victorian Biodiversity Atlas (VBA) for previously documented flora and fauna records within the project locality (DEECA 2025d);
- The Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) Protected Matters Search Tool (PMST) for matters of National Environmental Significance (NES) protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (DCCEEW 2025);
- Relevant listings under the Victorian *Flora and Fauna Guarantee Act 1988* (FFG Act), including the latest Threatened (DEECA 2025e) and Protected (DEECA 2024) Lists;
- The online VicPlan Map (Department of Transport and Planning [DTP] 2025) to ascertain current zoning and environmental overlays in the study area;
- Aerial photography of the study area; and,
- Previous ecological assessments relevant to the study area;
    - Ecological Due Diligence Assessment – 594-602 The Esplanade, Mount Martha, Victoria, Ecology and Heritage Partners 2017. Prepared for Lendlease.

2.2 Field Assessment

A field assessment was undertaken by a habitat hectare assessor, who is accredited by DEECA in the habitat hectare assessment methodology, on 3 October 2025 to obtain information on flora and fauna values within the study area. The study area was walked, with all commonly observed vascular flora and fauna species recorded, significant records mapped, and the overall condition of vegetation and habitats noted. EVCs were determined with reference to DEECA pre-1750 and extant EVC mapping (DEECA 2025a) and their published descriptions (DEECA 2025c).

Where native vegetation was identified a habitat hectare assessment was undertaken following the methodology described in the Vegetation Quality Assessment Manual (Department of Sustainability and Environment [DSE] 2004).

2.3 Removal, Destruction or Lopping of Native Vegetation (the Guidelines)

Under the *Planning and Environment Act 1987,* Clause 52.17 of the Mornington Peninsula Planning Scheme requires a planning permit to remove, destroy or lop any native vegetation, including dead vegetation. The assessment process for the clearing of vegetation follows the *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines) (DEECA 2025f).

2.4 Assessment Qualifications and Limitations

This report has been written based on the quality and extent of the ecological values and habitat considered to be present or absent at the time of the desktop and field assessments being undertaken.

The 'snapshot' nature of a standard biodiversity assessment meant that migratory, transitory or uncommon fauna species may have been absent from typically occupied habitats at the time of the field assessment. In addition, annual or cryptic flora species such as those that persist via underground tubers may also be absent.

A comprehensive list of all terrestrial flora and fauna present within the study area was not undertaken as this was not the objective of the assessment. Rather a list of commonly observed species was recorded to inform the habitat hectare assessment and assist in determining the broader biodiversity values present within the study area.

Ecological values identified within the study area were recorded using a hand-held GPS with an accuracy of +/- 3 metres. This level of accuracy is considered to provide an accurate assessment of the ecological values present within the study area; however, this data should not be used for detailed surveying purposes.

The terrestrial flora and fauna data collected during the field assessment and information obtained from relevant desktop sources is considered sufficient to inform an accurate assessment of the ecological values present within the study area.

3 RESULTS

3.1 Vegetation Condition

Several patches of native vegetation and scattered native trees were recorded within the study area. The remainder of the study area comprised introduced and planted vegetation, present as lawns and ornamental plantings acting as windrows and screening.

Forty-seven flora species were observed within the study area, including 10 indigenous and 37 non-indigenous species. A list of all flora species recorded during the field assessment are provided in Appendix 1.1. Specific details relating to observed EVCs are provided below.

3.1.1 Patches of Native Vegetation

Native vegetation in the study area is representative of one EVC: Grassy Woodland (EVC 175). The presence of this EVC is generally consistent with the modelled extent (2005) native vegetation mapping (DEECA 2025a).

The results of the habitat hectare assessment are provided in Appendix 1.2.

Grassy Woodland EVC

Grassy Woodland (GW) is characterised by an open Eucalypt woodland up to 15 m tall, or occasionally Sheoak woodland up to 10 m tall. The diverse ground layer contains grasses and herbs, with spare shrubs. It occurs on sites with moderate fertility on gentle slopes or undulating hills on a range of geologies (DEECA 2025c).

GW1a comprised entirely of Kangaroo Apple *Solanum aviculare* and Coast Tea-tree. A small recruit of Sweet Pittosporum *Pittosporum undulatum* was present and Kikuyu *Cenchrus clandestinus* runners. GW1b occurred along the eastern side of the study area and was in poor condition. GW1b was comprised entirely of Coast Wattle *Acacia longifolia* subsp. *sophorae* and Coast Tea-tree *Gaudium laevigatum* recruits. The patch contained Eucalypts specimens, however all individuals were considered planted (Figure 2), and did not contribute to the overall score. The ground layer was devoid of native vegetation in GW1a-b (Plate 1).

Habitat zone GW2 was the largest patch of the study area and was of a higher quality. The mid story was dominated by Coast Tea-tree and Coast Wattle. No canopy layer was present (Plate 2) and the ground layer was mainly absent, however did contain some areas of Bower Spinach *tetragonia implexicoma* and Austral Bracken *Pteridium esculentum* subsp*. esculentum*, Flax-lily *Dianella* sp*.,* and Seaberry Saltbush *Rhagodia candolleana* subsp. *Candolleana* (Plate 3). Common Dipogon *Dipogon lignosus* was observed growing over a significant portion of Coast Tea-tree within the patch (Plate 4).

Habitat zone patches GW3a and GW3b occurred in the north-west of the study area and were in poor condition. These patches were comprised entirely of Coast Tea-tree, with no canopy or ground cover present (Plate 5). This habitat zone differs from GW1 in that there was less organic litter present in GW3a-b.

The GW4 was a shrub patch that contained a Kangaroo Apple individual next to a fallen Radiata Pine *Pinus radiata* (Plate 6). The patch was received a low condition score with no canopy layer or native ground cover present.

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Plate 1. Native vegetation in GW1 with a planted Eucalypt overstory (Ecology and Heritage Partners Pty Ltd 03/010/2025).



Plate 2. GW2 patch in study area (Ecology and Heritage Partners Pty Ltd 03/010/2025).



Plate 3. Austral Bracken present in GW2 (Ecology and Heritage Partners Pty Ltd 03/010/2025).



Plate 4. Common Dipogon smothering native vegetation (Ecology and Heritage Partners Pty Ltd 03/010/2025).



Plate 5. Absent understory in GW3 (Ecology and Heritage Partners Pty Ltd 03/010/2025).



Plate 6. GW4 Kangaroo Apple patch in the study area (Ecology and Heritage Partners Pty Ltd 03/010/2025).

3.1.2 Large Trees in Patches and Scattered trees

No Large Trees in patches or Scattered Trees were recorded during the site assessment.

3.1.3 Introduced and Planted Vegetation

Areas not supporting native vegetation had a high cover of exotic grass species, many of which were direct-seeded for use as lawn. Along the southern, eastern, and northern boundary there were native and non-native vegetation ornamental plantings. These specimens were assumed planted as they were organised in a straight row and no understory was present.

Non-native areas were dominated by environmental weeds such as Common Dipogon, Pale Wood-sorrel *Oxalis incarnata,* White Clover *Oxalis repens var. repens,* Showy Honey-myrtle *Melaleuca nesophila,* and Capeweed *Arctotheca calendula* (Plate 7).

Noxious weeds, as defined under the *Catchment and Land Protection Act 1994* (CaLP Act), were present within the study area, with African boxthorn *Lycium ferocissimum,* Montpellier Broom *Genista monspessulana,* and Gorse *Ulex europaeus* mainly located in the northern half of the study area (Plate 8). Soursob *Oxalis pes-caprae* was scattered throughout the entire study area. African Boxthorn, Montpellier Broom, and Gorse are also a Weeds of National Significance (WoNS).



Plate 7. Gorse shrub on the northern boundary of the study area (Ecology and Heritage Partners Pty Ltd 03/10/2025).



Plate 8. African Boxthorn on the northern boundary of the study area (Ecology and Heritage Partners Pty Ltd 03/10/2025).

3.2 Fauna Habitat

Most of the study area consisted of open areas of introduced grass species which contained exotic lawn species, likely to be used as a foraging resource by common generalist bird species which are tolerant of modified open areas. Fauna observed using this habitat included Australian Magpie *Cracticus tibicen*, Little Raven *Corvus mellori*, Willie Wagtail *Rhipidura leucophrys*, and European Rabbit *Oryctolagus cuniculus*. European Rabbit are listed as pest animals under the CaLP Act.

Planted vegetation was located throughout the study area as windrows or as ornamental plantings around the boundary of the study area. These areas provide foraging, roosting and nesting habitat for mobile generalist

fauna including locally common birds and microbats. Species observed using this habitat includes Noisy Miner *Manorina melanocephala*, Rainbow Lorikeet *Trichoglossus haematodus* and New Holland Honeyeater *Phylidonyris novaehollandiae*.

3.3 Significance Assessment

3.3.1 Flora

Four nationally significant (i.e. under the EPBC Act) and 18 State significant (i.e. under the FFG Act) flora species have previously been recorded within 10 kilometres of the study area (DEECA 2025d) (Figure 3). An additional 10 nationally significant species which have not been previously recorded but have the potential to occur in the locality were also nominated in the PMST (DCCEEW 2025) (Appendix 1.4). One record of Coast Saltwort *Salsola tragus* in 1955 was observed in close proximity to the study area.

No national or State significant flora were recorded during the site assessment, and based on the modified nature of the study area, landscape context and the proximity of previous records, significant flora species are considered unlikely to occur within the study area due to the and high levels of disturbance and absence of suitable habitat.

3.3.2 Fauna

Twenty-six nationally significant (i.e. under the EPBC Act) and 22 State significant (i.e. under the FFG Act) fauna species have previously been recorded within 10 kilometres of the study area (DEECA 2025d) (Figure 4). An additional 43 nationally significant species which have not been previously recorded but have the potential to occur in the locality were also nominated in the PMST (DCCEEW 2025) (Appendix 2.1). There are records for White-throated Needletail *Hirundapus caudacutus* and Common Sandpiper *Actitis hypoleucos* in close proximity to the study area. Although the White-throated Needletail may aerially forage over the study area, it is unlikely to utilise it for foraging or roosting purposes. Similarly, the Common Sandpiper is unlikely to utilise the study area for breeding, foraging, or roosting is it does not contain suitable habitat, that is, a saltwater body or rocky escarpment.

No national or State significant fauna were recorded during the site assessment, and based on the modified nature of the study area, landscape context and the proximity of previous records, significant fauna species are considered unlikely to rely on habitat within the study area for foraging or breeding purposes due to the lack of suitable and/or important habitat features.

3.3.3 Ecological Communities

Three nationally listed ecological communities are predicted to occur within 10 kilometres of the study area (DCCEEW 2025):

- Natural Damp Grassland of the Victorian Coastal Plains;
- Subtropical and Temperate Coastal; and,
- Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains.

However, vegetation within the study area did not meet the condition thresholds that define any national or State-significant communities due to the absence of key indicator species, the low diversity of native flora and high cover of exotic vegetation.

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4 REMOVAL, DESTRUCTION OR LOPPING OF NATIVE VEGETATION (THE GUIDELINES)

4.1 Avoid and Minimise Statement

The proposed development is a retirement village extension for 32 Independent Living Units (ILU), with lot sizes varying in size. The development covers most of the study area, hence it is not possible to avoid all impacts to native vegetation due to the location of native vegetation in the north and east of the study area.

A comprehensive design process was undertaken to determine the optimal location for the communal facility within the northern section of the site. This decision considered multiple factors, including minimising impacts on sensitive residential areas to the south, ensuring convenient access for residents of the existing retirement village and integrating with the proposed pedestrian path to the foreshore.

The design also incorporates driveway extensions and associated access elements to facilitate connectivity and functionality. As a result of these considerations, the removal of native vegetation within this area was deemed unavoidable to achieve the required outcomes for accessibility, safety, and amenity.

Furthermore, as per Table 7 of the *Assessors Handbook: Applications to remove, destroy or lop native vegetation* (DEECA 2025h), only a small amount of native vegetation is proposed to be cleared (i.e. less than 0.5 hectares), and no large trees were observed. Losses are associated with vegetation containing a low Strategic Biodiversity Value (i.e. less than 0.3) and the condition score of the vegetation is in the low range (scores are less than 0.3).

No Precinct Structure Plan (PSP) has been established for this area and thus the site is not subject to strategic planning. However, the Mount Martha area is included in the Mornington Peninsula Planning Scheme. An objective of this scheme is to protect and enhance the Mornington Peninsula's biodiversity.

Discussions were had with Keyton to consider reducing impacts to native vegetation, however, no feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal. The main vegetation patch, GW2, is proposed to comprise the communal building, which is intended to contain coastal native landscaping.

4.2 Residual Impacts to Native Vegetation

The below clearing scenario is based on loss of all native vegetation due to new proposed ILU's and driveways. This is based on a proposed development footprint by the proponent in consultation with the Project Arborist.

4.2.1 Vegetation proposed to be removed

The study area is within Location 2, with 0.252 hectares of native vegetation proposed to be removed. As such, the permit application falls under the Intermediate assessment pathway (Table 1).

Condition scores for vegetation proposed to be removed are provided in Appendix 1.2.

Table 1. Removal of Native Vegetation (the Guidelines) (DEECA 2025f).

Assessment pathway	Intermediate
Location category	2
Total extent (including past and proposed) (ha)	0.252
Includes endangered EVCs (ha)	0.252
Extent of past removal (ha)	0
Extent of proposed removal – Patches (ha)	0.252
Extent of proposed removal – Scattered trees (ha)	0
Total Large Trees to be removed (no.)	0
Large patch trees to be removed (no.)	0
Large scattered trees to be removed (no.)	0
Small scattered trees to be removed (no.)	0
EVC Conservation Status of vegetation to be removed	Endangered (Grassy Woodland)

4.2.2 Offset Requirements

The offset requirements for native vegetation removal for the proposed development are 0.05 General Habitat Units.

A summary of the offset requirements associated with the proposed vegetation losses is presented in Table 2 and the Native Vegetation Removal (NVR) Report is presented in Appendix 3.

Table 2. Offset Requirements.

General Offsets Required	0.05 General Habitat Units
Large Trees	0
Vicinity (catchment/council)	Melbourne Water CMA / Mornington Peninsula Shire municipality
Minimum Strategic Biodiversity Value*	0.1543

***The minimum Strategic Biodiversity Value is 80% of the weighted average score across habitat zones where a General offset is required.

4.2.3 Offset Strategy

According to DEECAs Native Vegetation Offset Register (DEECA 2025f), there are 19 offset sites within the Melbourne Water CMA or Mornington Peninsula Shire municipality that can be used to satisfy the General Habitat Unit offset requirements.

An offset register search statement identifying the relevant offsite sites is provided in Appendix 4, which provides evidence that the offset obligation can be secured without any difficulty should a permit be provided for the project.

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5 LEGISLATIVE AND POLICY IMPLICATIONS

5.1 *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth)

The EPBC Act is administered by the DCCEEW and provides a national framework for the protection of heritage and the environment, and the conservation of biodiversity. The EPBC Act establishes a Commonwealth process for the assessment of proposed actions that are likely to have a significant impact on matters of National Environmental Significance (NES), or on Commonwealth land. An action (i.e. project, development, undertaking, activity or series of activities), requires approval from the Commonwealth Environment Minister if it is likely to have a significant impact on any matters of NES.

5.1.1 Implications

The proposed action is highly unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister is unlikely to be required regarding matters listed under the EPBC Act.

5.2 *Flora and Fauna Guarantee Act 1988* and *Flora and Fauna Guarantee Act* (Victoria)

The FFG Act is the primary legislation dealing with biodiversity conservation and sustainable use of native flora and fauna in Victoria. Proponents are required to apply for an FFG Act Permit to 'take' listed and/or protected flora species, listed vegetation communities and listed fish species in areas of public land (i.e. within road reserves, drainage lines and public reserves). An FFG Act permit is generally not required for removal of species or communities on private land, or for the removal of habitat for a listed terrestrial fauna species.

The *Flora and Fauna Guarantee Amendment Act 2019* (the Amendment Act) came into effect on 1 June 2020. The Amendment Act strengthens the framework for the protection of Victoria's biodiversity, with one of the main amendments now obligating all public authorities to have consideration of biodiversity to ensure decisions and policies are made with proper consideration of the potential impacts on biodiversity.

The declared FFG Act Protected Flora list was updated and gazetted on 16 May 2024, which classifies Protected Flora into two categories. These categories are Restricted Use Protected Flora and Generally Protected Flora. The FFG Act uses the term 'protected flora other than restricted use protected flora' instead of 'generally protected flora', however the term 'generally protected flora' is the accepted and commonly used phrase to improve clarity. Flora species listed as threatened under the FFG Act are classified as Generally Protected Flora. A permit is required to destroy, remove or take Generally Protected Flora for any reason, whereas a permit is not required to destroy, remove or take Restricted Use Protected Flora for 'incidental use', including such purposes as development. Flora identified as either Restricted Use Protected Flora or Generally Protected Flora are provided in Appendix 1.1.

5.2.1 *Implications*

There are no confirmed records of species or ecological communities listed as Threatened or Protected under the FFG Act being within the study area.

5.3 *Planning and Environment Act 1987* (Victoria)

5.3.1 *Local Planning Scheme*

The study area is located within the Mornington Peninsula Shire. The following zoning and overlays apply (DTP 2025):

- General Residential Zone – Schedule 1 (GRZ1)
- Design and Development Overlay (DDO)
- Heritage Overlay- Schedule (HO65)

5.3.2 *The Guidelines*

The State Planning Policy Framework and the decision guidelines at Clause 12.01 Biodiversity and Clause 52.17 Native Vegetation require Planning and Responsible Authorities to have regard for the Guidelines (DEECA 2025f).

5.3.3 *Implications*

The study area is within Location 2, with 0.252 hectares of native vegetation proposed to be removed from the impact area. As such, the permit application falls under the Intermediate assessment pathway. The offset requirement for native vegetation removal is 0.05 General Habitat Units and 0 Large Tree/s. A planning permit from the Mornington Peninsula Shire is required to remove, destroy or lop any native vegetation under Clause 52.17.

In this instance, the application is not required to be referred to DEECA because it's on private land and falls under the Intermediate assessment pathway.

5.4 *Catchment and Land Protection Act 1994* (Victoria)

The CaLP Act contains provisions relating to catchment planning, land management, noxious weeds and pest animals. Landowners are responsible for the control of any infestation of noxious weeds and pest fauna species to minimise their spread and impact on ecological values.

5.4.1 *Implications*

Four weeds listed as noxious under the CaLP Act were recorded during the assessment (African Boxthorn, Montpellier Broom, Soursob, and Gorse). Similarly, there is evidence that the study area is currently occupied by one pest fauna species listed under the CaLP Act (European Rabbit). Listed noxious weeds and pests should be appropriately controlled throughout the study area.

5.5 *Wildlife Act 1975* and Wildlife Regulations 2013 (Victoria)

The *Wildlife Act 1975* (and associated Wildlife Regulations 2013) is the primary legislation in Victoria providing for protection and management of wildlife. Authorisation for habitat removal may be obtained under the *Wildlife Act 1975* through a licence granted under the *Forests Act 1958*, or under any other Act such as the *Planning and Environment Act 1987*. With the exception of pest animals declared under the CaLP Act or wildlife declared to be unprotected wildlife, the *Wildlife Act 1975* makes it an offence to hunt, take or destroy protected or threatened wildlife without authorisation.

Any persons engaged to remove, salvage, hold or relocate native fauna during construction must hold a current Management Authorisation under the *Wildlife Act 1975* or under any other Act issued by DEECA.

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6 MITIGATION MEASURES

Recommended measures to mitigate impacts upon terrestrial values present within the study area include:

- Minimise impacts to native vegetation and habitats through construction and micro-siting techniques, including fencing retained areas of native vegetation during construction;
- All contractors should be aware of ecologically sensitive areas to minimise the likelihood of inadvertent disturbance to areas marked for retention. Native vegetation (areas of sensitivity) should be included as a mapping overlay on any construction plans;
- Construction stockpiles, machinery, roads, and other infrastructure should be placed away from areas supporting native vegetation;
- Ensure that best practice sedimentation and pollution control measures are undertaken at all times, in accordance with Environment Protection Authority (EPA) guidelines where relevant (e.g. EPA 2020; EPA 2023; Victorian Stormwater Committee 1999) to prevent offsite impacts to waterways and wetlands; and,
- As indigenous flora provides valuable habitat for indigenous fauna, it is recommended that any landscape plantings that are undertaken as part of the proposed works are conducted using indigenous species sourced from a local provenance that align with the modelled 1750 EVC present on site, rather than exotic deciduous trees and shrubs.

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7 SUMMARY OF LEGISLATION IMPLICATIONS

Further requirements associated with development of the study area, as well as additional studies or reporting that may be required, are provided in Table 3.

Table 3. Further requirements associated with development of the study area.

Relevant Legislation	Implications	Further Action
Environment Protection and Biodiversity Conservation Act 1999	The proposed action is highly unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister is unlikely to be required regarding matters listed under the EPBC Act.	No further action required.
Flora and Fauna Guarantee Act 1988	There are no confirmed records of species or ecological communities listed as Threatened or Protected under the FFG Act being within the study area.	No further action required.
Planning and Environment Act 1987	The study area is within Location 2, with 0.252 hectares of native vegetation proposed to be removed from the impact area. As such, the permit application falls under the Intermediate assessment pathway. The offset requirement for native vegetation removal is 0.05 General Habitat Units and 0 Large Tree/s. A planning permit from the Mornington Peninsula Shire is required to remove, destroy or lop any native vegetation under Clause 52.17. In this instance, the application is not required to be referred to DEECA because it's on private land and falls under the Intermediate assessment pathway.	No further action required.
Catchment and Land Protection Act 1994	Four weed species (African Boxthorn, Gorse, Montpellier Broom, and Soursob) and one pest species (European Rabbit) listed under the CaLP Act were recorded within the study area. To meet requirements under the CaLP Act, listed noxious weeds and pests should be appropriately controlled throughout the study area.	Listed noxious weeds and pests should be appropriately controlled throughout the study area
Wildlife Act 1975	Any persons engaged to conduct salvage and relocation or general handling of terrestrial fauna species must hold a current Management Authorisation.	Ensure wildlife specialists hold a current Management Authorisation.

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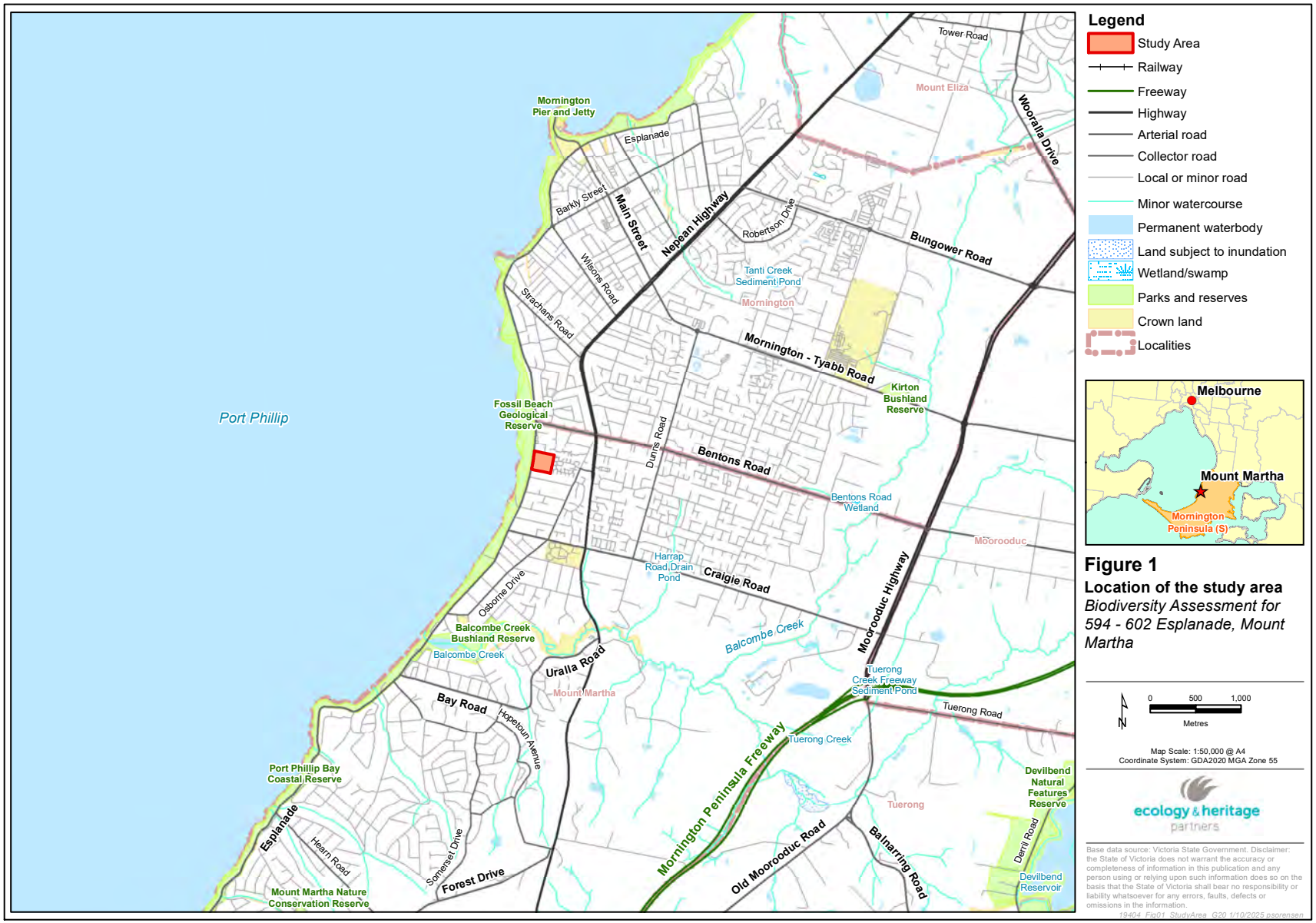


Figure 1
Location of the study area
Biodiversity Assessment for 594 - 602 Esplanade, Mount Martha



Figure 2
Ecological features
Biodiversity Assessment for 594 - 602 Esplanade, Mount Martha

Aerial source: Nearmap 2025

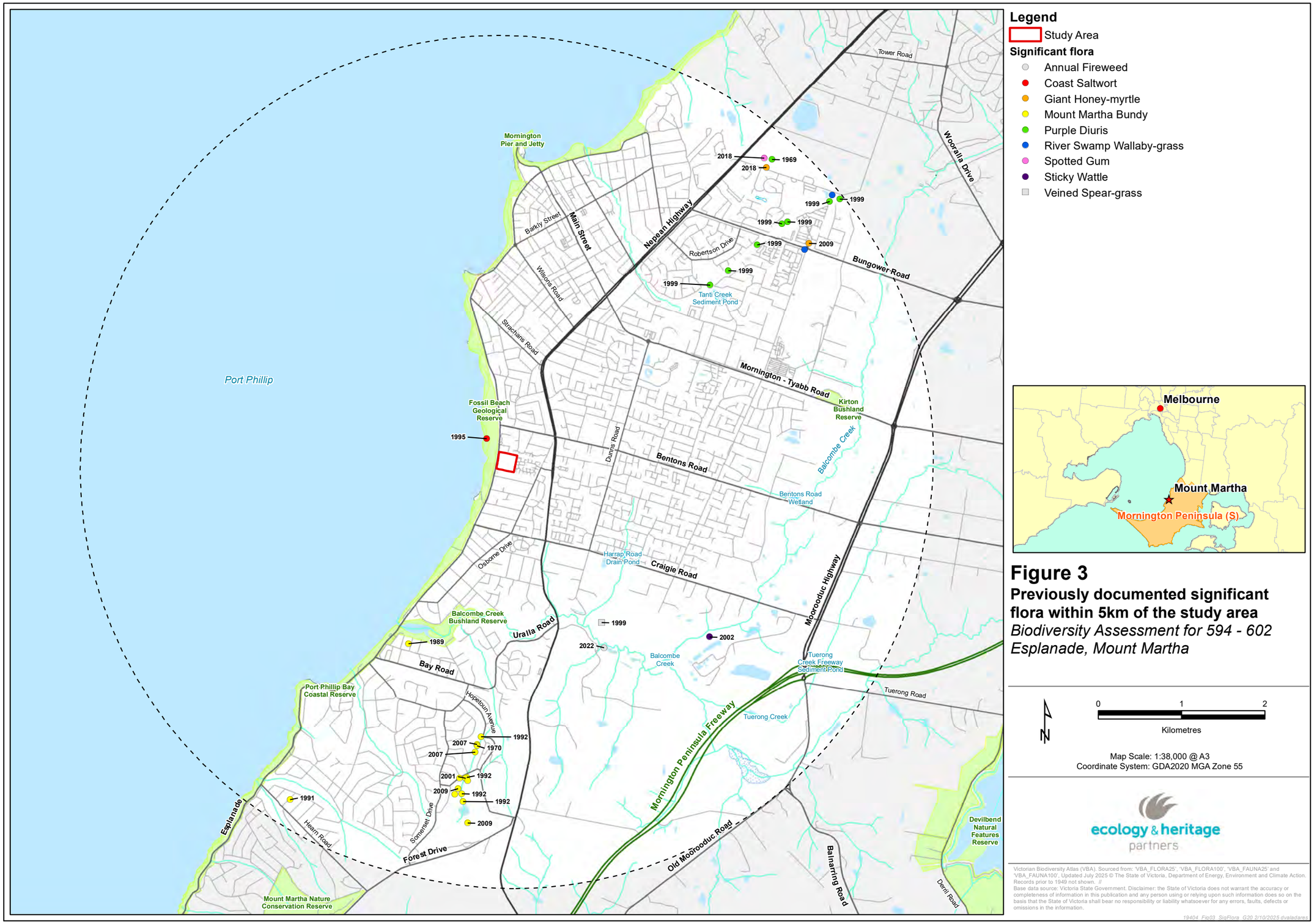


Figure 3

Previously documented significant flora within 5km of the study area

Biodiversity Assessment for 594 - 602 Esplanade, Mount Martha

0 1 2
Kilometres

Map Scale: 1:38,000 @ A3
Coordinate System: GDA2020 MGA Zone 55

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Victorian Biodiversity Atlas (VBA). Sourced from: 'VBA_FLORA25', 'VBA_FLORA100', 'VBA_FAUNA25' and 'VBA_FAUNA100', Updated July 2025 © The State of Victoria, Department of Energy, Environment and Climate Action. Records prior to 1949 not shown. //
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19404_Fig03_SigFlora_G20 2/10/2025 dvaladares

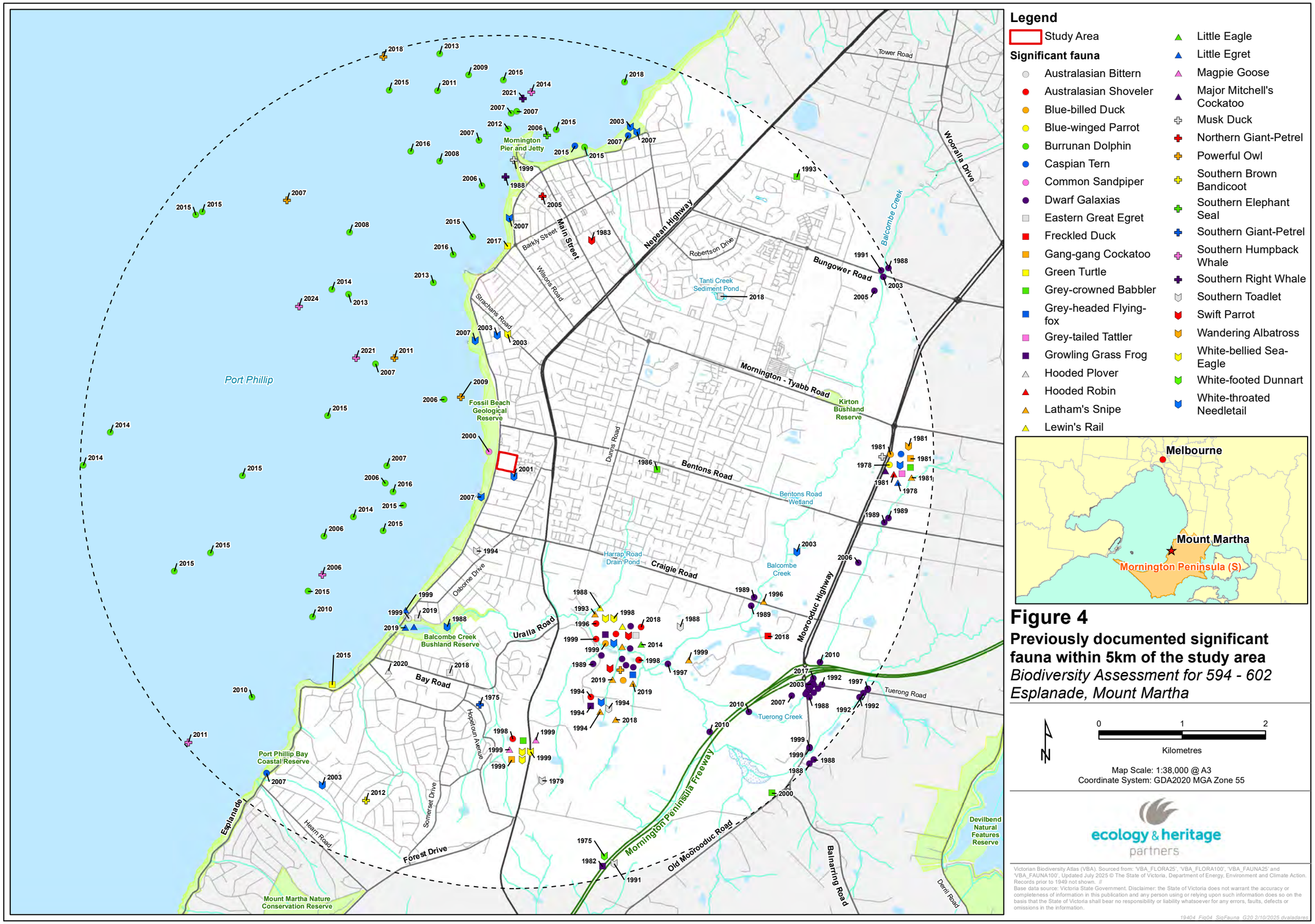


Figure 4

Previously documented significant fauna within 5km of the study area

Biodiversity Assessment for 594 - 602 Esplanade, Mount Martha

Victorian Biodiversity Atlas (VBA). Sourced from: 'VBA_FLORA25', 'VBA_FLORA100', 'VBA_FAUNA25' and 'VBA_FAUNA100', Updated July 2025 © The State of Victoria, Department of Energy, Environment and Climate Action. Records prior to 1949 not shown. //
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19404_Fig04_SigFauna_G20 2/10/2025 dvaladares

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APPENDIX 1 FLORA

Appendix 1.1 Flora Results

Legend:

C Listed as a noxious weed under the CaLP Act
w Weed of National Significance
^ Naturally growing (i.e. non-planted) indigenous species to the study area
***** Planted indigenous species to the study area
# Planted Victorian (non-indigenous) and Australian species

Table A1.1. Flora within the study area.

Scientific Name	Common Name	Notes
INDIGENOUS SPECIES		
Acacia longifolia subsp. *sophorae*	Coast Wattle	^
Acacia melanoxylon	Blackwood	*
Dianella spp.	Flax Lily	^
Eucalyptus pauciflora	Snow Gum	*
Eucalyptus viminalis subsp. *viminalis*	Manna Gum	*
Gaudium laevigatum	Coast Tea-tree	^
Pteridium esculentum subsp. *esculentum*	Austral Bracken	^
Rhagodia candolleana subsp. *candolleana*	Seaberry Saltbush	^
Solanum aviculare	Kangaroo Apple	^
Tetragonia implexicoma	Bower Spinach	^
NON-INDIGENOUS OR INTRODUCED SPECIES		
Acacia cultriformis	Knife-leaf Wattle	#
Arctotheca calendula	Cape Weed	-
Bromus catharticus	Prairie Grass	-
Callistemon 'Kings Park Special'	Kings Park Special	#
Cenchrus clandestinus	Kikuyu	-
Coprosma repens	Mirror Bush	-
Corymbia ficifolia	Flowering Gum	#
Corymbia maculata	Spotted Gum	#
Crassula multicava subsp. *multicava*	Shade Crassula	-
Cynodon dactylon	Couch	-
Dipogon lignosus	Common Dipogon	-
Ehrharta erecta	Panic Veldt-grass	-

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Scientific Name	Common Name	Notes
Eucalyptus botryoides	Southern Mahogany	#
Eucalyptus globulus subsp. *bicostata*	Southern Blue-gum	#
Eucalyptus sideroxylon subsp. *sideroxylon*	Mugga	#
Eucalyptus microcorys	Tallowwood	#
Eucalyptus nicholii	Narrow-leaved Black Peppermint	#
Genista monspessulana	Montpellier Broom	C w
Hesperocyparis macrocarpa	Monterey Cypress	-
Hypochaeris radicata	Flatweed	-
Lycium ferocissimum	African Box-thorn	C w
Melaleuca nesophila	Showy Honey-myrtle	#
Oxalis incarnata	Pale Wood-sorrel	-
Oxalis pes-caprae	Soursob	C
Oxalis purpurea	Large-flower Wood-sorrel	-
Paspalum spp.	Paspalum	-
Phytolacca octandra	Red-ink Weed	-
Pinus radiata	Radiata Pine	-
Pittosporum undulatum	Sweet Pittosporum	-
Poa annua s.l.	Annual Meadow-grass	-
Polygala spp.	Milkwort	#
Romulea rosea	Onion Grass	-
Rumex crispus	Curled Dock	-
Stellaria media	Chickweed	-
Trifolium repens var. *repens*	White Clover	-
Ulex europaeus	Gorse	C w
Ulmus procera	English Elm	-

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Appendix 1.2 Habitat Hectare Assessment

Table A1.2. Habitat Hectare Assessment Table.

Vegetation Zone		GW1	GW2	GW3a-b	GW4
Bioregion		Gippsland Plain	Gippsland Plain	Gippsland Plain	Gippsland Plain
EVC		Grassy Woodland	Grassy Woodland	Grassy Woodland	Grassy Woodland
EVC Number		175	175	175	175
EVC Conservation Status		Endangered	Endangered	Endangered	Endangered
Site Condition /75	Large Trees /10	0	0	0	0
	Tree Canopy Cover /5	0	0	0	0
	Lack of Weeds /15	7	9	7	9
	Understorey /25	5	5	5	5
	Recruitment /10	0	0	0	0
	Organic Matter /5	4	3	3	3
	Logs /5	0	2	0	0
	Treeless EVC Multiplier	1.00	1.00	1.00	1.00
	Subtotal =	16.00	19.00	15.00	17.00
Landscape Context /25	Patch Size /10	1	1	1	1
	Neighbourhood /10	0	0	0	0
	Distance to Core Area /5	3	3	3	3
	Subtotal =	4	4	4	4
Habitat Points /100		20	23	19	21
Habitat Score		**0.20**	**0.23**	**0.19**	**0.21**

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APPENDIX 3 NATIVE VEGETATION REMOVAL (NVR) REPORT

Native Vegetation Removal Report

NVRR ID: 352_20251103_T8J

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines). This report is **not an assessment by DEECA** of the proposed native vegetation removal. Native vegetation information and offset requirements have been determined using spatial data provided by the applicant or their consultant.

Report details

Date created: 03/11/2025

Local Government Area: MORNINGTON PENINSULA SHIRE

Shapefile name: EHP19404_MountMartha_Patches_VG20.shp

Site assessor name: Charles Geddes

Registered Aboriginal Party: Bunurong

Coordinates: 145.03172, -38.24687

Address: 602 ESPLANADE MOUNT MARTHA 3934

Regulator Notes

Removal polygons are located:

Summary of native vegetation to be removed

Assessment pathway	**Intermediate Assessment Pathway**		
Location category	Location 2 The native vegetation extent map indicates that this area is typically characterised as supporting native vegetation. Additionally, it is modelled as encompassing an endangered Ecological Vegetation Class, sensitive wetland or sensitive coastal area. The removal of less than 0.5 hectares of native vegetation in this area will not require a Species Offset.		
Total extent including past and proposed removal (ha) *Includes endangered EVCs (ha): 0.252*	**0.252**	*Extent of past removal (ha)*	*0*
		Extent of proposed removal - Patches (ha)	*0.252*
		Extent of proposed removal - Scattered Trees (ha)	*0.000*
No. Large Trees proposed to be removed	**0**	*No. Large Patch Trees*	*0*
		No. Large Scattered Trees	*0*
No. Small Scattered Trees	0		

Offset requirements if approval is granted

Any approval granted will include a condition to secure an offset, before the removal of native vegetation, that meets the following requirements:

General Offset amount [1]	**0.05 General Habitat Units**
Minimum strategic biodiversity value score [2]	0.1543
Large Trees	0
Vicinity	Melbourne Water CMA or MORNINGTON PENINSULA SHIRE LGA

NB: values within tables in this document may not add to the totals shown above due to rounding

The availability of third-party offset credits can be checked using the Native Vegetation Credit Register (NVCR) Search Tool - https://nvcr.delwp.vic.gov.au

1. The General Offset amount required is the sum of all General Habitat Units in Appendix 1.
2. Minimum strategic biodiversity value score is 80 per cent of the weighted average score across habitat zones where a General Offset is required.
3. The Species Offset amount(s) required is the sum of all Species Habitat Units in Appendix 1.

Application requirements

Applications to remove, destroy or lop native vegetation must include all the below information. If an appropriate response has not been provided the application is not complete.

Application Requirement 1 - Native vegetation removal information

If the native vegetation removal is mapped correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 1.

Application Requirement 2 - Topographical and land information

This statement describes the topographical and land features in the vicinity of the proposed works, including the location and extent of any ridges, hilltops, wetlands and waterways, slopes of more than 20% gradient, low-lying areas, saline discharge areas or areas of erosion.

Application Requirement 3 - Photographs of the native vegetation to be removed

Application Requirement 3 is not addressed in this Native Vegetation Removal Report. All applications must include recent, timestamped photos of each Patch, Large Patch Tree and Scattered Tree which has been mapped in this report.

Application Requirement 4 - Past removal

If past removal has been considered correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 4.

Application Requirement 5 - Avoid and minimise statement

This statement describes what has been done to avoid and minimise impacts on native vegetation and associated biodiversity values.

Application Requirement 6 - Property Vegetation Plan

This requirement only applies if an approved Property Vegetation Plan (PVP) applies to the property
Does a PVP apply to the proposal?

Application Requirement 7 - Defendable space statement

Where the removal of native vegetation is to create defendable space, this statement:

- Describes the bushfire threat; and



- Describes how other bushfire risk mitigation measures were considered to reduce the amount of native vegetation proposed for removal (this can also be part of the avoid and minimise statement).

This statement is not required if, If the proposed defendable space is within the Bushfire Management Overlay (BMO), and in accordance with the 'Exemption to create defendable space for a dwelling under Clause 44.06 of local planning schemes' in Clause 52.12-5.

Application Requirement 8 - Native Vegetation Precinct Plan

This requirement is only applicable if you are removing native vegetation from within an area covered by Native Vegetation Precinct Plan (NVPP), and the proposed removal is not identified as 'to be removed' within the NVPP.
Does an NVPP apply to the proposal?

Application Requirement 9 - Offset statement

This statement demonstrates that an offset is available and describes how the required offset will be secured. The Applicant's Guide provides information relating to this requirement.

Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in the Guidelines. If you wish to remove the mapped native vegetation you are required to apply for approval from the responsible authority (e.g. local Council). This Native vegetation removal report must be submitted with your application and meets most of the application requirements. The following requirements need to be addressed, as applicable.

Application Requirement 3 - Photographs of the native vegetation to be removed

Recent, dated photographs of the native vegetation to be removed **must be provided** with the application. All photographs must be clear, show whether the vegetation is a Patch of native vegetation, Patch Tree or Scattered Tree, and identify any Large Trees. If the area of native vegetation to be removed is large, provide photos that are indicative of the native vegetation.

Ensure photographs are attached to the application. If appropriate photographs have not been provided the application is not complete.

Application Requirement 6 - Property Vegetation Plan

If a PVP is applicable, it must be provided with the application.

Appendix 1: Description of native vegetation to be removed

General Habitat Units for each zone (Patch, Scattered Tree or Patch Tree) are calculated by the following equation in accordance with the Guidelines

General Habitat Units = extent without overlap x condition score x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2)

The General Offset amount required is the sum of all General Habitat Units per zone.

Native vegetation to be removed

Information provided by or on behalf of the applicant							Information calculated by NVR Map				
Zone	**Type**	**DBH (cm)**	**EVC code**	**Bioregional conservation status**	**Partial Removal**	**Condition score**	**Large Tree(s)**	**Polygon extent (ha)**	**Extent without overlap (ha)**	**SBV score**	**General Habitat Units**
1-a	Patch	-	GipP0175	Endangered	no	0.200	-	0.003	0.003	0.190	0.000
2-b	Patch	-	GipP0175	Endangered	no	0.230	-	0.198	0.198	0.190	0.041
3-c	Patch	-	GipP0175	Endangered	no	0.190	-	0.008	0.008	0.230	0.001
4-c	Patch	-	GipP0175	Endangered	no	0.190	-	0.010	0.010	0.230	0.002
5-a	Patch	-	GipP0175	Endangered	no	0.200	-	0.033	0.033	0.190	0.006
6-d	Patch	-	GipP0175	Endangered	no	0.210	-	0.000	0.000	0.570	0.000

Appendix 2: Images of mapped native vegetation

1. Property in context



2. Aerial photograph showing mapped native vegetation



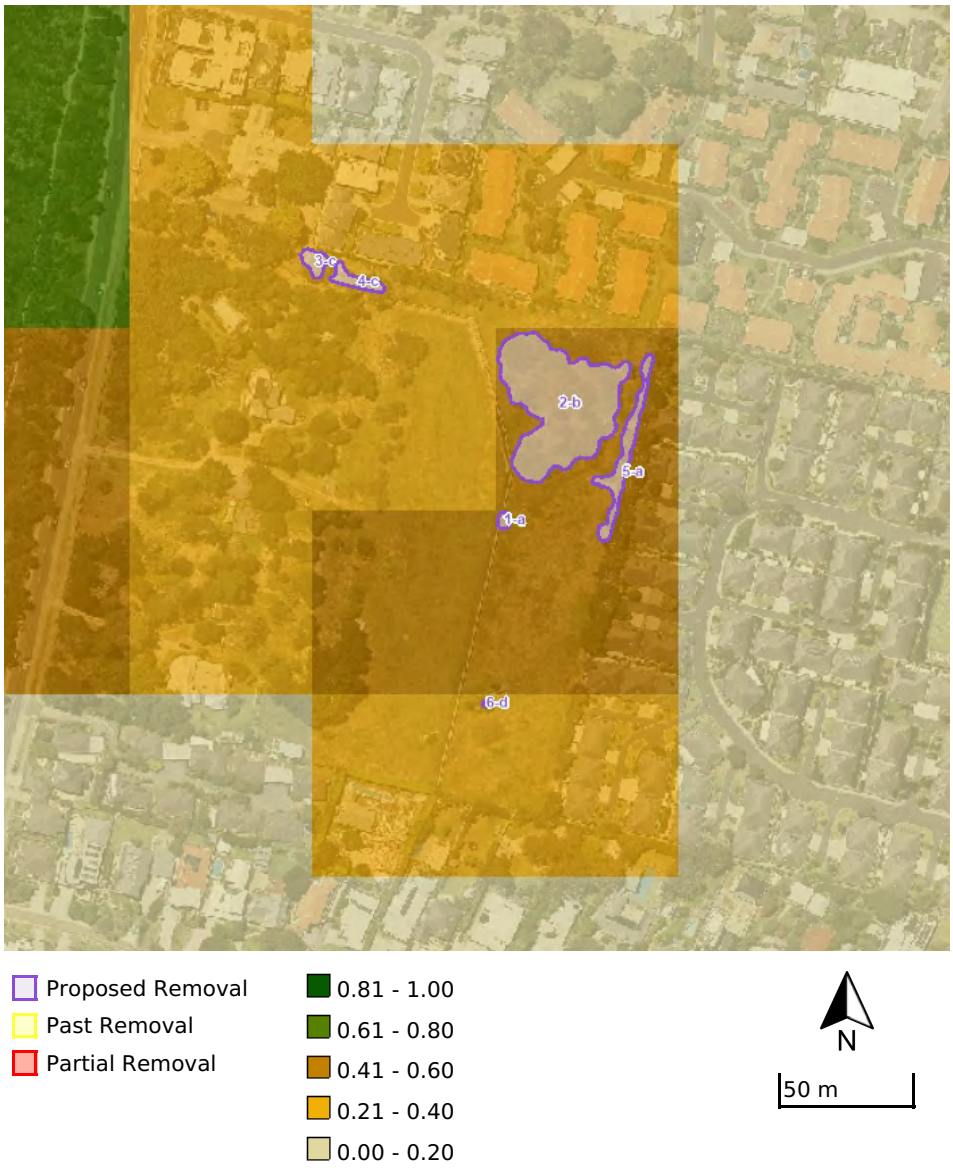
3. Location Risk Map



4. Strategic Biodiversity Value Score Map



5. Condition Score Map



6. Endangered EVCs



Proposed Removal
Past Removal
Partial Removal
Endangered 1750 Ecological Vegetation Classes

N

50 m

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APPENDIX 4 AVAILABLE NATIVE VEGETATION CREDITS

Report of available native vegetation credits

This report lists native vegetation credits available to purchase through the Native Vegetation Credit Register.

This report is **not evidence** that an offset has been secured. An offset is only secured when the units have been purchased and allocated to a permit or other approval and an allocated credit extract is provided by the Native Vegetation Credit Register.

Date and time: 03/11/2025 12:07 **Report ID: 32592**

What was searched for?

General offset

General habitat units	Strategic biodiversity value	Large trees	Vicinity (Catchment Management Authority or Municipal district)	
0.05	0.1543	0	CMA	Melbourne Water
			or LGA	Mornington Peninsula Shire

Details of available native vegetation credits on 03 November 2025 12:07

These sites meet your requirements for general offsets.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
BBA-0277	1.499	439	Melbourne Water	Mornington Peninsula Shire	No	Yes	No	Abezco, Ethos, VegLink
BBA-0670	13.399	70	Melbourne Water	Cardinia Shire	No	Yes	No	Abezco, VegLink
BBA-0677	3.040	1317	Melbourne Water	Whittlesea City	No	Yes	No	Abezco, VegLink
BBA-0678	26.384	2408	Melbourne Water	Nillumbik Shire	No	Yes	No	Abezco, VegLink
BBA-0678_02	0.562	58	Melbourne Water	Nillumbik Shire	No	Yes	No	Abezco, VegLink
BBA-1136	0.669	29	Melbourne Water	Mornington Peninsula Shire	Yes	Yes	No	Bio Offsets, VegLink
BBA-2870	2.544	431	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
BBA-2871	12.731	1573	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-0838_01	0.126	631	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3682_01	1.834	0	Melbourne Water	Nillumbik Shire	Yes	Yes	No	Abezco
VC_CFL-3708_01	0.181	446	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3709_01	0.117	280	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink

VC_CFL-3710_01	6.238	322	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3740_01	0.059	14	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	Bio Offsets
VC_CFL-3744_01	1.078	347	Melbourne Water	Macedon Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3764_01	1.083	0	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3764_01	1.134	0	Melbourne Water	Yarra Ranges Shire	Yes	Yes	Yes	VegLink
VC_CFL-3805_01	3.289	802	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3806_01	3.891	143	Melbourne Water	YARRA RANGES SHIRE	Yes	Yes	No	Yarra Ranges SC

These sites meet your requirements using alternative arrangements for general offsets.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)

There are no sites listed in the Native Vegetation Credit Register that meet your offset requirements when applying the alternative arrangements as listed in section 11.2 of the Guidelines for the removal, destruction or lopping of native vegetation.

These potential sites are not yet available, land owners may finalise them once a buyer is confirmed.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
VC_CFL-3746_01	4.962	563	Melbourne Water	Macedon Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3792_01	14.025	1235	Melbourne Water	Macedon Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3816_01	10.827	596	Melbourne Water	Yarra Ranges Shire	Yes	Yes	No	Contact NVOR

LT - Large Trees *CMA - Catchment Management Authority* *LGA - Municipal District or Local Government Authority*

Next steps

If applying for approval to remove native vegetation
Attach this report to an application to remove native vegetation as evidence that your offset requirement is currently available.

If you have approval to remove native vegetation
Below are the contact details for all brokers. Contact the broker(s) listed for the credit site(s) that meet your offset requirements. These are shown in the above tables. If more than one broker or site is listed, you should get more than one quote before deciding which offset to secure.

Broker contact details

Broker Abbreviation	Broker Name	Phone	Email	Website
	Fully traded			
Abezco	Abzeco Pty. Ltd.	(03) 9431 5444	offsets@abzeco.com.au	www.abzeco.com.au
Baw Baw SC	Baw Baw Shire Council	(03) 5624 2411	bawbaw@bawbawshire.vic.gov.au	www.bawbawshire.vic.gov.au
Bio Offsets	Biodiversity Offsets Victoria	0452 161 013	info@offsetsvictoria.com.au	www.offsetsvictoria.com.au
Contact NVOR	Native Vegetation Offset Register	136 186	nativevegetation.offsetregister@deeca.vic.gov.au	www.environment.vic.gov.au/native-vegetation
Ecocentric	Ecocentric Environmental Consulting	0410 564 139	ecocentric@me.com	Not avaliable
Ethos	Ethos NRM Pty Ltd	(03) 5153 0037	offsets@ethosnrm.com.au	www.ethosnrm.com.au
IDES	ID Ecological Management	(03) 9437 0555		www.idecological.com.au
Nillumbik SC	Nillumbik Shire Council	(03) 9433 3316	offsets@nillumbik.vic.gov.au	www.nillumbik.vic.gov.au
TFN	Trust for Nature	8631 5888	offsets@tfn.org.au	www.trustfornature.org.au
VegLink	Vegetation Link Pty Ltd	(03) 8578 4250 or 1300 834 546	offsets@vegetationlink.com.au	www.vegetationlink.com.au
Yarra Ranges SC	Yarra Ranges Shire Council	1300 368 333	biodiversityoffsets@yarraranges.vic.gov.au	www.yarraranges.vic.gov.au

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For more information contact the DEECA Customer Service Centre 136 186 or the Native Vegetation Credit Register at nativevegetation.offsetregister@delwp.vic.gov.au

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Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes



LEVELS TABLE

No.	FROM DEPTH (m)	TO DEPTH (m)	COLOUR	DEPTH RANGE VOLUME
1	-1.04	-0.50		52.06m³
2	-0.50	-0.25		264.67m³
3	-0.25	-0.15		222.84m³
4	-0.15	0.00		491.72m³
5	0.00	0.15		759.62m³
6	0.15	0.25		288.96m³
7	0.25	0.50		211.43m³
8	0.50	0.88		18.24m³

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LEGEND:

NOTE: DEPTH RANGE VOLUMES ARE CALCULATED BETWEEN THE DIFFERENCE IN LEVEL BETWEEN EXISTING AND FINISHED SURFACE LEVELS. VOLUMES ARE FOR PLANNING AND MASTERPLAN ASSESSMENT PURPOSES ONLY.

ISSUE	APPD	DATE	REVISION
1	H.MC	12.11.25	CONCEPT DESIGN

WARNING
BEWARE OF UNDERGROUND SERVICES
THE LOCATIONS OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT POSITION SHOULD BE PROVEN ON SITE. NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.

PRELIMINARY PLAN
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TRANSPORT & TRAFFIC SOLUTIONS

Traffic Impact Assessment Report

Martha's Point Retirement Village Extension

602 Esplanade, Mount Martha

Keyton Management Services Pty Ltd

December 2025

Transport & Traffic Studies | Parking Studies | Traffic Management | Road Safety | Traffic Engineering | Civil Engineering

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1 INTRODUCTION

Keyton Management Services Pty Ltd is seeking approval for a planning permit to expand the Martha's Point retirement village located at 165 Osborne Drive, Mount Martha, into Lot 2 PS801659 located at 602 Esplanade, Mount Martha, by an additional thirty-two (32) Independent Living Units (ILUs).

To support the permit application, Keyton Management Services has engaged Transport & Traffic Solutions Pty Ltd (T&TS) to prepare a Traffic Impact Assessment Report (TIAR).

1.1 Background

The Site benefits from planning permit no. P17/2105. It is proposed to amend this permit to facilitate a revised development scheme for the delivery of an expanded retirement village.

Martha's Point currently consists of 125 Independent Living Units (ILUs), a community facility, and a bowling green and tennis court for residents' use only. The retirement village includes an existing private road network with direct access to Osborne Drive.

Keyton Management Services proposes to construct an additional thirty-two (32) ILUs within Lot 2, which has approved access via Esplanade.

1.2 Aim of this Report

The aim of this report is to review the proposal from a traffic engineering perspective and determine if adequate vehicle and pedestrian access has been provided, if the provision of car parking meets the requirements of the Mornington Peninsula Planning Scheme, and if the proposal will have an impact on the adjacent transport network, and where impacts are identified propose mitigation measures that reduce or eliminate the impact.

1.3 References

The following references were used to assist in the preparation of this report:

- Victorian Government, Department of Transport and Planning, VicPlan and Planning Schemes Online, Accessed September 2025.
- Austroads Guide to Road Design, Austroads Guide to Traffic Management, Australian Standards, and the VicRoads Supplement to the Austroads Guide and Australian Standards, as detailed in this report.
- 602 Esplanade, Mount Martha, Proposed Masterplan, Dwg No. SK10-001 Rev D, VIA Architects, 13 November 2025.

2 EXISTING CONDITIONS ASSESSMENT

2.1 Site Location & Land Use

Martha's Point retirement village is located at 165 Osborne Drive, Mount Martha, approximately three kilometres south of the Mornington Town Centre. The village is bordered by Koorootang Village Retirement Village to the north, Osborne Drive with a 210 metre frontage to the east, residential dwellings to the south, and a vacant land (the subject site at 602 Esplanade) to the west. Refer Figure 2.1 for the retirement village and subject site location.

Martha's Point comprises 125 ILUs, a community facility, a bowling green, a tennis court, and a private internal road network. Primary access to the site is provided via Osborne Drive, through the Osborne Drive/Indura Street/Ring Road roundabout.

The subject site is located within a General Residential Growth Zone – Schedule 1 (GRZ1).



Figure 2.1: Locality Plan[1]

2.2 Existing Road Network Characteristics

A site inspection was conducted on 18 August 2025, from 10:00 a.m. to 11:00 a.m., to assess the characteristics of the road network both adjacent to and within Martha's Point. Details are outlined below.

2.2.1 Osborne Drive

Osborne Drive is a sealed, two-lane, two-way road, managed by Mornington Peninsula Shire Council. It has a north-south alignment adjacent to the site and connects Dulnain Street in the north to Coolangatta Road in the south.

Osborne Drive has a 7.5-metre-wide carriageway, kerb and channel, a grass verge with shared path on the east side, and a grass verge on the west side. Refer Figure 2.2.

According to the Mornington Peninsula Shire Public Road Register, Osborne Drive is an "Urban Access" road north of Indura Street and an "Urban Collector" road to the south.

[1] http://mapshare.maps.vic.gov.au/vicplan/, May 2025

A posted speed limit of 50 km/h applies to Osborne Drive north of Indura Street, while a 60 km/h speed limit applies south of Indura Street.



Figure 2.2: Osborne Drive

2.2.2 Internal Private Road Network

The internal road network at Martha's Point consists of a looped access place arrangement (Ring Road) comprising a carriageway with a width of 6.0 metres and a footpath on one side, and access lanes measuring 3.4 metres wide to 5.2 metres wide. Indented visitor parking is located throughout the site along the road network. The internal roads are designated as a shared zone, with a speed limit of 10 km/h applicable throughout the area.

Refer Figure 2.3 to Figure 2.6 for the access lanes adjacent to the subject site, and Figure 2.7 and Figure 2.8 for the Ring Road.



Figure 2.3: Nautical Crt (3.4 metres wide)



Figure 2.4: Spiniker Crt (3.4 metres wide)



Figure 2.5: Marine Crt (5.2 metres wide)



Figure 2.6: Starboard Crt (3.4 metres wide)



Figure 2.7: Ring Road, looking south from Spiniker Court



Figure 2.8: Ring Road, looking north-east from Spiniker Court

2.3 Existing Road Network Traffic Volumes

2.3.1 Automatic Tube Count

An automatic tube count survey was conducted on the Martha's Point Ring Road (west of the roundabout) for the period between Wednesday 6 August 2025 to Tuesday 12 August 2025. A summary of the traffic volumes for all vehicles is detailed in Table 2.1.

Table 2.1: Automatic Tube Count Survey Data

	Combined	Eastbound	Westbound	85th Percentile Speed
Weekday Average Daily (Monday-Friday)	369 vpd	182 vpd	187 vpd	16.5
Weekday Average AM Peak (10:00 to 11:00)	43 vph	23 vph	20 vph	16.1
Weekday Average PM Peak (14:00 to 15:00)	38 vph	18 vph	20 vph	16.2

Analysis of recorded traffic volumes indicates that Martha's Point Retirement Village generates approximately 3.0 two-way daily vehicle trips per ILU, 0.34 two-way AM peak hour trips per ILU, and 0.3 two-way PM peak hour trips per ILU.

2.3.2 Intersection Turning Movement Count

A manual intersection turning movement count was undertaken by Nationwide Traffic Surveys Pty Ltd at the Osborne Drive/ Indura Street/ Ring Road roundabout on Wednesday 6 August during the peak periods. Figure 2.9 provides a summary of the peak hour intersection turning movement volumes recorded at the intersection between 9:45 and 10:45am and 2:30 and 3:30pm for all vehicles.

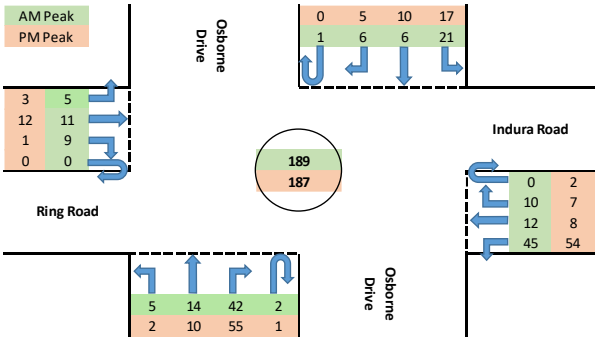


Figure 2.9: Ex. Peak Hour Intersection Turning Movement Volumes

Analysis of the intersection turning movement volumes indicates that during both the AM and PM peak periods, 48% of vehicles enter the site while 52% exit. Further, during the AM and PM peaks, 48% and 65% of vehicles, respectively, have their origin or destination on Indura Road.

2.4 Existing Intersection Performance Assessment

To understand what impact the proposed development traffic will have on the existing intersection, an operational performance assessment was undertaken using SIDRA Intersection software.

The assessment considers the following key performance metrics:

- Degree of Saturation (DoS) - The ratio of arrival (demand) flow rate to capacity during a given flow period.
- Average Delay - The average time a vehicle is delayed at an intersection compared to free-flow conditions.
- Level of Service (LoS) - A qualitative measure of traffic performance, rated from A (best) to F (worst).
- 95th Percentile Back of Queue Distance - The queue length that is not exceeded 95% of the time during the analysis period.

A summary of the performance results for the total approach at the intersection is presented in Table 2.2. Detailed outputs from the SIDRA analysis are provided in Appendix A.

Table 2.2: SIDRA Summary Results – Osborne Dr/ Indura St/ Ring Rd Roundabout with Ex. Traffic Volumes

Approach Leg	Osborne Drive (South)	Indura Street (East)	Osborne Drive (North)	Ring Road (West)	Intersection
AM PEAK					
Degree of Saturation	0.050	0.052	0.028	0.022	0.052
Average Delay (sec)	6.2	4.9	4.9	0.4	4.7
Level of Service	A	A	A	A	A
95% Queue Distance (m)	1.7	1.8	0.9	0.7	1.8
PM PEAK					
Degree of Saturation	0.051	0.053	0.028	0.014	0.053
Average Delay (sec)	6.4	4.6	4.8	0.4	4.9
Level of Service	A	A	A	A	A
95% Queue Distance (m)	1.7	1.8	0.9	0.5	1.8

As detailed in Table 2.2, the Osborne Drive/ Indura Street/ Ring Road Roundabout has a LoS A, DoS below 0.1, Average Delay less than 5 seconds, and a 95% Queue Distance less than 2 metres long during the weekday peak periods. These results indicate that the Osborne Drive/ Indura Street/ Ring Road roundabout is operating well below its expected capacity.

2.5 Crash Statistics

The casualty crash statistics of Osborne Drive adjacent to Martha's Point was sourced from the "Victorian Road Crash Data"[2] for the period between 1 January 2020 and 31 December 2024 (5-year period). The database indicates that there was no casualty accidents recorded.

Therefore, there are no serious safety concerns with the road network adjacent to the site.

[2] Vic Gov Open Data website.

2.6 Public Transport & Path Network

2.6.1 Public Transport

The Mornington Peninsula Public Transport Map provides an overview of the public transport network surrounding the site. Refer to Figure 2.10 for an extract of the relevant map.



Figure 2.10: Mornington Peninsula Public Transport Network

Bus Route 781 (Frankston - Dromana via Mount Eliza & Mornington and Mount Martha) operates along the Esplanade, west of the subject site. The nearest bus stops servicing both directions of this route are located approximately 250 metres (a 4-minute walk) north of the western boundary of the subject site. Bus service both stops approximately every hour.

Bus Routes 785 (Frankston - Mornington East via Mt Eliza & Mornington) and 788 (Frankston - Portsea via Dromana & Rosebud & Sorrento) operate along the Nepean Highway, east of the subject site. The nearest bus stops servicing both directions of this route are located approximately 280 metres (a 4-minute walk) north of Indura Street. Bus service both stops approximately every 20-30 minutes.

2.6.2 Path Network

A 2.0 metre wide shared path is provided on the east side of both Osborne Drive and the Esplanade, road reserve.

A 1.5 metre wide footpath is provided on the south side of the Ring Road and continues ant-clockwise around the ring road reconnecting into the same path network.

3 PROPOSAL

3.1 Proposed Development

The proposed development comprises the construction of thirty-two (32) Independent Living Units and a 200 square metre Communal building within Lot 2 PS801659, located at 602 Esplanade, Mount Martha. The ILUs comprise:

- Seventeen (17) three-bedroom dwellings with double car garages,
- Thirteen (13) two-bedroom dwellings with single car garages, and
- Two (2) one-bedroom dwellings plus study/ guest with single car garages.

Only residents and their guests are permitted to use the communal building.

Refer Appendix B for a copy of the proposed Masterplan.

3.1.1 Vehicular Access

Access will be provided via the existing internal private road network within Martha's Point, as follows:

- Marine Court – two-way road (entry/exit).
- Nautical Court – one-way road (exit only eastbound).

Both roads connect to a north–south aligned access road via a T-intersection and a 90-degree bend, respectively. A connection to Starboard Court will be provided but closed to through traffic by the installation of two fold down bollards, which will only be used for emergency services and delivery vehicles.

The Starboard Court extension connects to the north–south aligned access road via a T-intersection, allowing vehicles to perform a three-point turn.

3.1.2 Pedestrian Access

Primary pedestrian access will be provided from Spiniker Court via a 2.1-metre-wide footpath and from the Esplanade via a 3.0-metre-wide east–west footpath. These paths will connect Spiniker Court to the existing shared path on the Esplanade through the north–south aligned access road and via the communal building. The gated entry from the Esplanade will be lockable and controlled by key-pass access.

Secondary pedestrian access will be available via Nautical Court, Marine Court, and Starboard Circuit, which operate as shared carriageways. All access roads will be clearly signposted as shared zones with a 10 km/h speed limit, ensuring pedestrian priority over motor vehicles.

3.1.3 Car Parking Provision

A total of forty-nine (49) resident parking spaces will be provided as follows:

- Fifteen (15) spaces within single-car garages (5.5 metres long by 3.3 to 3.6 metres wide).
- Thirty-four (34) spaces within double-car garages (5.5 metres long by 5.5 metres wide).

Forty-one (41) visitor parking spaces will be available within ILU driveways, each measuring 5.4 metres in length and ranging from 3.3 metres wide (single garage) to 5.2 metres wide (double garage). This length allows a visitor to park in the driveway while maintaining a 500 mm clearance to the roller door. Visitor parking is provided as follows:

- Thirty-seven (37) spaces along the north-south aligned Access Road:
  - One (1) space for each single-car garage (13 ILUs)
  - Two (2) spaces for each double-car garage (11 ILUs).
  - One (1) space for the two ILUs south of the communal building.
- Four (4) spaces along the Nautical Court Extension:

- Four (4) spaces for the double car garages only (4 ILUs). The carriageway width does not permit a vehicle to park within the single width driveway and an additional vehicle within the double width driveway.

In addition, thirteen (13) 90-degree angled visitor spaces will be provided east of the Communal building, comprising eleven (11) standard spaces and two (2) accessible spaces for users with disabilities.

3.1.4 Waste Collection

Waste and recycling materials generated by the ILUs and Communal building will be consolidated and transferred to the Ring Road for collection. Collection will be undertaken in accordance with the Ratio Waste Management Plan, which outlines bin storage, transfer procedures, and collection frequency.

4 PARKING ASSESSMENT

4.1 Car Parking Requirement

Clause 52.06 of the Mornington Peninsula Planning Scheme outlines the car parking requirement in accordance with State and Local Planning Policy. It applies to a new use or an increase in the intensity of an existing use as measured by the criteria specified in Column C of Table 1 in Clause 52.06-5. Table 4.1 summarises the statutory car parking requirement for the proposed extension to the retirement village.

Table 4.1: Development Car Parking Requirement

Use	Rate & Measure	Quantity	No. of Spaces
Retirement Village	1 to each one or two bedroom dwelling plus	15	15
	2 to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus	17	34
	1 for visitors to every five dwellings for developments of five or more dwellings	32	6
		TOTAL	**55**

As detailed in Table 4.1, the proposed development has a statutory car parking requirement of 49 resident spaces and 6 visitor spaces.

As detailed in Section 3.1.3, the development will provide 49 resident spaces and 54 visitor spaces (comprising 41 spaces within the ILU driveways and 13 spaces east of the Communal building). This provision meets the statutory requirement for residents and results in a surplus of 48 visitor spaces, ensuring adequate on-site parking for both residents and visitors.

4.2 Design Standards for Access and Car Parking

The car park and access layout has been assessed against the requirements of the Mornington Peninsula Planning Scheme Clause 52.06-8, and the Australian / New Zealand Standards, AS/NZS 2890.1:2004: Parking Facilities, Part 1: Off-Street Car Parking.

4.2.1 Access & On-site Circulation

Vehicular access to the development site will be provided as follows:

- Marine Court – The existing Marine Court carriageway will be widened by 0.9 metres to achieve an overall carriageway width equivalent to 6.1 metres.
- Nautical Court - The existing 3.4-metre wide two-way carriageway.

The Marine Court carriageway extension will be constructed at 6.1 metres, where-as the and Nautical Court carriageway extension will be constructed at 3.5 metres wide. Nautical Court within the site will be signposted as one-way eastbound.

The north-south aligned access road will have a varying carriageway width, as follows:

- 6.0 metres wide between the 30-degree bend and the southern end.
- 5.5 metres wide between 30-degree bend and Nautical Court.

The Nautical Court extension will be constructed with a 3.5 metre wide carriageway, where-as the Starboard Court extension will be constructed with a 3.9 metre wide carriageway.

All proposed carriageway widths are in accordance with the requirements of the Planning Scheme and the Australian / New Zealand Standard, which specify a minimum of:

- 5.5 metres between kerbs for a two-way roadway, and
- 3.0 metres between kerbs for a one-way roadway.

Refer to drawing No's 25016_201 to 202 (Appendix C) for the swept path assessment of:

- An 8.8 metre Medium Rigid Vehicle (emergency service/delivery vehicle) circulating through the site.
- A minibus accessing the Communal building.

To ensure adequate vehicle circulation around the site it is recommended that, the area behind the southern kerb return at the Starboard Court intersection is to remain clear of street furniture and landscaping. Refer to drawing 25016_201 for details.

A series of one-lane slow points will be installed along the north–south aligned access road and Marine Court to maintain a low-speed environment within the development. The slow points on the north–south aligned access road are located south of Starboard Court, between Marine Court and Starboard Court, and north of Marine Court. Refer to drawing No 25016_202 (Appendix C) for the swept path assessment of a B99 Vehicle circulating through the slow points.

4.2.2 Car Parking Spaces

The dimensions of the single car garage (5.5 metres long by 3.3 to 3.6 meters wide), double car garage (5.5 metres long by 5.5 metres wide), and visitor car parking space in front of the garages (5.4 metres long by 3.3 metres wide for a single car garage or by 5.2 metres wide for a double car garage) are in accordance with AS/NZS 2890.1:2004 and Mornington Peninsula Planning Scheme.

The dimensions of the eleven 90 degree angled car parking spaces located east of the Communal building (2.6 metres wide by 4.9 metres long with the accessway width measuring 6.4 metres wide) are in accordance with Mornington Peninsula Planning Scheme.

The two accessible car parking spaces for disabled users including shared area measures 2.6m wide by 4.9 metres long. In accordance with Clause 52.06-9, Design Standard 2, the disabled car parking spaces may encroach into an accessway width by 500mm to achieve the Australian/ New Zealand Standard Parking facilities, Part 6: Off-street car parking for people with disabilities (AS/NZS 2890.6) 5.4 metre long parking space length. It is recommended that the accessible car parking spaces be line marked and sign posted in accordance with AS/NZS 2890.6.

4.2.3 Safety

Lighting will be provided along the access road network within the development in accordance with Australian Standards, with specific design details to be addressed during the project's design phase.

It is recommended that:

- 'No Entry' and 'One Way' signage be installed at the commencement of the one-way section of Nautical Court.
- Fold down bollards be installed at the continuation of Starboard Court to prevent traffic from using this section and to allow emergency and delivery vehicles to exit if required.
- Landscaping and/or street furniture installed at all intersections and bends must not exceed 900mm in height to maintain clear sightlines.

4.3 Bicycle Facilities

4.3.1 Bicycle Facilities Requirement

Clause 52.34 of the Mornington Peninsula Planning Scheme details the requirement for Bicycle Facilities in accordance with State and Local Planning Policy for a proposed new use, a proposed change in existing use, or increase to an existing use within the Mornington Peninsula Shire.

As per Clause 52.34-5 Table 1, there is no statutory requirement for a Retirement Village to provide bicycle parking facilities.

5 TRAFFIC ASSESSMENT

This section reviews the impact of the proposed increase in ILUs on the operational performance of the existing roundabout over a 10-year forecast period.

5.1 Traffic Generation

As detailed in Section 2.3.1, the existing retirement village generates the following average vehicle trip rates per ILU:

- 3.0 two-way daily vehicle trips
- 0.34 two-way AM peak hour trips
- 0.3 two-way PM peak hour trips

Based on these rates, the proposed 32 additional ILUs are expected to generate approximately, 96 two-way daily vehicle trips, 11 two-way AM peak hour trips, and 10 two-way PM peak hour trips.

5.2 Future Year Intersection Volumes

Refer to Figure 5.1 for the 10-year forecast period traffic volumes at the existing roundabout, accounting for the proposed increase in ILUs.

The origin-destination and peak hour directional split of the new trips are based on existing traffic patterns. Further, the background through traffic volumes have been grown using an annual growth rate of 1.05%[3] over the 10-year period.

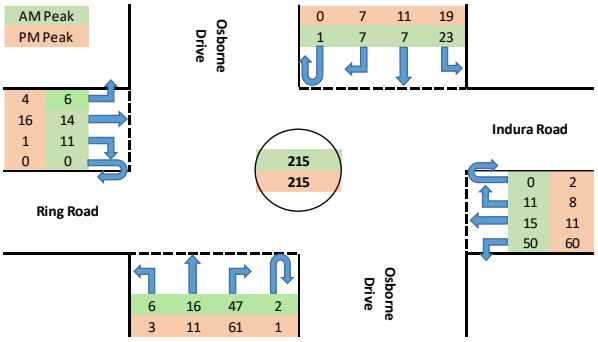


Figure 5.1: Future Year Peak Hour Intersection Turning Movement Volumes

5.3 Future Year Intersection Performance Assessment

An operational performance assessment of the existing roundabout was undertaken using SIDRA Intersection software, incorporating traffic volumes projected for the 10-year forecast period. The purpose of the analysis was to evaluate the potential impact of the proposed increase in Independent Living Units (ILUs) on the intersection's future performance.

The assessment considered the following key performance metrics:

- Degree of Saturation (DoS) - The ratio of arrival (demand) flow rate to capacity during a given flow period.
- Average Delay - The average time a vehicle is delayed at an intersection compared to free-flow conditions.

[3] https://forecast.id.com.au/mornington-peninsula/population-age-structure-map?WebID=200

- Level of Service (LoS) - A qualitative measure of traffic performance, rated from A (best) to F (worst).
- 95th Percentile Back of Queue Distance - The queue length that is not exceeded 95% of the time during the analysis period.

A summary of the performance results for the total approach at the roundabout under future year traffic conditions is presented in Table 5.1. Detailed outputs from the SIDRA analysis are provided in Appendix C.

Table 5.1: SIDRA Summary Results – Osborne Dr/ Indura St/ Ring Rd Roundabout with Future Year (2035) Traffic Volumes

Approach Leg	Osborne Drive (South)	Indura Street (East)	Osborne Dr (North)	Ring Road (West)	Intersection
AM PEAK					
Degree of Saturation	0.057	0.059	0.032	0.027	0.059
Average Delay (sec)	6.2	4.9	5.0	0.4	4.7
Level of Service	A	A	A	A	A
95% Queue Distance (m)	2.0	2.0	1.0	0.9	2.0
PM PEAK					
Degree of Saturation	0.058	0.061	0.032	0.019	0.061
Average Delay (sec)	6.4	4.7	5.0	0.4	4.9
Level of Service	A	A	A	A	A
95% Queue Distance (m)	1.9	2.1	1.0	0.6	2.1

As detailed in Table 5.1, the Osborne Drive/ Indura Street/ Ring Road roundabout has a LoS A, DoS below 0.1, Average Delay less than 5 seconds, and a 95% Queue Distance up to 2.1 metres long during the weekday peak periods. These results are similar to the existing results indicating that the Osborne Drive/ Indura Street/ Ring Road roundabout will continue to operate well below its expected capacity in the 2035 forecast scenario, even with the additional ILU traffic.

6 CONCLUSION

Based on this traffic engineering assessment, it is concluded that:

- The driveway extensions and access arrangements comply with planning scheme and relevant standards, with carriageway widths and access controls appropriately designed for safe and efficient movement.
- Traffic analysis confirms the local road network will continue to operate efficiently, with no adverse impacts or safety concerns resulting from the proposed development.
- The proposal provides 49 resident and 54 visitor parking spaces, meeting and exceeding the statutory requirements, respectively, and ensuring adequate parking for all users.
- No bicycle parking is required under the planning scheme for this use.

Therefore, if the Martha's Point Retirement Village at 165 Osborne Drive, Mount Martha is extended into Lot 2 PS801659 located at 602 Esplanade, Mount Martha by an additional thirty-two (32) ILUs, in accordance with the proposed Masterplan (refer to Appendix B) and the recommendations as outlined in this Traffic Impact Assessment Report, it is our opinion that there are no transport or traffic engineering reasons why a permit should not be granted by the responsible authority.

Recommendations:

- Install 'No Entry' and 'One Way' signage at the commencement of the one-way section of Nautical Court.
- Install fold down bollards at the continuation of Starboard Court to prevent through traffic, while allowing emergency and delivery vehicle access when required.
- Landscaping and/or street furniture installed at all intersections and bends must not exceed 900mm in height to maintain clear sightlines.
- Signpost all roads as "Shared Zones" with a 10 km/h speed limit to ensure pedestrian priority.
- The area behind the southern kerb return at the Starboard Court intersection is to remain clear of street furniture and landscaping. Refer to drawing 25016_201 for details.
- Provide slow points as detailed on the Proposed Masterplan to maintain a low-speed environment.
- The accessible car parking spaces be line marked and sign posted in accordance with AS/NZS 2890.6.
- Install lighting along the access road network within the development in accordance with Australian Standards.

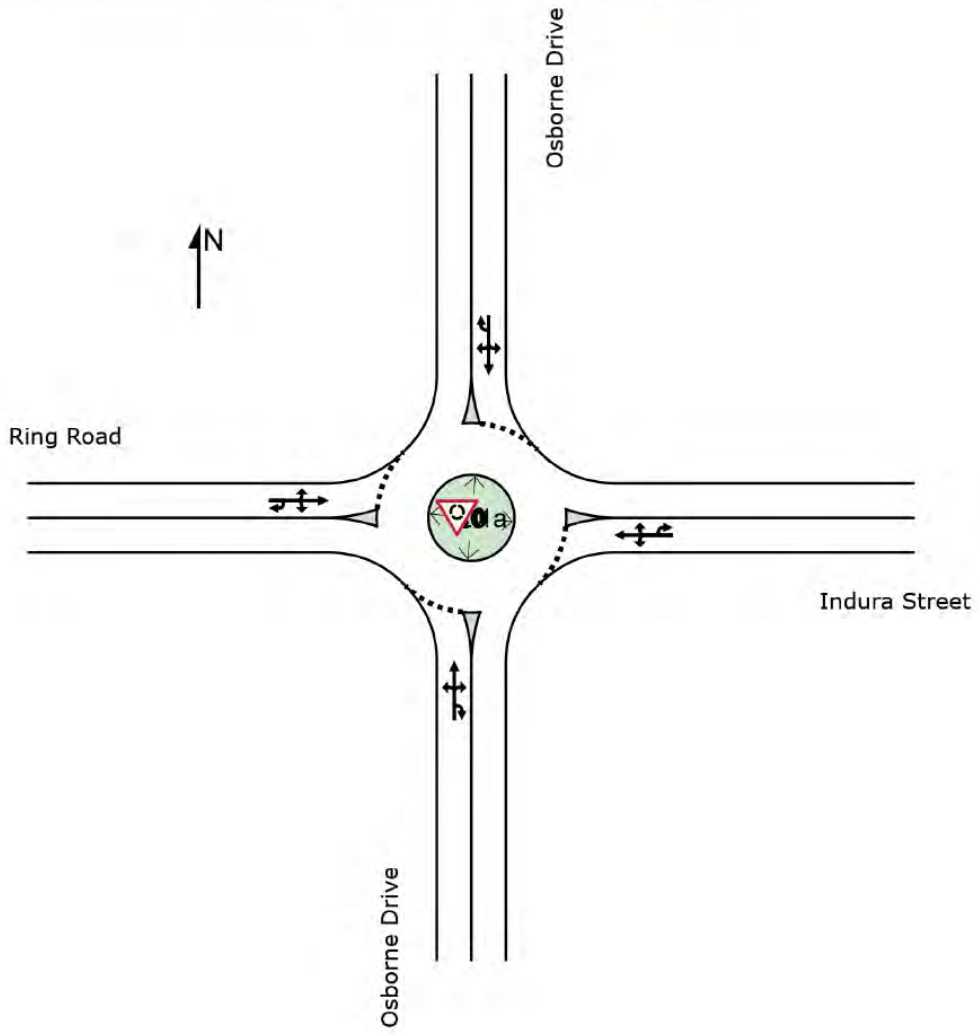
APPENDIX A – EXISTING SIDRA ANALYSIS RESULTS

SITE LAYOUT

Site: [1a] Base AM Peak Hour (Existing Volumes)

Osborne Dr/ Indura St/ Ring Rd Roundabout
Site Category: Existing
Roundabout
Site Scenario: 1 | Existing Volumes

Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.



LANE SUMMARY

Site: [1a] Base AM Peak Hour (Existing Volumes)
Output produced by SIDRA INTERSECTION Version: 10.0.6.236

Osborne Dr/ Indura St/ Ring Rd Roundabout
Site Category: Existing
Roundabout
Site Scenario: 1 | Existing Volumes

Lane Use and Performance

	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Cap. veh/h	Deg. Satn v/c	Lane Util. %	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh	Dist] m	Lane Config	Lane Length m	Cap. Adj. %	Prob. Block. %
South: Osborne Drive															
Lane 1[d]	63	6.5	63	6.5	1253	0.050	100	6.2	LOS A	0.2	1.7	Full	500	0.0	0.0
Approach	63	6.5	63	6.5		0.050		6.2	LOS A	0.2	1.7				
East: Indura Street															
Lane 1[d]	68	2.6	68	2.6	1305	0.052	100	4.9	LOS A	0.2	1.8	Full	122	0.0	0.0
Approach	68	2.6	68	2.6		0.052		4.9	LOS A	0.2	1.8				
North: Osborne Drive															
Lane 1[d]	34	0.0	34	0.0	1204	0.028	100	4.9	LOS A	0.1	0.9	Full	500	0.0	0.0
Approach	34	0.0	34	0.0		0.028		4.9	LOS A	0.1	0.9				
West: Ring Road															
Lane 1[d]	26	0.0	26	0.0	1198	0.022	100	0.4	LOS A	0.1	0.7	Full	500	0.0	0.0
Approach	26	0.0	26	0.0		0.022		0.4	LOS A	0.1	0.7				
All Vehicles	191	3.1	191	3.1		0.052		4.7	LOS A	0.2	1.8				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Options tab).
Roundabout LOS Method: SIDRA Roundabout LOS.
Lane LOS values are based on average delay per lane.
Intersection and Approach LOS values are based on average delay for all lanes.
Roundabout Capacity Model: SIDRA Standard.
Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).
Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Gap.
Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.
Arrival Flows used in performance calculations are adjusted to include any Initial Queued Demand and Upstream Capacity Constraint effects.

d Dominant lane on roundabout approach

LANE SUMMARY

Site: [1b] Base PM Peak Hour (Existing Volumes)
Output produced by SIDRA INTERSECTION Version: 10.0.6.236

Osborne Dr/ Indura St/ Ring Rd Roundabout
Site Category: Existing
Roundabout
Site Scenario: 1 | Existing Volumes

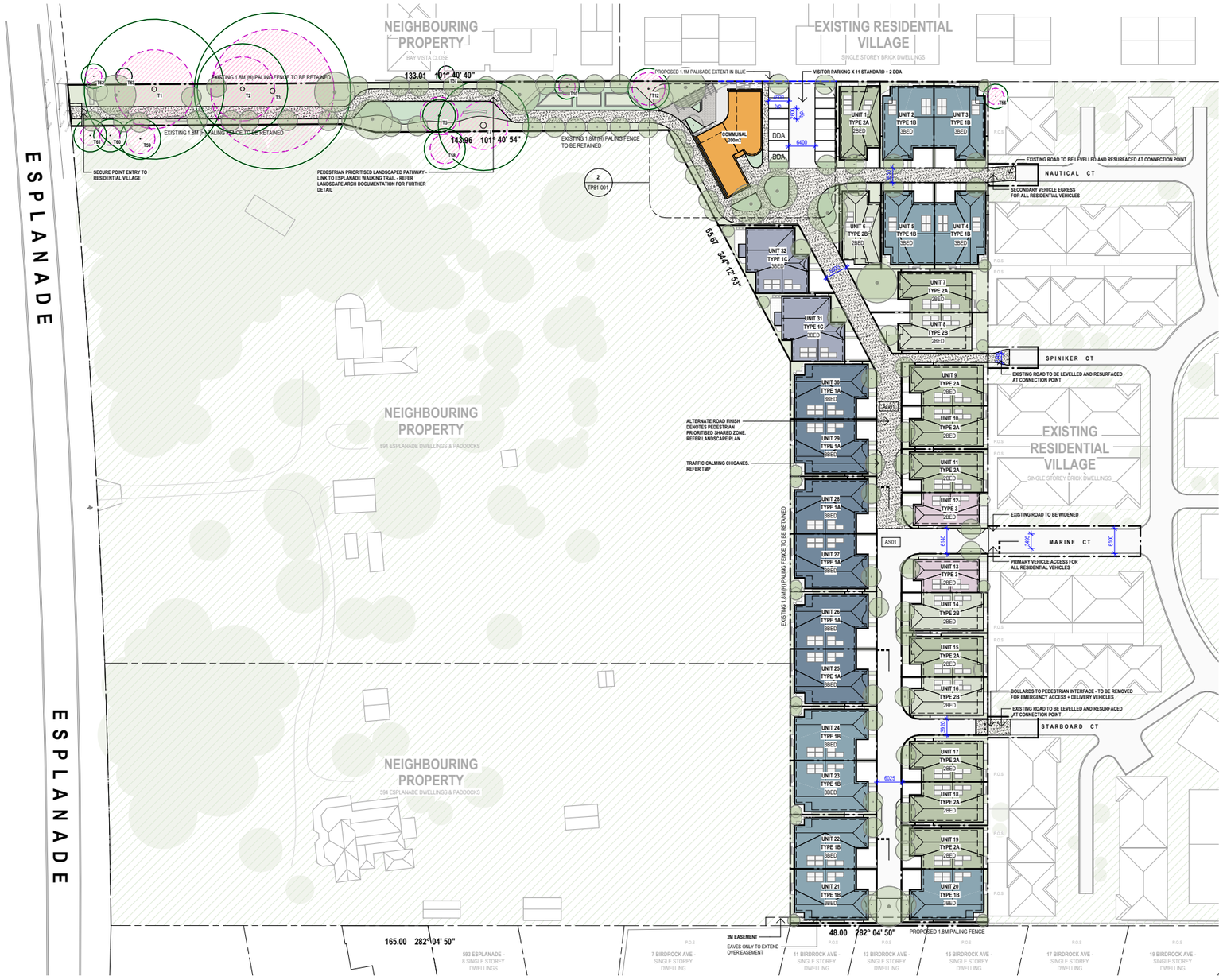
Lane Use and Performance

	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Cap. veh/h	Deg. Satn v/c	Lane Util. %	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh	Dist] m	Lane Config	Lane Length m	Cap. Adj. %	Prob. Block. %
South: Osborne Drive															
Lane 1[d]	68	0.0	68	0.0	1329	0.051	100	6.4	LOS A	0.2	1.7	Full	500	0.0	0.0
Approach	68	0.0	68	0.0		0.051		6.4	LOS A	0.2	1.7				
East: Indura Street															
Lane 1[d]	71	3.0	71	3.0	1338	0.053	100	4.6	LOS A	0.3	1.8	Full	122	0.0	0.0
Approach	71	3.0	71	3.0		0.053		4.6	LOS A	0.3	1.8				
North: Osborne Drive															
Lane 1[d]	33	0.0	33	0.0	1199	0.028	100	4.8	LOS A	0.1	0.9	Full	500	0.0	0.0
Approach	33	0.0	33	0.0		0.028		4.8	LOS A	0.1	0.9				
West: Ring Road															
Lane 1[d]	17	0.0	17	0.0	1194	0.014	100	0.4	LOS A	0.1	0.5	Full	500	0.0	0.0
Approach	17	0.0	17	0.0		0.014		0.4	LOS A	0.1	0.5				
All Vehicles	189	1.1	189	1.1		0.053		4.9	LOS A	0.3	1.8				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Options tab).
Roundabout LOS Method: SIDRA Roundabout LOS.
Lane LOS values are based on average delay per lane.
Intersection and Approach LOS values are based on average delay for all lanes.
Roundabout Capacity Model: SIDRA Standard.
Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).
Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Gap.
Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.
Arrival Flows used in performance calculations are adjusted to include any Initial Queued Demand and Upstream Capacity Constraint effects.

d Dominant lane on roundabout approach

APPENDIX B – PROPOSED MASTERPLAN



1 TP10-001 PROPOSED MASTERPLAN
1 : 500

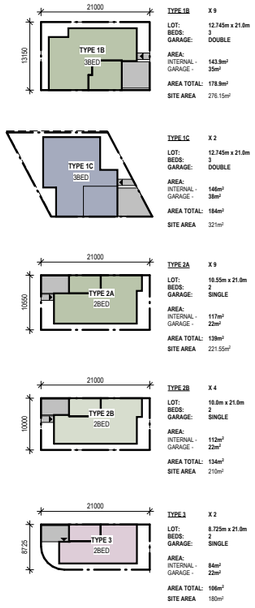
LEGEND

EXISTING TREE TO BE RETAINED
TP2
T# TREE NUMBER
SRZ
PROPOSED CANOPY TREE
GIVE WAY ROAD MARKING
SITE BOUNDARY

ROAD SURFACE FINISH TAGS

AS01	ASPHALT
AG01	ALTERNATE FINISH - AGGREGATE - PEDESTRIAN PRIORITISED SHARED ZONE

DWELLING TYPE LEGEND



TYPE 1A X 6
LOT: 13.975m x 21.0m
BEDS: 3
GARAGE: DOUBLE
AREA: INTERNAL - 153m²
GARAGE - 35m²
AREA TOTAL: 188m²
SITE AREA 293.5m²

TYPE 1B X 9
LOT: 12.745m x 21.0m
BEDS: 3
GARAGE: DOUBLE
AREA: INTERNAL - 143.9m²
GARAGE - 35m²
AREA TOTAL: 178.9m²
SITE AREA 276.15m²

TYPE 1C X 2
LOT: 12.745m x 21.0m
BEDS: 3
GARAGE: DOUBLE
AREA: INTERNAL - 146m²
GARAGE - 38m²
AREA TOTAL: 184m²
SITE AREA 321m²

TYPE 2A X 9
LOT: 10.55m x 21.0m
BEDS: 2
GARAGE: SINGLE
AREA: INTERNAL - 117m²
GARAGE - 22m²
AREA TOTAL: 139m²
SITE AREA 221.55m²

TYPE 2B X 4
LOT: 10.0m x 21.0m
BEDS: 2
GARAGE: SINGLE
AREA: INTERNAL - 112m²
GARAGE - 22m²
AREA TOTAL: 134m²
SITE AREA 210m²

TYPE 3 X 2
LOT: 8.725m x 21.0m
BEDS: 2
GARAGE: SINGLE
AREA: INTERNAL - 84m²
GARAGE - 22m²
AREA TOTAL: 106m²
SITE AREA 180m²

STATUS **TOWN PLANNING**

V / A ARCHITECTS
LEVEL 3, 377 LONSDALE STREET MELBOURNE VIC 3000
+61 3 8678 3300 / viaarchitects.com.au

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REV	DESCRIPTION	DATE	BY
A	TOWN PLANNING	08/12/2025	MH

PROJECT REF C:\Users\MHondrogiannis\Documents\2310042 - KEYTON - 602 ESPLANADE MOUNT MARTHA_R23_TP_MHondrogiannis.rvt
TIMESTAMP: 08/12/2025 12:06:01 PM

KEY PLAN

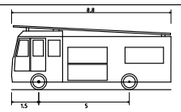
NORTH POINT

THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORK OR MAKING OF ANY SHOP DRAWINGS. FIGURED DIMENSIONS MUST BE USED IN PREFERENCE TO SCALING. SCALED DIMENSIONS MUST BE VERIFIED ON SITE. SHEET TO BE PRINTED IN COLOUR. THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF THE ARCHITECT

PROJECT MARTHAS POINT EXTENSION
ADDRESS 602 ESPLANADE, MT MARTHA
CLIENT KEYTON
DRAWING TITLE PROPOSED MASTERPLAN

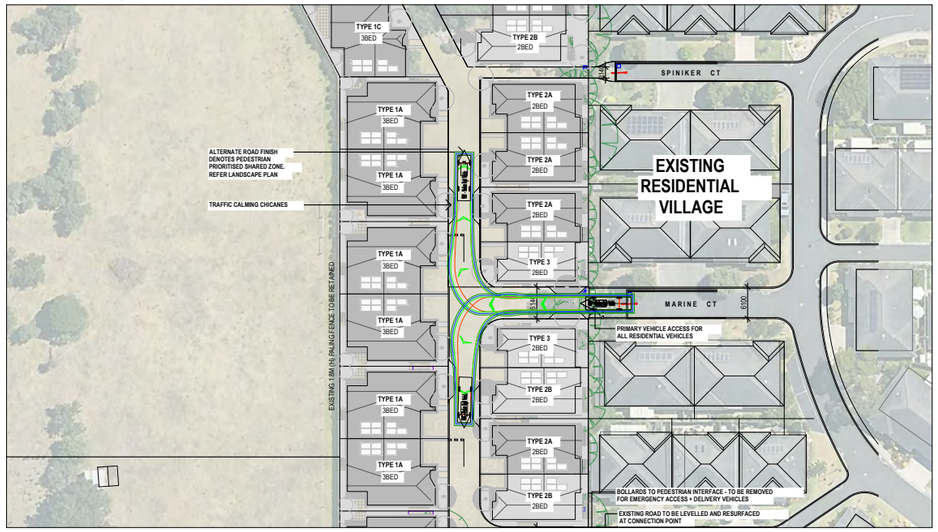
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As indicated	MH	MA	2510011	TP10-001	A

APPENDIX C – SWEPT PATH ASSESSMENT DRAWINGS

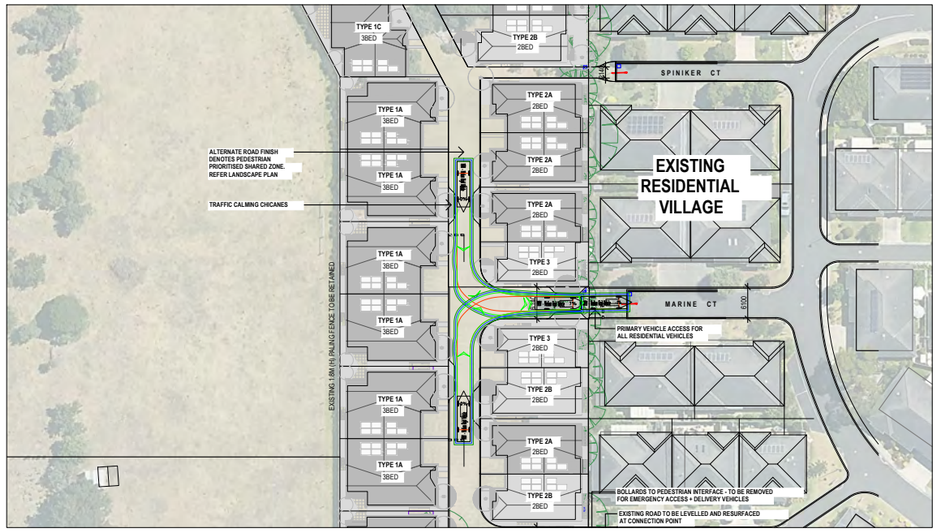


Medium Rigid Vehicle (Emergency Service/Delivery Vehicle)

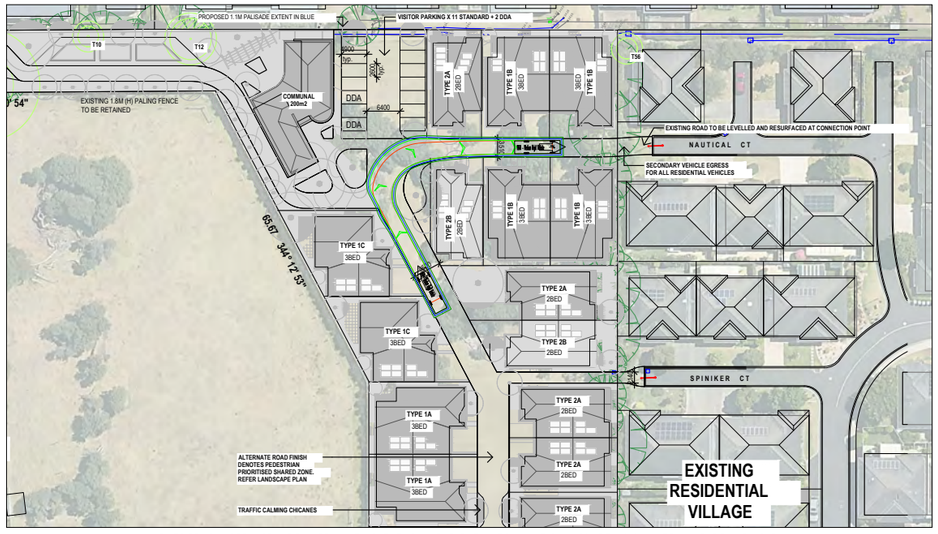
Overall Length	8.800m
Overall Width	2.500m
Overall Body Height	3.533m
Min Body Ground Clearance	0.418m
Track Width	2.500m
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	10.000m



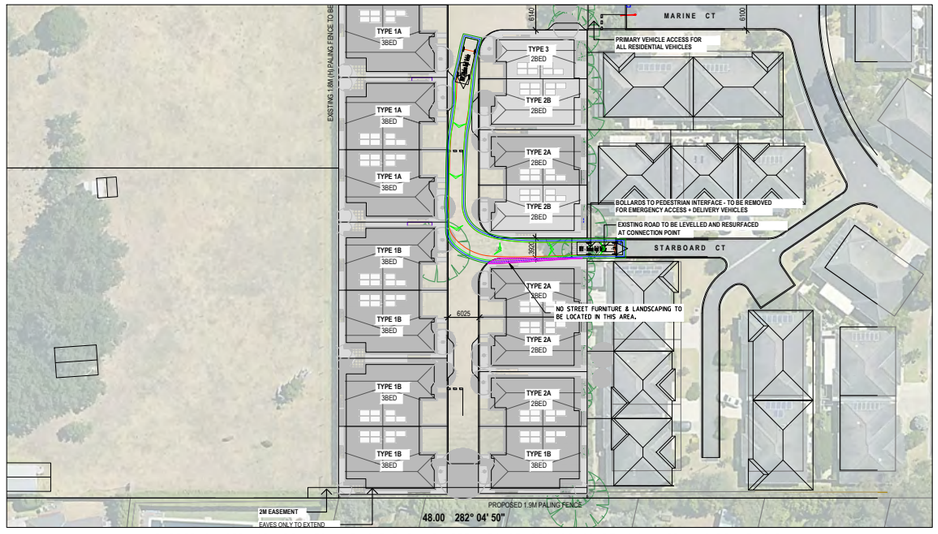
EMERGENCY SERVICE/ DELIVERY VEHICLE TURNING OUT OF MARINE COURT (8.8m MEDIUM RIGID VEHICLE)



EMERGENCY SERVICE/ DELIVERY VEHICLE TURNING INTO MARINE COURT (8.8m MEDIUM RIGID VEHICLE)



EMERGENCY SERVICE/ DELIVERY VEHICLE TURNING RIGHT INTO NAUTICAL COURT (8.8m MEDIUM RIGID VEHICLE)



EMERGENCY SERVICE/ DELIVERY VEHICLE TURNING LEFT INTO STARBOARD COURT (8.8m MEDIUM RIGID VEHICLE)

N

ISSUE	APP'D	DATE	AMENDMENT
E			
D			
C			
B			
A			

LEGEND
- WHEEL PATH (FORWARD)
- WHEEL PATH (REVERSE)
- BODY OUTLINE (FORWARD)
- BODY OUTLINE (REVERSE))
- 300mm BODY CLEARANCE (FORWARD)
- 300mm BODY CLEARANCE (REVERSE)
- 600mm BODY CLEARANCE (FORWARD)
- 600mm BODY CLEARANCE (REVERSE)

BEFORE YOU DIG 1100 Dial Before You Dig

T&TS TRANSPORT & TRAFFIC SOLUTIONS
Transport & Traffic Solutions Pty Ltd ABN 56 156 612 707
Level 2, 700 Swanston Street, Carlton, VIC 3053
Email: info@tatsolutions.com.au
Transport & Traffic Studies | Parking Studies | Traffic Management
Road Safety | Traffic Engineering | Civil Engineering

CAT: 25016MP
PROJ: 25016_Martha's Point
FILE:

Keyton

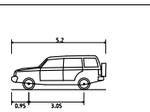
STATUS: ISSUED FOR APPROVAL
SCALE OF METRES HOR 0 10 20 VER

DESIGNED	M. MARSICOVETERE	02/12/2025
APPROVED	M. MARSICOVETERE	02/12/2025

MARTHA'S POINT, MOUNT MARTHA
SWEPT PATH ASSESSMENT
MORNINGTON PENINSULA SHIRE
165 OSBORNE DRIVE, Mt MARTHA
EMERGENCY SERVICE/DELIVERY VEHICLE ACCESS

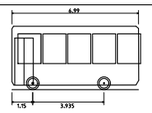
FILE NO.	CONTRACT NO.	SHEET NO.	DRAWING NO.	ISSUE
		1	25016_201	

12/8/2025 1:12:56 PM



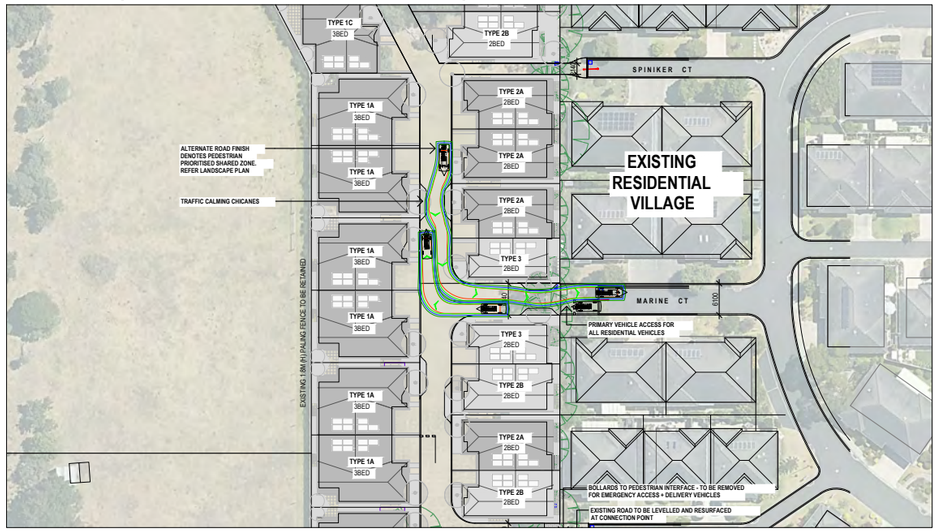
B99 Vehicle (Realistic min radius) (2004)

Overall Length	5.200m
Overall Width	1.940m
Overall Body Height	1.878m
Min Body Ground Clearance	0.272m
Track Width	1.840m
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	6.250m

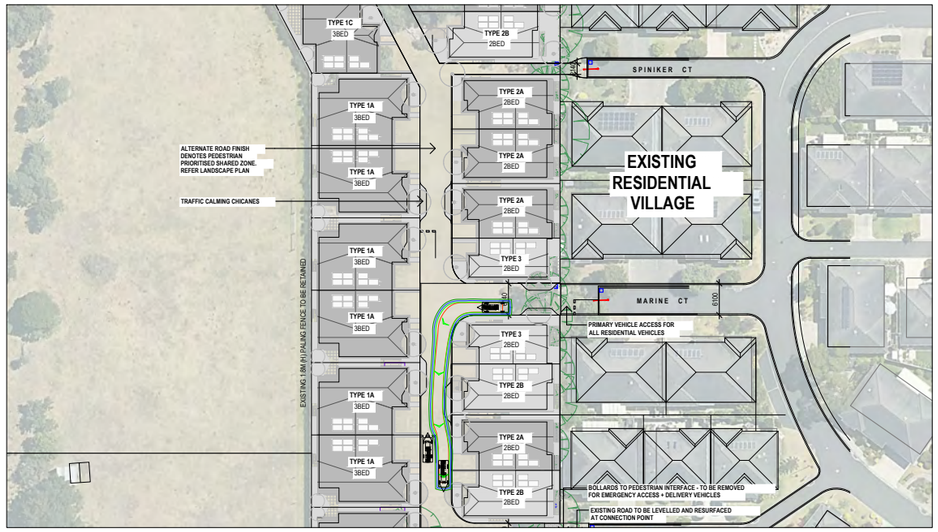


Toyota Coaster (Minibus)

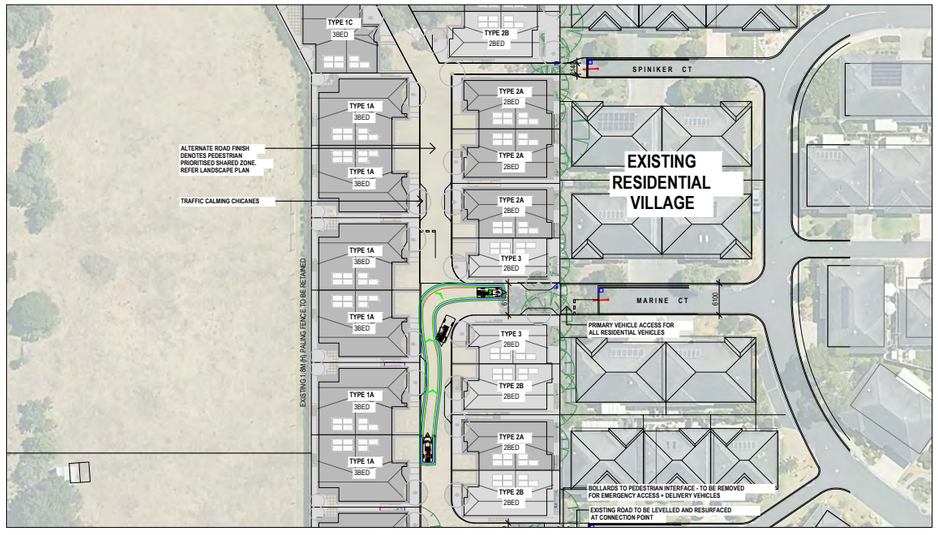
Overall Length	6.990m
Overall Width	2.080m
Overall Body Height	3.500m
Min Body Ground Clearance	0.250m
Track Width	2.010m
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	6.500m



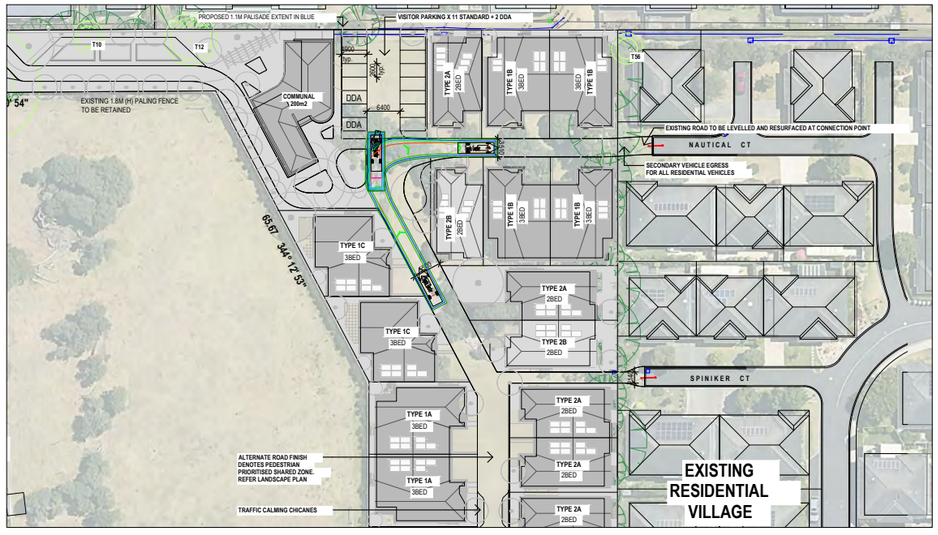
LEFT TURN INTO MARINE COURT



LEFT TURN OUT OF MARINE COURT



RIGHT TURN INTO MARINE COURT



COMMUNITY BUS ACCESS TO COMMUNAL BUILDING (MINIBUS)

N

ISSUE	APP'D	DATE	AMENDMENT
E			
D			
C			
B			
A			

12/8/2025 1:14:16 PM

LEGEND
- WHEEL PATH (FORWARD)
- WHEEL PATH (REVERSE)
- BODY OUTLINE (FORWARD)
- BODY OUTLINE (REVERSE))
- 300mm BODY CLEARANCE (FORWARD)
- 300mm BODY CLEARANCE (REVERSE)
- 600mm BODY CLEARANCE (FORWARD)
- 600mm BODY CLEARANCE (REVERSE)

BEFORE YOU DIG

T&TS TRANSPORT & TRAFFIC SOLUTIONS
Transport & Traffic Solutions Pty Ltd ABN 56 156 612 707
Level 2, 700 Swanston Street, Carlton, VIC 3053
Email: info@tatsolutions.com.au
Transport & Traffic Studies | Parking Studies | Traffic Management
Road Safety | Traffic Engineering | Civil Engineering

CAT: 25016MP
PROJ: 25016_Martha's Point
FILE:

Keyton

STATUS: ISSUED FOR APPROVAL
SCALE OF METRES HOR 0 10 20 VER

DESIGNED	M. MARSICOVETERE	02/12/2025
APPROVED	M. MARSICOVETERE	02/12/2025

MARTHA'S POINT, MOUNT MARTHA
SWEPT PATH ASSESSMENT
MORNINGTON PENINSULA SHIRE
165 OSBORNE DRIVE, Mt MARTHA
B99 VEHICLE & COMMUNITY BUS ACCESS

FILE NO.	CONTRACT NO.	SHEET NO.	DRAWING NO.	ISSUE
		2	25016_202	

APPENDIX D – FUTURE YEAR SIDRA ANALYSIS RESULTS

LANE SUMMARY

Site: [1a (1)] Future AM Peak Hour (Future Volumes)
Output produced by SIDRA INTERSECTION Version: 10.0.6.236

Osborne Dr/ Indura St/ Ring Rd Roundabout
Site Category: Future Conditions
Roundabout
Site Scenario: 1 | Future Volumes

Lane Use and Performance

	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Cap. veh/h	Deg. Satn v/c	Lane Util. %	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh	Dist] m	Lane Config	Lane Length m	Cap. Adj. %	Prob. Block. %
South: Osborne Drive															
Lane 1[d]	71	6.3	71	6.3	1245	0.057	100	6.2	LOS A	0.3	2.0	Full	500	0.0	0.0
Approach	71	6.3	71	6.3		0.057		6.2	LOS A	0.3	2.0				
East: Indura Street															
Lane 1[d]	77	2.6	77	2.6	1298	0.059	100	4.9	LOS A	0.3	2.0	Full	122	0.0	0.0
Approach	77	2.6	77	2.6		0.059		4.9	LOS A	0.3	2.0				
North: Osborne Drive															
Lane 1[d]	38	0.0	38	0.0	1192	0.032	100	5.0	LOS A	0.1	1.0	Full	500	0.0	0.0
Approach	38	0.0	38	0.0		0.032		5.0	LOS A	0.1	1.0				
West: Ring Road															
Lane 1[d]	32	0.0	32	0.0	1189	0.027	100	0.4	LOS A	0.1	0.9	Full	500	0.0	0.0
Approach	32	0.0	32	0.0		0.027		0.4	LOS A	0.1	0.9				
All Vehicles	218	3.0	218	3.0		0.059		4.7	LOS A	0.3	2.0				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Options tab).
Roundabout LOS Method: SIDRA Roundabout LOS.
Lane LOS values are based on average delay per lane.
Intersection and Approach LOS values are based on average delay for all lanes.
Roundabout Capacity Model: SIDRA Standard.
Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).
Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Gap.
Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.
Arrival Flows used in performance calculations are adjusted to include any Initial Queued Demand and Upstream Capacity Constraint effects.

d Dominant lane on roundabout approach

LANE SUMMARY

Site: [1b (2)] Future PM Peak Hour (Future Volumes)
Output produced by SIDRA INTERSECTION Version: 10.0.6.236

NA
Site Category: Existing
Roundabout
Site Scenario: 1 | Future Volumes

Lane Use and Performance

	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Cap. veh/h	Deg. Satn v/c	Lane Util. %	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh	Dist] m	Lane Config	Lane Length m	Cap. Adj. %	Prob. Block. %
South: Osborne Drive															
Lane 1[d]	76	0.0	76	0.0	1312	0.058	100	6.4	LOS A	0.3	1.9	Full	500	0.0	0.0
Approach	76	0.0	76	0.0		0.058		6.4	LOS A	0.3	1.9				
East: Indura Street															
Lane 1[d]	81	3.0	81	3.0	1333	0.061	100	4.7	LOS A	0.3	2.1	Full	122	0.0	0.0
Approach	81	3.0	81	3.0		0.061		4.7	LOS A	0.3	2.1				
North: Osborne Drive															
Lane 1[d]	38	0.0	38	0.0	1187	0.032	100	5.0	LOS A	0.1	1.0	Full	500	0.0	0.0
Approach	38	0.0	38	0.0		0.032		5.0	LOS A	0.1	1.0				
West: Ring Road															
Lane 1[d]	22	0.0	22	0.0	1185	0.019	100	0.4	LOS A	0.1	0.6	Full	500	0.0	0.0
Approach	22	0.0	22	0.0		0.019		0.4	LOS A	0.1	0.6				
All Vehicles	217	1.1	217	1.1		0.061		4.9	LOS A	0.3	2.1				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Options tab).
Roundabout LOS Method: SIDRA Roundabout LOS.
Lane LOS values are based on average delay per lane.
Intersection and Approach LOS values are based on average delay for all lanes.
Roundabout Capacity Model: SIDRA Standard.
Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).
Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Gap.
Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.
Arrival Flows used in performance calculations are adjusted to include any Initial Queued Demand and Upstream Capacity Constraint effects.

d Dominant lane on roundabout approach

Client
Keyton Management Services Pty Ltd

Date
8 December 2025

Waste Management Plan

Martha's Point Retirement Village Extension
602 Esplanade, Mount Martha, Victoria

Planning
Transport
Urban Design
Waste Management
Landscape Architecture
Civil Engineering

ratio:

ratio.com.au

Project
Martha's Point Retirement Village Extension 602 Esplanade, Mount Martha, Victoria

Prepared for
Keyton Management Services Pty Ltd

Our reference
22775W-R01D01

Directory path https://ratioconsultants1.sharepoint.com/sites/22775W/Shared Documents/7. Waste management plans/22775W-R01F02.docx

Version	Date	Issue	Prepared by	Checked by
R01D01	31/10/2025	Draft TP	W Psiwa	L Russi
R01F01	3/12/2025	Final TP	W Psiwa	L Russi
R01F02	8/12/2025	Revised Final TP	W Psiwa	L Russi

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Appendices

Appendix A – Bin placement plan

1. Introduction

1.1. Project Details

Site Address

602 Esplanade, Mount Martha (VIC)

Local Council

Mornington Peninsula Shire Council (Phone: 03 5950 1010)

Planning Application Number

To be assigned

Development Summary

Residential

Waste Source	Quantity
Independent Living Unit	32
Total	**32**

Community Hub

Level	Waste Source	Days of Operation/Week	Net Lettable Area (m^2)
Ground	Community Hub	7	200
Total			**200**

1.2. Purpose

This Waste Management Plan has been prepared, to accompany the town planning application.

1.3. Limitations

Waste management arrangements during the construction and fit-out stages of the development, and on-going operation and monitoring of the waste management arrangements for the development following the occupation of the development are outside the scope of this Waste Management Plan.

1.4. Applicable Standards and References

Relevant policies and guidelines considered as part of the preparation of this Waste Management Plan include:

— Australian Government – National Waste Policy: Less Waste, More Resources (2018).

— Australian Standards:

- AS 4123.1-7 (Mobile Waste Containers).
- AS 1668.2 (Odour).
- AS 2890.2 (Parking Facilities).
- AS 5377:2013 (E-waste).
- AS 4736-2006 & AS 5810-2010 (Biodegradable plastics).
- AS 4564-2012 (Composts).
- AS 1319 (Safety signs).

— Environment Protection Act 2017.

— Environment Protection Regulations 2021.

— Disability Discrimination Act 1992.

— Victorian Government – Recycling Victoria: A New Economy (2020).

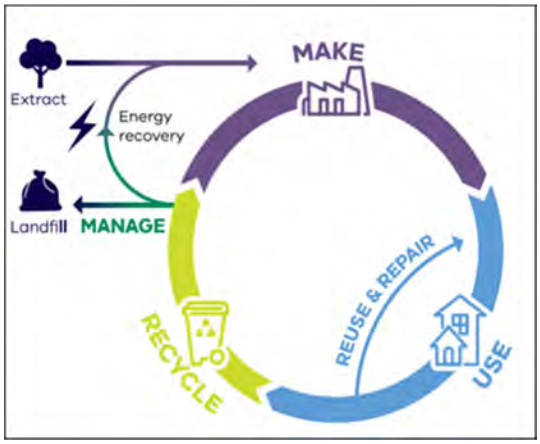
— Sustainability Victoria – Better Practice Guide for Waste Management and Recycling in Multi-Unit Developments (2019).

2. Operational Waste Management Guide

2.1. Recycling Victoria: A new economy

Victoria is on a path towards a 'circular economy', whereby residents and businesses are encouraged to keep valuable materials in use for as long as possible and to avoid waste generation as a priority. An example of the principles of the circular economy is displayed in figure 2.1 below.

Figure 2.1: The Circular Economy



Source: Recycling Victoria: A New Economy

The Government's *Recycling Victoria: A New Economy* (2020) sets out strategies to reduce the amount of waste generated in Victoria and increase materials for recycling and reprocessing.

Ongoing education and dedicated management services are critical factors to encourage users to access the services and systems as intended. This includes promoting the above strategy where practicable and encourage users to participate in minimising the impact of waste on the environment.

Therefore, supporting residents to participate in the circular economy and encouraging waste as a last rather than a first resort, through clever design of the waste and recycling systems, should be given due consideration.

Establishing waste reduction and recycling targets, periodic audits, proper record keeping of waste streams and ongoing monitoring the quantity of recyclables is an important means of understanding your waste profile and progress over time. Audit results should be shared with all occupants, to raise awareness and encourage further reductions in waste wherever possible.

2.2. Guide for Residents

General Waste Disposal

— Residents shall place general waste into dedicated under-bench general waste receptacles.

— Residents shall empty full general waste receptacles into their respective general waste bins. Independent living unit general waste bins shall be accessed within each tenement.

— General waste must be placed within tied bags (biodegradable material recommended) prior to being placed into the bins.

Organics Disposal

— Residents shall place food scraps into dedicated organics caddies.

— As per the arrangements in place in the existing village, groups of residents may request and share an Organics bin.

— Organics must be unbagged or placed within approved compostable bags prior to being placed into the shared organics bins.

Recycling Disposal

— Residents shall place recycling into dedicated under-bench recycling receptacles.

— Residents shall empty full recycling receptacles into their recycling bins. Independent living unit recycling bins shall be accessed within each tenement.

— Bottles, cans, and containers must be rinsed, cardboard flattened, and lids/packaging separated as per the Australasian Recycling Label instructions (visit: https://recyclingnearyou.com.au/arl/) prior to being placed into the recycling bins.

Glass Disposal

— Residents shall place glass into dedicated under-bench glass receptacles.

— Residents shall empty full glass receptacles into shared glass bins located in the communal building.

— Glass bottles and jars must be rinsed, and lids/packaging separated as per the Australasian Recycling Label instructions (visit: https://recyclingnearyou.com.au/arl/) prior to being placed into the glass collection bins.

— Glass separation may be considered more broadly in consultation with Council.

Disposal of Other Waste Streams

— **E-Waste: r**esidents shall take e-waste to a drop-off location in the communal building. E-waste is prohibited under Victorian state law to be disposed of in landfill.

— **Hard Waste:** Hard waste shall be collected by a private hard waste collection contractor on a regular basis (to be arranged and coordinated by Site Management – refer to Section 2.3 below). An interim holding area for Hard Waste will be located within the communal building. Site Management will assist residents with Hard Waste transfers between dwellings and the temporary storage area.

Toxic Household Items: residents shall take toxic household items to a drop-off location in the existing communal building. Site Management will arrange appropriate disposal of these items (visit: https://www.sustainability.vic.gov.au/recycling-and-reducing-waste/at-home/dispose-of-household-waste/dispose-of-household-chemicals-detox-your-home).

2.3. Guide for Staff

General Waste Disposal

— Staff shall place general waste into a dedicated general waste receptacle.

— Staff shall empty full general waste receptacles into the general waste collection bins located within their designated refuse area when full.

— General waste must be placed within tied bags (biodegradable material recommended) prior to being placed into the general waste collection bins.

Organics Disposal

— Staff shall place any food scraps into a dedicated organics caddy.

— Staff shall empty their organics caddy into the organics collection bins located within their designated refuse area when full.

— Staff must ensure that organics is either unbagged or placed within approved compostable bags prior to being placed into the organics collection bins.

Recycling Disposal

— Staff shall place recycling into a dedicated recycling receptacle.

— Staff shall empty full recycling receptacles into the recycling collection bins located within their designated refuse area when full.

— Bottles, cans, and containers must be rinsed, cardboard flattened, and lids/packaging separated as per the Australasian Recycling Label instructions (visit: https://recyclingnearyou.com.au/arl/), prior to being placed into the recycling collection bins.

— Recycling must not be bagged.

Glass Disposal

— Staff shall place any glass into a dedicated glass receptacle.

— Staff shall empty full glass receptacles into the glass collection bins located within their designated refuse area when full.

— Glass bottles and jars must be rinsed, and lids must be separated as per the Australasian Recycling Label instructions (visit: https://recyclingnearyou.com.au/arl/), prior to being placed into the glass collection bins.

— Glass must be loose and not be bagged.

Disposal of Other Waste Streams

Hard Waste and E-waste Items: Staff shall take hard waste and e-waste items to the dedicated storage area. Site management and staff shall be responsible for organising hard waste and e-waste items to be collected by a private contractor on an as-required basis. Site management shall be responsible for ensuring staff and occupants are aware that e-waste is prohibited under Victorian law to be disposed of in landfill-bound bins.

2.4. Guide for Site Management

Site Management will be responsible for the following:

— Engaging an appropriate contractor(s) to conduct services, replacements, or upgrades, as required.

— Ensure site safety for all building users and contractors.

— Abide by all relevant OH&S legislation, regulations, and guidelines.

— Assess any manual handling risks and prepare a manual handling control plan for waste and bin transfers.

— Providing any assistance to residents to transfer any wastes from their dwellings to the designated collection / drop off points.

— Organising bin transfers from the Communal Hub to the ring road for Council servicing.

— Maintaining Hard Waste, e-waste, glass and toxic household item interim collection points by arranging regular pickup by a specialist contractor.

— Ensuring that Village gardeners take communal garden waste away for disposal at an appropriate local facility weekly after completing works onsite.

— Ensuring waste collection vehicles have access to the site on collection days.

— Publishing and distributing information to ensure that all waste system users are familiar about the waste management system and the location of designated bin-placement areas on collection day.

— Informing all waste system users that bagged recycling and glass is not permitted.

— Advising all waste system users on where and how to dispose of their organics, glass, soft plastics, e-waste, and hard waste.

— Numbering the bins according to the property address to protect the equipment from theft and vandalism.

— Servicing all public areas through sweeping and removal of litter on a regular basis to prevent stormwater pollution.

— Preventing overfilled bins by keeping lids closed.

— Ensuring that bins are not removed from the site.

2.5. Waste Management Plan Communication Strategy

It is Site Management's responsibility to ensure that all waste systems users are informed about the development's waste management system, including where and how to correctly dispose of each waste stream. It is highly recommended that this Waste Management Plan is electronically provided to all residents and staff.

The waste collection contractor(s), in conjunction with Site Management, shall provide educational material to inform all waste system users about the development's waste management system and advise all waste system users how to correctly separate and dispose of each waste stream with care, to minimise waste sent to landfill and reduce the contamination of recyclables.

2.6. Waste Management Plan Revisions

From time to time, due to changes in legislative requirements, changes in the development's needs and/or waste patterns (such as waste composition, volume, or distribution), or to address unforeseen operational issues, Site Management shall be responsible for coordinating the necessary Waste Management Plan revisions, including (on an as-required basis):

— A waste audit and new waste management strategy.

— Revision of the waste system (bin size / quantity / waste streams / collection frequency / update of equipment).

— Revision of the services provided by the waste collection contractor(s).

— Re-education of users.

— Any necessary statutory / regulatory requirements / approvals.

3. ILUs Waste Volume Assessment

Sustainability Victoria's 'Better Practice Guide for Waste Management and Recycling in Multi-Unit Developments, 2018' specify the following general waste and recycling generation rates relevant to the development:

Individual Dwelling

Adopted for the independent living units

— General Waste: 80 L/dwelling/week

— Recycling: 80 L/dwelling/week

Separation of organics and glass from the general waste and recycling streams will be achieved via the following initiatives:

- Site Management will support groups of residents that wish to have a shared Organics bin (at extra cost) and will assist with coordinating such additional servicing with Council. Based on the generation of Organic Waste across the existing Village, it is estimated that 2x240L bins will suffice to cater for the needs of the proposed Extension.
- 2x240L bins will be provided in the communal building, to be arranged in association with Mt Martha Rotary. Glass separation may be considered more broadly in consultation with Council as a glass-only service is expected to be implemented in future.

Applying the above waste generation rates, the residential waste generation estimates are outlined in Tables 3.1 and 3.2 below.

Table 3.1: Independent Living Units General Waste Volume Estimate

Waste Source	Quantity	General Waste Generation Rate (L/Unit/ Week)	General Waste Volume (L/Week)
Independent Living Unit	32	80	2,560
Total	**32**	**-**	**2,560**

Table 3.2: Independent Living Units Recycling Volume Estimate

Waste Source	Quantity	Recycling Generation Rate (L/Unit/ Week)	Recycling Volume (L/Week)
Independent Living Unit	32	80	2,560
Total	**32**	**-**	**2,560**

4. Community Hub Waste Volume Assessment

Based on information received from Site Management in relation to a facility with similar functionality in the existing Village, the following waste generation rates are adopted:

— General Waste: 10 L/100m2 floor area/day

— Recycling: 10 L/100m^2 floor area/day

It has been assumed that the community hub will be in operation seven days per week.

Storage capacity for separation of Organics and Glass will be provided in the Communal Hub (refer to Notes in Section 3 above)

Applying the above waste generation rates, the community hub waste generation estimates are outlined in Tables 4.1 and 4.2 below.

Table 4.1: Community hub General Waste & Organics Volume Estimates

Waste Source	Net Lettable Area (m^2)	Days of Operation/Week	General Waste Generation Rate (L/100m^2/ day)	General Waste Volume (L/Week)
Community hub	200	7	10	140
Total	**200**	**-**	**-**	**140**

Table 4.2: Community hub Recycling & Glass Volume Estimates

Waste Source	Net Lettable Area (m^2)	Days of Operation/Week	Recycling Generation Rate (L/100m^2/day)	Recycling Volume (L/Week)
Community hub	200	7	10	140
Total	**200**	**-**	**-**	**140**

5. Waste Equipment and Storage Requirements

5.1. Residential Waste Storage Requirements

The waste storage requirements for the residential component of the development are outlined in Table 5.1 below.

Table 5.1: ILUs General Waste and Recycling Storage Requirements

Waste Stream	Bin Size (L)	Quantity	Height per bin (mm)	Width per bin (mm)	Depth per bin (mm)	Footprint (m^2)
General waste	80	1 per dwelling	825	440	496	0.22
Recycling	240	1 per dwelling	1060	585	730	0.43
Footprint Required per Dwelling Excluding Circulation (m^2):						**0.65**

ILU waste storage is proposed within the garage of each dwelling.

Additionally, a minimum spatial provision of 2m^2 will be allocated for temporary storage of Hard/E-Waste/Other waste within the existing communal building and 2x240L glass bins will also be stored in the communal building for residential use (see Notes in Section 3 above and Table 5.2 below).

5.2. Community Hub Waste Storage Requirements

The waste storage requirements for the community hub are outlined in Table 5.3 below.

Table 5.2: Community Hub Waste Storage Requirements

Waste Stream	Bin Size (L)	Quantity	Height per bin (mm)	Width per bin (mm)	Depth per bin (mm)	Footprint (m^2)
General waste	80	2	825	440	496	0.22
Recycling	240	2	1060	585	730	0.85
Organics*	240	2	1060	585	730	0.85
Glass*	240	2	1060	585	730	0.85
Hard / E-Waste / Other*	-	-	-	-	-	2.00
Total Footprint Required Excluding Circulation (m^2):						**4.78**

*= Storage provision of shared bins and drop off area for ILU waste

Community Hub waste storage is subject to future fit out detail.

6. Waste Collection Details

6.1. Residential Waste Collection Requirements

Table 6.1: ILUs Waste Collection Requirements (General waste & Recycling)

Waste Stream	Volumes per dwelling (L/week)	Bin Size (L)	Bin Numbers	Collection Frequency	Capacity per dwelling (L/week)
General waste	80	80	1 per dwelling	Weekly	80
Recycling	80	240	1 per dwelling	Fortnightly	120

6.2. Community Hub Waste Collection Requirements

Table 6.2: Community Hub Waste Collection Requirements

Waste Stream	Volumes (L/week)	Bin Size (L)	Bin Numbers	Collection Frequency (per week)	Capacity (L/week)
General waste	140	80	2	1	160
Recycling	140	240	2	Fortnightly	240
Organics	480	240	2	Fortnightly	480
Glass	480	240	2	As required	480
Hard/Other	-	-	-	As required	-

6.3. Waste Collection Methodology

The collection of general waste and recycling bins is to be performed by Council's via a 10-metre-long side-lift medium rigid vehicle.

Site Management will assist residents in transferring collection bins to the existing village's ring road, where Municipal Services already occur, thus refuse vehicle access provisions will remain unaltered as a result of the proposed extension.

Council's instructions for bin placement will be followed. Refer to Appendix A for an indicative bin-placement plan that considers the existing ILUs already placing bins next to the intended bin placement points for the proposed ILUs and Community Hub (bin placement locations are subject to change to suit Council's operational requirements).

Council will also collect any requested Organics bins and the Communal Hub General Waste and Recycling bins, as per similar arrangement for the existing Village.

The collection of glass bins is to be performed by Mt Martha Rotary as per similar arrangement for the existing Village.

6.4. Waste Collection Time

"The main annoyance produced by domestic refuse collections occurs in the early morning (in other words, before 7 am). Therefore, if possible, routes should be selected to provide the least impact on residential areas during that time.
• Collection of refuse should follow the following criteria:
• Collections occurring once a week should be restricted to the hours 6 am – 6 pm Monday to Saturday
• Collections occurring more than once a week should be restricted to the hours 7 am – 6 pm Monday to Saturday
• Compaction should only be carried out while on the move.
• Bottles should not be broken up at the point of collection.
• Routes that service entirely residential areas should be altered regularly to reduce early-morning disturbance.
• Noisy verbal communication between operators should be avoided where possible." (EPA Victoria, 2021, p.6).

Note: Section 167 of the Environment Protection Act 2017 deals with the emission of unreasonable noise from residential premises. This provision of the Act is not limited to the schedule and may be enforced at any time. (EPA Victoria, 2021, p.6-7).

7. Design Standards

7.1. Community Hub Waste Storage Design Requirements

— Comply with Building Code of Australia (BCA) and all relevant Australian Standards;

— Allow storage of all collection bins on site at all times;

— Allow easy access for users of the bins;

— Allow easy, direct and convenient transfer of bins to the collection point;

— Bin storage area shall be appropriately screened to prevent unsightly impacts on amenity; and

— Artificial light shall be provided where necessary outside the bin storage area to enable occupiers of the site to always dispose of waste safely and appropriately.

— The refuse area shall be sized to accommodate all waste arising on the premises together with any associated equipment for handling the generated waste. The area designated for bin storage is based on the number of bins and the physical dimensions of the bins;

— The bin storage area shall be maintained to ensure that the aesthetics of the development are not compromised.

— Each bin shall be accessible and manoeuvrable in and out of the refuse area with minimum handling of other bins; and

— The floor of the bin storage area shall be constructed of concrete (or similar) and shall be finished to a smooth even surface covered at the intersection of walls and plinths.

— The bin storage area shall be ventilated in accordance with the requirements of the Building Code of Australia and AS1668.2;

— Ventilation openings shall be protected against flies and vermin;

— Doors shall be tight fitting;

— A graded bin washing area (connected to wastewater, with a litter trap connected to prevent wastewater pollution) and wall-mounted hosecock should be provided for washing bins, in accordance with the relevant authority requirements.

7.2. Independent Living Units Waste Storage Design Requirements

— Comply with Building Code of Australia (BCA) and all relevant Australian Standards;

— Allow storage of general waste and recycling bins.

— Allow easy access for users of the bins;

— Allow easy, direct and convenient transfer of bins to the collection point, with the assistance of Site Management;

— The areas designated for bin storage are based on the number of bins and the physical dimensions of the bins;

— Waste areas shall be maintained to ensure that the aesthetics of the development are not compromised.

— Waste areas shall be ventilated in accordance with the requirements of the Building Code of Australia and AS1668.2;

7.3. Bin Colour Requirements

— General waste bins with a black body and red lid.
— Recycling bins with black body and yellow lid.
— Organics bins with black body and lime lid.
— Glass bins with black body and purple lid.

7.4. Internal Residential Waste Receptacle Requirements

Under bench waste receptacles for the ILUs should meet the following requirements:

— **General waste**: Large enough to hold at least 2 days' worth of waste, but no larger than 25 litres to ensure ease of manual handling.
— **Recycling:** Large enough to hold at least 2 days' worth of recycling, but no larger than 25 litres to ensure ease of manual handling.
— **Glass:** Large enough to hold at least 2 days' worth of glass, but no larger than 10 litres
— **Organics:** A kitchen caddy large enough to hold at least 1 days' worth of organics, but no larger than 10 litres.

7.5. Internal Community Hub Waste Receptacle Requirements

— Suitably sized receptacles no larger than 60 litres for general waste, organics, recycling and glass to ensure ease of manual handling. Note: If receptacles are larger than 60 litres, a bin lifter will be required in the bin storage area.

8. Contact Information

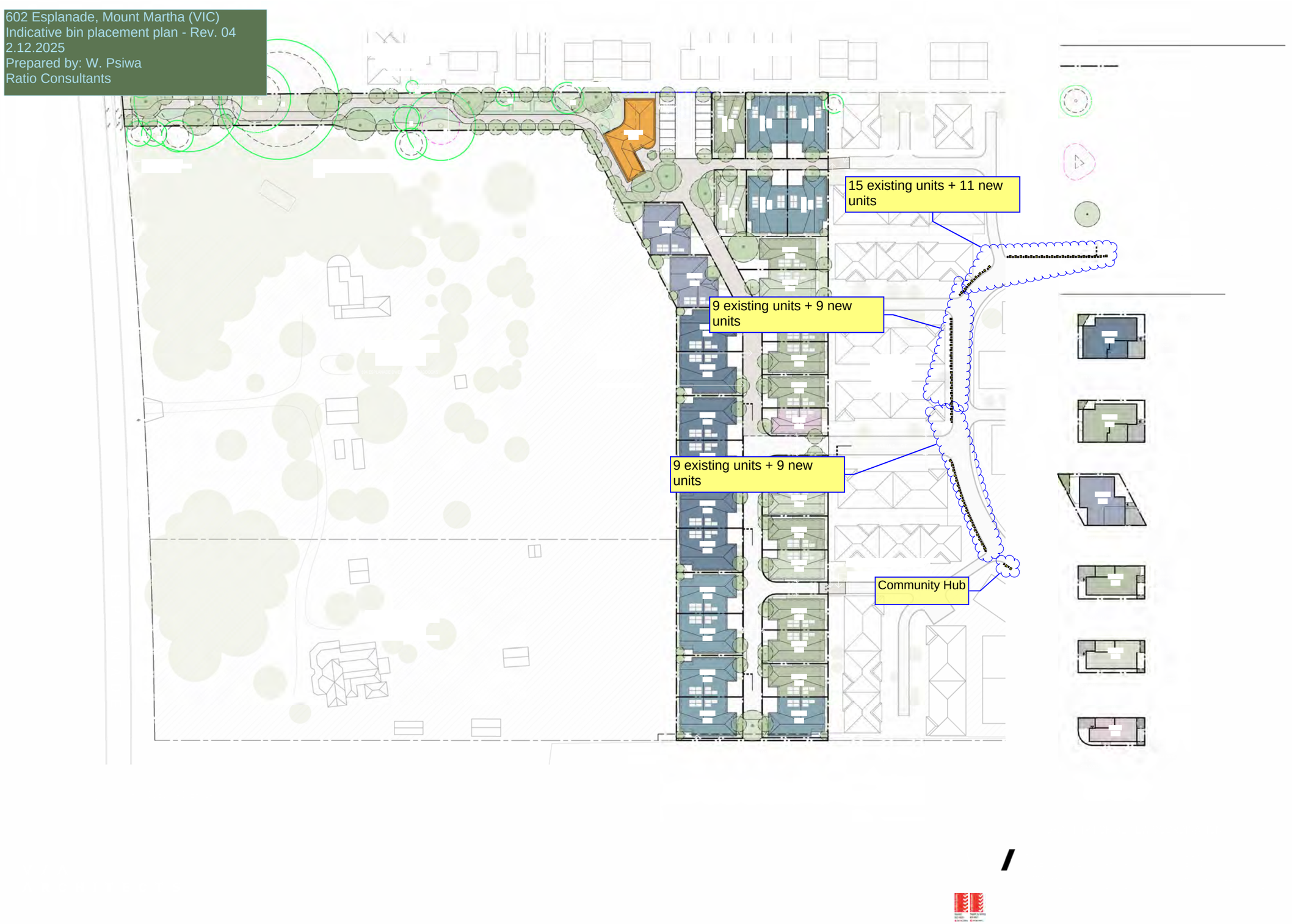
Table 8.1 below includes a complimentary listing of contractors and equipment suppliers. The Project Principal shall not be obligated to procure goods / services from these companies. Ratio Consultants does not warrant or make representations for the goods / services provided by these contractors and suppliers.

Table 8.1: Contractors and Supplier Details

Service	Contractor/ Supplier	Phone	Website
Private Waste Collection Contractor and/or Bin Supplier	Cleanaway	13 13 39	www.cleanaway.com.au
	CSC Waste & Recycling	1300 499 927	www.cscwaste.com.au
	iDump	1300 443 867	www.idump.com.au
	JJ Richards	03 9794 5722	www.jjrichards.com.au
	Premier Waste	1300 219 001	www.premierwaste.com.au
	Veolia	132 955	www.veolia.com/anz
	Wastewise Environmental	1300 550 408	www.wastewise.com.au
	Sulo Australia	1300 364 388	www.sulo.com.au
Bin Washing	The Bin Butlers	1300 788 123	www.thebinbutlers.com.au
	Calcorp Services	1800 225 267	www.calcorpservices.com.au
	Kerbside Clean-A-Bin	03 9830 7381	www.kerbsidecleanabin-srp.com.au
	WBCM Environmental Australia	1300 800 621	www.wbcm-aust.com.au
Odour Control	Eco-Safe Technologies	1300 135 039	www.eco-safe.com.au
	WBCM Environmental Australia	1300 800 621	www.wbcm-aust.com.au
E-Waste Collection	Tech Collect	1300 229 837	www.techcollect.com.au

Appendix A – Bin placement plan

602 Esplanade, Mount Martha (VIC)
Indicative bin placement plan - Rev. 04
2.12.2025
Prepared by: W. Psiwa
Ratio Consultants




08.12.2025
File No. 1807A
Sustainable Management Plan
602 Esplanade, Mt Martha
Ark Resources
602 Esplanade, Mt Martha

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DISCLAIMER

Note that this report has been prepared for the town planning submission only and cannot be used for tender or construction purposes, as sufficient construction detail has not been resolved at the time of publication. Certified NatHERS ratings or Section J analysis, based on Design Development drawings (generally 70%) must be undertaken for any costing or compliance purposes, to determine building materials and glazing thermal performance.

Ark Resources advises contractors not to rely on this document for construction stage cost submissions

Issue	Date	Prepared	Checked	Status
A	13.11.2025	HM / MT	LD	TP Draft
B	04.12.2025	HM / MT	LD	TP Issue
B.1	08.12.2025	HM / MT	LD	TP Issue

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1.0 Introduction

Ark Resources has been engaged by Keyton to provide advice in relation to environmentally sustainable development outcomes from the proposed development at 602 Esplanade, Mt Martha.

The proposed residential development at 602 Esplanade, Mt Martha has been designed to meet Clauses 15.01-2S, 15.01-2L-02 (Building Design and Environmentally Sustainable Development) and 53.18 (Stormwater Management in Urban Development) of the Mornington Peninsula Planning Scheme.

This report contains a summary of:

- Environmental objectives adopted for the development
- Sustainable design initiatives integrated into the design of the project.

Performance outcomes in this report are based on:

- Discussions and correspondence with Stephanie Tellis, Keyton

Architectural drawings prepared by VIA Architects set out below.

PROPOSED MASTERPLAN	TP10-001	A	December 2025
TYPE 1A - TYPICAL LAYOUT	TP80-001	A	December 2025
TYPE 1B - TYPICAL LAYOUT	TP80-002	A	December 2025
TYPE 1C - TYPICAL LAYOUT	TP80-003	A	December 2025
TYPE 2A - TYPICAL LAYOUT	TP80-004	A	December 2025
TYPE 2B - TYPICAL LAYOUT	TP80-005	A	December 2025
TYPE 3 - TYPICAL LAYOUT	TP80-006	A	December 2025
TYPE 1A - TYPICAL SECTIONS	SK80-011	A	December 2025
TYPE 1B - TYPICAL SECTIONS	SK80-012	A	December 2025
TYPE 1C - TYPICAL SECTIONS	SK80-013	A	December 2025
TYPE 2A - TYPICAL SECTIONS	SK80-014	A	December 2025
TYPE 2B - TYPICAL SECTIONS	SK80-015	A	December 2025
TYPE 3 - TYPICAL SECTIONS	SK80-007	A	December 2025
COMMUNAL FACILITY SHEET 01	TP81-001	A	December 2025
COMMUNAL FACILITY SHEET 02	TP81-002	A	December 2025

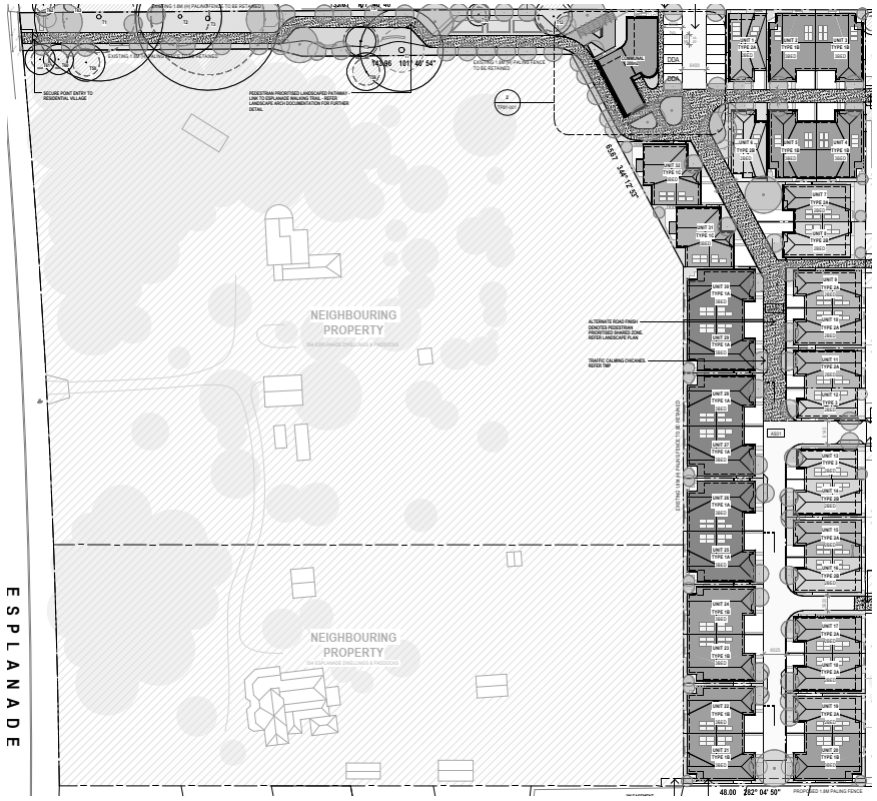
2.0 Site Description

The development comprises the following:

- 32 independent living units / 79 bedrooms
- 56 residents (approximately)
- Communal amenities
- Located within Shire of Mornington Peninsula
- Site area 12,638 m2 (approximately)
- Surrounds residential use

A plan of the proposed development is provided below.

An image of the site and the surrounding locale is provided on the following page.




602 Esplanade
Benjamin
Street Reserve
Dulnain St
C783
Ring Rd
Ring Rd
Birdrock Ave

3.0 Key ESD Initiatives

A detailed analysis has been undertaken in order to nominate the ESD initiatives required and confirm the performance outcomes achieved. The results of this analysis are set out in the remainder of this report.

The following key sustainable design initiatives have been incorporated into this project:

Energy

Individual rooftop solar photovoltaic systems



Indoor Environment Quality

Cross flow ventilation for dwellings



Water

Rainwater harvesting system for toilet flushing and landscape irrigation



Performance

High-performance glazing and energy efficient building services, appliances and fixtures



An assessment of sustainable design outcomes of the proposed development has been undertaken with HERO and BESS benchmarking tools. The information presented in this report demonstrates that:

NatHERS Energy Rating

The project will achieve a development average NatHERS energy rating of:

7.5 star

BESS Assessment

The combination of design features and services initiatives meets all the standards of the BESS sustainability assessment tool

54%

Stormwater

The development meets the Best Practice standard for stormwater quality.



4.0 Built Environment Sustainability Scorecard (BESS)

The project meets the standard required for water, energy, stormwater and Indoor Environment Quality. The project also meets the 50% BESS Score required to demonstrate Best Practice.

Please refer Appendix A for the BESS Report.

The BESS assessment tool for new projects was developed by the Council Alliance for a Sustainable Built Environment (CASBE).

The BESS tool provides an objective performance based analysis of nine key sustainable building design categories at the planning permit stage of the building lifecycle.

BESS is widely regarded as an appropriate sustainability assessment tool for both residential and non-residential development projects. Since its launch, 29 Victorian councils including Mornington Peninsula have adopted BESS.

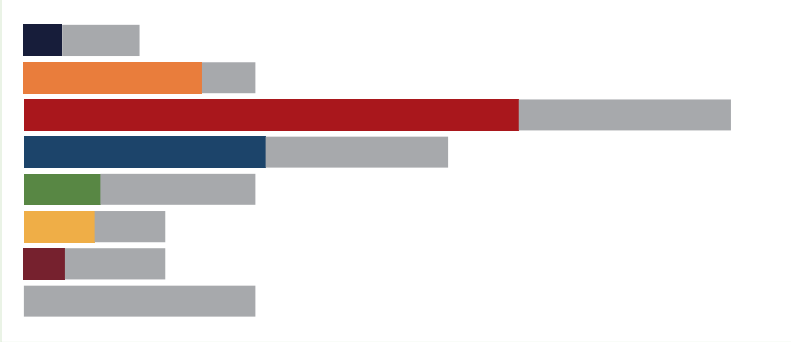
The BESS tool builds on the NCC energy efficiency measures and provides a framework for assessing building performance outcomes in relation to:

- Management
- Water
- Energy
- Stormwater
- Indoor Environment Quality
- Transport
- Waste
- Urban Ecology
- Innovation

BESS scores for the development are summarised in the following table.

Element	Required Score	Project Score	Pass
Management	0%	33%	Yes
Integrated Water Management	50%*	77%	Yes
Operational Energy	50%*	70%	Yes
Indoor Environment Quality	50%*	57%	Yes
Transport	0%	33%	Yes
Waste & Resource Recovery	0%	50%	Yes
Urban Ecology	0%	29%	Yes
Innovation	0%	00%	Yes
Project BESS Score	**50%**	**54%**	**Yes**

* Indicates mandatory credits applicable



5.0 NatHERS Energy Ratings

HERO v4.1 (3.22) energy ratings have been undertaken for a representative sample of the dwelling types.

The development achieves a 7.5 star average NatHERS rating which meets the Councils 'best practice' standard and represents a high standard of thermal efficiency.

Please refer to Appendix B for details of energy ratings and building construction assumptions.

NatHERS Rating

The development average NatHERS rating will be

7.5

star

Maximum Heating Load

60.7

MJ/m^2

Maximum Cooling Load

21.6

MJ/m^2

Dwelling	Star Rating	Energy Demand (MJ/m2)			
		Total	Heating	Cooling	Colour Palette
Type 1A U27	7.8	63.3	42.9	20.4	Dark
Type 1B U04	7.9	61.8	48.3	13.6	Light
Type 1B U21	7.4	74.6	57.7	16.9	Dark
Type 1B U23	7.8	64.0	45.3	18.7	Light
Type 1C U01	7.7	67.6	46.4	21.2	Light
Type 1C U32	7.7	67.8	46.2	21.6	Light
Type 2A U02	7.7	67.8	48.5	19.3	Dark
Type 2A U08	7.9	59.2	40.5	18.8	Dark
Type 2A U18	7.8	63.2	48.1	15.2	Light
Type 2B U07	7.8	63.5	50.4	13.1	Light
Type 2B U09	7.6	69.7	52.6	17.1	Dark
Type 3 U13	7.1	81.3	60.7	20.6	Dark
Estimated Development Average	**7.5**	**67.0**	**49.0**	**18.0**	

Class 1 (CSOG) Climate Zone 62

The results of the modelling confirm that:

- The dwellings achieve a development average of 7.5 star NatHERS rating, and;
- The heating loads and cooling loads are less than the relevant threshold loads set out in NCC 2022 for Class 1 dwellings (heating load <80 MJ/m2, cooling load <22 MJ/m2) for the relevant climate zone (NatHERS Climate Zone 62 Moorabbin).

5.1 NatHERS Whole of Home

NCC 2022 introduced the NatHERS Whole of Home assessment for class 1 buildings through Part H6P2.

Whole of Home assessments incorporate the energy consumption of fixed appliances—such as space heating and cooling systems, domestic hot water units, lighting, pool and spa pumps, and renewable energy systems (e.g. PV and batteries).

The assessment produces a quantified estimate of an annual energy use budget defined for Whole of Home performance. The tool enables scenario testing and system trade-offs, allowing for optimisation of design and appliance specifications to achieve regulatory compliance and improve building performance outcomes.

Class 1 building require a Whole of Home score of at least 60 to meet Part H6P2.

	Air Conditioning		Hot Water		Stovetop	Oven	Lighting	Batteries	Solar PV	Swimming pool	Whole of Home Score
	Cooling (SEER MEPS 2019)	Heating (SEER MEPS 2019)	Type	STCs	Type	Type	W/m2		System Size		
Type 1A U27	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	79
Type 1B U04	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	79
Type 1B U21	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	77
Type 1B U23	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	79
Type 1C U01	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	78
Type 1C U32	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	78
Type 2A U02	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	80
Type 2A U08	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	81
Type 2A U18	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	80
Type 2B U07	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	81
Type 2B U09	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	80
Type 3 U13	2.0 star	1.0 star	Heat Pump	17	Electric	Electric	5	NA	3 kWp	NA	82

6.0 MUSIC Modelling

To assess the quality of stormwater runoff from the site, an analysis has been undertaken using MUSIC Modelling software. The modelling was completed by Ratio Consultants. Please refer to their report dated 1st December 2025, Rev 02.

7.0 Sustainable Design Initiatives & Systems

Issue	Performance	Comments
Building Management		
Metering	In addition to individual dwelling meters for utilities, the following meters will be installed to provide information to the owner's corporation in relation to communal area energy consumption: – Harvested rainwater at Communal Building – Common area power / lighting meter	The information collected from these meters will be used by the Owner's Corporation manager to assess the function and efficacy of central systems during commissioning and ongoing operation.
NCC J4D6 Façade Calculator – Communal Building	Preliminary J4D6 Façade calculations have been carried out to determine window/wall ratios and thermal performance is achievable with the proposed design. Results demonstrate that the project is capable of meeting the deemed to satisfy requirements of NCC 2022 Section J4D6.	NCC Section J compliance of insulation and window systems will be verified during detailed design via an approved NCC methodology. Refer to Appendix C for the NCC 2022 Section J Deemed to Satisfy provisions.

Issue	Performance	Comments
Integrated Water Management		
Stormwater Quality	The MUSIC results and stormwater management strategy described in Stormwater Management Report – Ratio Consultants, 1st December 2025 Rev 02 demonstrate that the development attains the Best Practice Standard for Urban Stormwater.	The proposed development exceeds the pollutant load reduction targets set out in the Best Practice Environmental Management Guidelines (BPEMG) for Total Suspended Solids (TSS), Total Phosphorus (TP), Total Nitrogen (TN) and Gross Pollutants (GP). Refer to Report by Ratio for the MUSIC rating results and Appendix E for the WSUD Maintenance Manual.
Water Efficiency	The following water efficient fittings and appliances will be specified: – WELS 4 star showers (>6 but <=7.5 litres/minute) – WELS 4 star toilets – WELS 5 star kitchen taps – WELS 5 star basin taps – WELS 4 star dishwashers	Water using fixtures and appliances will be specified during design development in accordance with this water efficiency performance standard.
Rainwater Harvesting	A rainwater harvesting system will be installed as described in the Stormwater Management Report prepared by Ratio, and including: - Rainwater harvesting from dwelling roof areas to individual rainwater tanks for toilet flushing and POS landscape irrigation; and - Rainwater harvesting from the Communal Building roof areas to a rainwater tank tor communal building toilet flushing.	Rainwater modelling for the ILUs indicates that this system will provide an estimated annual mains water saving of 680 kL and a supply reliability of 97% from toilet flushing and irrigation. Refer to Report by Ratio for the MUSIC rating results, Appendix D for details of predicted harvested rainwater volumes and Appendix E for an indicative maintenance program.
Construction Stormwater Pollution Reduction Plan	A construction phase stormwater pollution reduction plan will be prepared and implemented during construction to ensure that litter, sediments and other pollution are prevented from entering the stormwater system.	Please refer to Appendix G for the preliminary Site Management Plan.

Issue	Performance	Comments
Operational Energy		
Renewable Energy System - ILUs	Individual solar photovoltaic system will be installed to the roofs of dwellings to offset greenhouse emissions and will provide a total peak generation capacity of 3 kW per dwelling (98kWp for the development).	Note that the system is predicted to result in equivalent avoided greenhouse emissions of approximately 118 tonnes CO2-e each year. Refer to Appendix F for details of proposed system capacity and panel numbers.
Gas Free Development	The project will not have gas services connected. Gas free developments not only avoid ongoing service charges for residents, but it takes advantage of the improvement in emissions from grid connected electricity in addition to the energy generated on-site.	
Thermal performance efficiency – Communal Building	The building thermal envelope of the Communal Building will meet the standards to NCC 2022 Section J Part J4. Deemed to Satisfy minimum requirements are provided in Appendix C, however further analysis will be undertaken during design development to verify NCC Section J compliance of insulation and window systems via an approved NCC methodology.	Refer to Appendix C for the NCC 2022 Section J Deemed to Satisfy provisions.
Energy Ratings - Residential	The development will achieve an average NatHERS energy rating of 7.5 stars, with all dwellings meeting the minimum 7 star NCC energy rating standard.	The energy ratings achieved will meet the NCC 2022 energy efficiency requirements for Class 1 dwellings. Refer to Appendix B for details of building fabric assumptions.
Heating & Cooling – Communal Building	Space heating and cooling to the Communal Building will be provided by reverse cycle heat pumps with minimum seasonal CoP & EER of 4.0 calculated in accordance with AS 3823.4 2014.	Efficient reverse cycle units in conjunction with a thermally efficient building envelope are considered to be an environmentally acceptable method of space conditioning.
Heating & Cooling - Residential	Space heating and cooling will be provided by reverse cycle heat pumps within one star of the best available (at the time of tender) for both heating and cooling.	Efficient reverse cycle units in conjunction with a thermally efficient building envelope are considered to be an environmentally acceptable method of space conditioning.
Domestic Hot Water – Communal Building	Domestic hot water units will be either: – Electric instantaneous installed at the point of use to avoid standing heat losses; or – Highly efficient electric heat pump.	
Domestic Hot Water - Residential	Domestic hot water units will be highly efficient individual electric heat pumps.	

Issue	Performance	Comments
Lighting	Energy efficient lighting systems will be installed throughout the development including: – LED lighting generally; and – LED external lighting controlled my motion sensors.	Note that external lighting for the development will be designed with the objective of preventing light spill to the night sky.
Clothes Drying Facilities	All dwellings will be provided with retractable external clothes lines.	The installation of clothes lines will reduce the energy use assigned to clothes dryers.

Issue	Performance	Comments
Indoor Environment Quality		
Natural Ventilation & Daylight - Residential	The dwellings have been designed to ensure that all living rooms and bedrooms have access to natural ventilation and daylight via operable windows along the façade.	These features will improve comfort and amenity for residents and reduce peak energy demand and greenhouse emissions arising from mechanical cooling.
Natural Ventilation & Daylight Access – Communal Building	The communal building has been designed to spaces have access to natural ventilation and daylight via operable windows along the façade. Note the cinema has been excluded from the daylight calculations due to its specialist requirement for darkness. Green Star hand calculations have been used in line with BESS guidelines and demonstrate compliance in all primary spaces within the communal building. Daylight access for these spaces has determined the percentage of compliant area for primary space to be 55%.	Refer to Appendix A.1 for details of the daylight calculations.
Thermal Comfort	Thermal comfort for occupants will be enhanced by the specification of high performance glazing.	
Volatile Organic Compounds	All interior paints, adhesives and sealants will be Low VOC type to improve indoor environmental quality for building occupants. Low VOC carpets will be selected for the development. Low formaldehyde engineered wood products (minimum E1 grade) will be specified.	Low VOC paints, adhesives and sealants, carpets and engineered wood products will be specified to meet the requirements Indoor Pollutants (Credit 13) of the Green Star Design & As Built Tool Version 1.3, or alternative green product certification such as GECA or Green Tag.

Issue	Performance	Comments
Transport		
Electric Vehicle Charging	Each dwelling will have a 32amp point within the garage, and associated electrical infrastructure to ensure car parking areas are 'electric vehicle ready'.	
Walkability & Public Transport Access	The site attains a Walk Score® of 26 out of 100 which is defined as 'Car Dependent', and a Transit Score of 31 out of 100 which is defined as 'Some Transit'. Located on The Esplanade, the site offers direct connection to coastal walking trails and beaches. A few amenities are located at a short walking distance (<300m) such as the Dava Hotel and Martha's Point. However, Bentons Square (<1.6km) is the closest location for shopping and running most daily errands. Building occupants will most likely require a car. The site is also within proximity of the following public transportation options: **Buses** (<300m): 781 Frankston - Mt Martha; (<600m): 785 Mornington East - Frankston; 788 Frankston - Portsea; and (<1.2km): 784 Frankston - Osborne.	The location of the development will require private vehicle use.

Issue	Performance	Comments
Waste & Resource Recovery 		
Operational Waste Management	Each individual dwelling has been provided with bin storage space for the following: – 1 x 80 litre bin for general waste – 1 x 240 litre bins for commingled recyclables In addition, the Communal building will have a shared dedicated bin storage area for general waste, commingled recyclables, food and garden organics, glass and hard / E-waste	For details of waste generation rates and collection logistics, refer to the Waste Management Plan prepared by Ratio Consultants.
Construction Waste Minimisation	A target recycling rate of 80% of construction and demolition waste has been adopted for the construction phase of the development to minimise the volume of waste to landfill. This will be achieved by the development of a comprehensive waste minimisation strategy including: – Separation of all commercially viable recyclable waste streams; – Training in waste minimisation for all site staff and contractors to form part of site induction training; – Record keeping of landfill waste and recyclable stream volumes to track performance against the 80% recyclable target; and – Quarterly reporting of volumes and percentages for each waste stream.	A dedicated recycling contractor will be engaged to facilitate separation of commercially viable recyclable waste streams in accordance with the target adopted.

Issue	Performance	Comments
Urban Ecology		
Communal Spaces	Areas of communal space and resident amenity have been integrated into the design to facilitate social exchange.	These features will provide amenity for building occupants and contribute to the social and ecological value of the proposed development.
Maintaining/Enhancing Ecological Value	Sitewide landscaping has been integrated into the proposed design.	

Issue	Performance	Comments
Materials		
Environmentally Preferable Materials	The following environmentally preferable materials will be specified with the objective of reducing off-site environmental impacts and improving indoor environmental quality for residents: – All feature timber will be recycled or from accredited sustainably harvested plantation sources (FSC or PEFC); and – All interior paints will be low VOC type.	Timber products will be specified in accordance with the requirements of Credit 20.2 of the Green Star Design & As Built Tool Version 1.3.

8.0 Implementation Plan

The ESD initiatives set out in this report will be coordinated by the Project Manager in conjunction with the following project design team members:

- – Architect
- – Thermal Performance Assessor
- – Building Services Consultant
- – Waste Management Consultant

An implementation schedule is set out in the following table.

ESD Initiative Implementation Schedule

#	Initiative	Requirement	Responsibility	Stage
	Coordination of Initiatives	Full implementation	Project Manager	All
1	Metering	Specify meters in accordance with nominated schedule	Building Services Engineer	Design Development
2	Water Efficiency	Specify fixtures in accordance with nominated WELS star ratings	Architect	Design Development
3	Rainwater Harvesting	Design and specify rainwater harvesting system including toilet flushing & automated irrigation system	Building Services Engineer	Design Development
4	Landscaping	Specify landscaping and irrigation	Landscape architect	Design Development
5	Energy Ratings	Prepare NatHERS ratings for NCC certification	Thermal Performance Assessor	Design Development
6	Heating & Cooling	Specify units in accordance with nominated MEPS star ratings	Building Services Engineer	Design Development
7	Hot Water	Specify nominated hot water system	Building Services Engineer	Design Development
8	Lighting	Specify nominated energy efficient lighting types and automated controls	Building Services Engineer	Design Development
9	EV Charging	Specify infrastructure in accordance with nominated schedule	Building Services Engineer	Design Development
10	Solar PV Array	Specify system in accordance with nominated schedule	Building Services Engineer	Design Development
11	Environmentally Preferable Materials	Specify materials in accordance with nominated schedule	Architect	Design Development
12	Clotheslines	Specify in accordance with nominated schedule	Architect	Design Development
13	Construction Waste Minimisation	Prepare construction waste minimisation plan	ESD consultant	Design Development

9.0 Conclusion

This report sets out a range of sustainable design features, which are integrated into the design and specification of the proposed development, to improve environmental outcomes during occupation.

In terms of performance outcomes, the analysis presented in this report demonstrates that the proposed development:

- Attains an overall BESS score of 54% and passes the mandatory water, energy, stormwater and indoor environment quality elements;
- Achieves an overall energy efficiency performance as permitted by NCC 2022 for the communal building;
- Achieves a 7.5 average star rating for the dwellings;
- Attains the Best Practice standard for urban stormwater quality.

Accordingly, the sustainable design outcomes from the proposed development are adequate for a mixed-use development of this scale and are consistent with the objectives set out in Clauses 15.01-2S, 15.01-2L-02 and 53.18 of the Mornington Peninsula Planning Scheme.

BESS Assessment

The combination of design features and services initiatives meets all the standards of the BESS sustainability assessment tool

54%

NatHERS Rating

The development will achieve an average NatHERS rating of

7.5 star

Best Practice

The development meets the Best Practice standard for Stormwater Quality

Appendix A. BESS Results

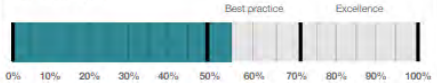
BESS Report

Built Environment Sustainability Scorecard

This BESS report outlines the sustainable design commitments of the proposed development at 602 Esplanade Mount Martha Victoria 3934. The BESS report and accompanying documents and evidence are submitted in response to the requirement for a Sustainable Design Assessment or Sustainability Management Plan at Mornington Peninsula Shire Council.

Note that where a Sustainability Management Plan is required, the BESS report must be accompanied by a report that further demonstrates the development's potential to achieve the relevant environmental performance outcomes and documents the means by which the performance outcomes can be achieved.

Your BESS Score

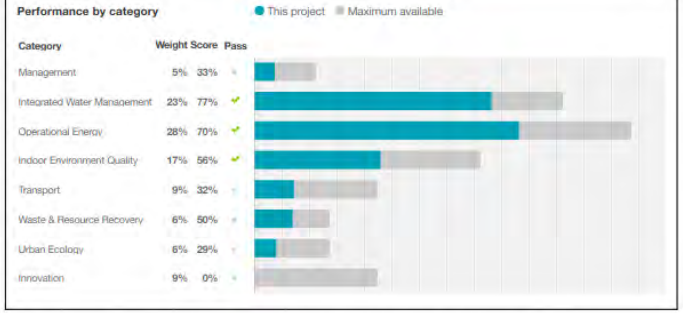


54%

Project details

Name	602 Esplanade Mt Martha
Address	602 Esplanade Mount Martha Victoria 3934
Project ID	BB00F92A-R1
BESS Version	BESS-9
Site type	Mixed use development
Account	info@arkresources.com.au
Application no.	
Site area	12,638 m²
Building floor area	4,015 m²
Date	04 December 2025
Software version	2.3.0-B.635

Performance by category



BESS, 602 Esplanade Mt Martha 602 Esplanade, Mount Martha 3934

Buildings

Name	Height	Footprint	% of total footprint
Communal Building	1	198 m²	3%
ILUs	1	5,189 m²	96%

Dwellings & Non Res Spaces

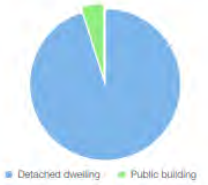
Dwellings

Name	Quantity	Area	Building	% of total area
Detached dwelling				
ILU Type 1B	9	132 m²	ILUs	29%
ILU Type 2A	8	107 m²	ILUs	21%
ILU Type 1A	6	141 m²	ILUs	21%
ILU Type 2B	3	102 m²	ILUs	7%
ILU Type 1C	2	133 m²	ILUs	6%
ILU Type 3	2	75.2 m²	ILUs	3%
ILU Type 2B (alone)	1	102 m²	ILUs	2%
ILU Type 2A (alone)	1	107 m²	ILUs	2%
Total	**32**	**3,817 m²**	**95%**	

Non-Res Spaces

Name	Quantity	Area	Building	% of total area
Public building				
Communal	1	198 m²	Communal Building	4%
Total	**1**	**198 m²**	**4%**	

Project composition



Building composition



Supporting Evidence

Shown on Floor Plans

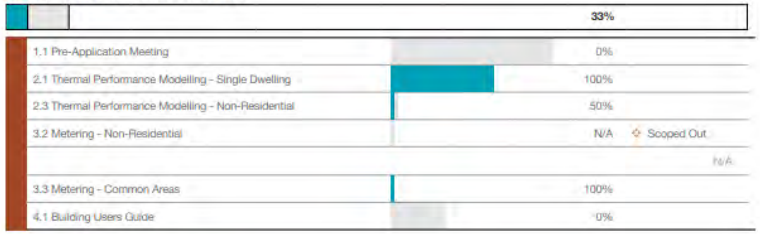
Credit	Requirement	Response	Status
Management 3.3	Annotation: Sub-meters to be provided to all major common area services (list each)		–
Integrated Water Management 2.1	Location of any stormwater management systems (rainwater tanks, raingardens, buffer strips)		–
Operational Energy 3.3	Annotation: External lighting controlled by motion sensors		–
Operational Energy 3.4	Location of clothes line (if proposed)		–
Operational Energy 4.5	Location and size of solar photovoltaic system		–
Indoor Environment Quality 2.2	Annotation: Dwellings designed for 'natural cross flow ventilation' (If not all dwellings, include a list of compliant dwellings)		–
Indoor Environment Quality 3.1	Annotation: Glazing specification (U-value, SHGC)		–
Transport 2.1	Location of electric vehicle charging infrastructure		–
Waste & Resource Recovery 2.2	Location of recycling facilities		–
Urban Ecology 1.1	Location and size of communal spaces		–
Urban Ecology 2.1	Location and size of vegetated areas		–

Supporting Documentation

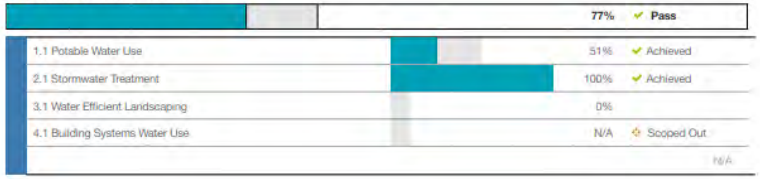
Credit	Requirement	Response	Status
Management 2.1	Preliminary NatHERS assessment		–
Management 2.3a	Section J glazing assessment		–
Integrated Water Management 2.1	STORM report or MUSIC model		–
Operational Energy 1.1	Energy Report showing calculations of reference case and proposed buildings		–
Operational Energy 4.5	Specifications of the solar photovoltaic system(s)		–
Indoor Environment Quality 1.4	A short report detailing assumptions used and results achieved.		–
Indoor Environment Quality 2.2	A list of dwellings with natural cross flow ventilation		–
Indoor Environment Quality 3.1	Reference to floor plans or energy modelling showing the glazing specification (U-value and Solar Heat Gain Coefficient, SHGC)		–

Credit summary

Management Overall contribution 4.5%



IWM Overall contribution 22.5%



Operational Energy Overall contribution 27.5%

	Minimum required 50%	70%	Pass
1.1 Thermal Performance Rating - Non-Residential		37%	
1.2 Thermal Performance Rating - Residential		50%	✔ Achieved
2.1 Greenhouse Gas Emissions		3%	
2.2 Peak Demand		100%	
2.6 Electrification		100%	
2.7 Energy consumption		100%	
3.1 Carpark Ventilation		N/A	✧ Scoped Out
			N/A
3.2 Hot Water - Non-Residential		100%	
3.3 External Lighting		100%	
3.4 Clothes Drying		100%	
3.5 Internal Lighting - Houses and Townhouses		0%	
3.7 Internal Lighting - Non-Residential		0%	
4.1 Combined Heat and Power (cogeneration / trigeneration)		N/A	✧ Scoped Out
			No cogeneration or trigeneration system in use.
4.2 Renewable Energy Systems - Solar		0%	
4.4 Renewable Energy Systems - Other		N/A	✧ Scoped Out
			No other (non-solar PV) renewable energy is in use.
4.5 Solar PV - Houses and Townhouses		100%	

IEQ Overall contribution 16.5%

	Minimum required 50%	56%	Pass
1.4 Daylight Access - Non-Residential		55%	✔ Achieved
2.2 Cross Flow Ventilation		100%	
2.3 Ventilation - Non-Residential		37%	✔ Achieved
3.1 Thermal comfort - Double Glazing		100%	
3.2 Thermal Comfort - External Shading		0%	
3.3 Thermal Comfort - Orientation		0%	
3.4 Thermal comfort - Shading - Non-Residential		0%	
3.5 Thermal Comfort - Ceiling Fans - Non-Residential		0%	
4.1 Air Quality - Non-Residential		100%	

Transport Overall contribution 9.0%

	32%	
1.1 Bicycle Parking - Residential	0%	
1.4 Bicycle Parking - Non-Residential	0%	
1.5 Bicycle Parking - Non-Residential Visitor	0%	
1.6 End of Trip Facilities - Non-Residential	0%	⊘ Disabled
		Credit 1.4 must be complete first.
2.1 Electric Vehicle Infrastructure	100%	
2.2 Car Share Scheme	0%	
2.3 Motorbikes / Mopeds	0%	

Waste & Resource Recovery Overall contribution 5.5%

	50%	
1.1 Construction Waste - Building Re-Use	N/A	✧ Scoped Out
		N/A
2.1 Operational Waste - Food & Garden Waste	0%	
2.2 Operational Waste - Convenience of Recycling	100%	

Urban Ecology Overall contribution 5.5%

	29%	
1.1 Communal Spaces	100%	
2.1 Vegetation	50%	
2.2 Green Roofs	0%	
2.3 Green Walls and Facades	0%	
3.1 Food Production - Residential	0%	
3.2 Food Production - Non-Residential	0%	

Innovation Overall contribution 9.0%

	0%	
1.1 Innovation	0%	

BESS, 602 Esplanade Mt Martha 602 Esplanade, Mount Martha 3934

Credit breakdown

Management Overall contribution 4.5%

33%

1.1 Pre-Application Meeting		0%
Score Contribution	This credit contributes 49.6% towards the category score.	
Criteria	Has an ESD professional been engaged to provide sustainability advice from schematic design to construction? AND Has the ESD professional been involved in a pre-application meeting with Council?	
Question	Criteria Achieved ?	
Project	-	
2.1 Thermal Performance Modelling - Single Dwelling		100%
Score Contribution	This credit contributes 31.4% towards the category score.	
Criteria	Has a preliminary NatHERS rating been undertaken?	
Question	Criteria Achieved ?	
Detached dwelling	Yes	
2.3 Thermal Performance Modelling - Non-Residential		50%
Score Contribution	This credit contributes 1.6% towards the category score.	
Criteria	Has a preliminary facade assessment been undertaken in accordance with NCC2022 Section J4D6?	
Question	Criteria Achieved ?	
Public building	Yes	
Criteria	Has preliminary modelling been undertaken in accordance with either NCC2022 Section J (Energy Efficiency), NABERS or Green Star?	
Question	Criteria Achieved ?	
Public building	No	
3.2 Metering - Non-Residential		N/A Scoped Out
		N/A
This credit was scoped out	N/A	
3.3 Metering - Common Areas		100%
Score Contribution	This credit contributes 0.8% towards the category score.	
Criteria	Have all major common area services been separately submetered?	
Question	Criteria Achieved ?	
Public building	Yes	
4.1 Building Users Guide		0%

The Built Environment Sustainability Scorecard is an initiative of the Council Alliance for a Sustainable Built Environment (CASBE).
For more details see www.bess.net.au

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Score Contribution	This credit contributes 16.5% towards the category score.
Criteria	Will a building users guide be produced and issued to occupants?
Question	Criteria Achieved ?
Project	-

IWM Overall contribution 22.5%

77% ✓ Pass

Do you have a reticulated third pipe or an on-site water recycling system?:	No
Are you installing a swimming pool?:	No
Stormwater profile	
Which stormwater modelling software are you using?:	MUSIC or other modelling software
STORM score achieved:	100
Flow:	1 %
Total Suspended Solids:	82 %
Total Phosphorus:	67 %
Total Nitrogen:	51 %
Rainwater tank profile	
What is the total roof area connected to the rainwater tank?:	
RWT TOTAL ILUs	5,378 m²
RWT COMMUNAL	225 m²
Tank Size:	
RWT TOTAL ILUs	64,000 Litres
RWT COMMUNAL	2,000 Litres
Irrigation area connected to tank:	
RWT TOTAL ILUs	320 m²
RWT COMMUNAL	-
Is connected irrigation area a water efficient garden?:	
RWT TOTAL ILUs	No
RWT COMMUNAL	No
Other external water demand connected to tank?:	
RWT TOTAL ILUs	0.0 Litres/Day
RWT COMMUNAL	-
Fixtures, fittings & connections profile	
Building:	
ILU Type 1A	ILUs
ILU Type 1B	
ILU Type 1C	
ILU Type 2A	
ILU Type 2A (alone)	
ILU Type 2B	
ILU Type 2B (alone)	
ILU Type 3	
Communal	Communal Building

Showerhead:	
ILU Type 1A ILU Type 1B ILU Type 1C ILU Type 2A ILU Type 2A (alone) ILU Type 2B ILU Type 2B (alone) ILU Type 3	4 Star WELS (>= 6.0 but <= 7.5)
Communal	Scope out
Bath: All	Scope out
Kitchen Taps: All	>= 5 Star WELS rating
Bathroom Taps: All	>= 5 Star WELS rating
Dishwashers: All	>= 4 Star WELS rating
WC: All	>= 4 Star WELS rating
Urinals: All	Scope out
Washing Machine Water Efficiency:	
ILU Type 1A ILU Type 1B ILU Type 1C ILU Type 2A ILU Type 2A (alone) ILU Type 2B ILU Type 2B (alone) ILU Type 3	Occupant to Install
Communal	Scope out
Which non-potable water source is the dwelling/space connected to?:	
ILU Type 1A ILU Type 1B ILU Type 1C ILU Type 2A ILU Type 2A (alone) ILU Type 2B ILU Type 2B (alone) ILU Type 3	235331
Communal	237422
Non-potable water source connected to Toilets: All	Yes
Non-potable water source connected to Laundry (washing machine): All	No
Non-potable water source connected to Hot Water System: All	No
1.1 Potable Water Use	51% ✔ Achieved

Score Contribution	This credit contributes 33.3% towards the category score.
Criteria	What is the reduction in total potable water use due to efficient fixtures, appliances, rainwater use and recycled water use? To achieve points in this credit there must be >25% potable water reduction.
Output	Reference
Project	5630 kL
Output	Proposed (excluding rainwater and recycled water use)
Project	4556 kL
Output	Proposed (including rainwater and recycled water use)
Project	3754 kL
Output	% Reduction in Potable Water Consumption
Project	33 %
Output	% of connected demand met by rainwater
Project	98 %
Output	How often does the tank overflow?
Project	Very Often
Output	Opportunity for additional rainwater connection
Project	1966 kL
2.1 Stormwater Treatment	100% ✔ Achieved
Score Contribution	This credit contributes 60% towards the category score.
Criteria	Has best practice stormwater management been demonstrated?
Output	Flow
Project	1 %
Output	Min Suspended Solids reduction
Project	80 %
Output	Total Suspended Solids reduction
Project	82 %
Output	Min Phosphorus reduction
Project	45 %
Output	Total Phosphorus reduction
Project	67 %
Output	Min Nitrogen reduction
Project	45 %
Output	Total Nitrogen reduction
Project	51 %
3.1 Water Efficient Landscaping	0%
Score Contribution	This credit contributes 6.7% towards the category score.
Criteria	Will water efficient landscaping be installed?
Question	Criteria Achieved ?
Project	–
4.1 Building Systems Water Use	N/A ✧ Scoped Out
	N/A

This credit was scoped out	N/A	

Operational Energy Overall contribution 27.5%

	Minimum required 50%	70%	Pass

Project profile	
Use the BESS Deem to Satisfy (DtS) method for Non-residential spaces?:	Yes
Are you installing any renewable energy system(s) (other than solar photovoltaic)?:	No
Energy Supply:	All-electric
Solar Photovoltaic system profile	
System Size (lesser of inverter and panel capacity):	
PV ALL (North)	9.7 kW peak
PV ALL (West)	51.9 kW peak
PV ALL (East)	37.0 kW peak
Orientation (which way is the system facing)?:	
PV ALL (North)	North
PV ALL (West)	West
PV ALL (East)	East
Inclination (angle from horizontal):	
PV ALL (North)	5.0 Angle (degrees)
PV ALL (West)	5.0 Angle (degrees)
PV ALL (East)	5.0 Angle (degrees)
Which Building Class does this apply to?:	
PV ALL (North)	Detached dwelling
PV ALL (West)	Detached dwelling
PV ALL (East)	Detached dwelling
Dwellings profile	
Building: All	ILUs
Below the floor is: All	Ground or Carpark
Above the ceiling is: All	Outside
Exposed sides: All	3
NatHERS Annual Energy Loads - Heat:	
ILU Type 1A	49.9 MJ/sqm
ILU Type 1B	100 MJ/sqm
ILU Type 1C	
ILU Type 2A	
ILU Type 2A (alone)	
ILU Type 2B	
ILU Type 2B (alone)	
ILU Type 3	

NatHERS Annual Energy Loads - Cool:	
ILU Type 1A	18.9 MJ/sqm
ILU Type 1B ILU Type 1C ILU Type 2A ILU Type 2A (alone) ILU Type 2B ILU Type 2B (alone) ILU Type 3	30.0 MJ/sqm
NatHERS star rating: All	7.5
Type of Heating System: All	Reverse cycle space
Heating System Efficiency: All	Current Default / MEPS
Type of Cooling System: All	Refrigerative space
Cooling System Efficiency: All	Current Default / MEPS
Type of Hot Water System: All	Electric Heat Pump Band 1
Is the hot water system shared by multiple dwellings?: All	No
% Contribution from solar hot water system: All	0 %
Clothes Line: All	Private outdoor clothesline
Clothes Dryer: All	Occupant to install
Non-residential Deemed-to-Satisfy profile	
Do all exposed floors and ceilings (forming part of the envelope) demonstrate meeting the required NCC2022 insulation levels (total R-value upwards and downwards)?:	Yes
Does all wall and glazing demonstrate meeting the required NCC2022 facade calculator (or better than the total allowance)?:	Yes
Are heating and cooling systems within one Star of the most efficient equivalent capacity unit available, or Coefficient of Performance (CoP) & Energy Efficiency Ratios (EER) not less than 85% of the CoP & EER of the most efficient equivalent capacity unit available?:	Yes
Are water heating systems within one star of the best available, or 85% or better than the most efficient equivalent capacity unit?:	Yes
1.1 Thermal Performance Rating - Non-Residential	37%
Score Contribution	This credit contributes 2.3% towards the category score.
Criteria	What is the % reduction in heating and cooling energy consumption against the reference case (NCC2022 Section J)?
1.2 Thermal Performance Rating - Residential	50% ✔ Achieved
Score Contribution	This credit contributes 16.5% towards the category score.
Criteria	What is the average NatHERS rating?
Output	Average NATHERS Rating (Weighted)
Detached dwelling	7.5 Stars
2.1 Greenhouse Gas Emissions	3%

Score Contribution	This credit contributes 17.1% towards the category score.
Criteria	What is the % reduction in annual greenhouse gas emissions against the benchmark?
Output	Reference Building with Reference Services (BCA only)
Detached dwelling	74,006 kg CO2
Output	Proposed Building with Proposed Services (Actual Building)
Detached dwelling	71,046 kg CO2
Output	% Reduction in GHG Emissions
Detached dwelling	3 %
2.2 Peak Demand	100%
Score Contribution	This credit contributes 0.3% towards the category score.
Criteria	What is the % reduction in the instantaneous (peak-hour) demand against the benchmark?
2.6 Electrification	100%
Score Contribution	This credit contributes 17.4% towards the category score.
Criteria	Is the development all-electric?
Question	Criteria Achieved?
Project	Yes
2.7 Energy consumption	100%
Score Contribution	This credit contributes 23.2% towards the category score.
Criteria	What is the % reduction in annual energy consumption against the benchmark?
Output	Reference Building with Reference Services (BCA only)
Detached dwelling	678,118 MJ
Output	Proposed Building with Proposed Services (Actual Building)
Detached dwelling	323,755 MJ
Output	% Reduction in total energy
Detached dwelling	52 %
3.1 Carpark Ventilation	N/A ✧ Scoped Out
	N/A
This credit was scoped out	N/A
3.2 Hot Water - Non-Residential	100%
Score Contribution	This credit contributes 0.3% towards the category score.
Criteria	What is the % reduction in annual energy consumption (gas and electricity) of the hot water system against the benchmark?
3.3 External Lighting	100%
Score Contribution	This credit contributes 2.8% towards the category score.
Criteria	Is the external lighting controlled by a motion detector?
Question	Criteria Achieved ?
Detached dwelling	Yes
3.4 Clothes Drying	100%

Score Contribution	This credit contributes 5.5% towards the category score.
Criteria	What is the % reduction in annual energy consumption (gas and electricity) from a combination of clothes lines and efficient driers against the benchmark?
Output	Reference
Detached dwelling	16,343 kWh
Output	Proposed
Detached dwelling	3,269 kWh
Output	Improvement
Detached dwelling	80 %
3.5 Internal Lighting - Houses and Townhouses	0%
Score Contribution	This credit contributes 2.8% towards the category score.
Criteria	Does the development achieve a maximum illumination power density of 4W/sqm or less?
Question	Criteria Achieved?
Detached dwelling	No
3.7 Internal Lighting - Non-Residential	0%
Score Contribution	This credit contributes 0.6% towards the category score.
Criteria	Does the maximum illumination power density (W/m2) in at least 90% of the area of the relevant building class meet the requirements in Table J7D3a of the NCC 2022 Vol 1?
Question	Criteria Achieved ?
Public building	No
4.1 Combined Heat and Power (cogeneration / trigeneration)	N/A ◇ Scoped Out
	No cogeneration or trigeneration system in use.
This credit was scoped out	No cogeneration or trigeneration system in use.
4.2 Renewable Energy Systems - Solar	0%
Score Contribution	This credit contributes 0.3% towards the category score.
Criteria	What % of the estimated energy consumption of the building class it supplies does the solar power system provide?
4.4 Renewable Energy Systems - Other	N/A ◇ Scoped Out
	No other (non-solar PV) renewable energy is in use.
This credit was scoped out	No other (non-solar PV) renewable energy is in use.
4.5 Solar PV - Houses and Townhouses	100%
Score Contribution	This credit contributes 11% towards the category score.
Criteria	What % of the estimated energy consumption of the building class it supplies does the solar power system provide?
Output	Solar Power - Energy Generation per year
Detached dwelling	110,988 kWh
Output	% of Building's Energy
Detached dwelling	123 %

IEQ Overall contribution 16.5%

	Minimum required 50%	56% ✓ Pass

1.4 Daylight Access - Non-Residential	55% ✓ Achieved
Score Contribution	This credit contributes 5.3% towards the category score.
Criteria	What % of the nominated floor area has at least 2% daylight factor?
Question	Percentage Achieved?
Public building	55 %
2.2 Cross Flow Ventilation	100%
Score Contribution	This credit contributes 17% towards the category score.
Criteria	Are all habitable rooms designed to achieve natural cross flow ventilation?
Question	Criteria Achieved ?
Detached dwelling	Yes
2.3 Ventilation - Non-Residential	37% ✓ Achieved
Score Contribution	This credit contributes 5.3% towards the category score.
Criteria	What % of the regular use areas are effectively naturally ventilated?
Question	Percentage Achieved?
Public building	70 %
Criteria	What increase in outdoor air is available to regular use areas compared to the minimum required by AS 1668.2:2012?
Question	Percentage Achieved?
Public building	–
Criteria	What CO2 concentrations are the ventilation systems designed to achieve, to monitor and to maintain?
Question	Value
Public building	0 ppm
3.1 Thermal comfort - Double Glazing	100%
Score Contribution	This credit contributes 34% towards the category score.
Criteria	Is double glazing (or better) used to all habitable areas?
Question	Criteria Achieved ?
Detached dwelling	Yes
3.2 Thermal Comfort - External Shading	0%
Score Contribution	This credit contributes 17% towards the category score.
Criteria	Is appropriate external shading provided to east, west and north facing glazing?
Question	Criteria Achieved ?
Detached dwelling	–
3.3 Thermal Comfort - Orientation	0%

Score Contribution	This credit contributes 17% towards the category score.
Criteria	Are at least 50% of main living areas orientated to the north?
Question	Criteria Achieved ?
Detached dwelling	No

3.4 Thermal comfort - Shading - Non-Residential	0%
Score Contribution	This credit contributes 2.6% towards the category score.
Criteria	What percentage of east, north and west glazing to regular use areas is effectively shaded?
Question	Percentage Achieved?
Public building	-

3.5 Thermal Comfort - Ceiling Fans - Non-Residential	0%
Score Contribution	This credit contributes 0.9% towards the category score.
Criteria	What percentage of regular use areas in tenancies have ceiling fans?
Question	Percentage Achieved?
Public building	-

4.1 Air Quality - Non-Residential	100%
Score Contribution	This credit contributes 0.9% towards the category score.
Criteria	Do all paints, sealants and adhesives meet the maximum total indoor pollutant emission limits?
Question	Criteria Achieved ?
Public building	Yes
Criteria	Does all carpet meet the maximum total indoor pollutant emission limits?
Question	Criteria Achieved ?
Public building	Yes
Criteria	Does all engineered wood meet the maximum total indoor pollutant emission limits?
Question	Criteria Achieved ?
Public building	Yes

Transport Overall contribution 9.0%

32%

1.1 Bicycle Parking - Residential	0%
Score Contribution	This credit contributes 15.5% towards the category score.
Criteria	How many secure and undercover bicycle spaces are there for residents?
Question	Bicycle Spaces Provided ?
Detached dwelling	-

1.4 Bicycle Parking - Non-Residential	0%
Score Contribution	This credit contributes 1.6% towards the category score.
Criteria	Have the planning scheme requirements for employee bicycle parking been exceeded by at least 50% (or a minimum of 2 where there is no planning scheme requirement)?
Question	Criteria Achieved ?
Public building	-
Question	Bicycle Spaces Provided ?
Public building	-

1.5 Bicycle Parking - Non-Residential Visitor	0%
Score Contribution	This credit contributes 0.8% towards the category score.
Criteria	Have the planning scheme requirements for visitor bicycle parking been exceeded by at least 50% (or a minimum of 1 where there is no planning scheme requirement)?
Question	Criteria Achieved ?
Public building	-
Question	Bicycle Spaces Provided ?
Public building	-

1.6 End of Trip Facilities - Non-Residential	0% ⊘ Disabled
	Credit 1.4 must be complete first.
This credit is disabled	Credit 1.4 must be complete first.

2.1 Electric Vehicle Infrastructure	100%
Score Contribution	This credit contributes 32.5% towards the category score.
Criteria	Are facilities provided for the charging of electric vehicles?
Question	Criteria Achieved ?
Project	Yes

2.2 Car Share Scheme	0%
Score Contribution	This credit contributes 16.3% towards the category score.
Criteria	Has a formal car sharing scheme been integrated into the development?
Question	Criteria Achieved ?
Project	-

2.3 Motorbikes / Mopeds	0%

Score Contribution	This credit contributes 32.5% towards the category score.
Criteria	Are a minimum of 5% of vehicle parking spaces designed and labelled for motorbikes (must be at least 5 motorbike spaces)?
Question	Criteria Achieved ?
Project	–

Waste & Resource Recovery Overall contribution 5.5%

50%

1.1 Construction Waste - Building Re-Use	N/A	Scoped Out
		N/A
This credit was scoped out	N/A	
2.1 Operational Waste - Food & Garden Waste	0%	
Score Contribution	This credit contributes 50% towards the category score.	
Criteria	Are facilities provided for on-site management of food and garden waste?	
Question	Criteria Achieved ?	
Project	No	
2.2 Operational Waste - Convenience of Recycling	100%	
Score Contribution	This credit contributes 50% towards the category score.	
Criteria	Are the recycling facilities at least as convenient for occupants as facilities for general waste?	
Question	Criteria Achieved ?	
Project	Yes	

Urban Ecology Overall contribution 5.5%

29%

1.1 Communal Spaces	100%	
Score Contribution	This credit contributes 0.7% towards the category score.	
Criteria	Is there at least the following amount of common space measured in square meters : * 1m² for each of the first 50 occupants * Additional 0.5m² for each occupant between 51 and 250 * Additional 0.25m² for each occupant above 251?	
Question	Common space provided	
Public building	125 m²	
Output	Minimum Common Space Required	
Public building	19 m²	
2.1 Vegetation	50%	
Score Contribution	This credit contributes 56.7% towards the category score.	
Criteria	How much of the site is covered with vegetation, expressed as a percentage of the total site area?	
Question	Percentage Achieved ?	
Project	12 %	
2.2 Green Roofs	0%	
Score Contribution	This credit contributes 14.2% towards the category score.	
Criteria	Does the development incorporate a green roof?	
Question	Criteria Achieved ?	
Project	–	
2.3 Green Walls and Facades	0%	
Score Contribution	This credit contributes 14.2% towards the category score.	
Criteria	Does the development incorporate a green wall or green façade?	
Question	Criteria Achieved ?	
Project	–	
3.1 Food Production - Residential	0%	
Score Contribution	This credit contributes 13.5% towards the category score.	
Criteria	What area of space per resident is dedicated to food production?	
Question	Food Production Area	
Detached dwelling	–	
Output	Min Food Production Area	
Detached dwelling	22 m²	
3.2 Food Production - Non-Residential	0%	

BESS, 602 Esplanade Mt Martha 602 Esplanade, Mount Martha 3934

Score Contribution	This credit contributes 0.7% towards the category score.
Criteria	What area of space per occupant is dedicated to food production?
Question	Food Production Area
Public building	–
Output	Min Food Production Area
Public building	5 m²

Innovation Overall contribution 9.0%

0%

1.1 Innovation	0%
Score Contribution	This credit contributes 100% towards the category score.
Criteria	What percentage of the Innovation points have been claimed (10 points maximum)?

Disclaimer

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A.1 Daylight Compliance

The Green Star Daylight Hand Calculation method has been used to determine daylight access to the regular use areas within the Communal Building.

GreenStar Hand Calculation Guide

Room	Room Area	Daylight Area	Daylight percentage
Communal Lounge*	45.73	14.0	30.6%
Multipurpose Space	26.43	25.7	97.4%
	72.2	39.7	55.1%

*Glazing facing outdoor decking is partly overshadowed, with the relevant area excluded from the daylight area zone of compliance

Appendix B. NatHERS Energy Rating Assumptions

Note that the NatHERS ratings have been prepared for the town planning submission only and cannot be used for tender or construction purposes, as construction detail is unknown. Certified ratings, based on Design Development drawings (generally 70%) must be undertaken for any costing or compliance purposes, to determine building materials and glazing thermal performance.

Ark Resources takes no responsibility for any contractors who base their pricing on this document.

B.1 Building Materials

Element	Description	Added R Value
Floor Type	Concrete slab on ground	
Floor Insulation	Concrete slab on ground: 50mm Rigid board insulation Kingspan Kooltherm K3 board or equivalent	R 2.3
	Concrete slab edge insulation: R 0.75 (NCC2022 requirement – minimum R 0.64)	R 0.75
Wall Insulation	Lightweight party walls: Bulk insulation R 1.5	R 1.5
	Lightweight internal walls between dwelling and garages: HD bulk insulation R 2.7	R 2.7
	Brick veneer external walls: HD bulk insulation R 2.7	R 2.7
	Lightweight plaster walls exposed to roof space: Bulk insulation R 5.0	R 5.0
Wall Colours	Brick veneer 01: Solar Absorptance – 0.50 Medium	
Roof Insulation	Metal Deck roof including raked ceiling walls: R 5.0 bulk insulation to ceiling: Anticon 60 to roof R 1.3	Roof R1.3 Ceiling R 5.0
	Metal Deck roof to garages: Anticon 60 to roof R 1.3	Roof R1.3 Ceiling Nil
Roof Colour	Solar Absorptance – 0.73 Dark (Colorbond Monument) Dark palette Solar Absorptance – 0.44 Medium (Colorbond Shale Grey) Light Palette	
Window Frames	Aluminium frames to all windows and glazed doors. Refer glazing table below.	
Window Colour	Solar Absorptance – 0.73 Dark (Colorbond Monument)	

Element	Description	Added R Value
Ceiling fans	1500mm diameter ceiling fan to all living spaces 1200mm diameter ceiling fan to all main bedrooms	
Sky Lights	None	

NOTES

The added insulation R value must be equal to or higher than that specified above to meet the energy rating results.

All insulation specified for construction must meet Fire Engineer requirements

B.2 Glazing

Window Type	Description	Whole of Window Value		Location
	AWS Thermal Heart Thermally Broken Frames	U	SHGC	
Glazing – 516 Fixed	AWS-067-007 DG 4mm Clear/10mm Argon gap/4mm Clear EnergyTech	2.41	0.64	Throughout all dwellings
Glazing – 516 Series Awning/Casement	AWS-008-003 DG 4mm Clear/10mm Argon gap/4mm Clear EnergyTech	3.6	0.52	Throughout all dwellings
Glazing – 541/542 Sliding Door	AWS-013-003 DG 4mm Clear/10mm Argon gap/4mm Clear EnergyTech	3.2	0.57	Throughout all dwellings
Glazing – 549 Hinged Door	AWS-019-003 4mm Clear/10mm Argon gap/4mm Clear EnergyTech	3.42	0.47	Throughout all dwellings

GLAZING NOTES

Window system values used in the NatHERS ratings must be tested by an accredited professional according to the Technical Protocols and Procedures Manual for Energy Rating of Fenestration by the Australian Fenestration Rating Council, as per the NatHERS Technical Note (2023) and NCC 2022 Volume Two Housing Provisions. Energy ratings cannot be certified for NCC compliance until documentation is provided demonstrating window system performance values have been tested according to this protocol.

The energy rating software accredited by the Australian Building Codes Board contains a relatively limited library of window systems. When the glazing systems specified are not available in the software, the protocol requires that the glazing type which most closely matches the specified glazing is selected for the purpose of calculating the energy rating.

The table above sets out the glazing specified for the purposes of calculating the energy rating.

The whole of window U – Value must be equal or lower than the energy rating software value and the whole of window SHGC – Value must be within +/-5% of the energy rating software value.

B.3 General Rating Assumptions

Item	Details
Floor Coverings	Tiles to bathrooms and laundries Carpet to bedrooms Timber boards to kitchen, living and all other areas
Draught Proofing	Weather strips to all entry & external doors and windows. Seal all exhaust fans.
Down lights	Recessed down lights in ceiling /roof space to be fitted with fire proof unvented down light covers (external roof areas only) to provide air tightness and contact with insulation
General	All party walls are classed as neighbour walls.
Shading	Overshadowing from adjoining buildings has been incorporated into the energy ratings
Ceiling Calculation	Calculation for loss of ceiling insulation due to down lights, exhaust fans, ceiling speakers etc. have been incorporated into the energy rating where applicable

NOTES

Changes to any of the above stated specifications may affect energy performance and invalidate the energy ratings detailed in this report.

Sealing of gaps and cracks: inadequate sealing of gaps and cracks can negatively affect the energy performance of a dwelling.

NCC 2022 vol. 2 Part 13.4 requires that seals are to be provided to:

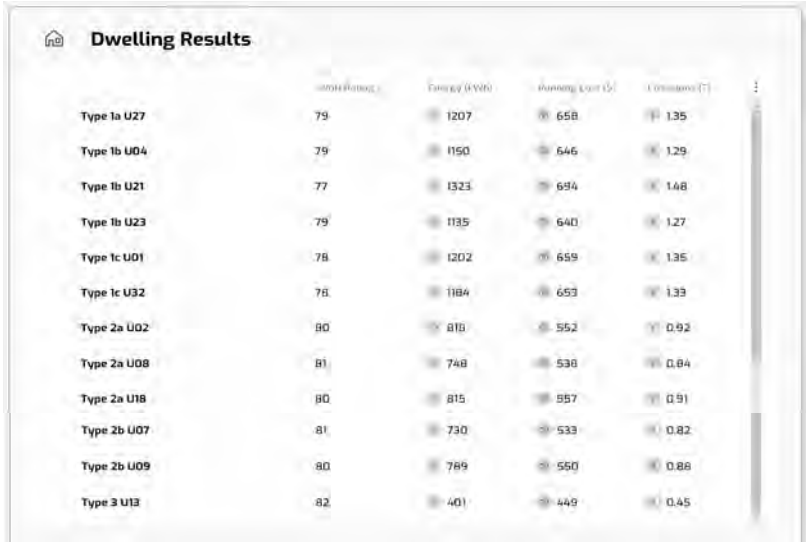
a) Chimneys and flues
b) Roof lights i.e. skylights or windows installed in a roof
c) Around external doors and windows and
d) Exhaust fans
e) Ceilings, walls and floors
f) Evaporative coolers

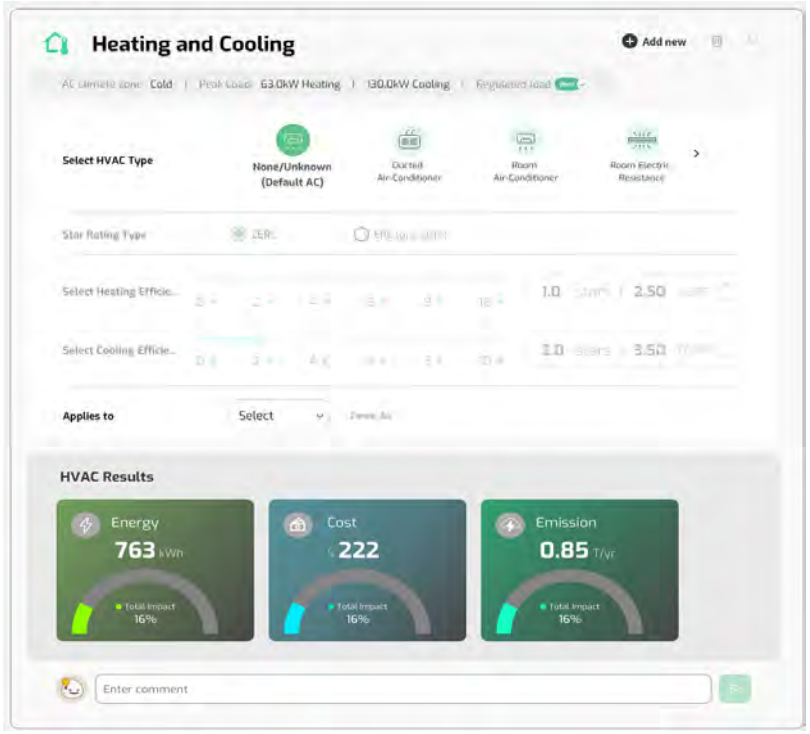
Dwelling Numbering

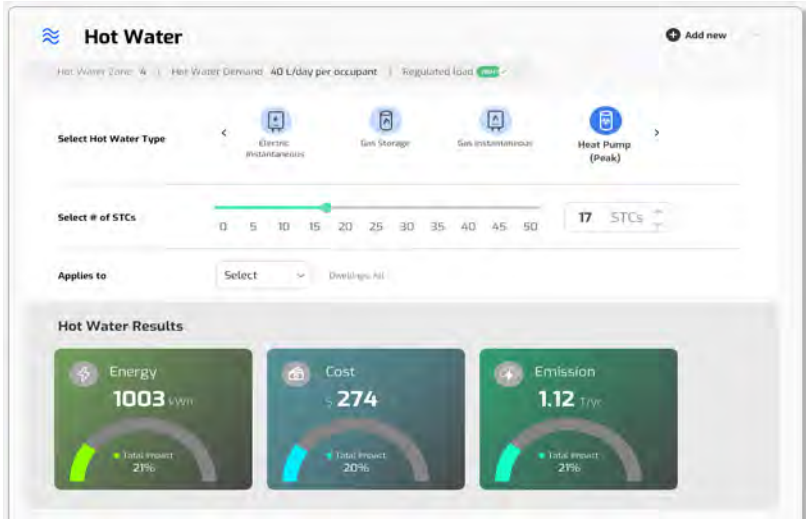


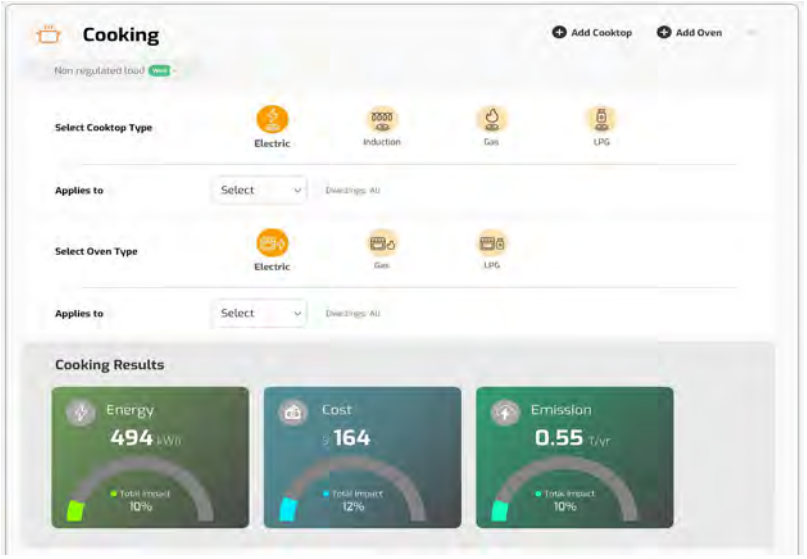
B.4 Whole of Home Summary

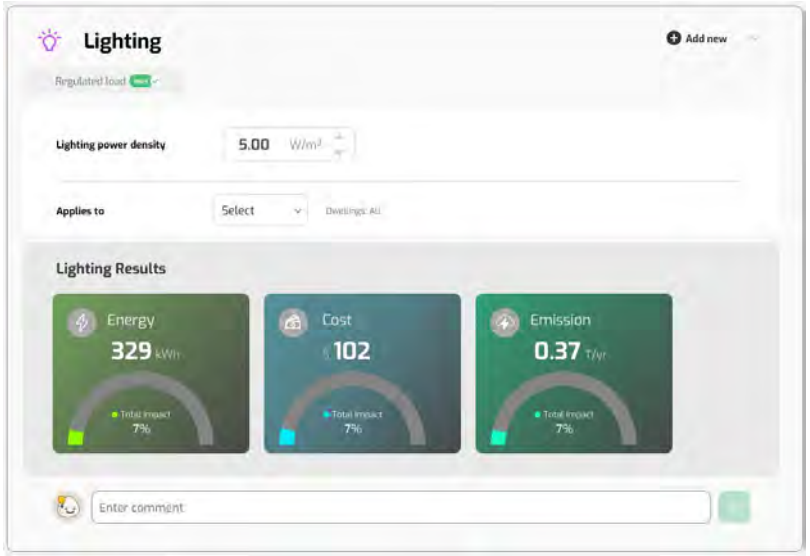


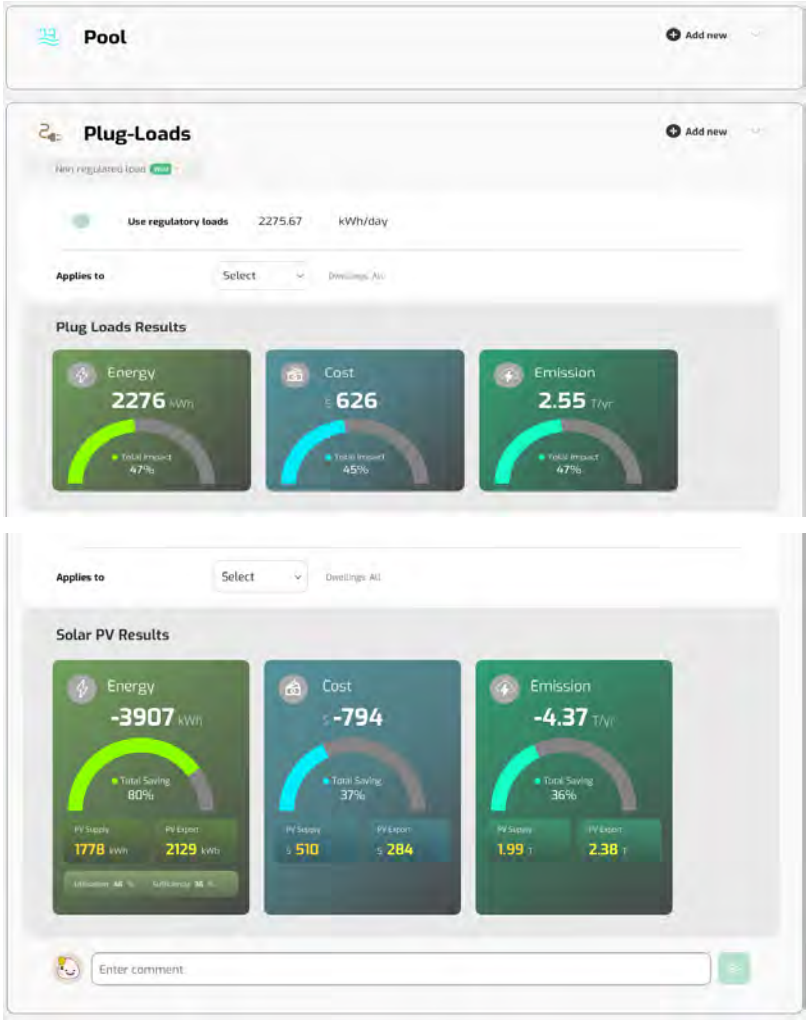


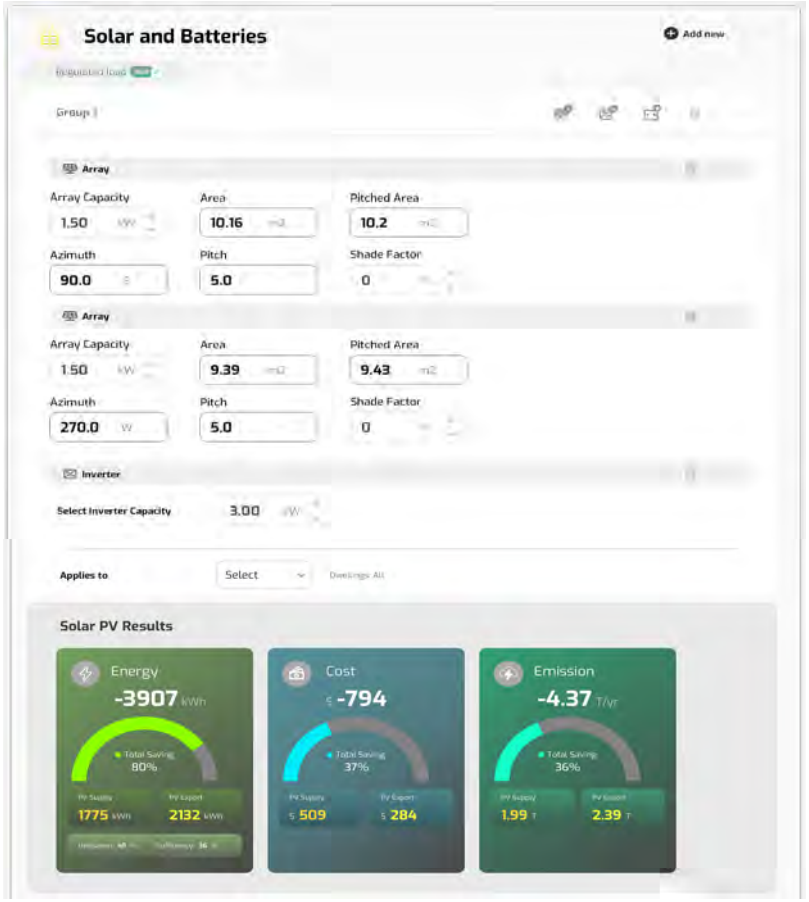



Hot Water
Add new
Select Hot Water Type
Heat Pump (Peak)
Select # of STCs
0 5 10 15 20 25 30 35 40 45 50
17 STCs
Applies to
Select
Hot Water Results
Energy
1003 kWh
21%
Cost
$ 274
20%
Emission
1.12 T/yr
21%


Cooking
Add Cooktop
Add Oven
Select Cooktop Type
Electric
Induction
Gas
LPG
Applies to
Select
Select Oven Type
Electric
Gas
LPG
Applies to
Select
Cooking Results
Energy
494 kWh
10%
Cost
$ 164
12%
Emission
0.55 T/yr
10%


Lighting
Add new
Regulated load
Lighting power density
5.00 W/m²
Applies to
Select
Lighting Results
Energy
329 kWh
Total Impact
7%
Cost
$ 102
Total Impact
7%
Emission
0.37 T/yr
Total Impact
7%
Enter comment


Pool
Add new
Plug-Loads
Add new
New regulated load
Use regulatory loads
2275.67
kWh/day
Applies to
Select
Plug Loads Results
Energy
2276 kWh
Total Impact
47%
Cost
$ 626
Total Impact
45%
Emission
2.55 T/yr
Total Impact
47%
Applies to
Select
Solar PV Results
Energy
-3907 kWh
Total Saving
80%
PV Supply
1778 kWh
PV Export
2129 kWh
Cost
$ -794
Total Saving
37%
PV Supply
$ 510
PV Export
$ 284
Emission
-4.37 T/yr
Total Saving
36%
PV Supply
1.99 T
PV Export
2.38 T
Enter comment


Solar and Batteries
Add new
Group 1
Array
Array Capacity
1.50
Area
10.16
Pitched Area
10.2
Azimuth
90.0
Pitch
5.0
Shade Factor
0
Array
Array Capacity
1.50
Area
9.39
Pitched Area
9.43
Azimuth
270.0
Pitch
5.0
Shade Factor
0
Inverter
Select Inverter Capacity
3.00
Applies to
Select
Solar PV Results
Energy
-3907 kWh
Total Saving
80%
1775 kWh
2132 kWh
Cost
-794
Total Saving
37%
509
284
Emission
-4.37 T/yr
Total Saving
36%
1.99 T
2.39 T

Appendix C. NCC 2022 Section J Deemed to Satisfy

Section J Deemed to Satisfy provisions for the thermal performance of the building envelope are provided below to demonstrate that the project is capable of meeting the building code standards with the current design and the minimum insulation and window system performance required to meet the code.

Section J compliance of insulation and window systems **for construction** will be verified during detailed design via an approved NCC methodology.

This assessment relates to the Communal Building.

	Element	Description	NCC 2022 Requirements Total System Values
J4D4 – Roof & ceiling construction	Roof Insulation	Refer to Insulation markup below	R_t3.2, heat flow downwards.
J4D5 – Roof lights		Not applicable – no roof lights proposed	
J4D6 – Walls and Glazing	External walls	Walls forming thermal envelope - refer to J4D6 calculator and Insulation markup below	R_t1.4
	Glazing	Commercial glazing	U_w-Value ≤5.02 $SHGC_w$ <0.757
J4D7 Floors	Floor Insulation	Not applicable – no in slab heating	

Note that these values allow for the effects of thermal bridging

C.1 J4D6 Façade Calculator

Preliminary J4D6 Façade calculations have been carried out to determine window/wall ratios and thermal performance is achievable with the proposed design. A preliminary insulation markup is shown over page.

NCC 2022 Wall-Glazing Calculator

Wall and glazing energy efficiency in Class 2-9 buildings - Method 2 of Specification 37, NCC 2022

Building name and description	Classification	Climate Zone
602 Esplanade, Mt Martha	Other	6

Calculated Area-Weighted U-Value	2.00	Calculated Representative Air-Conditioning Energy Value	35.6
Allowable Area-Weighted U-Value	2.00	Allowable Representative Air-Conditioning Energy Value	35.7
Building total U-Value allowance met	**100%**	**Building total SHGC allowance met**	**100%**
Check Values Visible	**Wall Element Requirements** **Met**	**Display Glazing Element Requirements**	**-**

Use of this calculator does not guarantee compliance with the NCC. The disclaimer and a version update check are available at the bottom of the page.

Element Description					U-Value		SHGC and Shading				
ID	Description (optional)	Element Type	Facing Sector	Area (m^2)	U-Value	U-Value Element share of allowance used	SHGC	Glazing Height (m)	Shading Height (m)	Shading Projection (m)	SHGC Element share of allowance used
1		Wall	North	35.85	1.00	7% of building total					Not counted
2		Wall	East	72.90	1.00	15% of building total					Not counted
3		Wall	South	25.20	1.00	5% of building total					Not counted
4		Wall	West	51.30	1.00	10% of building total					Not counted
5		Wall	Internal	0.00	1.00	0% of building total					Not counted
6		Glazing	East	7.20	5.02	7% of building total	0.757	3	3	0.15	0% of building total
7		Glazing	South	7.65	5.02	8% of building total	0.757	3	0	0	16% of building total
8		Glazing	South	3.60	5.02	4% of building total	0.757	3	3	0.15	8% of building total
9		Glazing	West	3.90	5.02	4% of building total	0.757	3	3	0.15	14% of building total
10		Glazing	North	3.00	5.02	3% of building total	0.757	3	3	2	7% of building total
11		Glazing	North	7.65	5.02	8% of building total	0.757	3	3	4.4	12% of building total
12		Glazing	West	13.50	5.02	14% of building total	0.757	3	3	4.35	17% of building total
13		Glazing	West	14.70	5.02	15% of building total	0.757	3	3	2	27% of building total

Disclaimer:

This calculator has been developed to assist in developing a better understanding of the glazing energy efficiency parameters of NCC 2022. While the author believes that the calculator, if used correctly, is likely to produce accurate results, it is provided "as is" and without any representation or warranty of any kind, including that it is fit for any purpose or of merchantable quality, or functions as intended or at all. Your use of this calculator is entirely at your own risk and the author accepts no liability of any kind.

Made by Alex Zeller

Email alex.wallglazingcalculator@gmail.com with any suggestions for improvement

Check for version update

C.2 Preliminary Insulation Markup



Appendix D. Rainwater Harvesting and Tank Reliability

Propert 602 Esplanade, Mount Martha
Version

Inputs

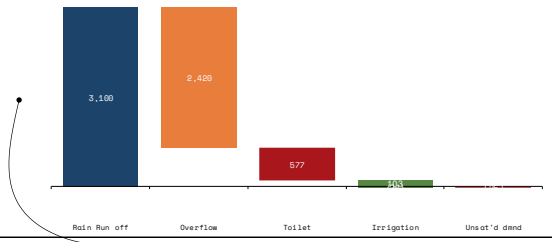
PPL	79
Flush/Person/Day	5
Litres/Flush	4
Total Daily usage (litres)	1580
Roof area (m2)	5,320
Collection Evaporation	5%
Tank Capacity (litres)	64,000
Irrigation Area (m2)	320
T'off if Total Rain (mm) in the last	10 5 days

Recalc, update pivots, table and graphs

Irrigation Schedule

l /m2	S	M	T	W	Th	Fr	S
Jan	10	y			y		
Feb	10	y			y		
Mar	10	y			y		
Apr	5	y					
May	5		y				
Jun	5		y				
Jul	5			y			
Aug	5			y			
Sep	5				y		
Oct	5				y		
Nov	10					y	
Dec	10	y				y	

System components (kls per year)



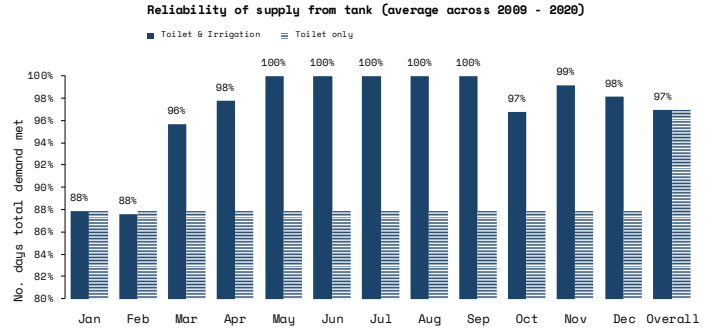
System components (kls per year) based on 12 years of actual historical daily rainfall (2009 - 2020)

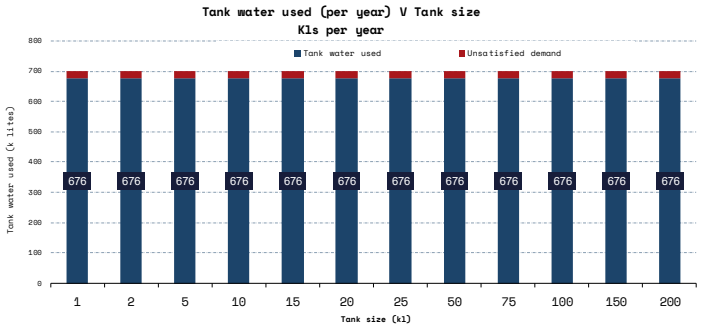
12 years of Averages (2009 - 2020)
(k)

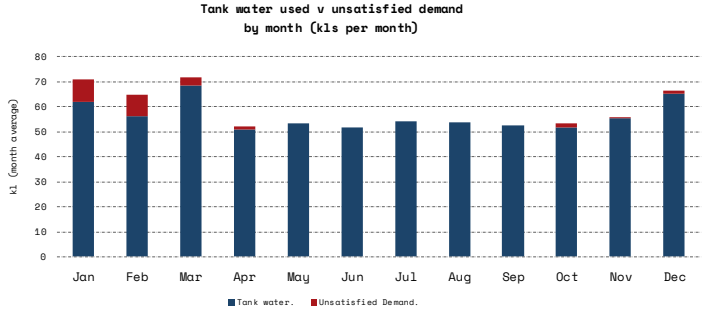
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Rain Run off	209	216	190	322	262	269	239	270	259	241	335	288	3,109
Overflow	(49)	(59)	(19)	(59)	(24)	(23)	(19)	(16)	(11)	(88)	(82)	(31)	(2,429)
Rain Watersaved	60	57	71	63	58	46	60	53	48	54	54	57	680
Toilet	(61)	(57)	(61)	(57)	(58)	(46)	(60)	(53)	(48)	(54)	(54)	(57)	(680)
(Shortfall)/Surplus before Irrigation	11	12	22	16	9	(1)	11	4	0	5	6	8	103
Irrigation	(22)	(20)	(23)	(5)	(6)	(6)	(1)	(4)	(5)	(1)	(6)	(9)	(103)
Unsatisfied Demand	(11)	(8)	(0)	11	4	(6)	5	(1)	(4)	0	(2)	(9)	(21)

Actual Years
(k)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Total
Rain Run off	2,531	3,943	3,913	3,180	3,427	2,396	2,464	3,409	3,155	2,827	2,112	3,852	37,209
Overflow	(931)	(2,663)	(2,232)	(2,433)	(2,754)	(1,750)	(1,978)	(2,965)	(2,485)	(2,438)	(1,438)	(2,431)	(26,499)
Rain Watersaved	619	674	682	687	673	676	686	703	675	709	672	704	8,159
Toilet	(617)	(671)	(677)	(678)	(677)	(671)	(677)	(678)	(677)	(677)	(671)	(615)	(8,022)
(Shortfall)/Surplus before Irrigation	42	98	105	109	96	99	109	125	98	132	96	129	1,237
Irrigation	(136)	(112)	(115)	(122)	(120)	(130)	(125)	(138)	(120)	(133)	(150)	(104)	(1,485)
Unsatisfied Demand	(94)	(14)	(10)	(13)	(24)	(30)	(16)	6	(22)	(1)	(55)	25	(247)







Appendix E. WSUD Maintenance Manual

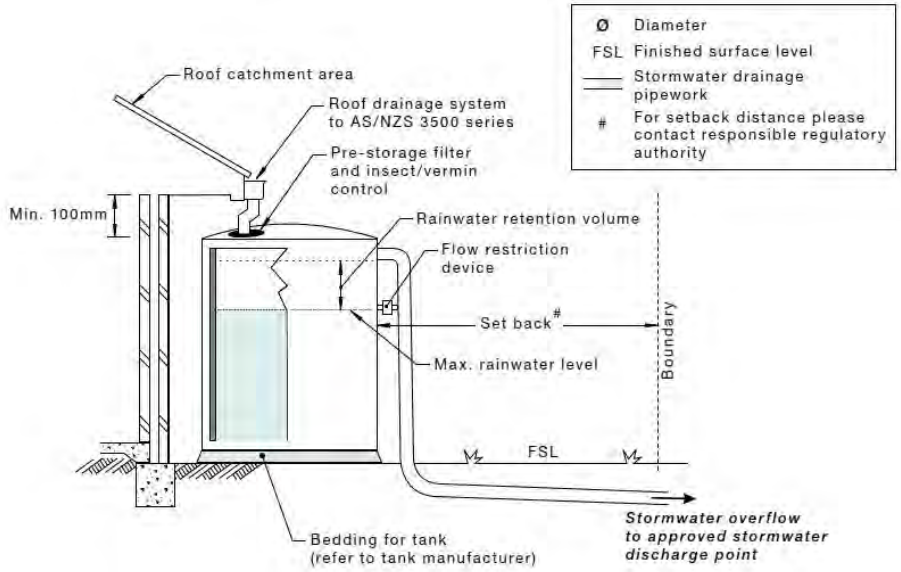
Once installed, a systematic maintenance program will be implemented by the owner's corporation maintenance contractor to ensure the rainwater harvesting system operates as designed and water quality is maintained.

The scope of the maintenance program will include inspection and rectification of issues associated with:

- Roof gutters and downpipes
- First flush screens and filtration devices
- Pumps
- Distribution pipework and reticulation systems
- Overflow systems

Inspections of the system and any maintenance works required will be undertaken on a quarterly basis or as per manufacturers guidelines.

The rainwater harvesting system will be installed in accordance with the guidelines set out in the Rainwater Design & Installation Handbook published by the National Water Commission[1]. A schematic diagram of the rainwater tank installation is provided below.



[1] Rainwater Design & Installation Handbook, National Water Commission, 2008

Rainwater Tank Element	Inspection Item	Y/N	Likely Maintenance Task
Roof gutters and downpipes	Is there leaf litter or debris in the gutters?		Remove by hand and dispose responsibly
First flush diverter	Is there anything blocking the first flush diverter (Leaves etc.)?		Remove by hand and dispose responsibly
Potable mains back up device	Is the potable mains back up switch operating correctly?		Repair or replace devise. Consider a manual switching device.
Mesh cover	Has the mesh cover deteriorated or have any holes in is?		Replace mesh cover.
Tank volume	Is there large amounts of sediment or debris sitting in the bottom of the tank, reducing the volume available in the tank to store water?		Remove sediment and dispose responsibly.
Pump	Is the pump working effectively? Have you heard it on a regular basis?		Check the potable mains back up is not permanently on. Repair or replace pump.
Pipes and taps	Are pipes and taps leaking?		Repair as needed.
Overflow	Is the overflow clear and connected to the storm water network?		Remove blockages and/or restore connections to stormwater network.

Maintenance Frequency												
	J	F	M	A	M	J	J	A	S	O	N	D
All tasks	X			X			X			X		

Appendix F. Solar Photovoltaics

During the construction phase, high-efficiency solar PV modules with a total capacity of 98.6 kWp will be installed at roof level as per the preliminary layout indicated below.

PV modules should be directly mounted to the roofs facing north, east or west and have at least 440Wp capacity (i.e. over 46% more efficient than traditional 300Wp 60-cell modules). High-efficiency modules deliver more compact arrays with inherently lower embodied ecological impact per unit of generation than standard efficiency modules.

Total yield of this array will be approximately 118 MWh per annum equating to an estimated annual carbon emissions offset of 118 tonnes CO2-e per annum.

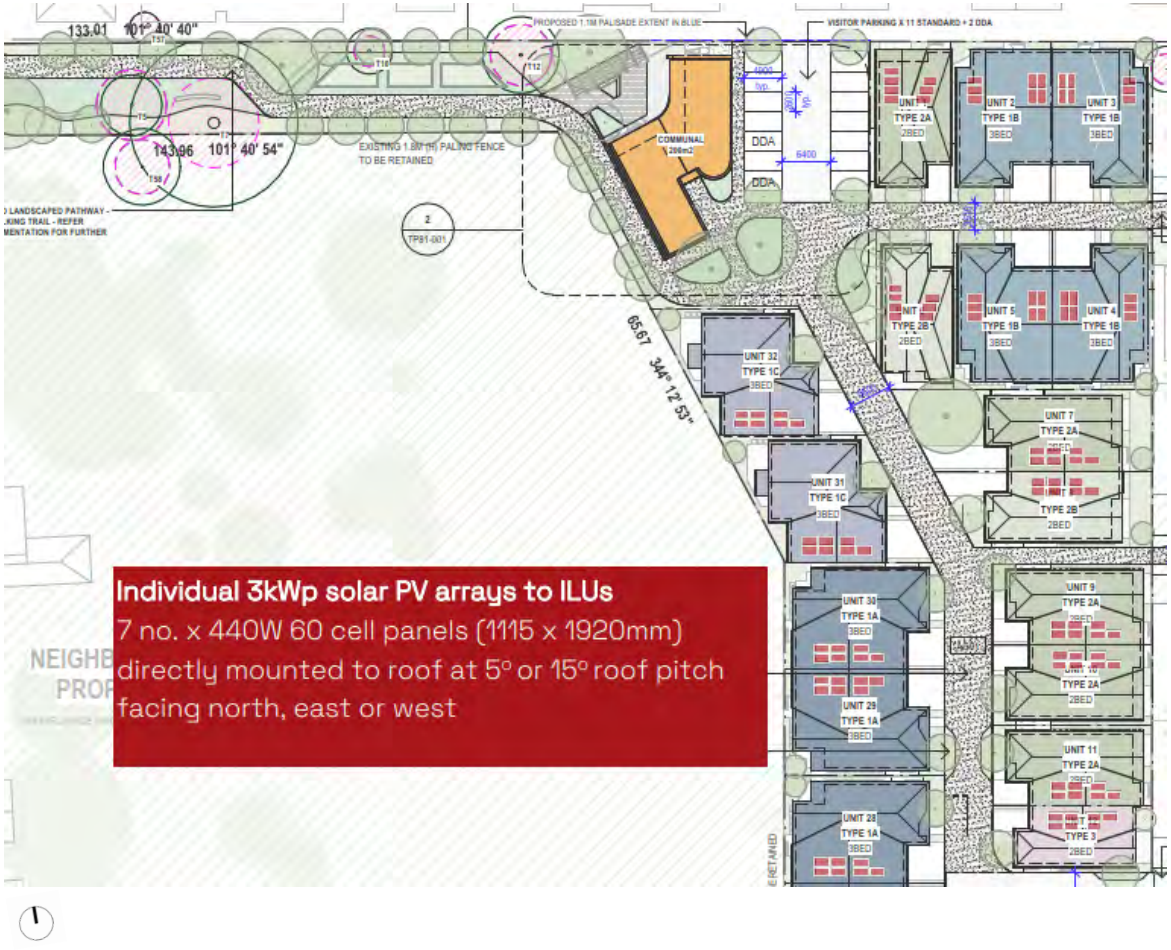


Figure 1 Indicative Solar Photovoltaic array layout – Part 1

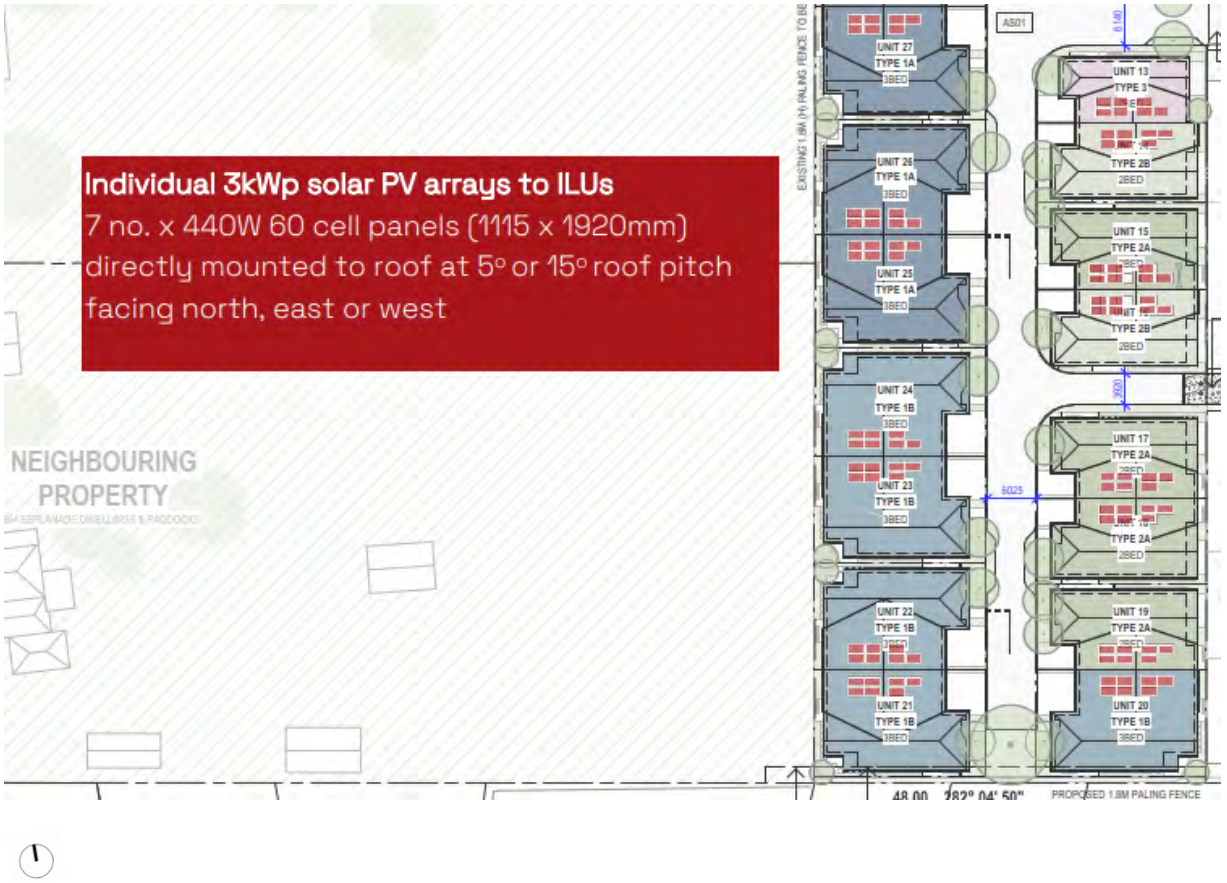


Figure 2 Indicative Solar Photovoltaic array layout – Part 2

East facing array output

RESULTS **44,312 kWh/Year***

Month	Solar Radiation (kWh / m² / day)	AC Energy (kWh)
January	7.09	6,093
February	6.04	4,737
March	4.83	4,278
April	3.21	2,760
May	2.00	1,819
June	1.60	1,397
July	1.97	1,790
August	2.72	2,494
September	3.98	3,510
October	5.21	4,641
November	5.83	4,973
December	6.71	5,819
Annual	4.27	44,311

Location and Station Identification	
Requested Location	602 esplanade, mount martha
Weather Data Source	Lat, Lng: -38.23, 145.02 1.4 mi
Latitude	38.23° S
Longitude	145.02° E
PV System Specifications	
DC System Size	36.96 kW
Module Type	Standard
Array Type	Fixed (roof mount)
System Losses	14.08%
Array Tilt	5°
Array Azimuth	90°
DC to AC Size Ratio	1.2
Inverter Efficiency	96%
Ground Coverage Ratio	0.4
Albedo	*From weather file*
Bifacial	No (0)
Monthly Irradiance Loss	Jan 0% Feb 0% Mar 0% Apr 0% May 0% June 0% July 0% Aug 0% Sept 0% Oct 0% Nov 0% Dec 0%
Performance Metrics	
DC Capacity Factor	13.7%

West facing array output

RESULTS **62,512 kWh/Year***

Month	Solar Radiation (kWh / m² / day)	AC Energy (kWh)
January	7.12	8,606
February	6.10	6,728
March	4.81	5,980
April	3.22	3,900
May	2.01	2,558
June	1.59	1,944
July	1.96	2,502
August	2.68	3,437
September	4.01	4,965
October	5.27	6,596
November	5.92	7,096
December	6.72	8,199
Annual	4.28	62,511

Location and Station Identification	
Requested Location	602 esplanade, mount martha
Weather Data Source	Lat, Lng: -38.23, 145.02 1.4 mi
Latitude	38.23° S
Longitude	145.02° E
PV System Specifications	
DC System Size	51.92 kW
Module Type	Standard
Array Type	Fixed (roof mount)
System Losses	14.08%
Array Tilt	5°
Array Azimuth	270°
DC to AC Size Ratio	1.2
Inverter Efficiency	96%
Ground Coverage Ratio	0.4
Albedo	*From weather file*
Bifacial	No (0)
Monthly Irradiance Loss	Jan 0% Feb 0% Mar 0% Apr 0% May 0% June 0% July 0% Aug 0% Sept 0% Oct 0% Nov 0% Dec 0%
Performance Metrics	
DC Capacity Factor	13.7%

North facing array output

RESULTS **12,097 kWh/Year***

Month	Solar Radiation (kWh / m² / day)	AC Energy (kWh)
January	7.16	1,610
February	6.21	1,274
March	5.05	1,170
April	3.46	781
May	2.18	522
June	1.78	413
July	2.19	530
August	2.94	710
September	4.20	971
October	5.41	1,261
November	5.94	1,326
December	6.74	1,529
Annual	4.44	12,097

Location and Station Identification	
Requested Location	602 esplanade, mount martha
Weather Data Source	Lat, Lng: -38.23, 145.02 1.4 mi
Latitude	38.23° S
Longitude	145.02° E
PV System Specifications	
DC System Size	9.68 kW
Module Type	Standard
Array Type	Fixed (roof mount)
System Losses	14.08%
Array Tilt	5°
Array Azimuth	0°
DC to AC Size Ratio	1.2
Inverter Efficiency	96%
Ground Coverage Ratio	0.4
Albedo	*From weather file*
Bifacial	No (0)
Monthly Irradiance Loss	Jan 0% Feb 0% Mar 0% Apr 0% May 0% June 0% July 0% Aug 0% Sept 0% Oct 0% Nov 0% Dec 0%
Performance Metrics	
DC Capacity Factor	14.3%

Appendix G. Site Management Plan

During the construction phase, the key pollutants at risk of entering the stormwater system include:

- Sediments (soil, sand, gravel and concrete washings); and
- Litter, debris etc.

These pollutants arise from factors such as dirt from construction vehicles, stockpiles located close to surface runoff flow paths, and surface runoff from disturbed areas during earthmoving and construction works. It is therefore important to have measures that either prevent or minimise the pollutant loads entering stormwater system during construction.

In order to mitigate the impacts of the above pollutants on the stormwater system, the following stormwater management strategies will be implemented during the construction phase as appropriate:

- Installation of onsite erosion and sediment control measures. All installed control measures shall be regularly inspected & maintained to ensure their effectiveness. Such measures may include (but not limited to):
  - Silt fences
  - sediment traps
  - hay bales
  - geotextile fabrics
- Where possible, litter bins with a lid will be used to prevent litter from getting blown away and potentially entering stormwater drains.

Additionally, the following work practices shall be adopted to reduce stormwater pollution:

- Site induction by the head contractor/ builder to make personnel aware of stormwater management measures in place
- Employ suitable measures to reduce mud being carried off-site into the roadways such as installing a rumble grid/ gravel/ crushed-rock driveway (or equivalent measure) to provide clean access for delivery vehicles, removing mud from vehicle tyres with a shovel etc.
- Safe handling and storage of chemicals, paints, oils and other elements that could wash off site to prevent them from entering stormwater drains.
- Where practicable, stockpiles will be covered, located within the site's fence and away from the lowest point of the site where surface runoff will drain to. This initiative will minimise erosion.

Accordingly, the measures presented above are considered appropriate for the proposed development at this stage of the project. The measures will reduce the pollutants entering stormwater system from the site during construction works thereby protecting waterways.

Furthermore, the initiatives are consistent with the Application Requirements set out in Clause 53.18 of the Shire of Mornington Peninsula Planning Scheme.



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Ark Resources

Client	Date
Keyton	11 November 2025

Stormwater Management Report

Martha's Point Extension

602 Esplanade, Mount Martha

ratio:

Planning
Transport
Urban Design
Waste Management
Landscape Architecture
Civil Engineering

ratio.com.au

Project	Prepared for
602 Esplanade, Mount Martha	Keyton
	Our reference
	22775CV

Directory path
https://ratioconsultants1.sharepoint.com/sites/22775CV/Shared Documents/Design/Design/Engineering/Design Reports/SWMP-01.docx

Version	Date	Issue	Prepared by	Checked by
01	11.11.25	Issued for Planning Approval	Lars Ralph	Hugh McCormick
02	1.12.25	Planning Issue – Masterplan Updates	Lars Ralph	Hugh McCormick

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Acknowledgement of Country

We acknowledge the Traditional Owners of the land we work, live and travel on, and appreciate the rich cultures of the Aboriginal and Torres Strait Islander Peoples and their enduring connection to country.

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Appendix B – MUSIC Results Summary

Appendix C – DRAINS Model Results and Design Outputs

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1. Site Information

1.1. Project Overview

The subject site is located at 602 Esplanade, Mount Martha, and is currently undeveloped. The proposed development will form an extension of the existing Martha's Point retirement village located to the east of the subject site. Although the sites are currently on separate titles, a drainage easement in favour of the subject site is located along the northern boundary of the existing Martha's Point village. The existing village does not utilise the stormwater network within this easement, and the proposed development will be serviced by a separate drainage network.

The proposed development will modify the existing land use and increase impervious surface coverage. The purpose of this report is to demonstrate how stormwater runoff from the site will be appropriately managed in accordance with the applicable planning controls and Melbourne Water's Best Practice Environmental Management Guidelines.



Figure 1 - Subject Site

1.2. Purpose of Report

This report documents the proposed stormwater management strategy for the development at 602 Esplanade, Mount Martha. It details the stormwater quality and quantity control measures to be implemented and provides supporting evidence demonstrating that the development complies with the applicable local and regional Water-Sensitive Urban Design (WSUD) and drainage requirements. This report is also intended to support the Built Environment Sustainability Scorecard (BESS)assessment for the overall development.

1.3. Relevant Regulations

The stormwater management approach presented herein has been developed in accordance with the following key regulations and guidelines:

- Melbourne Water MUSIC Modelling Guidelines
- Urban Stormwater: Best Practice Environmental Management Guidelines (CSIRO, 1999)
- Australian Rainfall and Runoff (ARR, 2019)
- Mornington Peninsula Shire Stormwater Management (WSUD) Clause 56.07-4
- Relevant Council engineering and design standards

Additional site or council-specific policies may also apply.

2. Development Summary

2.1. Site Description and Existing Conditions

Pre-Development Conditions

The development site has a total area of approximately 1.22 hectares and is located within a predominantly residential precinct. It is situated to the west of the existing Martha's Point retirement village and to the south of Koorootang Village, both of which are currently operated by Keyton. The land to the south and west comprises private residential properties.

The site is currently grassed with pockets of existing vegetation and exhibits a general slope towards the northeast, with surface gradients ranging from 2% to 5%, as identified in the Feature and Level Survey (Ref. 30043543S-02-01-04) prepared by SMEC.

An existing swale, located at the northern development site boundary conveys pre-development surface runoff toward a Council owned easement drain, which directs flows along an eastbound alignment along the northern boundary of the existing Martha's Point Village.

Drainage Covenant on Title

The subject site is burdened by a covenant on its title to "not develop or allow any development on the site (lot 2 of PS 801659Y) without the associated construction of stormwater facilities to detain the undeveloped stormwater flows from the eastern stormwater catchment of [the subject site's western neighbour]" (lot 1 of PS 801659Y).

In accordance with this covenant, the stormwater detention calculation, outlined below in this report, consider the approximately 0.51 ha. of undeveloped pervious area which contributes surface runoff to the subject site.

2.2. Proposed Development

The proposed development includes the construction of 32 ILU's (Independent Living Units), a communal facility and associated road infrastructure which will result in an increase in impervious surface area. A summary of the proposed surface coverage is shown below.

Table 1 - Catchment Breakdown

Surface Type	Area (m^2)	% of Site	Treatment Type (if any)
Roof	5,378	31.0%	Rainwater Tank (2kL tank per ILU)
Driveways/Paving/Roads	4,106	23.7%	GPT (Ocean Protect Oceansave 1500-060) > In Ground OSD Tank
Garden/Landscape	2,698	15.6%	N/a
Neighbouring Property (Pervious)	5,137	29.7%	N/a
Total	17,319	100%	

Refer to the catchment plan provided in **Appendix E.**

3. Site Discharge

Stormwater from the site will discharge to the Legal Point of Discharge (LPoD) nominated by Mornington Peninsula Shire. The LPoD for this site has not yet been confirmed, however an existing drainage easement is present along the northern boundary of the existing village. This easement contains a 375 mm diameter RCP which was constructed with the existing village, as a provision for the proposed development. This line is separate and not connected to the existing village stormwater network.

DBYD records, and historical design drawings from the existing village, indicate that the easement drain outlets into the existing Council network on Osbourne Drive, opposite Lutana Court.

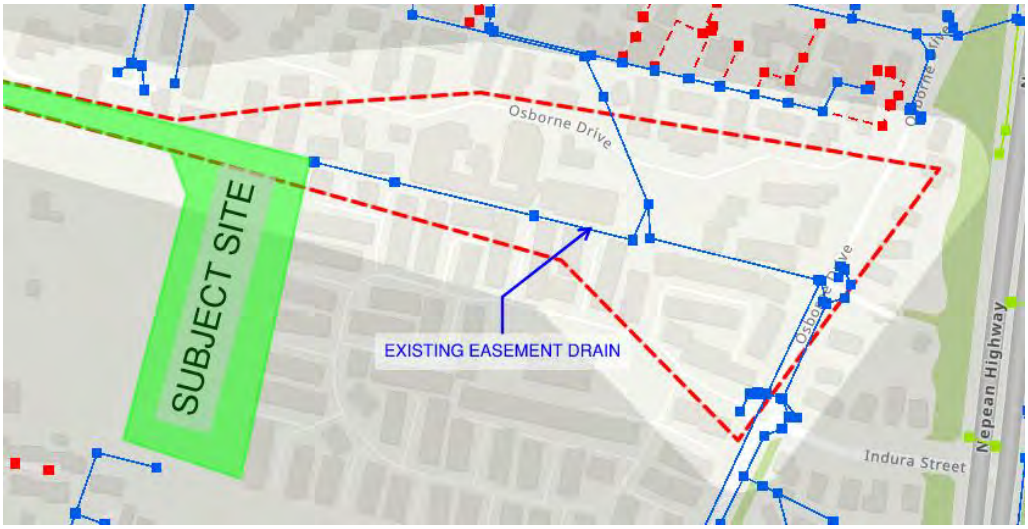


Figure 2 - Council DBYD Response

4. Hydrology

This section presents the hydrologic assessment of the site, incorporating both stormwater quality and quantity modelling. MUSIC has been used to assess WSUD performance against water quality targets, while DRAINS has been used to assess stormwater flow behaviour, pipe sizing, and detention system design.

A summary of the developed site catchments can be found in Appendix E.

4.1. MUSIC Model – WSUD Assessment

Software: MUSIC (Version X)

Rainfall Data: 650 to 750 Melbourne Regional (provided by Melbourne Water)

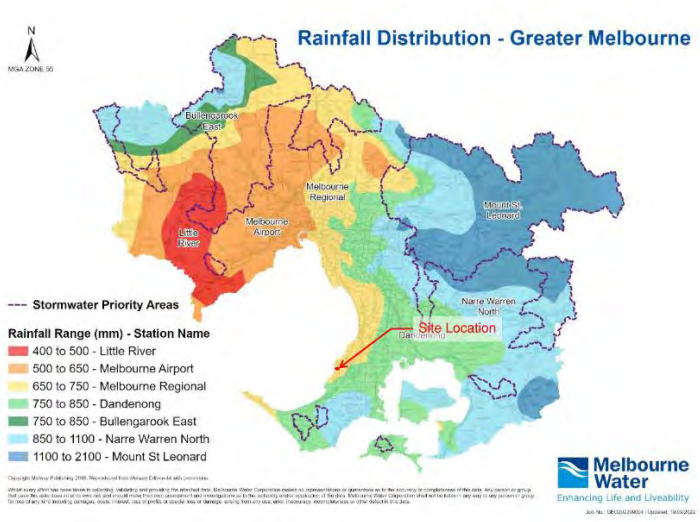


Figure 3 - Melbourne Water Rainfall Distribution Areas

Modelling Period: 1952-1961

Time Step: 6 minutes

Treatment Nodes and Devices Modelled:

- Rainwater tanks (volume: 2,000 L; reuse: 20L per day per bedroom)
- Ocean Protect Oceansave 1500-060 GPT
- Ocean Protect UrbanPond (In-ground detention chamber) with integrated Storm Filter.

4.2. DRAINS Model – Hydraulic Design

Software: DRAINS by Watercom [2025.01.9147.24295]

Design Storm Events: 10% AEP [minor], 1% AEP [major]

Rainfall Data Source: ARR Datahub & BoM IFDs

Hydrological Method: IL/CL method

Typical Times of Concentration:

EIA: 5 min

RIA: 2 min

PA: 8 min

Outflow: Discharge to the existing stormwater pit, as described in the site description.

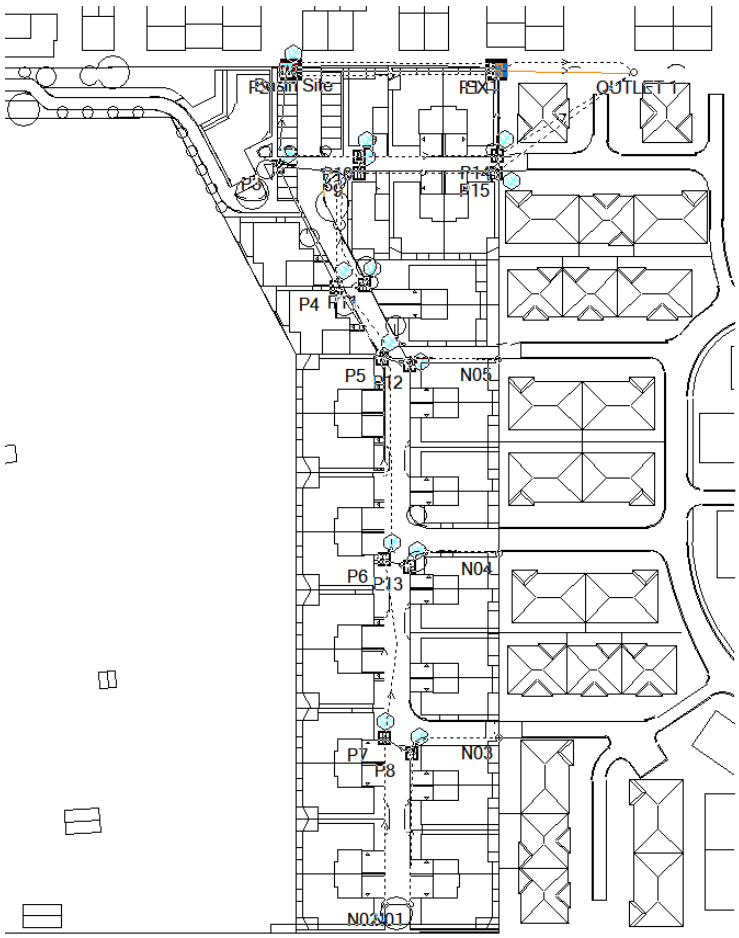


Figure 4 - DRAINS Model – Site Stormwater Layout

5. Site Discharge Calculations

5.1. Design Storm Event

Runoff and stormwater infrastructure have been assessed using the 10% Annual Exceedance Probability (AEP) design storm event. In most assets, the 5-minute burst duration formed the governing design event.

As a formal LPoD from Council has not yet been obtained, the below calculations are based on detaining site discharge to pre-development outflows, within the capacity of the existing easement drain. It is noted that this approach is subject to the approval of Mornington Peninsula Council and shall be reviewed upon receipt of a LPoD.

A summary of the developed site catchments can be found in Appendix E.

5.2. Pre- and Post-Development Flows

Table 2 - Pre vs Post-Development Discharge

Condition	Peak Flow (L/s)
Pre-Development	92
Post-Development (no control)	166
Post-Development (with control)	54

The increase in runoff associated with the development is managed through a combination of source control WSUD measures and site-based detention. The system is designed to minimise adverse impact to downstream infrastructure or flood-prone areas.

A breakdown of the system and its performance is outlined in Section 6 below.

6. Stormwater Detention Systems

To mitigate increased runoff rates and meet Council discharge limits, a stormwater detention system is proposed. The system has been designed using DRAINS and is summarised below.

6.1. System Details

Type of Storage: Underground tank

Location: Underneath visitor parking, adjacent to the proposed community centre

Storage Volume Provided: 80 m^3

Permissible Site Discharge (PSD): 92 L/s (Pre-development flows assumed, subject to LPoD)

Flow Control Device: Detention tank with orifice outlet control

6.2. Design Performance

Design Storm Event: 10% AEP

Detention Volume Utilised: 80 m^3

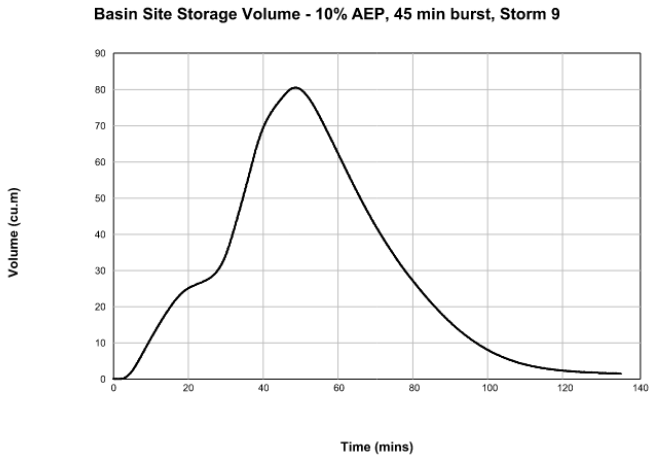


Figure 5 - OSD Storage Chart

Orifice Flow Control:

A section of the proposed roadway extension cannot be directed to the on-site detention (OSD) tank, as it is situated adjacent to the existing village where ground levels are lower than the tank invert. Consequently, an 18 L/s portion of flow will bypass the detention system.

To ensure the combined outflow remains consistent with the pre-development (PSD) discharge rate, the orifice sizing has been designed such that:

- Detained flow rate: 46 L/s
- Bypass flow rate: 18 L/s
- Total outlet flow: 54 L/s

An orifice plate with a 160 mm diameter, (33.17 m AHD centre elevation) will be installed at the outlet of the in-ground detention tank to achieve the required detained flow rate.

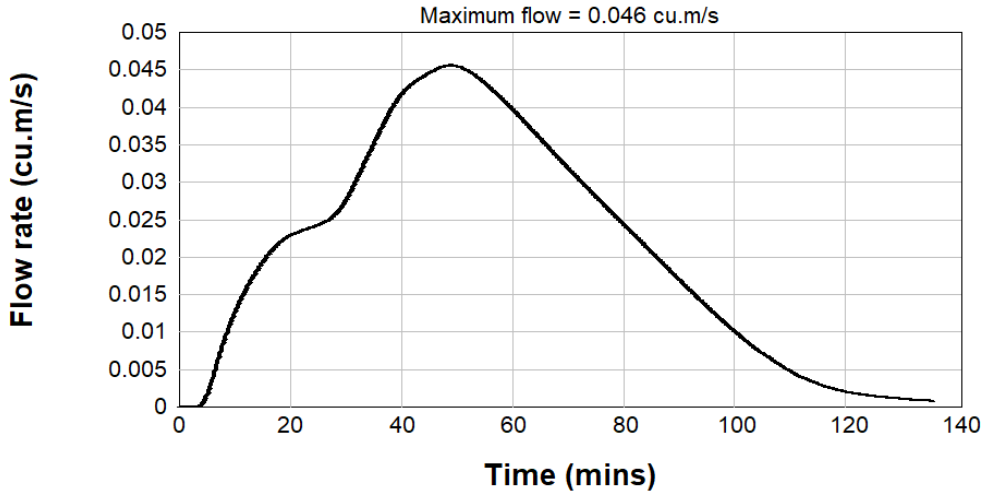


Figure 6 - Detention Tank Design Hydrograph

7. Proposed WSUD Measures

A summary of the proposed Water Sensitive Urban Design (WSUD) measures is provided below. These systems are designed to achieve both stormwater quality treatment and flow moderation in accordance with Melbourne Water's best practice guidelines.

Rainwater Tanks: Each Independent Living Unit (ILU) will include a 2,000 L rainwater tank, connected to approximately 125–180 m² of roof area (depending on unit size). Captured rainwater will be reused for toilet flushing and irrigation, with a reuse allowance of 20 L per bedroom per day, consistent with Melbourne Water's current recommendations. MUSIC water balance results show that reuse volumes are typically available to meet > 95% of demand.

At this stage, a secondary low-level overflow has not been modelled for the tanks, meaning they have not been included in the detention storage calculations as tanks may be full at the time of a statistically significant rain event.

Gross Pollutant Trap (GPT): Located within the proposed carparking area at the north of the site. The Oceansave 1500-060 GPT has been sized to treat the 4EY (3-monthly) flows of 36 L/s, with a treatable capacity of 60 L/s. The unit allows for a maximum bypass flow rate of 580 L/s which is well in exceedance the 10% AEP flows of 110 L/s.

On-Site Detention Tank: Located within the proposed carparking area at the north of the site. 80 kl in volume. The system proposed contains an integrated tertiary treatment system comprising 7 x 690 mm Stormfilter units (refer to **Appendix G** for typical system details). This system is primarily intended to further reducing the nitrogen and phosphorus content in the detained inflows, in accordance with WSUD Best Practice.

8. Stormwater Quality

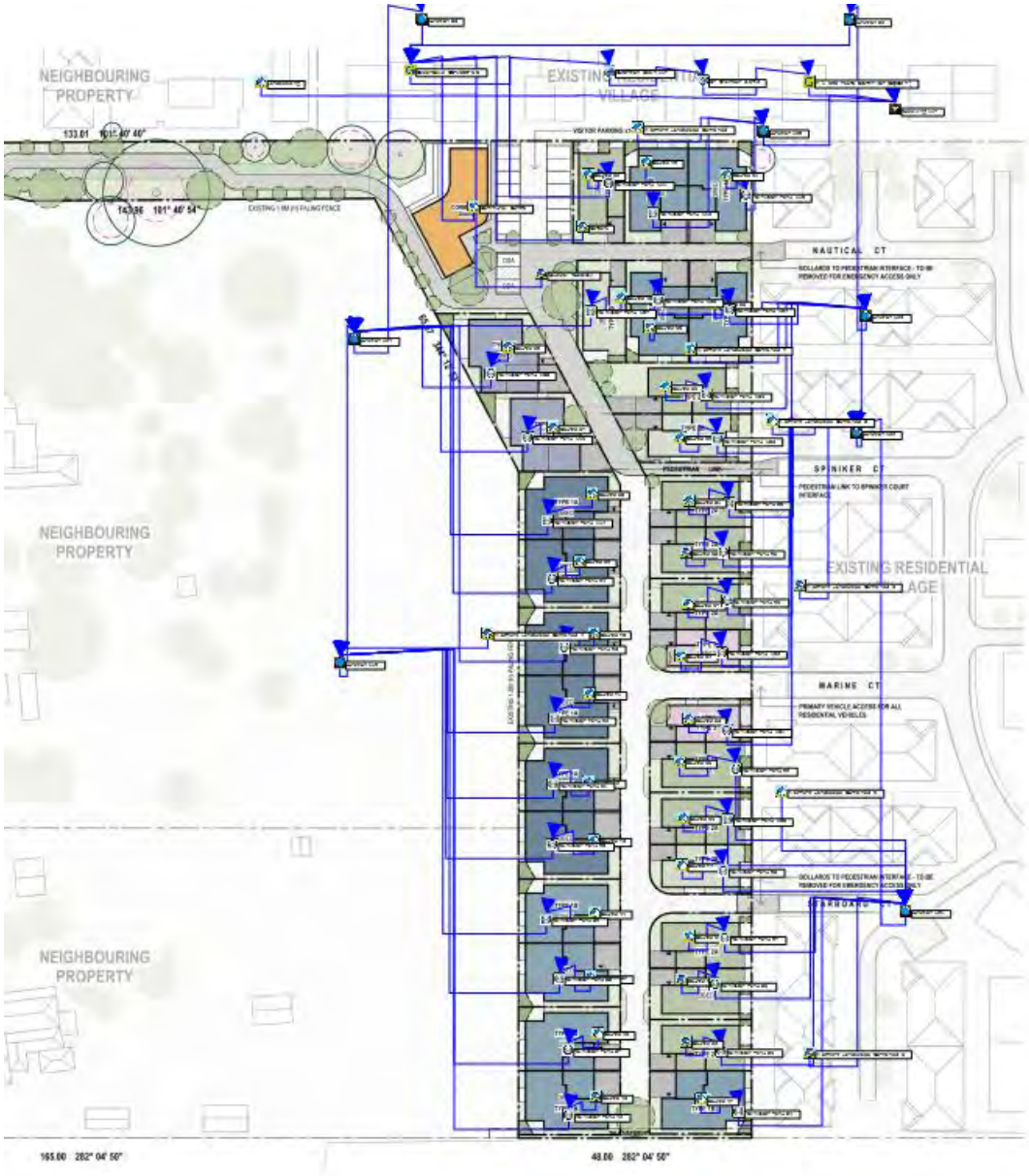
8.1. MUSIC Results Summary

Table 3 - Treatment Effectiveness

Pollutant	Target Reduction	Modelled Reduction	Compliant?
Total Suspended Solids	80%	82.35%	Yes
Total Phosphorus	45%	67.91%	Yes
Total Nitrogen	45%	51.42%	Yes
Gross Pollutants	70%	93.00%	Yes

A full MUSIC export file (.mrt) and report summary has been appended.

Appendix A – MUSIC Model



Appendix B – MUSIC Results Summary

The MUSIC results summary file (.mrt format) will be provided electronically alongside this report.

Appendix C – DRAINS Model Results and Design Outputs

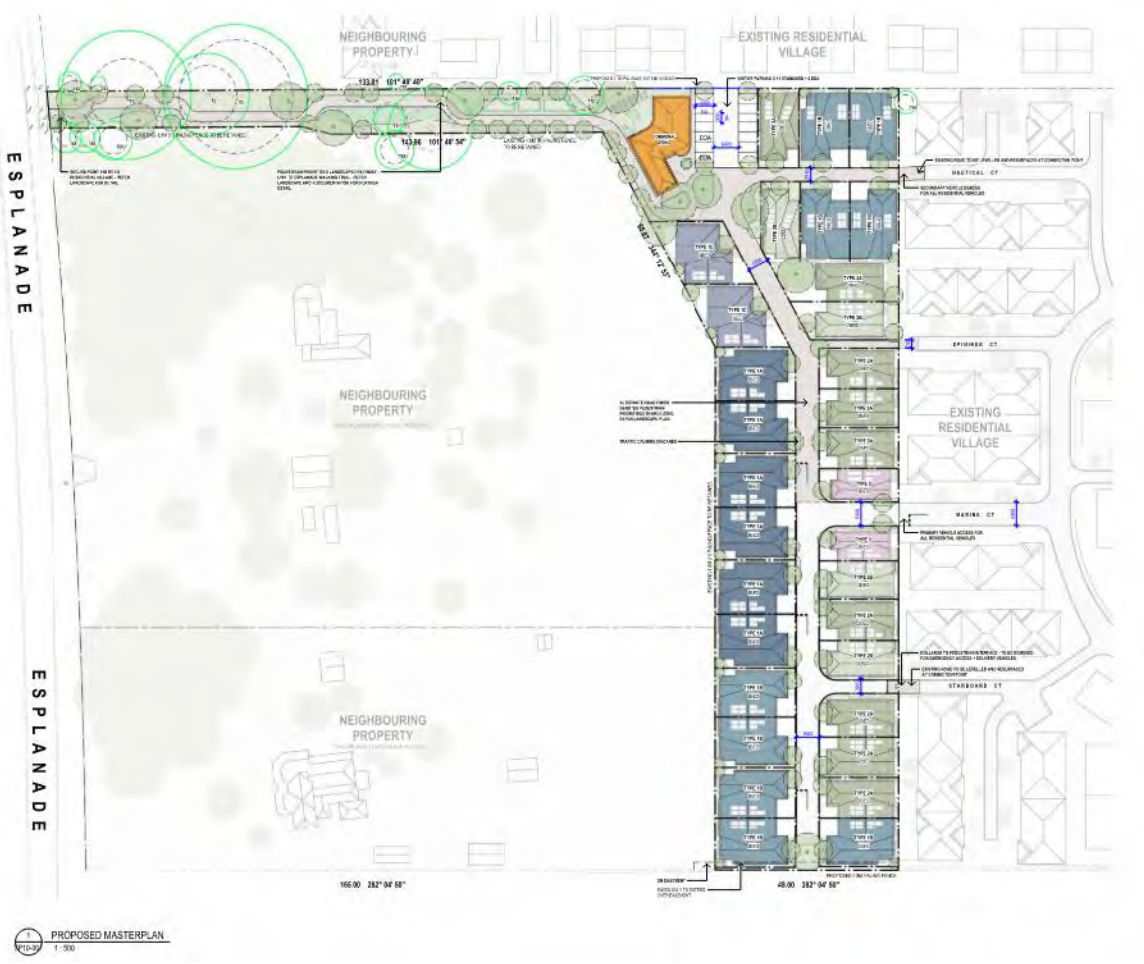
DRAINS results prepared from Version 2025.01.9147.24925							
PIT / NODE DETAILS							
Name	Max HGL	Max Pond HGL	Max Surface Flow Arriving (cu.m/s)	Max Pond Volume (cu.m)	Min Freeboard (m)	Overflow (cu.m/s)	
N2	0		0				
P8	37.51		0.007		0.62	0	
P7	37.44		0.006		0.7	0	
P6	36.69		0.006		0.83	0	
P5	35.9		0.003		0.85	0	
P4	35.58		0.002		0.86	0	
P3	34.6		0.005		1.3	0	
P2	34.13		0.004		1.39	0	
P1	32.58		0		2.62		
EX1	32.5		0		1.58	0	
OUTLET 1	30		0				
P13	36.79		0.008		0.62	0	
P12	36.01		0.009		0.61	0	
P11	35.66		0.006		0.63	0	
P10	35.01		0.003		0.56	0	
P9	34.92		0.002		0.64	0	
N02	38.8		0				
N01	38.8		0				
N03	0		0				
N04	0		0				
N05	0		0				

P15	33.34		0.004		1.46	0	
P14	33.29		0.004		1.51	0	
n3	0		0.074				
SUB-CATCHMENT DETAILS							
Name	Max	EIA	Remaining	EIA	RIA	PA	
	Flow Q	Max Q	Max Q	Tc	Tc	Tc	
	(cu.m/s)	(cu.m/s)	(cu.m/s)	(cu.m/s)	(min)	(min)	
Predevelopment Site	0	0	0	5	2	12	
CA8	0.007	0.007	0	5	2	8	
CA7	0.006	0.006	0	5	2	8	
CA6	0.007	0.007	0	5	2	8	
CA5	0.003	0.003	0	5	2	8	
CA4	0.002	0.002	0	5	2	8	
CA3	0.004	0.004	0	5	2	8	
CA2	0.003	0.003	0	5	2	8	
CA13	0.006	0.006	0	5	2	8	
CA12	0.007	0.007	0	5	2	8	
CA11	0.004	0.004	0	5	2	8	
CA10	0.003	0.003	0	5	2	8	
CA9	0.002	0.002	0	5	2	8	
CA15	0.003	0.003	0	5	2	8	
CA14	0.003	0.003	0	5	2	8	
Post Development Uncontrolled	0.057	0.057	0	5	2	12	
PIPE DETAILS							
Name	Max Q	Max V	Max U/S	Max D/S			
	(cu.m/s)	(m/s)	HGL (m)	HGL (m)			
O8	0.005	0.63	37.506	37.446			
O7	0.009	1.03	37.436	36.794			
O6	0.018	1.27	36.691	35.959			
O5	0.025	1.23	35.9	35.584			
O4	0.029	1.88	35.584	35.029			
O3	0.036	1.19	34.599	34.459			
Pipe6645	0.038	0.82	34.085	34.075			

O2	0.018	0.97	34.075	32.585			
Pipe22024	0.021	1.38	32.585	32.502			
Existing Outlet Pipe	0.021	1.24	32.502	32.248			
O13	0.006	0.65	36.793	36.731			
O12	0.007	0.67	36.01	35.948			
O11	0.004	0.6	35.658	35.603			
O10	0.002	0.54	35.008	34.968			
O9	0.004	0.6	34.925	34.859			
O15	0.003	0.45	33.343	33.289			
O14	0.006	0.68	33.289	33.136			
OVERFLOW ROUTE DETAILS							
Name	Max Q U/S	Max Q D/S	Safe Q	Max D	Max DxV	Max Width	Max V
OF8	0	0	0.757	0	0	0	0
OF7	0	0.002	0.721	0.022	0.01	0.4	inf
OF6	0	0.001	0.573	0	0	0	0
OF5	0	0	0.564	0	0	0	0
OF4	0	0.001	0.933	0.015	0.01	0.24	0.72
OF3	0	0	1.156	0	0	0	0
OF6496	0	0	1.432	0	0	0	0
OF2	0	0	1.431	0	0	0	0
OF1	0	0	0.908	0	0	0	0
OF13	0	0	0.853	0	0	0	0
OF12	0	0	0.864	0	0	0	0
OF11	0	0	0.698	0	0	0	0
OF10	0	0	0.695	0	0	0	0
OF9	0	0	0.691	0	0	0	0
OFN02	0	0.002	0.588	0.022	0.01	0.4	inf
OFN01	0	0.002	0.625	0.022	0.01	0.4	inf
OF15	0	0	1.345	0	0	0	0
OF14	0	0	1.354	0	0	0	0
DETENTION BASIN DETAILS							
Name	Max WL	MaxVol	Max Q	Max Q	Max Q		

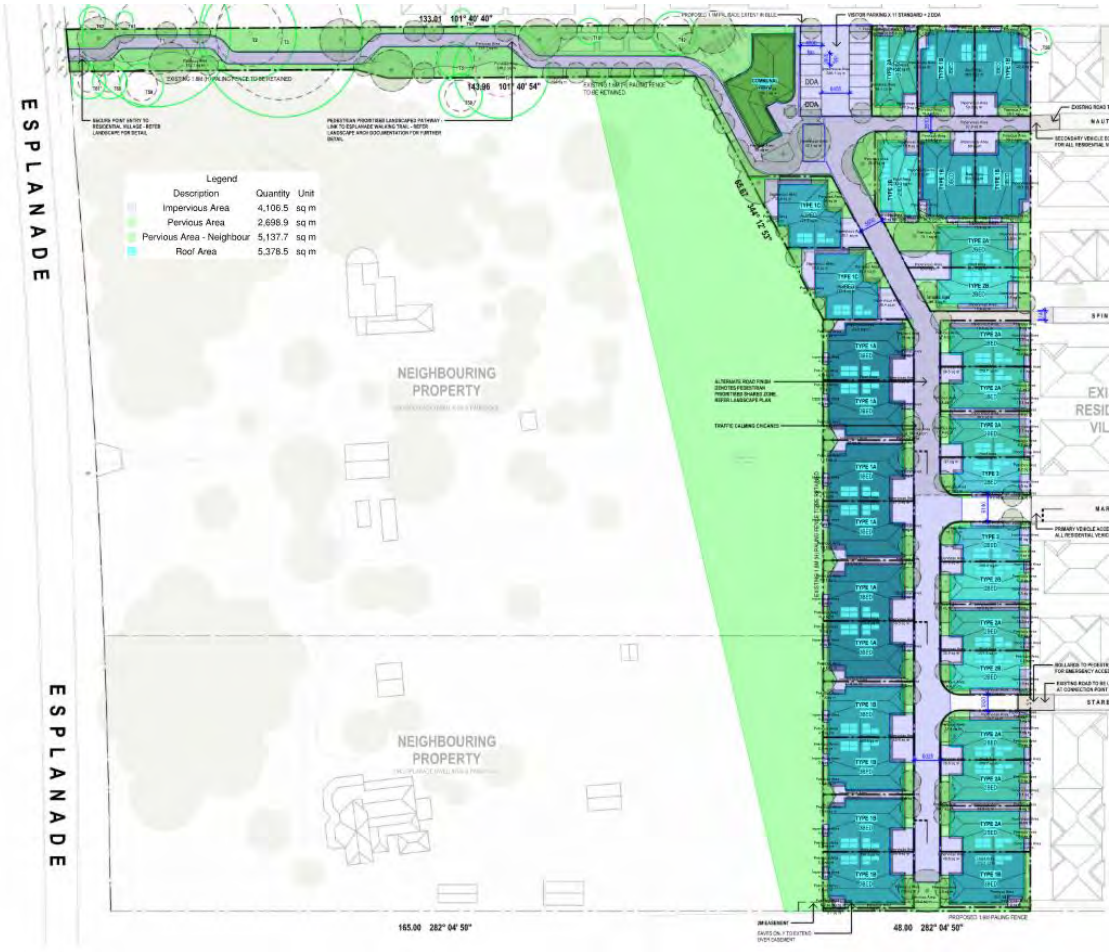
			Total	Low Level	High Level		
Basin Site	34.07	17.5	0.018	0.018	0		
Run Log for DRAINS v2025.01.9147.24925 - Marthas Point V3							
No water upwelling from any pit.							
Freeboard was adequate at all pits.							
Flows were safe in all overflow routes.							

Appendix D – Site Layout Plan



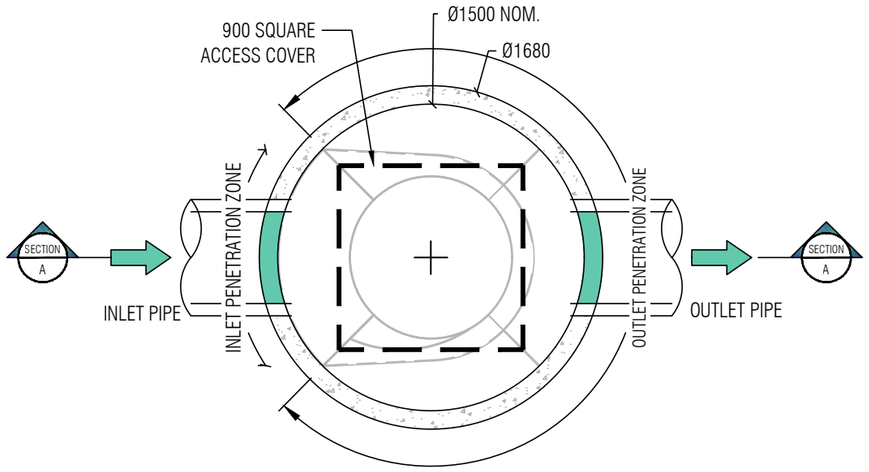
Appendix E – Catchment Analysis Diagram

An electronic copy of this A1 plan will be included with the report for review of catchment areas as the catchment areas are too small for the text to be visible in this report.

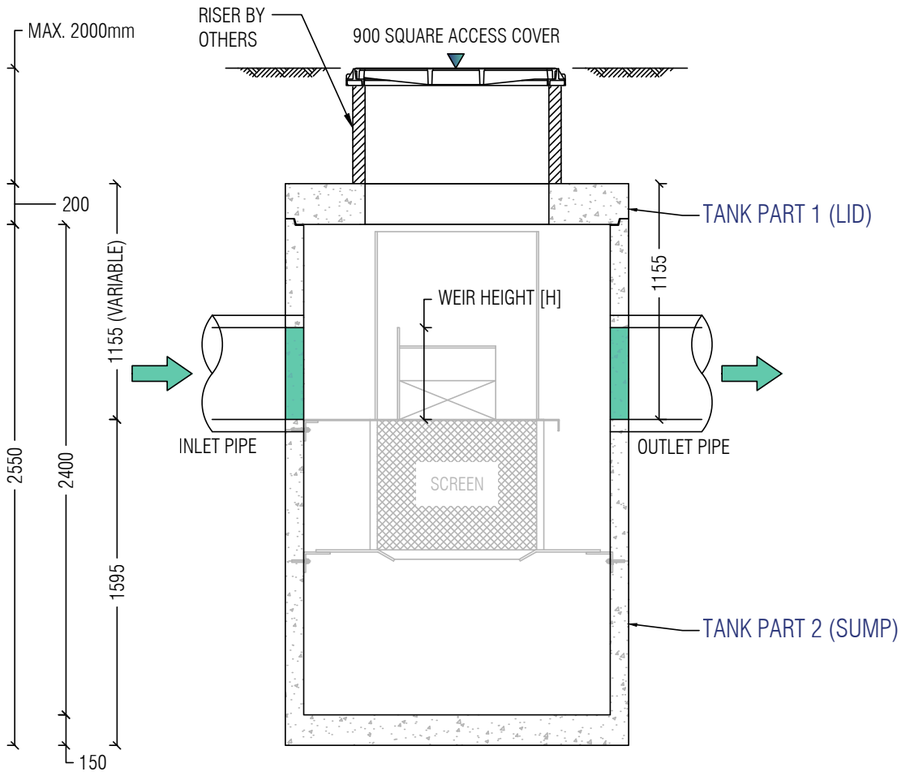


Appendix F - GPT Product Information

NOT FOR CONSTRUCTION



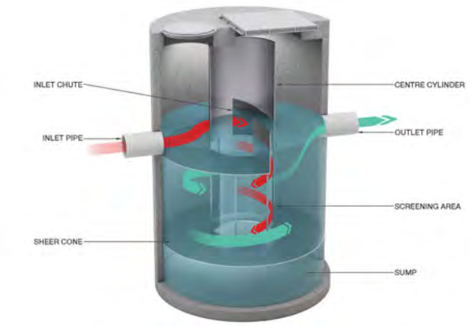
PLAN LAYOUT



SECTION A

LAST MODIFIED: 21-01-25

OCEANSAVE DESIGN PARAMETERS



- IF INSTALLED ONLINE, THE INLET PIPE FLOW RATE MUST BE LESS THAN THE SPECIFIED UNIT'S LISTED PEAK HYDRAULIC FLOW RATE; AN UPSTREAM DIVERSION PIT IS REQUIRED WHERE THE INLET PIPE FLOW RATE EXCEEDS THIS VALUE.
- OCEAN PROTECT DOES NOT PROVIDE 'K' VALUES FOR HEAD LOSS CALCULATIONS. HYDRAULIC HEAD LOSS IS SPECIFIED IN THE TABLE BELOW. PLEASE CONTACT OCEAN PROTECT FOR GENERAL DESIGN AND CONFIGURATION ADVICE AND ASSISTANCE.

MAX. COMPONENT WEIGHT (kg) *MASS VARIABLE	3800
TANK LID WEIGHT (kg)	700

NOTE: TANK SUPPLIED IN MULTIPLE PARTS TO BE JOINED ON SITE

	OS 060	OS 105	OS 200	OS 250	OS 360	OS 450	OS 580	OS 870
TREATABLE FLOW RATE (L/s)	60	105	200	250	360	450	580	870
PEAK HYDRAULIC FLOW RATE (L/s)	580	900	1200	1200	1200	1900	1900	1900
HYDRAULIC HEAD LOSS (mm)	282	220	283	356	476	308	401	575
TYPICAL WEIR HEIGHT [H] (mm)	450	450	600	700	900	750	900	1200
MIN RECOMMENDED PIPE SIZE (mm)	Ø300	Ø450	Ø600	Ø600	Ø750	Ø900	Ø900	Ø900
MAX NOMINAL PIPE SIZE (mm)	Ø750	Ø750	Ø900	Ø900	Ø900	Ø1050	Ø1050	Ø1050

GENERAL NOTES/ STRUCTURAL DESIGN CRITERIA

1. OCEANSAVE WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF THE PROJECT.
2. PRECAST STRUCTURE SUPPLIED WITH PENETRATIONS TO SUIT OUTER DIAMETER OF NOMINATED PIPE SIZE / MATERIAL.
3. PRECAST STRUCTURE SHALL MEET W80 WHEEL LOAD RATING ASSUMING A MAXIMUM EARTH COVER OF 2.0m AND A GROUND WATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. CERTIFYING ENGINEER TO CONFIRM ACTUAL GROUNDWATER ELEVATION. PRECAST STRUCTURE SHALL BE IN ACCORDANCE WITH AS3600.
4. PRECAST STRUCTURE SHALL BE PLACED ON A STABLE GROUND WITH A MINIMUM SOIL BEARING CAPACITY OF 125kPa UNDER NORMAL SERVICE CONDITION.
5. ALL WATER QUALITY TREATMENT DEVICES REQUIRE PERIODIC MAINTENANCE. REFER TO THE OPERATION AND MAINTENANCE MANUAL FOR GUIDELINES AND ACCESS REQUIREMENTS.
6. SITE-SPECIFIC PRODUCTION DRAWING WILL BE PROVIDED UPON PLACEMENT OF ORDER.
7. DRAWING NOT TO SCALE.

INSTALLATION NOTES

1. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY CERTIFYING ENGINEER.
2. CONTRACTOR TO PROVIDE ALL EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE PRECAST STRUCTURE (LIFTING DETAIL PROVIDED SEPARATELY).
3. CONTRACTOR TO INSTALL AND LEVEL THE STRUCTURE, APPLY SEALANT TO ALL JOINTS AND TO PROVIDE, INSTALL AND GROUT INLET AND OUTLET PIPES.
4. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO PROTECT INTERNAL COMPONENTS DURING INSTALLATION.

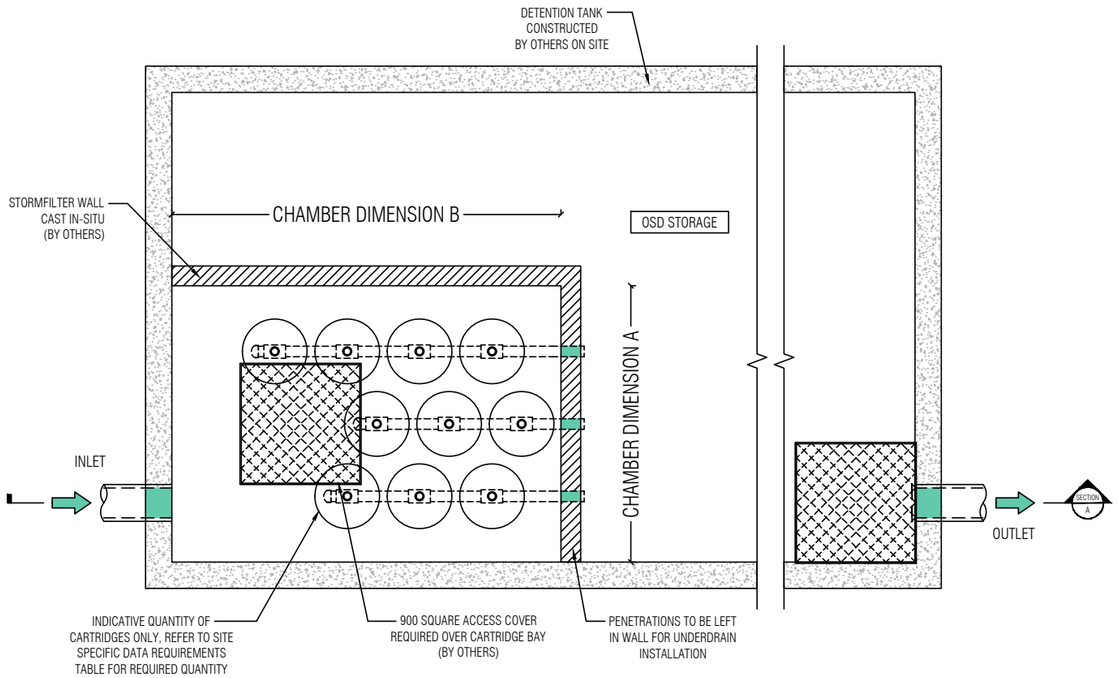
OCEAN PROTECT

PHONE: 1300 354 722 www.oceanprotect.com.au

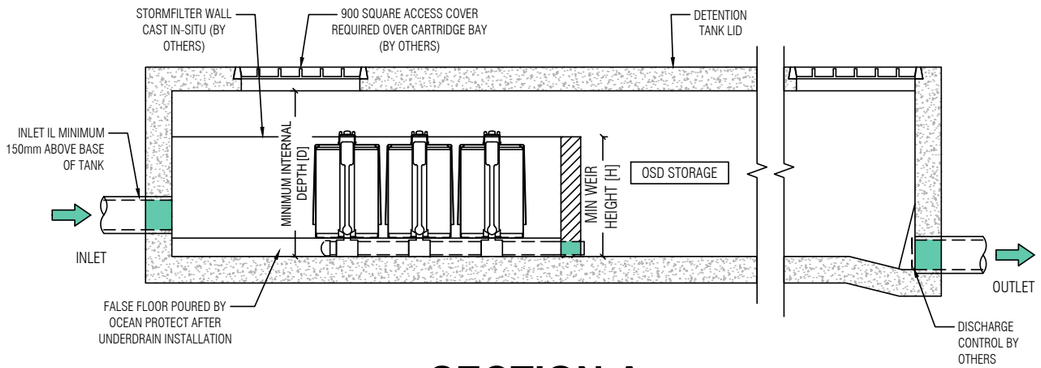
OCEAN PROTECT
OCEANSAVE 1500-060
SPECIFICATION DRAWING

Appendix G - OSD Tank Product Information

NOT FOR CONSTRUCTION



PLAN LAYOUT



SECTION A

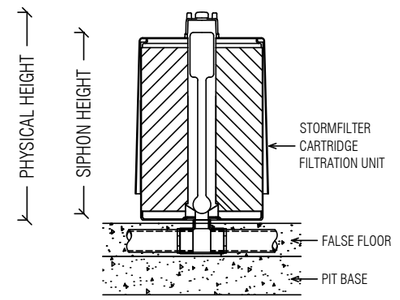
LAST MODIFIED: 25.06.2025

STORMFILTER DESIGN TABLE

- STORMFILTER TREATMENT CAPACITY VARIES BY NUMBER OF FILTER CARTRIDGES INSTALLED.
- THE STANDARD CONFIGURATION IS SHOWN. ACTUAL CONFIGURATION OF THE SPECIFIED STRUCTURE(S) PER CERTIFYING ENGINEER WILL BE SHOWN ON SUBMITTAL DRAWING(S).
- FILTER CARTRIDGES SHALL BE MEDIA-FILLED, PASSIVE, SIPHON ACTUATED, RADIAL FLOW, AND SELF-CLEANING. RADIAL MEDIA DEPTH SHALL BE 178mm.

CARTRIDGE NAME / SIPHON HEIGHT (mm)	690	460	310
CARTRIDGE PHYSICAL HEIGHT (mm)	840	600	600
MINIMUM WEIR HEIGHT* [**H**] (mm)	910	690	540
MINIMUM INTERNAL DEPTH* [**D**] (mm)	1050	850	850
CARTRIDGE FLOW RATE FOR ZPG MEDIA (L/s)	1.6	1.1	0.7
CARTRIDGE FLOW RATE FOR PSORB MEDIA (L/s)	0.9	0.46	0.39

** MINIMUM WEIR HEIGHT MAY BE REDUCED IN CERTAIN CIRCUMSTANCES. CONTACT OCEAN PROTECT FOR MORE INFORMATION.*



STORMFILTER CARTRIDGE DETAIL

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID	
NUMBER OF CARTRIDGES REQ'D	
SIPHON HEIGHT (310 / 460 / 690)	
MEDIA TYPE (ZPG / PSORB)	
WATER QUALITY FLOW RATE (L/S)	
DIMENSION A	
DIMENSION B	

TOTAL CARTRIDGE BAY AREA (A x B) TO MATCH AREA REQUIRED BY MUSIC MODELLING OR COUNCIL SPECIFIC REQUIREMENTS

GENERAL NOTES

1. INLET AND OUTLET PIPES TO BE IN ACCORDANCE WITH APPROVED PLANS.
2. A HIGH FLOW BYPASS ARRANGEMENT OR DISSIPATION STRUCTURE MAY BE REQUIRED TO MINIMISE RE-SUSPENSION OF SOLIDS OR ANY SIGNIFICANT INERTIAL FORCES ON THE CARTRIDGES.
3. ALL WATER QUALITY TREATMENT DEVICES REQUIRE PERIODIC MAINTENANCE. REFER TO OPERATION AND MAINTENANCE MANUAL FOR GUIDELINES AND ACCESS REQUIREMENTS.
4. SITE SPECIFIC PRODUCTION DRAWING WILL BE PROVIDED ON PLACEMENT OF ORDER.
5. THE INVERT LEVEL OF THE INLET PIPE MUST BE GREATER THAN THE RL OF THE FALSE FLOOR WITHIN THE CARTRIDGE CHAMBER.
6. CONCRETE STRUCTURE AND ACCESS COVERS DESIGNED AND PROVIDED BY OTHERS. ACCESS COVERS TO BE A MINIMUM 900 X 900 ABOVE CARTRIDGES. OH&S REGARDING ACCESS COVERS AND TANK ACCESS TO BE ASSESSED BY OTHERS ON SITE.
7. THE STRUCTURE THICKNESSES SHOWN ARE FOR REPRESENTATIONAL PURPOSES.
8. DRAWINGS NOT TO SCALE.

INSTALLATION NOTES

1. UNDERDRAIN AND FALSE FLOOR INSTALLED BY OCEAN PROTECT.

OCEAN PROTECT
PHONE: 1300 354 722 www.oceanprotect.com.au

OCEAN PROTECT
STORMFILTER SYSTEM
DETENTION TANK ARRANGEMENT
SPECIFICATION DRAWING

OCEAN PROTECT

UrbanPond™

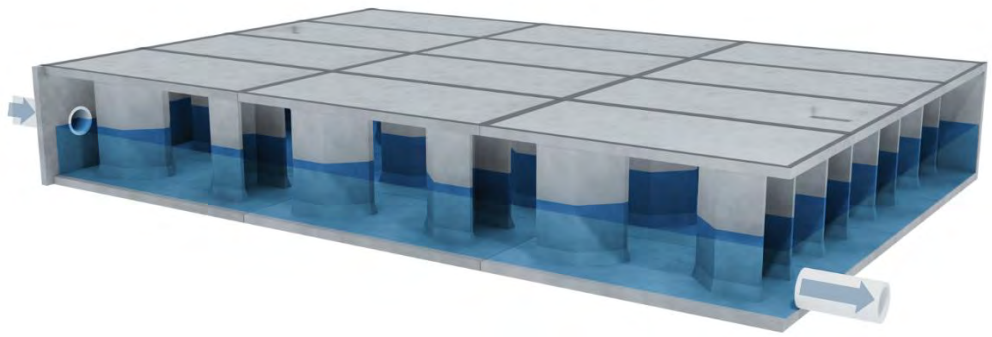
Precast Concrete Modular Detention

UrbanPond™ is a modular precast concrete underground storage that can be placed under roadways, parking lots and landscape areas in various shapes, sizes, and depths, taking zero land-space.

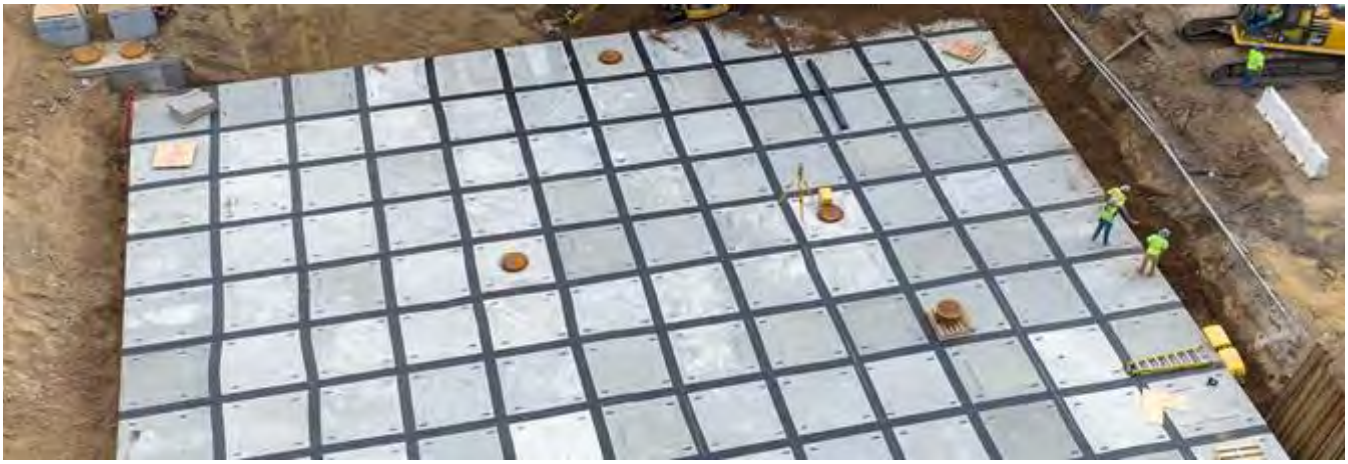
The Ocean Protect UrbanPond™ is a trafficable precast concrete below ground storage system for detention and retention purposes, replacing above ground basins. It has a high void ratio to maximise volume, and its robust precast form allows systems to be buried deeper without the need for specialised backfill, increased wall thicknesses, or extra reinforcement.

How does it work?

As storms occur, generated runoff is collected and diverted via the pit and pipe network to the UrbanPond™ system. Inlets are accommodated around the system, leading to a traditional below ground detention tank. The internal modular design has a leg configuration that provides channel-less water distribution for stormwater flowing throughout the system. Combinations of inlet and outlet structures are incorporated for associated componentry. The system is installed with a grade on the base, stormwater will make its way through the system towards an outlet chamber with orifice controls. Maintenance is simple and, if required, GPT's and filtration systems can easily be configured to work in conjunction with UrbanPond™.



1300 354 722 enquiries@oceanprotect.com.au www.oceanprotect.com.au



Features

- Incremental change in height from 0.6m to 3.6m internal
- Installed on up to 2% grade
- Keyed joint between top and bottom segments
- Large volume installed per module
- Lightweight design
- Fully trafficable 0.2 – 2m fill
- No in-situ concrete required
- Optional inlet and outlet chambers easily configured and connected

Benefits

- Design flexibility while maximising storage space
- Flexibility of multiple configurations, double or single precast modules (alternative option of cast in-situ base for single)
- Supply only and installation option available on request
- Up to 40% less crane lifts compared with alternatives
- Fully engineered unique thin wall design
- Suits many sites and maximises depth
- Quick and simple installation
- Filtration systems, like StormFilter®, are easily integrated
- Unmatched quality and identical segments every time

Configurations and Applications

UrbanPond™ can be used in a number of applications including detention, treatment train design options and infiltration solution options.

The standard module dimensions of 4.88m x 2.44m are combined for simple design versatility and efficiency. Each segment will provide 11.48m³ of volume per 1m clear internal height. Sizing and arrangement is easily determined using the Ocean Protect UrbanPond™ calculator. Please contact Ocean Protect for complimentary designs and advice.

Maintenance

All stormwater systems require routine maintenance. The UrbanPond™ system is designed to be maintained from the finished surface via a vacuum truck. Access points can be strategically placed throughout the system to facilitate maintenance. Modules can be modified to act as clear wells or pretreatment chambers for capturing trash, debris and sediment. The large void space and option to include access covers in each module, offers the opportunity to satisfy most if not all Council requirements. Ocean Protect can provide flexible options and contract terms.

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Appendix H – Certificate of Title

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 12088 FOLIO 902 Security no : 124120552803X
Produced 10/12/2024 04:42 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 801659Y.
PARENT TITLES :
Volume 10492 Folio 628 to Volume 10492 Folio 629
Created by instrument PS801659Y 06/06/2019

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
CATHOLIC HEALTHCARE LTD of UNIT 501 15 TALAVERA ROAD MACQUARIE NSW 2113
AS364499Y 19/07/2019

ENCUMBRANCES, CAVEATS AND NOTICES

STATUTORY CHARGE Section 96(1) Land Tax Act 2005
AY609011W 19/11/2024

MORTGAGE AS364500T 19/07/2019
THE CORPORATION OF THE TRUSTEES OF THE ROMAN CATHOLIC ARCHDIOCESE OF BRISBANE

COVENANT PS801659Y 06/06/2019

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

DIAGRAM LOCATION

SEE PS801659Y FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AY609011W (E)	STATUTORY CHARGE	Registered	19/11/2024

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

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

Street Address: 602 ESPLANADE MOUNT MARTHA VIC 3934

DOCUMENT END

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PLAN OF SUBDIVISION

EDITION 1 | PS 801659Y

LOCATION OF LAND

PARISH:	MOOROODUC
TOWNSHIP:	---
SECTION:	25
CROWN ALLOTMENT:	17 & 18 (PARTS)
CROWN PORTION	---
TITLE REFERENCE:	VOL 10492 FOL 628 VOL 10492 FOL 629
LAST PLAN REFERENCE:	PS 428581Q, LOTS 1 & 2
POSTAL ADDRESS (AT TIME OF SUBDIVISION)	594 & 602 ESPLANADE MOUNT MARTHA 3934
MGA 2020 COORDINATES: (OF APPROX. CENTRE OF PLAN)	E: 327 680 ZONE: 55 N: 5 764 930 GDA 2020

Council Name: Mornington Peninsula Shire Council

Council Reference Number: S18/5030
Planning Permit Reference: P17/2324
SPEAR Reference Number: S116755E

Certification

This plan is certified under section 6 of the Subdivision Act 1988

Statement of Compliance

This is a statement of compliance issued under section 21 of the Subdivision Act 1988

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made

Digitally signed by: Brooke Richardson for Mornington Peninsula Shire Council on 23/05/2019

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
N I L	N I L

NOTATIONS

DEPTH LIMITATION - DOES NOT APPLY

THIS IS NOT A STAGED SUBDIVISION

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARK Nos 56, 810, 1061, 1121 & WB86/C61 IN PROCLAIMED SURVEY AREA No. 75

CREATION OF RESTRICTION
ON REGISTRATION OF THIS PLAN THE FOLLOWING RESTRICTION IS CREATED :-
LAND TO BENEFIT:
LOT 1 ON THIS PLAN
LAND TO BE BURDENED:
LOT 2 ON THIS PLAN
DESCRIPTION OF RESTRICTION:
THE REGISTERED PROPRIETOR OR PROPRIETORS OF LOT 2 ON THIS PLAN SHALL NOT DEVELOP OR ALLOW ANY DEVELOPMENT ON LOT 2 WITHOUT THE ASSOCIATED CONSTRUCTION OF STORMWATER FACILITIES TO DETAIN THE UNDEVELOPED STORMWATER FLOWS FROM THE EASTERN STORMWATER CATCHMENT OF LOT 1 ON THIS PLAN

EASEMENT INFORMATION

LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited or in favour of
E-1	SEWERAGE	2	PS 428581Q	SOUTH EAST WATER LIMITED
E-2	DRAINAGE	SEE PLAN	THIS PLAN	MORNINGTON PENINSULA SHIRE COUNCIL
E-3	SEWERAGE	SEE PLAN	THIS PLAN	SOUTH EAST WATER CORPORATION

Speedie Development Consultants Pty. Ltd.
SURVEYORS, ENGINEERS, PLANNERS AND DEVELOPMENT CONSULTANTS
55 Marine Parade, Hastings, Vic 3915 (03) 5979 5000
Email: reception@speedies.com.au

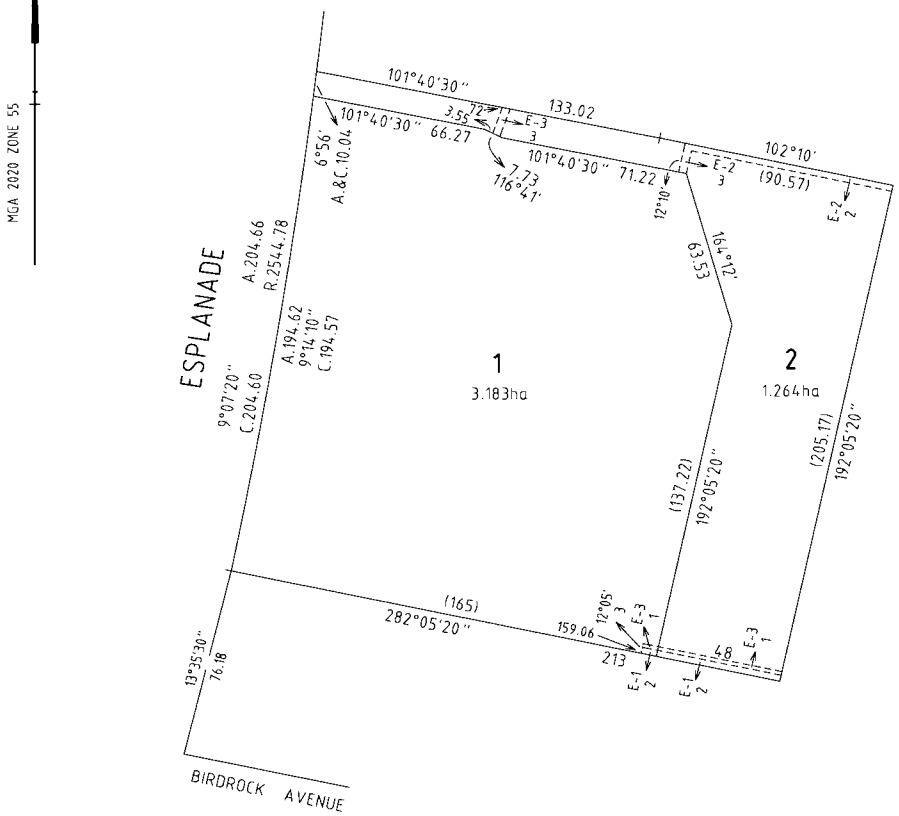
SURVEYORS REF: 11470S V7 | CHKD - AML | ORIGINAL SHEET SIZE: A3 | SHEET 1 OF 2 SHEETS

Digitally signed by: andrew michael lovelock, Licensed Surveyor,
Surveyor's Plan Version (7),
23/05/2019, SPEAR Ref: S116755E

PLAN REGISTERED
TIME: 6.58pm DATE: 6/6/2019
A.R.T.
Assistant Registrar of Titles

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PLAN OF SUBDIVISION	PS 801659Y



SURVEYORS REF: 11470S V7	CHKD - AML	15 0 30 60 90 LENGTHS ARE IN METRES	SCALE 1:1500	ORIGINAL SHEET SIZE: A3
Speedie Development Consultants Pty. Ltd. SURVEYORS, ENGINEERS, PLANNERS AND DEVELOPMENT CONSULTANTS 55 Marine Parade, Hastings, Vic 3915 (03) 5979 5000 Email: reception@speedies.com.au		Digitally signed by: andrew michael lovelock, Licensed Surveyor, Surveyor's Plan Version (7), 23/05/2019, SPEAR Ref: S116755E	Digitally signed by: Mornington Peninsula Shire Council, 23/05/2019, SPEAR Ref: S116755E	SHEET 2



Section 72 Amendment Application

602 Esplanade and Part 165 Osborne Drive, Mount Martha
Bunurong Country

Prepared for Keyton Management Services Pty Ltd

Tract
Wurundjeri Country
Level 6, 6 Riverside Quay, Southbank VIC 3006
(03) 9429 6133
www.tract.com.au
8 December 2025

Overview

Applicant / Owner	Keyton Management Services Pty Ltd
Address	602 Esplanade and part of165 Osborne Drive, Mount Martha
Lot Description	Lot 2 on Plan of Subdivision 801659Y (Volume 12088 Folio 902) Lot 1 on Plan of Subdivision 545354X (Volume 11694 Folio 436)
Easements/Restrictions	As identified on Plan of Subdivision 801659Y, the land is impacted by the following encumbrances: • E-1 – a 2m wide sewerage easement in favour of South East Water Limited along the southernmost boundary of the Site. • E-2 – a part 2m part 3m wide drainage easement along the north-east section of the site in favour of MPSC. • E-3 – a sewerage easement in favour of South East Water Corporation which dissects a portion of the land to the north. • Covenant PS801659Y – The covenant was entered into on 6 June 2019 to allow the creation of a restriction on PS801659. The restriction benefits Lot 1 and burdens Lot 2 on PS801659. Specifically the proprietors of Lot 2 are unable to develop or allow any development on the Site without the associated construction of stormwater facilities to detain the undeveloped stormwater flows from the eastern stormwater catchment of Lot 1.
Lot Size	1.264 Ha
Planning Scheme	Mornington Peninsula Planning Scheme
Responsible Authority	Mornington Peninsula Shire Council

Permit Application Details

Description of Proposal	Section 72 amendment to facilitate the use and development for a retirement village, removal of native vegetation and canopy trees.	
Permit Requirements	**Planning Scheme Clause**	**Matter for which a permit is required**
	Clause 32.08-2 (GRZ1)	Use land for 'Retirement Village'.
	Clause 32.08-10 (GRZ1)	Construct or carry out works for a Section 2 Use.
	Clause 43.02-2 (DDO1)	Construct a building or construct or carry out works.

Clause 43.01-1 (HO65)	Construct a building or construct or carry out works, externally paint a building if external paint controls apply, and remove, destroy or lop a tree where tree controls apply.
Clause 52.17-1 (Native Vegetation)	Remove Native Vegetation
Clause 52.37 (Canopy Trees)	Remove canopy trees within a residential zone.

Relevant Planning Provisions

Zone	General Residential Zone – Schedule 1 (GRZ!)
Overlays	Heritage Overlay – Schedule 65 (HO65) Design and Development Overlay – Schedule 1 (DDO1)
Particular Provisions	Clause 52.17 – Native Vegetation Clause 52.37 – Canopy Trees
Aboriginal Cultural Heritage	Yes – The Site is identified within an area of cultural heritage sensitivity. A CHMP is currently being prepared.
Principal Public Transport Network (PPTN) Area	No
Bushfire Prone Area	Yes

Quality Assurance

Planning Report

Section 72 Amendment Application
602 Esplanade and Part 165 Osborne Drive, Mount Martha
Bunurong Country

Project Number

324.0747.00.P.02

Revisions

Issue	Date	Description	Prepared By	Reviewed By	Project Principal
00	01/12/2025	Draft Planning Report	CG/NC	LC	LC
01	08/12/2025	Planning Report	NC	LC	LC

Disclaimer

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1 Introduction

This report has been prepared by Tract upon the instructions of **Keyton Services Management Pty Ltd**.

The purpose of the report is to accompany a Section 72 amendment application to amend Planning Permit No. P17/2105 (the "**Permit**") to facilitate a revised development scheme for the delivery of an expanded Retirement Village at 602 Esplanade, Mount Martha ("**Site**").

Specifically, the proposal involves the expansion of the existing Martha's Point retirement village located on the adjacent site at 165 Osborne Drive, Mount Martha, with the proposal designed to integrate seamlessly with this community.

Given the extent of changes in the revised scheme, it is appropriate that the assessment of the proposal be undertaken as if it were a new application, with all associated referrals, assessments and planning permit conditions reconsidered accordingly.

1.1 Permit Requirements

Under the *Mornington Peninsula Planning Scheme* ("**Planning Scheme**"), a planning permit is required:

Planning Scheme Clause	Matter for which a permit is required
Clause 32.08-2 (GRZ1)	Use land for 'Retirement Village'.
Clause 32.08-10 (GRZ1)	Construct or carry out works for a Section 2 Use.
Clause 43.02-2 (DDO1)	Construct a building or construct or carry out works.
Clause 43.01-1 (HO65)	Construct a building or construct or carry out works, externally paint a building if external paint controls apply, and remove, destroy or lop a tree where tree controls apply.
Clause 52.17-1 (Native Vegetation)	Remove Native Vegetation.
Clause 52.37 (Canopy Trees)	Remove canopy trees within a residential zone.

1.2 Project Team

- **Keyton** – Developer / Operator.
- **Architect** – VIA Architects
- **Landscape Architect and Town Planning** – Tract
- **Civil and Stormwater Engineering & Waste Management** – Ratio
- **Sustainability** – Ark Resources
- **Traffic Engineering** – Transport & Traffic Solutions (TTS)
- **Arborist** – Treelogic
- **Cultural Heritage and Ecologist**– Ecology and Heritage Partners (EHP)

1.3 Application Documents

- Architectural Plans, VIA Architects, 8 December 2025, REV A
- Landscape Masterplan, Tract, 2 December 2025, REV 3
- Stormwater Management Plan, Ratio, 1 December 2025, REV 2
- Earthworks Plan, Ratio, 12 November 2025, REV 1.
- Sustainability Management Plan, Ark Resources, 8 December 2025, REV B1.
- Traffic Impact Assessment (TIA), TTS, 8 December 2025, REV C.
- Waste Management Plan (WMP), Ratio, 8 December 2025, REV 2.
- Arboricutlural Assessment, Treelogic, 8 December 2025, REV 3.
- Biodiversity Assessment, EHP, 8 December 2025, REV 0.
- Cultural Heritage Statement, EHP, 30 October 2025, REV0

This report has only considered those documents explicitly referenced throughout the document.

1.4 Keyton Company Profile

Keyton is a leading owner, operator, and developer of retirement communities. Keyton currently owns and operates Martha's Point and Koorootang Court, both of which are located directly adjacent to the Site.

Today, over 17,000 residents in more than 75 villages across the country, from vibrant inner-city residences to charming coastal communities, call Keyton home (Refer to Figure 1 – Keyton Villages across Australia)

Keyton is an independent brand, proudly owned and backed by global superannuation and pension funds, Aware Super and APG, as well as property company, Lendlease.

From its origins as Lendlease Retirement Living, Keyton has over 30 years of experience in the retirement sector. As a premier developer of purpose-built independent seniors' living communities, Keyton is expanding its presence in the market to meet the growing demand amongst senior Australians for personalised, supported, innovative and sustainable retirement living solutions.

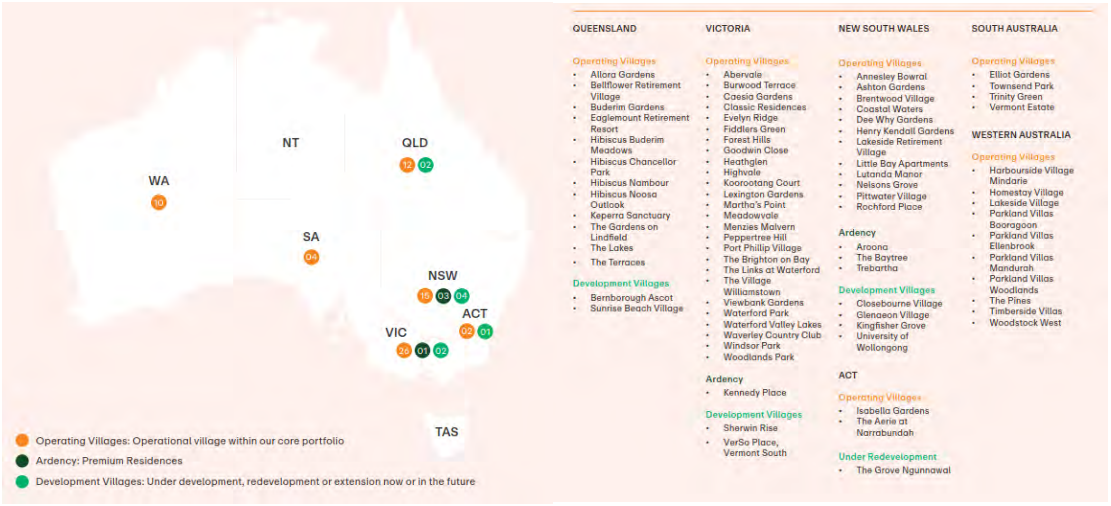


Figure 1 – Keyton Villages across Australia

1.5 Martha's Point Retirement Village

Martha's Point immediately adjoining the site to the east is a well-established and vibrant community owned and operated by Keyton. The village comprises 125 Independent Living Units (ILUs), set within landscaped gardens and features a recently refurbished community centre that serves as the heart of resident activity. The village offers a wide range of amenities that support active ageing and social connection, including:

- Indoor heated swimming pool and spa.
- Gym.
- Tennis court.
- Bowling green.
- Barbecue area and alfresco dining spaces.
- Communal vegetable garden.
- Regular visits from medical practitioners, podiatrists and hairdressers.
- A village bus for shopping trips and social outings.
- A 24-hour emergency call system for resident safety.

1.6 Planning Permit History

The Permit was issued by Mornington Peninsula Shire Council ("**Council**") on 15 October 2018 and provides the following permission:

> *'Development of an aged care facility, vegetation removal, alteration of access to a road zone category 1, associated works and advertising signage in accordance with the endorsed plans'.*

Council approved an extension to the Permit of 2 years on 14 October 2025, with the Permit now due to expire on15 October 2027.

The Permit was originally obtained by Lendlease Primelife, the retirement village arm of Lendlease, in collaboration with Catholic Healthcare Limited (CHL), an established provider of aged care services. At the time, the partnership reflected a shared vision for delivering a high-quality aged care facility.

Since the Permit was first issued, Lendlease Primelife has undergone a rebranding and now operates under Keyton. Keyton is jointly owned and financially supported by global superannuation and pension funds, including Aware Super and APG, and has shifted its strategic focus primarily towards the development of retirement villages.

CHL was sold the land with the intention to deliver aged care. However, due to market challenges and legislative changes, the Site has been unfeasible to develop. Consequently, Keyton has reacquired the Site and is now the sole owner of the land and has undertaken a comprehensive review of the project's viability in light of current market conditions.

In response to evolving circumstances, Keyton is seeking to amend the Permit under Section 72 of the *Planning and Environment Act 1987* (the "**Act**"). This amendment aligns with Keyton's strategic direction and responds to the increasing demand for retirement living options, proposing instead to extend the existing Martha's Point Retirement Village

1.7 Pre-Application Meeting

A pre-application meeting was held with Alex Colquhoun (Senior Planner) of Council on 23 September 2025, to present and obtain feedback on the proposed retirement village development.

Following the meeting, it is understood that Council is generally supportive of the proposal in principle. In particular, Council expressed support for the decision not to provide vehicle access from Esplanade. Furthermore, Council acknowledged that the proposed built form is modest and low-scale and is expected to deliver a high standard of amenity for future residents, consistent with the surrounding context and planning objectives.

2 Site & Surrounds

2.1 Title Particulars

The proposed development is located on land that is formally recognised as Lot 2 on Plan of Subdivision 801659Y (602 Esplanade - Volume 12088 Folio 902) and part of Lot 1 on Plan of Subdivision 545354X (165 Osborne Drive) (Refer Figure 2).

For the purpose of this application, the Site comprises the 'Planning Unit' which includes the entirety of Lot 2 and a portion of the land at Lot 1, identified in Figure 3.

The Site is affected by the following encumbrances:

- E-1 – a 2m wide sewerage easement in favour of South East Water Limited along the southernmost boundary of the Site.
- E-2 – a part 2m part 3m wide drainage easement along the north-east section of the site in favour of Council.
- E-3 – a sewerage easement in favour of South East Water Corporation which dissects a portion of the land to the north.
- Covenant PS801659Y – The covenant was entered into on 6 June 2019 to allow the creation of a restriction on PS801659. The restriction benefits Lot 1 and burdens Lot 2 on PS801659. Specifically the proprietors of Lot 2 are unable to develop or allow any development on the Site without the associated construction of stormwater facilities to detain the undeveloped stormwater flows from the eastern stormwater catchment of Lot 1.

Lot 1 on Plan of Subdivision 545354X contains several easements, none of which are located within the extent of works proposed.

The Site is not impacted by any other encumbering easements, covenants, caveats of restrictions under Section 173 of the *Planning and Environment Act 1987* or *Subdivision Act 1988*.

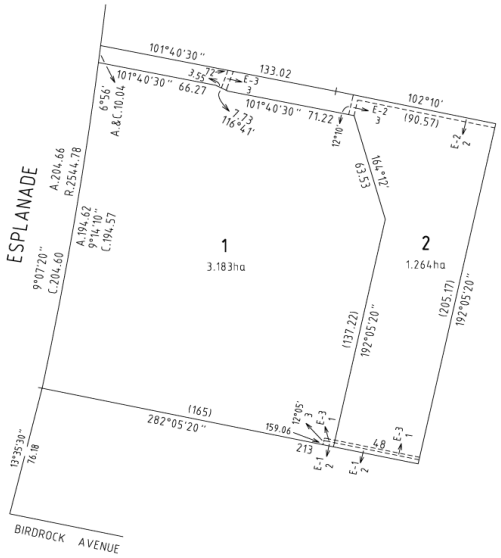


Figure 2 – Extract of the Plan of Subdivision

2.2 Site Analysis

The Site is irregular in shape, with a large portion of the allotment situated to the east of Lot 1 on Plan of Subdivision 801659Y at 594 Esplanade. It includes an elongated access section that extends to provide a frontage to Esplanade, a road within the Transport Zone 2 (TRZ2), to the west.

The Site has a 10m frontage along Esplanade, a northern boundary of approximately 223m, and an eastern boundary of 206m to the adjacent Martha's Point retirement community.

594 Esplanade to the west contains several building including Woodclyffe Cottage (further details provided below) within the Heritage Overlay is located to the south-west and contains various buildings across the property. Vehicle access is currently provided via a single crossover to Esplanade.

The Site is currently void of any buildings or structures with a relatively flat topography.

Interfaces

The Sites interfaces are:

- **North** – Immediately to the north features a range of single and double storey buildings, including:
    - The Koorootang Court Retirement Village (183-191 Osborne Drive) owned and operated by Keyton, with predominantly single storey brick dwellings with pitched blue roofs and communal parking spaces. The property boundary features a retaining wall to assist with the difference in height between the Site, which is approximately 0.5-1m higher.
    - Bay Vista Close a cul-de-sac with three adjoining lots, including:
        - 16 Bay Vista Close, which contains a double storey dwelling with a sloped black roof.
        - 15 Bay Vista Close, which comprises a single-storey dwelling with a flat black roof.
        - 14 Bay Vista Close, which contains a double storey dwelling with a flat black roof.
    - Tobin Brothers Funerals which features a single-storey funeral parlour with a sloped white roof, within a relatively large allotment.
- **East** – Immediately to the east is Martha's Point. The village comprises single-storey brick dwellings with pitched roofs and individual garages, arranged around a centrally located community centre. The dwellings abutting the western boundary of the village feature secluded private open space. Additionally, several no-through roads terminate at the western boundary of the property, including Nautical Court, Spiniker Court, Marine Court, and Starboard Court.
- **South** – Immediately to the south are single and double storey dwellings fronting and accessible via Birdrock Avenue. These properties feature larger residential allotments with generous rear and front setbacks as well as landscaping. Secluded private open space is provided to the north, directly abutting the Site.

  The southern boundary along the elongated access section of the Site abuts 594 Esplanade which is described in detail below.
- **West** – Immediately to the west is 594 Esplanade which features a large residential allotment with several buildings, including Woodclyffe Cottage (affected by the Heritage Overlay – Schedule 65 (HO65). The buildings appear to be single and double storeys, with a significant setback and secluded private open space to the east of the buildings. The property also features a swimming pool to the northern portion.

  The Site also directly abuts Esplanade, which is approximately 30m wide with two lanes of two-way traffic and pedestrian footpaths on the eastern side. Further west is the Esplanade foreshore.

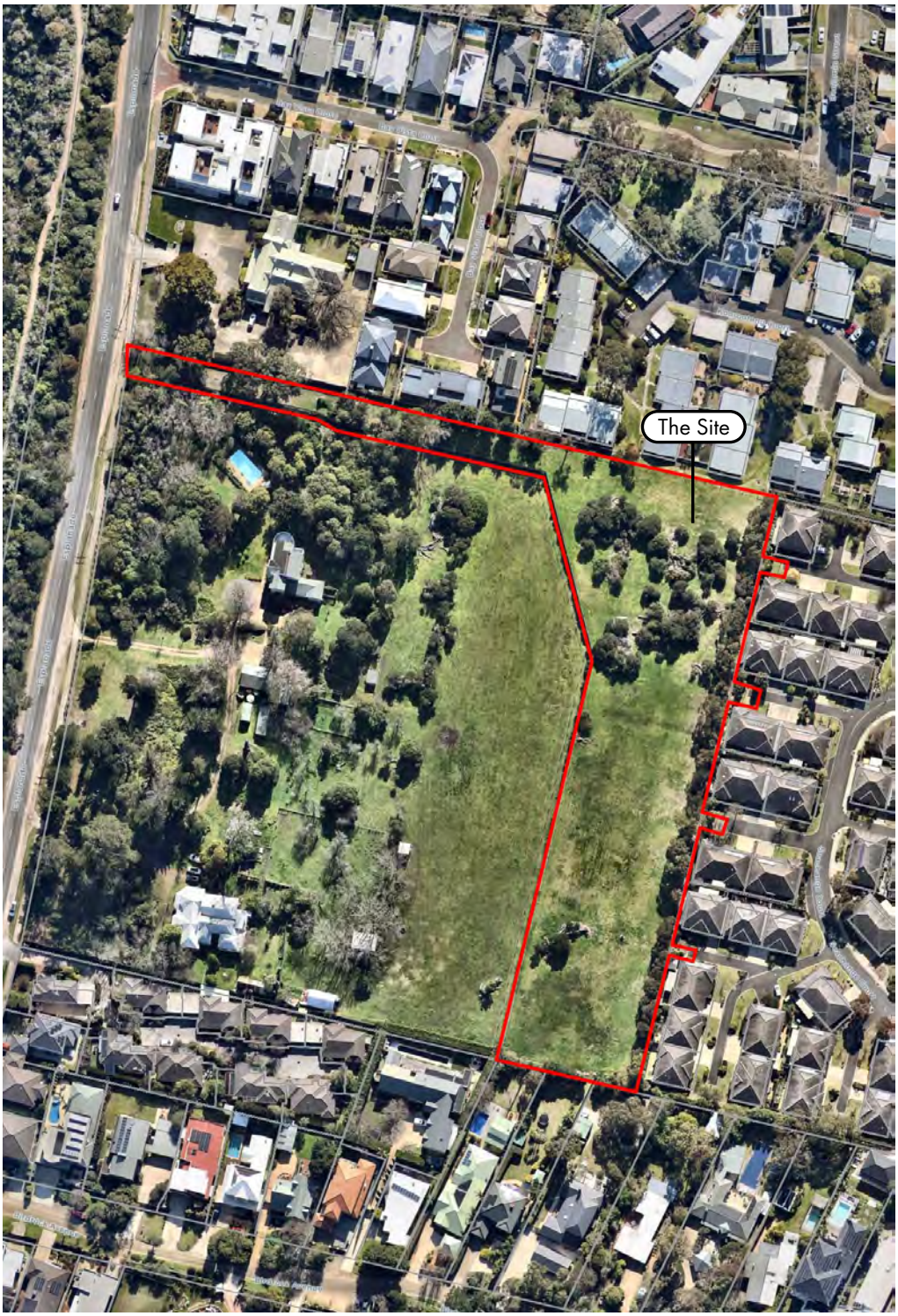


Figure 3 – Aerial Map

2.3 Surrounding Context

The Site is located within the suburb of Mount Martha which is situated within the Mornington Shire municipality. It is located within the south-eastern Metropolitan Melbourne region and is within the Urban Growth Boundary.

Mornington Peninsula, including Mount Martha, is a well-established and highly sought after location for retirement living. The region is home to a significant number of retirement villages, with several located in Mount Martha.

The Site is located in proximity to the Mount Martha - Small Township Activity Centre (TAC) (approximately 700m north) and Benton Square - Large TAC (approximately 1.5km north-east) and Mornington - Major Activity Centre (MAC) (approximately 2.5km north-east)

The Site is proximate to a number of existing open space amenities, community facilities, retail centres and transport facilities.

Key sites and land uses in the region proximate to the Site include the following:

Open Space

- Mount Martha Foreshore.
- Dunns Road Reserve and Fenced Dog Park.
- Fossil Beach Geological Reserve.
- Balcombe Estuary Recreation Reserve.

Community Spaces, Libraries and Learning Centres

- Bentons Square Community Centre.
- Nichols Drive Street Library.

Justice and Emergency Services

- The Mornington Centre - Peninsula Health Hospital.
- Beleura Private Hospital.
- The Bays Private Hospital.
- Dromana and Mornington Police Stations.
- Frankston Public Hospital.

2.3.1 Neighbourhood Character

The immediate context of the Site is defined by the adjoining retirement villages, which comprises single-storey dwellings on smaller allotments. These dwellings are arranged around an internal road network and feature limited canopy tree cover, contributing to a modest and low scale-built form.

In the broader context, the Site is situated within a residential area characterised by low rise development and a mix of architectural styles. Despite this diversity, a coastal character is predominant, reflected in generous street setbacks, permeable fencing and moderately sized lots that allow for landscaped front gardens.

While not a statutory planning document, the Site is identified within Mornington Peninsula Shire Council's *Neighbourhood Character Study & Guidelines (September 2019)* as being located within the 'Garden Residential – 1 Precinct'.

In terms of existing precinct character, the document notes the following:

> *'The character of this area is attributed to an older, fine grain street pattern generally featuring paved footpaths on either side and kerb and channel throughout. The predominantly flat topography affords views of treetops within the streetscape and above existing dwellings.*
>
> *Dwellings are clearly visible from the street and situated on modest sized lots, with well established, low level gardens and low front fencing. Streets are irregularly planted with native trees that contribute to the garden setting of the precinct.*

Front and side setbacks are predominantly consistent and establish a uniform streetscape. Consisting of predominantly brick, single storey dwellings these areas lend themselves to a traditional Garden Residential Character'.

Furthermore, the document includes the following preferred character statement:

'New development is consistent with the predominantly small scale dwellings of 1-2 storeys, using simple building and pitched roof forms with eaves.

Consistent front and side setbacks create a sense of openness, and space around dwellings. Formal garden settings are enhanced by canopy trees, bushes, shrubs and garden beds.

Absent, or low and permeable front fences allow for views through to dwellings and front garden areas with little separation between public and private realm, creating an open streetscape'.

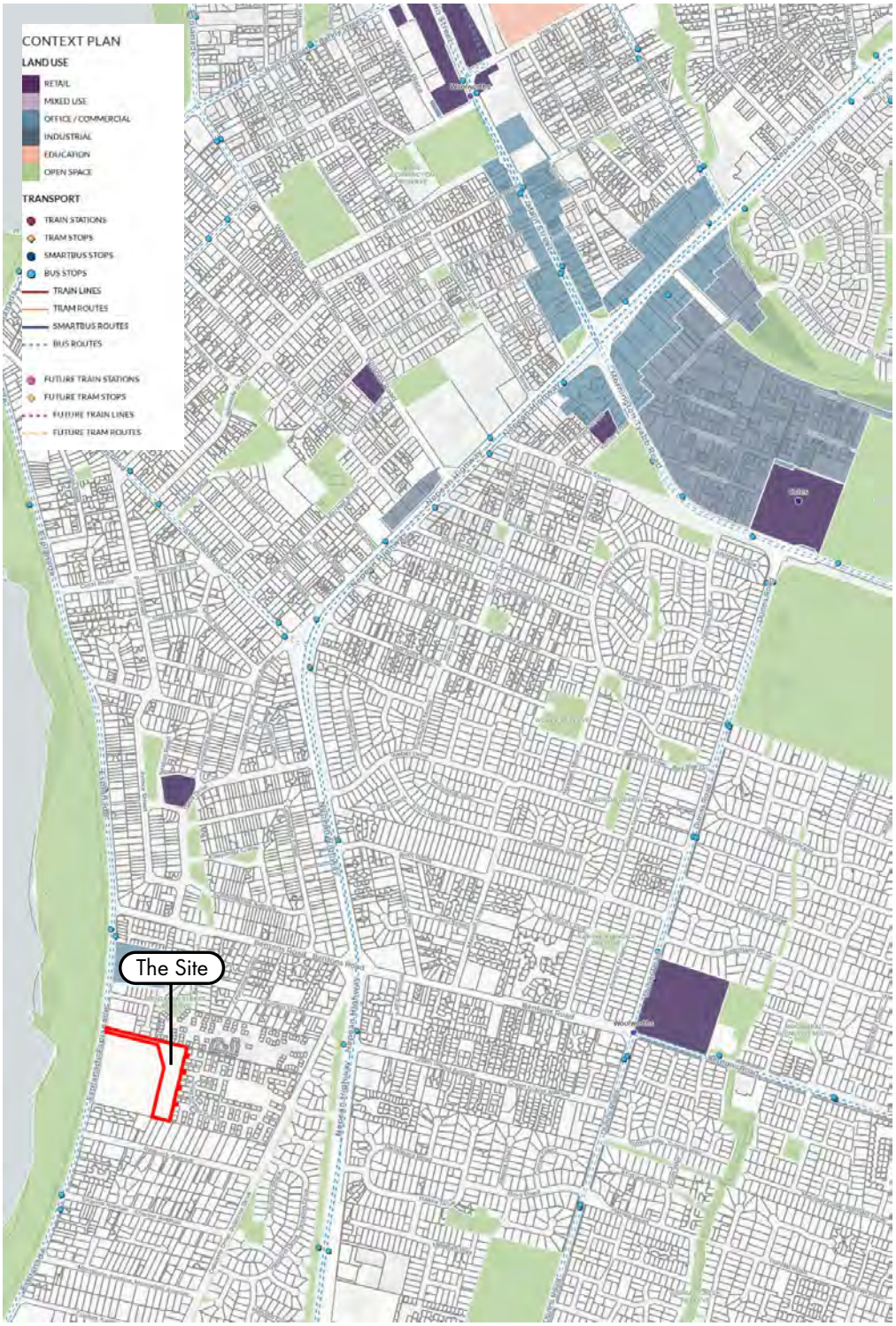


Figure 4 -- Context Map

2.4 Flora and Fauna

2.4.1 Vegetation

An Arboricultural Impact Assessment has been prepared by Treelogic. The report should be reviewed for a fuller description of the existing tree species, origin, dimensions, health and structure of the trees and their appropriateness for retention.

The site's vegetation comprises planted gum trees along the western section and eastern boundary, natural Coast tea-tree patches in the northern area, grassed zones without trees, and areas with exotic weeds, predominantly Cape Sweet Pea. A total of 96 individual trees were assessed, each assigned an arboricultural rating indicating its retention value as detailed in the table below.

Table 1 – Arboricultural Rating (extracted from the Arboricultural Assessment)

Arb. Rating	Tree No.s	Count
Mod.A	3, 7	2
Mod.B	1, 2, 15, 16, 19, 20, 33, 36, 50, 58, G6	11
Mod.C	5, 6, 12, 13, 14, 18, 22, 24, 26, 29, 30, 32, 34, 35, 37, 38, 39, 40, 41, 43, 44, 45, 46, 53, 59, 60, G1, G9, G10, G12, G13, G14, G20, G22	34
Low	4, 9, 10, 11, 21, 25, 27, 28, 42, 47, 48, 51, 52, 54, 55, 56, G3, G5, G7, G11, G15, G16, G17, G19, G21, G24, G25, G26	28
Very Low	8, 17, 23, 31, 49, 57, 61, 62, 63, G2, G4, G8, G18, G23	14
None	S1, S2, S3, S4, S5, S6, S7	7
Total		96

Native Vegetation

A Biodiversity Assessment has been prepared by EHP. The report should be reviewed for a fuller description of the extent and type of native vegetation present at the Site.

The Site contains several patches of native vegetation and scattered native trees, while the remainder consists of introduced and planted species, including landscaping and ornamental plantings that function as windrows and screening. The native vegetation present is characteristic of a single Ecological Vegetation Class (EVC): Grassy Woodland (EVC 175), as shown in below.



Figure 5 - Native Vegetation Plan (EHP, 2025)

3 Proposal

3.1 Overview

The Section 72 amendment seeks application seeks planning approval for the use of land and development of a *Retirement village*.

The proposed development will comprise ILUs designed as villas, integrated within a well-connected internal street network and pedestrian pathways to promote accessibility and community interaction. The key components of the proposal include:

- A total of 32 villas offering a diverse mix of 1-, 2- and 3-bedroom configurations.
- A purpose-built community building featuring a cinema, communal lounge, multipurpose activity space and an outdoor area equipped with a BBQ.
- A landscaped linear park incorporating a pedestrian route and dedicated dog run that links the Site to the foreshore.
- New pedestrian and vehicular connections throughout the Site, as well as linkages to the existing retirement village.

3.1.1 Planning Permit Triggers

A planning permit is required under the following provisions of the Planning Scheme:

Planning Scheme Clause	Matter for which a permit is required
Clause 32.08-2 (GRZ1)	Use land for 'Retirement Village'.
Clause 32.08-10 (GRZ1)	Construct or carry out works for a Section 2 Use.
Clause 43.02-2 (DDO1)	Construct a building or construct or carry out works.
Clause 43.01-1 (HO65)	Construct a building or construct or carry out works, externally paint a building if external paint controls apply, and remove, destroy or lop a tree where tree controls apply.
Clause 52.17-1 (Native Vegetation)	Remove Native Vegetation
Clause 52.37 (Canopy Trees)	Remove canopy trees within a residential zone.

3.2 Land Use

The proposed 'Retirement Village' land use definition is defined in Clause 73.03 ('Land Use Terms') and outlined as follows:

> *'Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.'*

3.3 Development

Earthworks

The proposal involves minor earthworks, including cut and fill, to achieve a consistent level across the Site. These works have been carefully designed to minimise visual and environmental impacts. Importantly, the variation between the finished ground level and the natural ground level resulting from these works will not exceed 1m, ensuring compliance with the requirements of Design and Development Overlay – Schedule 1 (DDO1).

Masterplan

The masterplan incorporates a linear reserve and a dedicated pedestrian link that provides direct connectivity to the foreshore to the west. This green corridor is anchored by a strategically positioned communal building, designed to integrate with the surrounding outdoor spaces and vegetation, creating a focal point for social interaction and recreation. The northern portion of the Site benefits from this connection, reinforcing accessibility and amenity.

The remainder of the Site accommodates the ILUs arranged within an internal road network that extends the existing driveway network. Additional pedestrian pathways have been incorporated to enhance movement and accessibility, ensuring seamless integration with the existing Martha's Point village and promoting a cohesive community environment.

The masterplan for the Site has been designed to address the following key considerations:

- Protect and enhance existing natural vegetation within the linear reserve, while introducing additional planting to establish a landscaped linear park and pedestrian link to the foreshore.
- Maintain the existing residential grain of the Martha's Point streetscape.
- Incorporate best practice urban design principles, emphasising solar access, green areas and considered streetscape character.
- Orient dwellings east-west, where possible, to minimise south-facing private open spaces and living areas.

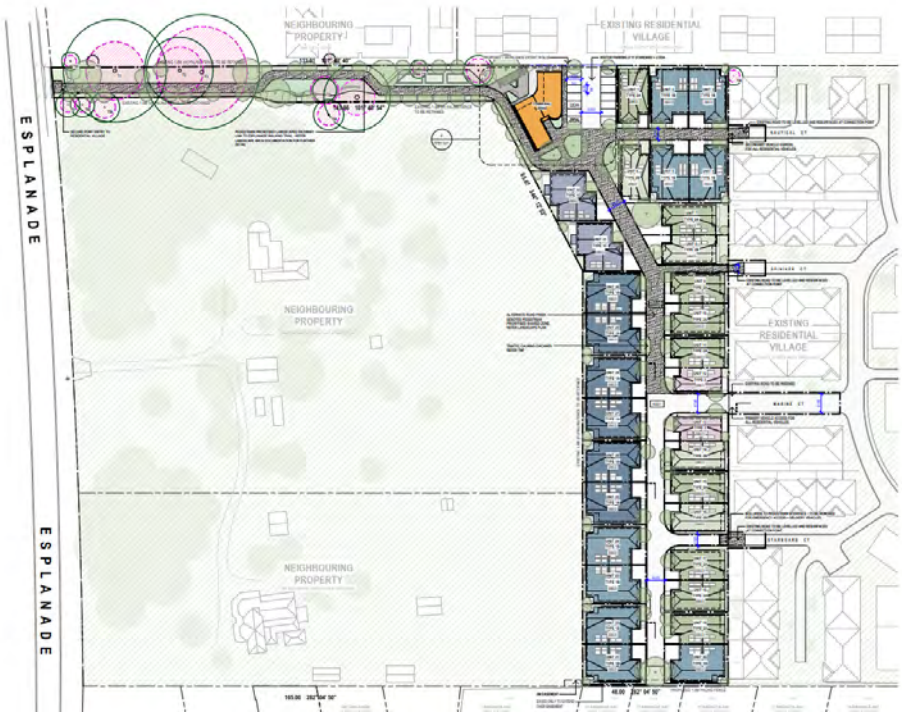


Figure 6 – Site Masterplan (VIA, 2025)

Staging

The development is intended to be delivered as a single stage.

ILUs

Built Form

The design of the proposed retirement village villas features single storey buildings to respond to the neighbouring site context and future residents. The development incorporates universal design principles, which aim to create environments that are useable for all ages and mobilities.

The proposal incorporates six (6) different typologies including:

- 2 x 1-bedroom villa
- 13 x 2-bedroom villas
- 17 x 3-bedroom villas

The proposal features diverse materials, colours, designs, roof forms and layouts, yet maintain a cohesive and unified appearance, presenting as an integrated development. Careful consideration has been taken into the layout of the lots on the Site to allow and maximise north facing interfaces into private open space and to provide enhanced amenity outcomes to internal spaces.

With respect to building height and setbacks:

- The proposed maximum building height for each villa is one storey with a maximum height of 3.97m to the top of the roof ridgeline.
- The overall minimum setbacks to site boundaries from the villas include:
    - North: 1.5m
    - East: 1.2m
    - South: 1.2m
    - West: 1.2m



Figure 7 – ILU Renders (VIA, 2025) (Artist Impression only)

Materials, Finishes and Colours

The design of the ILUs has been carefully considered to complement and respond to the established character of the surrounding properties, including those at Martha's Point and Kooratang Court, which exhibit a mix of lighter beige brickwork and mid-century inspired red brick finishes.

To achieve visual integration while offering variety, the proposal incorporates two distinct yet cohesive material and colour schemes:

- Darker Scheme: Featuring red brick, darker applied render, metal cladding and a dark roof finish.
- Lighter Scheme: Incorporating light brick, lighter applied render, metal cladding, and a pale roof finish

Although the colour palettes differ, the consistent use of high-quality materials across both schemes ensures a unified architectural language. This approach allows the development to integrate seamlessly with its varied neighbouring properties while maintaining a modern and distinctive identity.

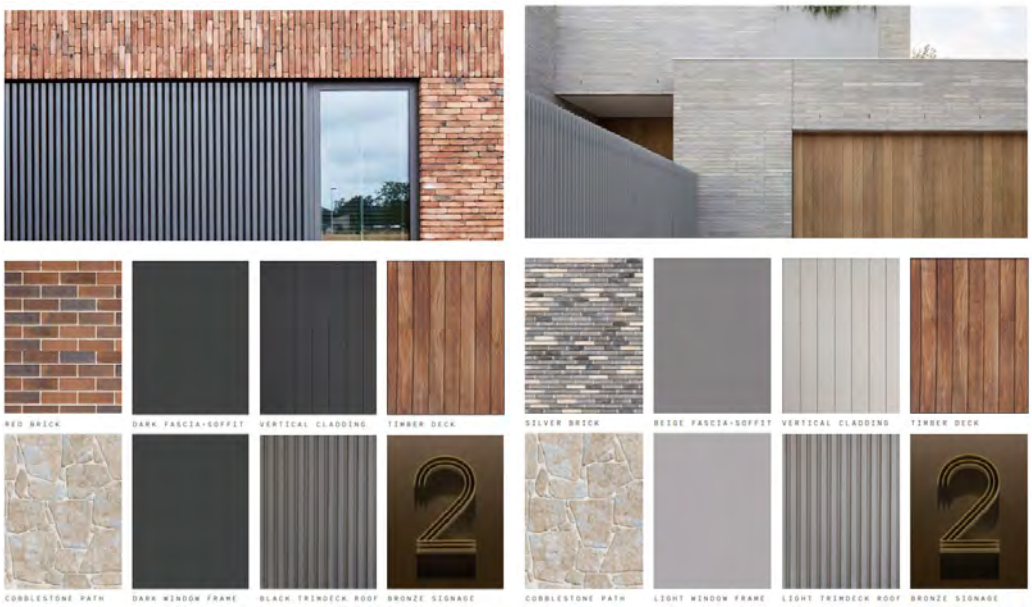


Figure 8 – ILU Material Palette (VIA, 2025)

Communal Building

Built Form

The communal building located at the northern end of the Site has been designed as a contemporary, architecturally distinctive structure that serves as a central hub for social and recreational activities. The facility will include a cinema, a communal lounge and a flexible multi-purpose space, complemented by an outdoor area featuring landscaped seating and a BBQ area to encourage outdoor gatherings and community interaction.

The building's design adopts a sculptural form inspired by the coastal character of the surrounding environment, incorporating materials and finishes that reflect the natural palette of the foreshore. Positioned as a landmark within the development, this building will act as the focal point, with a well-connected pedestrian network linking it seamlessly to the ILUs and extending through to the foreshore, reinforcing accessibility and visual prominence

With respect to building height and setbacks:

- The proposed maximum building height for the communal building is one storey with a maximum height of 3.9m to the top of the parapet.
- The overall minimum setbacks to site boundaries from the communal building include:
    - North: 1.9m
    - East: 53.5m
    - South: 170m
    - West: 4.7m

Materials, Finishes and Colours

The communal building has been designed to serve as the focal point and social heart of the development, creating a strong sense of place and community. Its architectural expression combines light brickwork, refined metal cladding and generous glazing, resulting in a contemporary yet understated aesthetic.

This restrained design approach ensures the building integrates harmoniously with the surrounding context while maintaining a distinctive presence. The use of natural light and transparent elements enhances visual connectivity between indoor and outdoor spaces, reinforcing its role as an inviting and accessible hub for residents.



Figure 9 – Communal Building Render (VIA, 2025) (Artist Impression only)

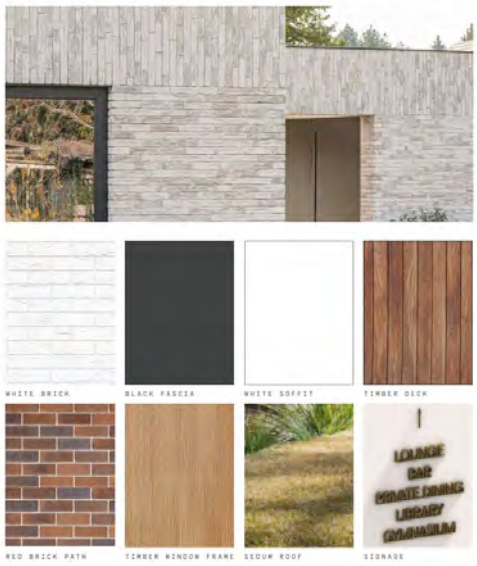


Figure 10 – Communal Building Material Palette (VIA, 2025)

3.4 Landscape

The landscape masterplan has been thoughtfully designed to deliver a high level of amenity for residents, incorporating well planned open spaces that foster social interaction and community engagement. The design places a strong emphasis on native and indigenous planting within both public and private areas, creating a distinctive coastal character while enhancing biodiversity and providing valuable habitat for local fauna.

The landscape strategy is guided by the following key objectives:

- Community: Create welcoming spaces that nurture a sense of belonging and encourage meaningful social connections among residents.
- Walkability & Pedestrian Priority: Establish shared streets and a network of pedestrian linkages throughout the Site, prioritising walking and active movement to promote health, accessibility and connectivity.



Figure 11 – Landscape Masterplan (Tract, 2025)

3.5 Vegetation Removal

Native Vegetation

The proposal seeks planning approval for the removal of native vegetation patches required to facilitate the development of the Site under Clause 52.17. A Native Vegetation Removal (NVR) Report, prepared using the Native Vegetation Information Management (NVIM) system, confirms that the application falls under the 'Intermediate Assessment Pathway'.

The report identifies that the proposed removal will affect approximately 0.252 hectares of native vegetation.

For further details refer to the Biodiversity Report prepared by EHP.

Canopy Cover

The proposal seeks planning approval for the removal of approximately 1363 sqm of existing canopy cover to enable site development, in accordance with Clause 52.37.

Clause 52.37 also requires that a minimum of 20% canopy cover be provided across the Site. The proposed landscape design achieves compliance with this requirement, delivering an overall canopy cover of approximately 23%. This outcome ensures the site maintains a strong vegetative prsence, contributing to urban greening objectives and enhancing visual amenity.

For further details refer to the Arboricultural Report prepared by Treelogic and Landscape Masterplan prepared by Tract.

3.6 Environmentally Sustainable Design and Stormwater Management

Sustainability is a core principle underpinning the design response, with ESD strategies embedded throughout the development to deliver long-term environmental, social, and economic benefits.

The design approach has been guided by the following key initiatives:

- ILUs are oriented and designed to optimise natural light and ventilation, targeting an average NatHERS rating of 7.5 stars to reduce reliance on mechanical heating and cooling.
- Layouts maximise opportunities for passive cooling and thermal performance, ensuring year-round comfort for residents.
- Each ILU will incorporate an individual 3kWp solar photovoltaic (PV) system to generate clean energy on-site and reduce greenhouse gas emissions.
- A 2,000L rainwater tank will be installed for every ILU, enabling rainwater collection and reuse for irrigation and toilet flushing, reducing potable water demand.
- Appropriate ventilation strategies will support improved indoor air quality and energy efficiency.

The SMP demonstrates the proposal's ability to achieve:

- 54% Built Environment Sustainability Scorecard (BESS) rating, exceeding best practice benchmarks.
- An average NatHERS rating of 7.5 stars, reflecting strong thermal performance and energy efficiency.

For further details refer to the SMP prepared by Ark Resources.

3.7 Traffic, Access, and Car and Bicycle Parking

Vehicle Access

Vehicle access to the Site will be provided via the existing Martha's Point Retirement Village, which is accessed from Osborne Drive. The proposal includes extending the existing internal driveways to facilitate primary vehicle access through Marine Court, with a secondary access point via Nautical Court.

Starboard Court is proposed to be extended, however, this connection will be restricted to emergency vehicles and deliveries only, ensuring minimal traffic impact.

Vehicular connection is not proposed through to Esplanade.

Pedestrian Network

Pedestrian access throughout the Site will be achieved via the extension of existing driveways, with Spiniker Court serving as the primary pedestrian entry point from the Martha's Point Retirement Village.

In addition, a portion of the internal street network is proposed as a pedestrian prioritised shared zone, creating a safe and accessible environment for walking and active movement. This shared zone will connect seamlessly to the linear reserve and the dedicated pedestrian link, ensuring strong connectivity to the foreshore and surrounding open spaces.

Car parking

Residential parking arrangements include single garages for 2-bedroom and 1-bedroom ILUs and double garages for 3-bedroom ILUs. To enhance pedestrian flow, paired garages and associated shared crossovers are proposed where feasible.

Furthermore, 14 standard (including 2 DDA spaces) are strategically proposed adjacent to the communal facility for convenient access.

Bicycle parking

Bicycles can be stored in the garages provided for each dwelling, with typical garage dimensions sufficient to provide bicycle parking in addition to vehicle storage.

Loading

The internal road network has been designed to permit access with vehicles up to and including an 8.8 medium rigid vehicle, which will facilitate access for emergency, removalist and delivery vehicles..

For further details refer to the TIA prepared by TTS.

3.8 Waste

The key elements of the waste management system are as follows:

- The operator shall be responsible for managing the waste system and for developing and implementing adequate safe operating procedures.
- ILUs
    - All bins provided for the ILUs will be stored within the individual allotments (within garages) between collections.
    - Users shall dispose sorted waste into designated collection bins and transferred to their respective street frontages for on-street collection on the specified collection day.
    - The collection of general waste and recycling bins is to be performed by Council's via a 10m long side-lift medium rigid vehicle.
- Communal Building
    - Waste bins will be provided within the communal building.
    - Bins will be transferred from the Communal Hub to the ring road for Council servicing.

    For further details refer to the WMP prepared by Ratio.

4 Planning Provisions

4.1 Zoning



Figure 12 – Zone Plan

4.1.1 Clause 32.08 – General Residential Zone

The Site is located within the General Residential Zone (GRZ) – Schedule 1 (GRZ1) *'Mornington Peninsula Town Areas'.*

The purpose of the GRZ is to:

- *'To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that is responsive to 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'.*

Land Use

Pursuant to Clause 32.08-2, the proposed land use is categorised as follows:

- *Retirement village* – '*Retirement village*' is nested under 'Accommodation' which is a Section 2 - permit required land use.

Having regard to the above, a planning permit is required to use the land for the purpose of a '*Retirement village*'.

Buildings and Works

Pursuant to Clause 32.08-10, a planning permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2. As such, a planning permit is required for development of the *Retirement village*.

Maximum Building Height

Pursuant to Clause 32.08-11, the maximum building height for a residential building must not exceed 11m or contain no more than 3 storeys at any point.

A *Retirement village* is not a residential building as defined in the Planning Scheme and thus it is excluded from the maximum building height requirement.

4.2 Overlays

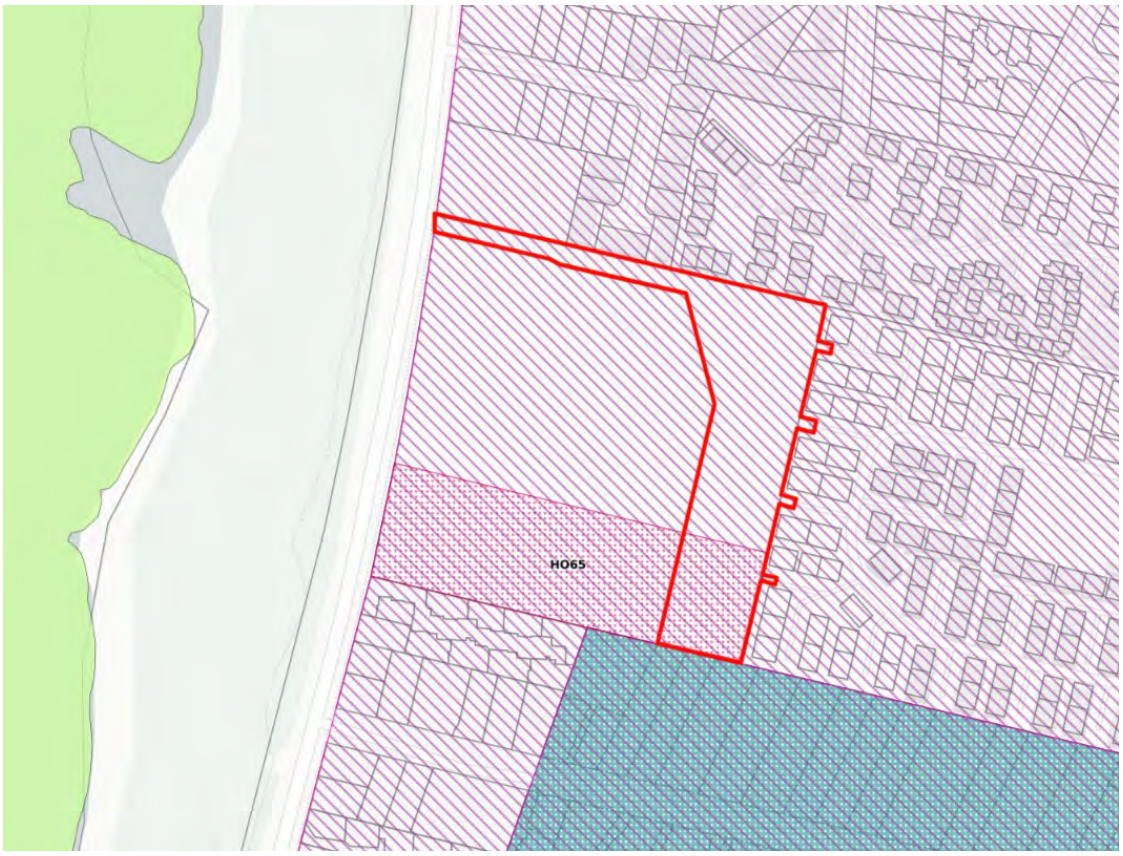


Figure 13 – Overlay Plan

Two overlays apply to the Site, which are as follows:

4.2.1 Clause 42.01 – Heritage Overlay

The southern portion of the Site is affected by the Heritage Overlay (HO) – Schedule 65 (HO65) which applies to *'Woodclyffe Cottage'* at 594 Esplanade, Mount Martha.

The HO has the following purpose:

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

HO65 – Woodclyffe Cottage - Heritage Significance

Based on a of *Shire of Mornington Heritage Study Volume 3 1994* (the 'Study'), Woodclyffe Cottage is described as follows:

> *"Woodclyffe Cottage is obscured from view but appears early and possesses ornament as well as a notable garden with mature trees (Monterey pine, cypress, a truncated Moreton Bay fig ["Ficus macrophylla'], large 'Phoenix canariensis' hoop and Norfolk Island pines) all in a large wild garden.*
>
> *A view of the house in 1965 shows a stuccoed Italianate villa with a deep encircling bayed verandah, a Tudor pattern verandah frieze fretted from timber, and what appears to be symmetrically placed projecting room bays at either end of the house. Openings are full length, the windows being double hung and the main entry appearing to have side lights and panels4*

Furthermore, the Study provides the following heritage significance statement:

> *'as the summer house of Sir Francis Murphy and his family and is near externally complete to that era. The property is among the district's first summer house and part of the Esplanade group of houses developed for the 19th century elite of Melbourne'.*

Notably, the extent of the HO65 which applies to the Site does not contain any elements of heritage significance
It is noted that HO65 includes the following planning controls:

- External paint controls
- Tree controls
- Solar energy system controls

Permit Requirement

Pursuant to Clause 43.01-1, a planning permit is required to construct a building or carry out works, externally paint a building if external paint controls apply, and remove, destroy or lop a tree where tree controls apply.

4.2.2 Clause 42.02 – Design and Development Overlay

The Site is affected by the Design and Development Overlay (DDO) – Schedule 1 (DDO1) which applies to *'Township Design'.*

The DDO has the following purpose:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

Permit Requirement

Pursuant to Clause 43.01-1, a planning permit is required for buildings and works.

DDO1 - Township Design

Design Objectives

DDO1 contains the following design objectives:

- *'To ensure that new development has proper regard for the established streetscape and development pattern in terms of building height, scale and siting.*
- *To protect shared viewlines where reasonable and practical.*
- *To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets and properties.*
- *To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape.*
- *To ensure that subdivision and development proposals have proper regard to heritage values, including those of adjoining foreshore areas.*
- *To ensure that buildings do not encroach visually on foreshore areas or main roads.*
- *To ensure that the traffic generated by medium density residential development does not detrimentally affect the safety, efficiency or amenity of existing residential streets or main roads.*
- *To indicate residential areas adjacent to the foreshore and commercial centres of Rosebud and Dromana that will provide for a range of medium density residential living in conjunction with a limited range of service and leisure based commercial uses'.*

Discretionary Design Requirements

DDO1 contains the following discretionary design requirements:

- Buildings must be set back at least 10m from Nepean Highway and the first 5m must be landscaped to the satisfaction of the responsible authority.
- No building may exceed a wall height of 5.5m or a building height of 6m.
- The difference between finished ground level and natural ground level as a result of excavation and filling must not exceed 1m, except for the purpose of constructing an in-ground swimming pool, and all works must be properly battered or stabilised.

Mandatory Design Requirements

The DDO1 prescribes a mandatory maximum building height of no more than 10m and must contain no more than 2 storeys above natural ground level.

4.3 Particular Provisions

4.3.1 Clause 52.06 – Car Parking

The purpose of Clause 52.06 is:

- *'To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*

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

Clause 52.06 applies before a new use commences.

In accordance with the Table listed in Clause 52.06-5, the statutory requirement for car parking for the proposed development is outlined below.

Use	Clause 52.06 rate	Proposal	Requirement	Provision
Retirement Village	1 to each one or two bedroom dwelling plus	15	15	15
	2 to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus	17	34	34
	1 for visitors to every five dwellings for developments of five or more dwellings	32	6	48
TOTAL			55	103

The development has an on-site provision of 103 car parking spaces, which exceeds the statutory car parking requirement. As such, a planning permit is not required under Clause 52.06.

4.3.2 Clause 52.17 – Native Vegetation

The purpose of Clause 52.17 is to '*ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):*

1. Avoid the removal, destruction or lopping of native vegetation.

2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation'.

Permit requirement

Pursuant to Clause 52.17-1, a planning permit is required to remove, destroy or lop native vegetation, including dead native vegetation.

The proposal seeks to remove 0.252 hectares of native vegetation. As such, a planning permit is required.

4.3.3 Clause 52.29 – Land Adjacent to the Principal Road Network

This Clause applies to land adjacent to a Transport Zone 2 (TRZ2) 'Principal Road Network' (Esplanade).

The purpose of Clause 52.29 is:

- *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*
- *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.*

The proposal does not propose to alter the accessway to the Esplanade. As such, a planning permit is not required under Clause 52.29.

4.3.4 Clause 52.34 – Bicycle Facilities

The purpose of Clause 52.34 is:

- *'To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities'.*

Pursuant to Clause 52.34-1:

- *'the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land. Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use'* and
- *'a new use must not commence until the required bicycle facilities and associated signage has been provided on the land.*

As discussed in the enclosed TIA prepared by TTS, no rate is provided within the Planning Scheme for a *Retirement village* land use definition. As such, the proposed development does not require a planning permit under Clause 52.34.

Notwithstanding, bicycles can be stored in the garages provided for each dwelling, with typical garage dimensions sufficient to provide bicycle parking in addition to vehicle storage.

4.3.5 Clause 52.37 – Canopy Trees

The purpose of Clause 52.37 is:

- *'To protect and enhance canopy tree cover to support greener and cooler residential areas.*
- *To maximise the retention of existing canopy tree cover where no development is proposed.*
- *To ensure that development is designed to maximise the retention and long-term health of existing and new canopy trees and contributes to increasing canopy tree cover.*
- *To balance the retention of existing canopy trees and residential development to meet the housing needs of Victoria's growing population.*
- *To encourage canopy tree cover that is site and climate responsive and supports the local environment'.*

Permit Requirement

Pursuant to Clause 52.37-2, a planning permit is required to remove, destroy or lop a canopy tree within the GRZ.

It is proposed to remove canopy trees, as such, a planning permit is required.

Canopy Tree Requirement

Pursuant to Clause 52.37-3, for a site above 1001sqm, a total canopy cover of at least 20% of the site area is required.

4.4 General Provisions

4.4.1 Clause 53.18 – Stormwater Management in Urban Development

The purpose of Clause 53.18 is:

- *'To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.'*

Pursuant to Clause 53.18-3 an application to construct a building or construct or carry out works:

- *'Must meet all of the objectives of Clause 53.18-5 and 53.18-6*
- *Should meet all of the standards of Clause 53.18-5 and 52.18-6.'*

The SWMP prepared by Ratio provides further details regarding the stormwater treatment.

5 Planning Policy

5.1 Municipal Planning Strategy

The Municipal Planning Strategy ('MPS') sets local context of the Planning Scheme identifying the overarching strategies for major land use and development matters that affect the municipality. The relevant provisions and policies of the MPS are set out below.

5.1.1 Purpose and Vision

Clause 01.01 – Purposes of this Planning Scheme

The purpose of this Planning Scheme is:

- *To provide a clear and consistent framework within which decisions about the use and development of land can be made.*
- *To express state, regional, local and community expectations for areas and land uses.*
- *To provide for the implementation of State, regional and local policies affecting land use and development.*
- *To support responses to climate change.*

Clause 01.02 – Vision for Victoria

The Vision for Victoria is that by *'2050 Victoria will be a vibrant, accessible and connected community, valued for its diverse cultures, sustainable environmental practices and respect for the First Peoples of Victoria'.*

5.1.2 Municipal Planning Strategy

The MPS is a succinct expression of the overarching strategic policy directions of the Municipality, with the following provisions considered to be especially relevant:

Clause 02.02 – Vision

Mornington Peninsula's vision is underpinned by the Mornington Peninsula Localised Planning Statement, which seeks to (inter alia):

- *'Value, protect and improve the Peninsula's unique characteristics and its special role that is distinct from and complementary to metropolitan Melbourne.*
- *Protect the role of the Peninsula as one of Melbourne's greatest assets, characterised by contained townships, a substantial and diverse local economy, and areas of national and international significance'.*

Clause 02.03 – Strategic Directions

- Clause 02.03-1 – Settlement – The Mornington Peninsula aims to direct growth in proximity to essential services and facilities, which serves to both prevent dispersed, sprawled development, while maintaining the unique characteristics of small costal townships and rural villages. Figure 11 demonstrates where growth is targeted through its assignment of activity centres. Relevant to the Site is the Bentons Square Large TAC, designed to service in excess of 10,000 people.

  The following strategic directions are relevant to the Site:

  - *'Protect the unique character and functions of the small coastal townships and rural villages, and maintain their compact form and amenity.*
  - *Encourage greater housing diversity in established areas'.*

- Clause 02.03-2 – Environmental and Landscape Values –The Mornington Peninsula has significant environmental and landscape diversity, protected by special conservation efforts. The strategic directions relevant to the Site are:
  - *'Protect and conserve habitat areas and linking corridors to encourage wildlife survival.*
  - *Maintain the integrity of strategic landscapes between and around the Peninsula's townships'.*
- Clause 02.03-3 – Environmental Risks and Amenity - Protection of the Mornington Peninsula's unique environmental characteristics is essential to a sustainable future. Addressing issues such as the loss or degradation of native vegetation, lowered habitat capacity, or damage to scientific and historic sties acknowledges that the Peninsula faces a number of environmental issues, such as the loss and degradation of native vegetation. Council's strategic directions for include to *'protect the unique environmental and landscape values of the Peninsula'.*
- Clause 02.03-5 – Built Environment and Heritage – emphasizes that Mornington Peninsula's sense of place is reinforced by the distinctive built-form character of its residential areas. This distinctiveness arises from:
  - 'The relationship between the settlement and its environmental setting
  - The balance between natural features and built form that in many areas has produced a definite local character where the open space, landform and landscape provide a dominant setting for the built form; and
  - Well-established subdivision and development patterns where the ability to retain a bushland, woodland or coastal setting is often dependent on maintaining larger lot sizes with minimal site coverage'.

  Council's strategic directions for 'Built environment and heritage' include to *'ensure the location, design and construction of buildings and works are compatible with the built form and landscape character of the surrounding area'.*

Clause 02.04 – Strategic Framework Plan

This Clause identifies the Site to be within an 'Residential Area'.



Figure 14 – Strategic Framework Plan

5.2 Planning Policy Framework

The following planning policies are relevant to the Site:

Clause 11 – Settlement

Clause 11 states that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Further, planning is to prevent environmental, human health and amenity problems created by siting incompatible land uses close together. Specific sub-clauses of relevance to the proposal are as follows:

- Clause 11.01-1S – Settlement – seeks to *'facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements'.*
- Clause 11.01-1R – Settlement (Metropolitan Melbourne) – seeks to *'maintain a permanent urban growth boundary around Melbourne to create a more consolidated, sustainable city and protect the values of non-urban land'.*
- Clause 11.01-1L-01 – Settlement (Mornington Peninsula) – aims to *'maintain the existing transition area of lower density residential development to non-urban areas'.*

Clause 12 – Environmental and Landscape Values

Clause 12 states that planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values. Further, planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value. Specific sub-clauses of relevance to the proposal are as follows:

- Clause 12.01-1S – Protection of Biodiversity – seeks to *'protect and enhance Victoria's biodiversity.'*
- Clause 12.01-1L –Protection of biodiversity (Mornington Peninsula) – aims to *'avoid the spread of environmental weeds and encourage the re-establishment of indigenous vegetation'.*
- Clause 12.01-2S – Native Vegetation Management – ensures *'that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation'.*
- Clause 12.06-1S – Urban forests – aims to *'protect and enhance tree canopy in urban areas'.*

Clause 13 – Environmental Risks and Amenity

Clause 13 states that planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach, and should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through land use and development compatibility and effective controls to prevent or mitigate significant impacts. Specific sub-clauses of relevance to the proposal are as follows:

- Clause 13.01-1S – Natural Hazards and Climate Change – seeks to *'minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.'*
- Clause 13.01-1L – Natural Hazards and Climate Change (Mornington Peninsula) – ensures *'new development proposals assess the vulnerability of the proposed development to climate change effects'.*
- Clause 13.01-3S – Urban Heat – seeks to *'reduce urban heat and minimise impacts of urban heat on human health and wellbeing'.*
- Clause 13.02-1S – Bushfire Planning – seeks to *'strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life'.*

Clause 15 – Built Environment and Heritage

Clause 15 states that planning is to ensure that all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context. Further, it notes that planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social

environments, through the appropriate location of use and development and through high quality buildings and urban design. Specific sub-clauses of relevance to the proposal are as follows:

- Clause 15.01-1S – Urban Design – seeks to *'create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity'.*
- Clause 15.01-1R – Urban Design (Metropolitan Melbourne) – seeks to *'create a distinctive and liveable city with quality design and amenity'.*
- Clause 15.01-1L – Urban Design (Mornington Peninsula) – seeks to *'ensure new developments match the unique characteristics of the area'.*
- Clause 15.01-2L-02 – Environmentally Sustainable Development – aims to *'achieve best practice in environmentally sustainable development from the design stage through to construction and operation'.*
- Clause 15.01-4S – Healthy Neighbourhoods – seeks to *'achieve neighbourhoods that foster healthy and active living and community wellbeing'.*
- Clause 15.01-5S – Neighbourhood Character – seeks to *'recognise, support and protect neighbourhood character, cultural identity, and sense of place.'*
- Clause 15.03-2S – Aboriginal Cultural Heritage – ensures *'the protection and conservation of places of Aboriginal cultural heritage significance.'*

Clause 16 – Housing

Clause 16 states that planning should provide for housing diversity and ensure the efficient provision of supporting infrastructure. Further, planning should ensure the long-term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space. Specific sub-clauses of relevance to the proposal are as follows:

- Clause 16.01-1S – Housing Supply – seeks to *'facilitate well-located, integrated and diverse housing that meets community needs'.* This includes accommodating a housing target of 24,000 in Mornington Peninsula. Clause 16.01-2S – Housing Affordability – aims to 'ensure the affordability of housing by providing a mixture of housing types.

5.3 Other Planning Considerations

5.3.1 Cultural heritage sensitivity

The Site is identified as being an 'area of cultural heritage sensitivity' pursuant to the *Aboriginal Heritage Regulations 2018*. These areas relate to landforms and soil types where Aboriginal places are more likely to be located.

A Cultural Heritage Management Plan (CHMP) is currently being prepared by EHP and will be submitted in due course to ensure compliance with relevant heritage legislation and to respect the cultural values of the area.

A statement has been prepared by EHP to confirm the current status of the CHMP process.



Figure 15 – Cultural Heritage Sensitivity Plan

5.3.2 Bushfire Prone Area

The Site is partially designated as a Bushfire Prone Area (BPA) pursuant to the *Building Regulations 2018*. Accordingly, building construction and planning controls apply to improve bushfire protection for residential buildings and other sensitive land uses including schools.

Furthermore, the BPA triggers building permit requirements where new buildings are required to build to a national bushfire construction standard. This is known as a bushfire attack level (BAL).

The proposal involves new buildings or works. Given that the Site will be developed as a retirement village, it is expected that this site will be filled with residential dwellings and continued to be used ad infinitum by residents.

Any requirements associated with the change of use, particularly in relation to bushfire management, will be appropriately addressed through the building regulations process. As such, a planning permit is not required for buildings and works under the *Mornington Peninsula Planning Scheme*.



Figure 16 – Bushfire Prone Area

5.3.3 Plan for Victoria

Plan for Victoria (released 28 February 2025) (PfV) is a long-term plan for all of Victoria, recently replacing Plan Melbourne, and is now the guiding strategy for the development of housing, transport infrastructure and employment land for both Melbourne and the regions.

The development of PfV is a key tenet of the Victorian Housing Statement – September 2023 (the 'Housing Statement') which sought the creation of one document to address land use planning across the State, noting that Plan Melbourne and its predecessors were limited to metropolitan Melbourne.

The five key pillars outlined within PfV are:

- Pillar 1: Housing for all Victorians
- Pillar 2: Accessible Jobs and Services
- Pillar 3: Great Places, Suburbs and Towns
- Pillar 4: Sustainable Environments
- Pillar 5: Self Determination and caring for Country

Each of these pillars are supported by a series of actions, which detail short term milestones, expected outcomes, delivery responsibility and implementation measures. These are identified below:

Pillar 1: Housing for all Victorians

At the centre of PfV is the objective to build 2.24 million homes across Melbourne and Victoria's regional cities and towns over the next 30 years. The Housing for all Victorians pillar focuses on supporting housing diversity and affordability. The Housing Targets assist in providing greater certainty as to where significant housing growth is expected.

Pillar 2: Accessible Jobs and Services

This pillar identifies key actions relating to the delivery of more jobs and services closer to homes, the continued transition to renewable energy and the safeguarding of Victoria's critical mineral resources.

Pillar 3: Great Places, Suburbs and Towns

PfV recognises that the development of new homes and creation of employment land will need to be complemented by community infrastructure, accessible open spaces and walkable and cyclable streets. This pillar also focuses on enhancing safety and wellbeing through urban design and ensuring that places are safe and inclusive for all people.

Pillar 4: Sustainable Environments

Climate-resilient urban planning is the key focus of this pillar with strategies relating to the protection of natural habitats, energy efficient design in new homes, investment in renewable energy and sustainable agriculture.

Pillar 5: Self-Determination and Caring for Country

The rights and obligations that Traditional Owners have to speak and make decisions for their Country are a key focus of PfV, and while this focus sits within the fifth pillar, its actions are evident throughout the document – with connections to each of the four preceding pillars, and ensures that the principles of self-determination are embedded within key planning decisions.

The Mornington Peninsula is recognised as an area of distinctive environmental, landscape and cultural value, which warrants a tailored approach to growth and development.

The Victorian Government has set a revised target of 24,000 new homes by 2051 for the Mornington Peninsula, facilitating approximately 1,200 new homes per year.

5.3.4 Proposed Planning Scheme Amendment C219: Housing for the Peninsula

Proposed Planning Scheme Amendment C219morn proposes to implement the *Housing and Settlement Strategy: Refresh 2020-2036 (Mornington Peninsula Shire, 2020)* and *Neighbourhood Character Study and Guidelines (Ethos Urban, 2019)* by making substantial changes to zones, overlays and policies affecting the Shire's residential areas. The amendment also proposes to make amendments to the Planning Scheme.

As set out in the Explanatory Report accompanying the amendment, it is required to:

- Ensure the neighbourhood character of the residential areas in the Peninsula's towns and villages is protected and enhanced as it continues to accommodate the projected population growth to the year 2036; and
- Improve the operational efficiency of the MPS so that more applications to construct a building or construct or carry out works for one dwelling on a lot could be processed under the Building Regulations without a need for a planning permit.

While the strategies and guidelines have been adopted by Council, as of the date of this report, the Amendment remains under review by the Minister for Planning. There is currently no certainty regarding potential changes or whether the Amendment will be formally gazetted. Accordingly, the timeframes and outcomes associated with the Amendment remain unknown

6 Planning Assessment

6.1 Overview

A planning permit is required under the following provisions of the Planning Scheme:

Planning Scheme Clause	Matter for which a permit is required
Clause 32.08-2 (GRZ1)	Use land for 'Retirement Village'.
Clause 32.08-10 (GRZ1)	Construct or carry out works for a Section 2 Use.
Clause 43.02-2 (DDO1)	Construct a building or construct or carry out works.
Clause 43.01-1 (HO65)	Construct a building or construct or carry out works.
Clause 52.17-1 (Native Vegetation)	Remove Native Vegetation
Clause 52.37 (Canopy Trees)	Remove canopy trees within a residential zone.

When assessing the proposal against the *Mornington Peninsula Planning Scheme*, the following matters must be considered:

- Alignment with the Municipal Planning Strategy and Planning Policy Framework
- Consistency with the Zone
- Consistency with the Overlays
- Response to Particular Provisions
- Amenity Considerations
- Access, Parking and Waste Response
- Stormwater Management and ESD Response

Each of these matters are discussed further below.

6.2 Alignment with the Municipal Planning Strategy and Planning Policy Framework

The proposal is consistent with the various policy provisions outlined in the Planning Scheme.

In particular we note that:

- The proposal increases the supply of high quality and diverse retirement living units to respond to the evolving needs of the Mornington Peninsula and wider Metropolitan Melbourne communities, in particular the development will cater to the needs of an ageing population. It will provide 1, 2 and 3-bedroom units in a variety of typologies while maintaining a presentation that is in keeping with the existing character of Martha's Point and surrounds. The Site is located in proximity to the Mount Martha Small TAC, Bentons Square Large TAC, and Mornington MAC, which will support the future residents' primary needs with respect to services, retail and recreation within the local area, while simultaneously supporting the viability of the centres themselves. As such the proposal is consistent with Clauses 11.01-1S, 11.01-1R, 11.01-1L, , 16.01-1S, and 16.01-2S.

- The proposal represents a high-quality built form outcome that responds sensitively to the characteristics of the Site, primarily in terms of the vegetation and the surrounding built form context. The architectural design is both contemporary and restrained, employing a refined material palette and incorporating communal spaces, all while minimising impacts on neighbouring properties. The proposal seeks to reflect the low scale character of the surrounding neighbourhood, while siting the future built form centrepiece of the development, the Communal Building to the north of the site. The proposed built form outcome is therefore supported by Clauses 15.01-1S, 15.01-1L, 15.01-2L-02,15.01-5S.
- The proposal has appropriate regard to its sensitive residential context, ensuring that the development is appropriately sited and designed to limit any potential amenity issues in relation to overshadowing, overlooking and visual bulk. The proposal incorporates new planting and vegetation to reinforce the landscaped character of the immediate area, and replace those proposed to be removed. As such the proposal is consistent with Clauses 15.01-1S, 15.01-1R, 15.01-4S, and 15.01-5S.
- The proposal will deliver a best practice outcome with respect to environmentally sustainable and water sensitive design, incorporating a range of sustainable design measures and management process (detailed further below) in accordance with Clause 15.01-2L-02.
- The proposal is respectful of the aboriginal cultural heritage that may exist within the Site. As such the proposal is consistent with Clause 15.03-2S.

With respect to Clause 72.01-1 which recognises the objective of the PPF to promote *'net community benefit and sustainable development'*, it is submitted that the proposal will deliver substantial and demonstrable public benefit to the Mount Martha community comprising:

- A built form outcome that introduces a restrained and attractive architectural language that will sit comfortably within the Site's context while being consistent with the prevailing neighbourhood character.
- Delivery of high-amenity retirement village units in a range of accessible typologies to suit the future housing needs of the Mount Martha, Mornington Peninsula, and wider Melbourne community.
- Ongoing local employment opportunities in the operation of the retirement village.
- An attractive landscaped setting that will integrate the Site within its surrounds and provide important ecological benefits to the local environment.
- An exemplary sustainable design outcome that will achieve a minimum development NatHERS energy rating of 7.5 stars and meets the Best Practice standard for stormwater management.

6.3 Consistency with the Zone

The proposal is consistent with the relevant provisions and design guidelines of the GRZ1 as:

- Pursuant to Clause 32.08-2 a planning permit is required for the use of land for the purposes of a '*Retirement village*'. It is submitted that the proposed use of land is consistent with the objectives and decision guidelines of the GRZ1 as follows:
    - The purpose of the GRZ1 includes to *'encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport'*. This purpose is supported by the provision of purpose-built housing for the aging population, within a strategically located area.
    - The proposal provides for the provision of high-quality retirement village units in a range of diverse typologies in a location that is proximate to the existing services of the surrounding activity centres.
    - The proposal provides for a considered and attractive built form outcome that respects the neighbouring sensitive interfaces and reflects the low scale character of the surrounding neighbourhood.
    - While it is noted that the objectives and standards of Clause 55 do not specifically apply in this instance the proposal is substantially compliant with the spirit and intended outcomes of this clause, as it will provide for a high degree of internal amenity for future residents while presenting a built form outcome that is consistent with the prevailing neighbourhood character and does not present any unreasonable amenity impacts on surrounding properties.

- The development of the *Retirement village* will meet the purpose of the GRZ through respectful consideration of the existing neighbourhood character and provision of a diversity of accommodation.

In summary, the proposal is consistent with purpose of the GRZ1 and will contribute positively to the Mount Martha community.

6.4 Consistency with the Overlays

6.4.1 Clause 43.01 – Heritage Overlay

With respect to Heritage Overlay HO65, which applies to Woodclyffe Cottage, a planning permit is required for buildings and works, external painting, and tree removal under the provisions of this overlay. It is noted, however, that the area of heritage significance was removed as a result of a previous subdivision, which effectively excised the portion containing the significant heritage fabric from the site.

As a result, while the overlay continues to trigger permit requirements, its relevance to the current site is considered a legacy matter rather than an issue of substantive heritage significance.

6.4.2 Clause 43.02 – Design and Development Overlay – Schedule 1

The proposal complies with the requirements of DDO1. In particular, the proposal responds to the decision guidelines, as outlined in the table below:

Decision Guidelines	Response
The design objectives of this schedule.	The proposal has been carefully designed to align with the design objectives of DDO1. In particular, it demonstrates appropriate regard for the established streetscape and prevailing development pattern, including considerations of building height, scale and siting. The single-storey form and minimal cut-and-fill works help to protect shared view lines. The buildings have been designed and positioned to avoid visual intrusion, ensuring they do not create a silhouette above the skyline or existing tree canopy when viewed from surrounding streets and properties. This approach also ensures that the development does not visually encroach upon foreshore areas or main roads. Furthermore, traffic generated by the proposal will not adversely impact the safety, efficiency or amenity of existing residential streets or main roads.
Where an objective has been applied from Clause 54.02 to 54.06, inclusive, the relevant decision guidelines from that Clause.	Not Applicable – Clause 54 is not applicable to a Retirement Village use. Notwithstanding, key amenity considerations and relevant standards of Clause 55 have been addressed, with further discussion provided in Section 6.6 below.
Whether any loss of amenity will result from a variation to the requirements of this schedule.	The proposal does not seek any variations to the requirements of DDO1 and complies with the following: • No building exceeds a wall height of 5.5m or an overall building height of 6m.

	• The difference between finished ground level and natural ground level resulting from excavation or filling does not exceed 1m. • All buildings are single storey and well below the 10m height threshold. As the proposal satisfies these requirements, it is not expected to result in any loss of amenity.
Any relevant development plan, heritage study, code or policy relating to the protection and development of land in the area.	Not Applicable – there is no development plan, heritage study, code or policy relating to the protection of the Site.
Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms, that follow the natural slope of the land and reduce the need for site excavation or filling.	As outlined above, the proposal comprises only single-storey buildings and incorporates a maximum cut or fill of no more than 1m. This restrained approach to building height and earthworks ensures that the development will sit comfortably within the existing landscape and will not appear visually intrusive. The low profile design avoids creating dominant built form elements, prevents skyline interruption, and maintains the integrity of surrounding viewlines and the established character of the area.

6.5 Response to Particular Provisions

6.5.1 Clause 52.17 – Native Vegetation

The proposal to remove 0.252 hectares of native vegetation is required to facilitate the development of the Site into a retirement village.

The purpose of Clause 52.17 is to ensure that there is no net loss to biodiversity because of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

1. Avoid the removal, destruction or lopping of native vegetation.

   The proposal covers most of the Site, hence it is not possible to avoid all impacts to native vegetation due to the location of native vegetation in the north and east of the Site.

   A comprehensive design process was undertaken to determine the optimal location for the communal facility within the northern section of the site. This decision considered multiple factors, including minimising impacts on sensitive residential areas to the south, ensuring convenient access for residents of the existing retirement village and integrating with the proposed pedestrian path to the foreshore.

   The design also incorporates driveway extensions and associated access elements to facilitate connectivity and functionality. As a result of these considerations, the removal of native vegetation within this area was deemed unavoidable to achieve the required outcomes for accessibility, safety and amenity.

   Furthermore, only a small amount of native vegetation is proposed to be cleared (i.e. less than 0.5 hectares), and no large trees were observed. Losses are associated with vegetation containing a low Strategic Biodiversity Value (i.e. less than 0.3) and the condition score of the vegetation is in the low range (scores are less than 0.3).

   No Precinct Structure Plan (PSP) has been established for this area and thus the Site is not subject to strategic planning. However, the Mount Martha area is included in the Mornington Peninsula Planning Scheme. An objective of this scheme is to protect and enhance the Mornington Peninsula's biodiversity.

Discussions were had with Keyton to consider reducing impacts to native vegetation, however, no feasible opportunities exist for further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal.

2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

   As per above, all patches of native vegetation are required to be removed.

   The proposed removal of vegetation is considered appropriate given the existing modified ecological values, isolation of the native vegetation and the residential zoning of the land.

3. Provide an offset to compensate for the biodiversity impact if a permit is granted to re move, destroy, or lop native vegetation.

   The offset requirements for that removal would be the generation of 0.05 general habitat units, with a minimum strategic biodiversity score of 0.1543, to be achieved within the Melbourne Water Management Authority (CMA) or Mornington Peninsula Shire municipality.

   It is requested that this requirement form part of a condition on permit.

With respect to the above, and in consideration of the provisions of Clause 52.17 it is requested that the proposed removal of native vegetation be permitted under Clause 52.17.

Referral Requirement

Clause 66 (Referral and Notice Provisions) requires that the following applications to remove native vegetation be referred to the Secretary to DEECA:

- To remove, destroy or lop native vegetation in the Detailed Assessment Pathway
- To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.
- To remove, destroy or lop native vegetation on Crown land, which is occupied or managed by the responsible authority.

It is noted that the application for removal is via the 'Intermediate Assessment Pathway', is not a site located within the property vegetation plan, and is not located on Crown Land, as such, is not required to be referred to DEECA.

6.5.2 Clause 52.37 – Canopy Trees

The removal of canopy trees is necessary to enable the development of the Site as a retirement village. While the design requires the removal of most existing canopy trees, provision has been made to retain higher-quality trees located in the north-western section of the Site. Importantly, no trees have been assessed as having a High arboricultural rating, the majority proposed for removal are classified as Moderate, Low or Very Low.

In accordance with Clause 52.37, the proposal achieves the required canopy coverage targets. The site area calculations indicate:

- Target canopy coverage: 20% of the site area
- Additional requirement: 50% of existing canopy over the 20% threshold
- Total target achieved: 23%

This outcome demonstrates compliance with the objectives of Clause 52.37, which seek to maintain and enhance urban tree canopy as part of development. The design carefully balances these requirements with the needs of the retirement village, ensuring that while most existing trees are removed to facilitate construction, the highest quality vegetation is retained in the north-western section of the Site. Furthermore, the proposal incorporates new landscaping and canopy planting to contribute to long-term canopy growth, strengthening the Site's contribution to broader urban greening and amenity goals.



Figure 17 – Tree Canopy Cover Calculations (Tract, 2025)

6.6 Amenity Considerations

Whilst it is noted that Clause 55 – ResCode, does not specifically apply in this instance it is considered that this clause provides the most relevant guidance as to what constitutes an appropriate outcome concerning amenity in relation to the retirement village dwellings.

Potential amenity impacts, considering factors such as overlooking, overshadowing, and visual bulk resulting from the proposed development, are addressed below.

Overlooking

Whilst it is noted that it does not specifically apply in this instance it is considered that Clause 55.04-4 provides the most relevant guidance as to what constitutes an appropriate outcome with respect to overlooking for the retirement village villas. It is noted that the proposal is entirely compliant with Standard B4-4, owing to the setbacks to the side and rear boundaries of the Site as well as the single storey typology.

It is therefore submitted that amenity impacts associated with overlooking both within the Site and externally are appropriately minimised.

Overshadowing

Again, whilst it is noted that it does not specifically apply in this instance it is considered that Clause 55.04-3 provides the most relevant guidance as to what constitutes an appropriate outcome with respect to overshadowing of the retirement village ILUs. The proposal casts minimal shadow on adjacent properties between 9am-3pm on 22 September and therefore complies with the Standard.

It is therefore submitted that amenity impacts associated with overshadowing are appropriately minimised.

Visual Bulk

In terms of the retirement village, the villas have been designed with a single storey and respond to the residential context, through a combination of building setbacks and design detailing.

Accordingly, it is submitted that the proposal will not generate any unreasonable external amenity impacts.

6.7 Access, Parking and Waste Response

Traffic

The proposed development is anticipated to have a minimal or negligible impact on the operation of the surrounding road network.

Access

The development layout will provide for excellent permeability and connectivity for resident, staff and visitor pedestrians.

The internal road network has been designed as solely private roads, and will allow for safe and convenient access, permitting safe use by cyclists, pedestrians and vehicles, and allowing for appropriate parking.

Car parking

The proposed provision of car parking exceeds the statutory car parking requirement and is therefore considered to be appropriate.

Bicycle parking

There is no statutory requirement to provide bicycle parking. Notwithstanding, the dwellings can readily accommodate bicycle parking within the garages.

On this basis the proposed provision of bicycle parking is appropriate.

Waste

The WMP sets out the relevant waste generation rates and provides details on the nature of storage and collections arrangements.

The proposed waste strategy is considered appropriate.

For further information refer to the TIA prepared by TTS and WMP prepared by Ratio.

6.8 Stormwater Management and ESD Response

The proposal incorporates a wide range of ESD solutions which contribute positively to the development's integration within its environment and the wider context, lessening its ecological footprint and reducing ongoing costs to residents through passive design solutions.

The proposal has been designed to achieve a BESS Score of 54%, being guided by the following environmentally sustainable design principles:

- Achieves effective ventilation and high level of fresh air to ensure levels of indoor pollutants are maintained at acceptable levels.
- Passive design initiatives to improve energy performance of buildings including double glazed windows and high natural daylight penetration into the floor areas.
- Rainwater collection to be reused for irrigation, significantly reducing the impact of the proposal on the stormwater drainage system and diverting water where it can most efficiently be used, promoting a circular approach to water management.
- Achieves a best practice WSUD outcome modelled in MUSIC.
- The buildings reduce overall operational energy consumption compared to that of a comparable standard-practice building and has demonstrated a minimum average NatHERS rating of 7.5 stars.

- Energy efficient heating, cooling and ventilation systems, hot water systems and lighting systems and controls will assist in conserving energy throughout the buildings.

For further information refer to the SMP prepared by ARK Resources and SWMS prepared by Ratio.

7 Conclusion

This report describes the proposed use of land and development of a Retirement village.

The development will accommodate a Retirement village including 32 ILUs sited within attractively landscaped grounds that respond sensitively to the landscape character of the land.

The proposal represents a site responsive design solution that has appropriate regard to both its planning and physical context, providing an attractive and sensitive response to the existing residential context while proposing an elegant and contemporary architectural language that incorporates a restrained material palette befitting its neighbourhood environs.

The proposal will result in no unreasonable amenity impacts having regard to overshadowing or overlooking and visual bulk, or as a result of car parking, traffic or waste management.

Having considered the proposal in the context of local and state planning policy, it is the conclusion of this report that the proposal is consistent with the Planning Scheme and request a planning permit be issued.

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Section 72 Amendment – P17/2105.04

Planning Services – Mornington Peninsula

APPLICATION SUMMARY	
Planner	Alex Colquhoun
Date	18/06/2026
Application Number	P17/2105.04
Proposal	To amend what the permit authorises, amend the plans endorsed under the permit, amend the conditions of the permit and amend the description of the land.
Address	594 and 602 Esplanade Esplanade MOUNT MARTHA VIC 3934 165 Osbourne Drive MOUNT MARTHA VIC 3934
Applicant	C/- Tract Pty Ltd
Planning Scheme	Mornington Peninsula Planning Scheme
Zone & Overlays	GRZ1 / DDO1, EMO7, HO65
Permit Triggers	**GRZ** - Use the land for a section 2 use (Retirement Village) **GRZ** - Construct a building or construct or carry out works for a Section 2 use (Retirement Village) **DDO1** - Construct a building or construct or carry out works (Retirement Village) **EMO7** - Construct a building or construct or carry out works (Retirement Village) **EMO7** - Remove, destroy or lop any vegetation **HO65** - Construct a building or construct or carry out works **HO65** - Remove, destroy or lop a tree where tree controls apply **Clause 52.17** - Remove, destroy or lop native vegetation, including dead native vegetation
Restrictions on title	No
Public Notice	Yes
Objections	Yes
Referrals	Internal - Health Internal - Engineering Internal - Vegetation Internal - Traffic Internal - Heritage Internal – Circular Economy and Waste External - Fire Rescue Victoria (FRV)
CHMP required?	Yes
BACKGROUND/PERMIT HISTORY	
Original Permit Issued	15 October 2018

Permit Issued for	**DEVELOPMENT OF AN AGED CARE FACILITY, VEGETATION REMOVAL, ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1, ASSOCIATED WORKS AND ADVERTISING SIGNAGE IN ACCORDANCE WITH THE ENDORSED PLANS**
Original Permit Triggers	GRZ1 - Buildings & works associated with a residential building. HO - Construct or carry out works; remove, destroy or lop a tree. DDO1 - Buildings and works; vary the general requirements in the schedule in relation to wall and overall building height. 52.05 - Cat 3 – business identification signage. 52.29 - Create / alter access within RDZ1. 52.17 - Remove destroy lop native veg >0.4ha land.
Condition 1 plans	Condition 1 plans have not been previously endorsed under the permit and therefore require assessment as part of this amendment application
Current Permit Expiry	The latest date for commencement of the development is 15 October 2027 The latest date for completion of the development is 15 October 2029

OFFICER DIRECT OR INDIRECT INTEREST
No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

PROPOSAL

The application is to amend permit P17/2105 number by:

Amending what the permit authorises by:

Deleting 'DEVELOPMENT OF AN AGED CARE FACILITY, VEGETATION REMOVAL, ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1, ASSOCIATED WORKS AND ADVERTISING SIGNAGE'

and replacing with the words:

'USE AND DEVELOPMENT OF A RETIREMENT VILLAGE, VEGETATION REMOVAL AND ASSOCIATED WORKS'

Amending the plans generally as follows:

- Updating the plans to reflect the changes to the proposed development (from 'Development of an Aged Care Facility' to 'Use and development of a Retirement Village');
- Deletion of the previously approved 'aged care facility' building and replacing with a communal building and 32 single storey units associated with the proposed use of the land as a 'retirement village';

- Removal of the vehicle access to the Esplanade;
- Changes to the proposed vegetation removal;
- Amending the landscaping plans associated with the development.

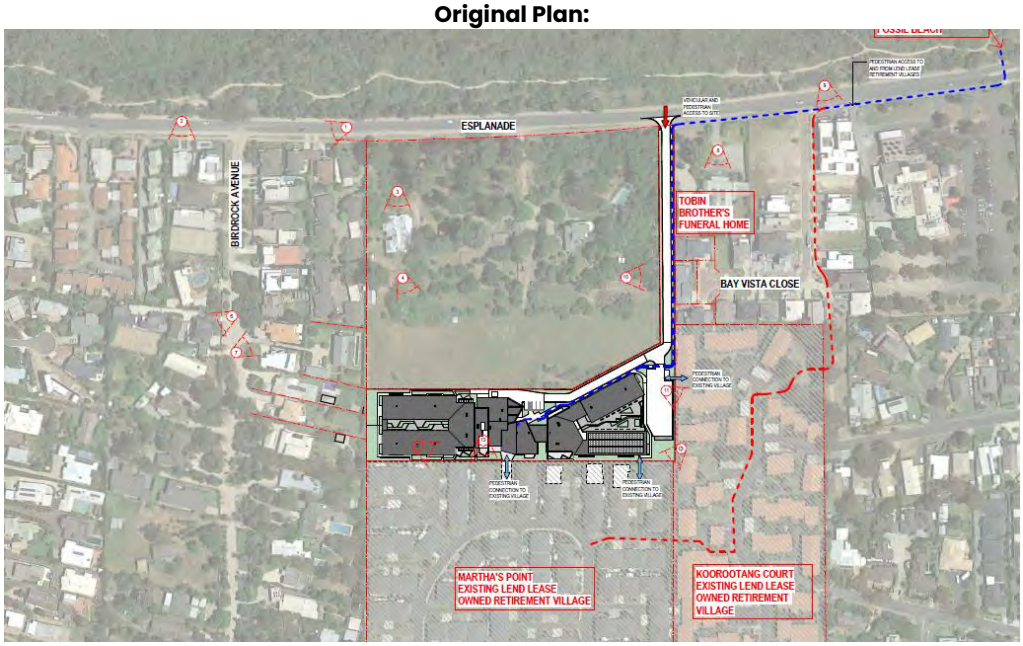
Amending the conditions of the permit by:

- Amending Conditions 1-2, 5, 20-25, 28-37 and 42-45 generally in accordance with submitted documentation.

Amending the description of the land by:

- Adding the words "LOT 2 of PS801659Y VOL 11694 FOL 436" and "165 OSBORNE DRIVE MOUNT MARTHA LOT 1 PS545354X VOL 11694 FOL 436" after the words "LOT 1 PS 428581 VOL 10492 FOL 628"

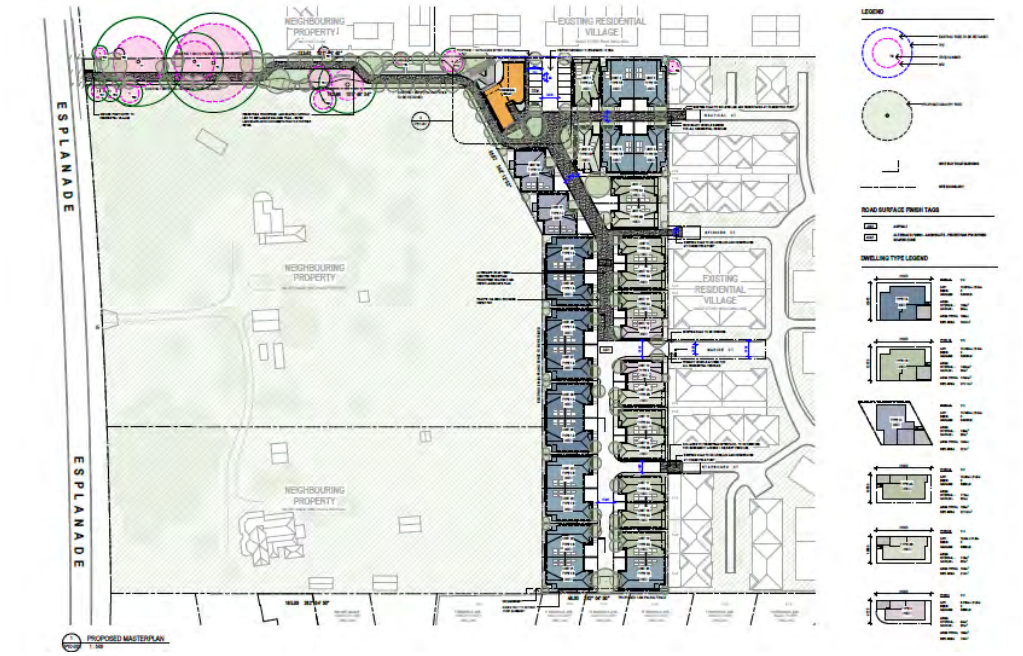
Original Plan:





Proposed Plan:







ZONE/OVERLAYS/PLANNING PROVISIONS

	Original Planning Controls	Current Planning Controls
Zone	GRZ1	GRZ1
Overlays	DDO1, HO65	DDO1, HO65, EMO7
Particular Provisions	Clause 52.05, 52.17 and 52.29	Clause 52.17

SUBJECT SITE

Cultural Heritage Management Plan (CHMP)
A CHMP is required for the amendment and has been provided by the applicant.

Subject Site
Since the issue of the last decision, the following changes to subject land have occured:

P17/2324(S18/5030) – A permit to re-subdivide the land was approved which amended the subdivision alignment between 594 and 602 Esplanade Mount Martha. See below showing the change.

Previous	Approved
	

Aerial Photo showing subject site and surrounding properties - GIS 2026



SURROUNDING PROPERTIES

There have been no relevant changes to the surrounding properties as described in the delegate report for the last issued decision

PUBLIC NOTIFICATION

Public Notice

The application was put on public notice twice which commenced on 16/02/2026 and 03/04/2026 by sending direct notice to adjoining properties and erecting two signs on site for 14 days, one at the frontage of 602 Esplanade and one at the intersection of Seachange Road and Osborne Drive

Objections
To date, sixty-one (61) objections have been received.

Their concerns can be summarised as follows:

- Driveway / Walkway Use
- Traffic & Access Noise & Amenity Pollution
- Waste Management
- Lighting Impacts
- Vegetation Loss
- Wildlife Impacts
- Privacy Impacts
- Neighbourhood Character
- Population & Density
- Safety Concerns
- Emergency Services Strain
- Site-Specific Planning Issues (e.g. setbacks, fencing, landscaping)

3 Letters of support were also received.

Public Consultation
A Planning Application Conference (PAC) was held on 04/05/2026 at the Mornington Office. The following comments are made with the respect to the PAC:

Vegetation, Trees & Biodiversity
- Concerns about extensive loss of vegetation, particularly eucalyptus trees
- Trees provide important food sources for birds and local wildlife
- Preference to trim trees rather than remove them
- Concern that replacement planting (e.g. coastal grasses) will not provide equivalent habitat
- Questions about vegetation offset strategies for removed trees
- Query whether trees proposed for removal were previously required to be retained or planted
- Request for updated biodiversity and ecological assessments
- Concern about overall wildlife loss in the area
- Question to Council regarding broader vegetation protection strategy

Traffic, Access & Movement
- Increased traffic expected in surrounding streets (Birdrock Avenue, Nautical Court, local roads)
- Traffic assessment did not include Birdrock Avenue
- Concerns about congestion, especially around bends and narrow roads
- Safety concerns relating to entry and exit points
- Concerns about traffic from proposed dual carriageway
- Requests for Council to inspect traffic conditions locally

- Suggestion for traffic flow via Spinnaker and Marine Court
- Concerns around adequacy of emergency vehicle access

Pedestrian Access, Walkways & Public Use

- Objection to proposed public walkway
- Concerns about increased foot traffic from the Esplanade
- Loss of privacy for residents
- Concerns about noise impacts from increased public use
- Opposition to proposed dog area
- Concern about attracting non-residents into the area

REFERRALS

Referral	Internal/External?	Response
Environmental Health	Internal	No objections, subject to conditions.
Development Engineering	Internal	No objections, subject to conditions.
Vegetation	Internal	No objections, subject to conditions
Traffic	Internal	No objections, no conditions
Heritage	Internal	No objections, subject to conditions.
Circular Economy and Waste	Internal	No objections, no conditions
FRV	External - Non Section 55	No objections, subject to conditions.

Referral Assessment

Environmental Health

Councils Environmental Health Department support the proposal, subject to standard environmental management conditions. These include requirements for connection to the reticulated sewer (including external wash/storage areas), compliance with ventilation standards, and implementation of the endorsed Waste/Environmental Management Plan. The use must not adversely affect local amenity through noise, odour, emissions, appearance or operational impacts. Noise must comply with EPA requirements, and any plant equipment (e.g. air-conditioning) must be appropriately installed, screened and maintained to minimise impacts.

Development Engineering

Council's Development Engineering Department supports the proposal, subject to amended engineering conditions. The revised conditions remove a number of redundant conditions, including accessway widening, sightline splays, pedestrian links, operational parking management measures, and VicRoads-related works.

In their place, the conditions introduce more specific requirements relating to vehicle access, swept path assessments, drainage connections, and technical plan documentation.

Vegetation
Council's Senior Vegetation Officer supports the amended proposal, subject to amended and additional conditions. The officer advises that the proposal represents an improved outcome through the retention of additional trees and that impacts to native vegetation have been appropriately avoided and minimised.

The Native Vegetation Removal Report (NVRR) is accepted, with no removal of high-significance vegetation proposed and an appropriate offset identified. Existing permit conditions relating to amended plans, offsets and tree protection are to be deleted and replaced.

New conditions require the preparation and implementation of a detailed Tree Protection and Management Plan by a suitably qualified arborist, the application of tree protection measures throughout all stages of works, and pre-clearing fauna inspections. Updated offset conditions require the securing of 0.05 general habitat units, the provision of evidence prior to vegetation removal, and ongoing reporting where required, in accordance with current guidelines.

Fire Rescue Victoria (FRV)
FRV does not object to the proposal, subject to conditions requiring the endorsement and implementation of the submitted master plan and the provision of compliant emergency vehicle access and fire hydrant infrastructure. Vehicle access must be constructed in accordance with the endorsed plans and be capable of accommodating fire vehicles, including minimum vertical clearance, load bearing capacity and appropriate gradients. Fire hydrants must be installed prior to occupation, with spacing and coverage to meet required distances and identification standards.

ASSESSMENT
It is considered that the amended use and development is consistent with the objectives of GRZ1, DDO1, HO65 and Clause 52.17 and the above policies and provisions on the following basis:

Land Use
The proposal seeks to change the land use from '*residential aged care facility*' which under Clause 73.03 of the planning scheme is defined as *land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility*, to '*retirement village*' which is defined as l*and used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.*

Under the GRZ the land use '*retirement village*' is not specified within the table of uses under Clause 32.08-2 and therefore is identified as its nested term '*Accommodation*' and subsequently a Section 2 use under the zone.

Planning Policy Framework
Established planning principles require that use and development do not unreasonably detract from the amenity, character and function of an area. Clause 71.02 (Operation of the Planning Policy Framework) emphasises the need for integrated decision-making and the balancing of competing objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

In this regard, decision-making must integrate environmental, social and economic considerations to facilitate the fair, orderly, economic and sustainable use and development of land.

Clause 13 (Environmental Risks and Amenity) seeks to strengthen the resilience and safety of communities through the application of best-practice environmental and risk management approaches. The policy aims to identify, prevent and minimise risks to the environment, human health and amenity by ensuring land use and development are compatible with their surroundings and by implementing effective measures to avoid or mitigate significant adverse impacts. Clause 13.05-1S (Noise management) is *to assist the management of noise effects on sensitive land uses*. It seeks to *ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions* through *suitable building siting and design, urban design and land use separation techniques*. The strategies of Clause 13.07-1S (Land use compatibility) seeks to *ensure that use or development of land is compatible with adjoining and nearby land uses*.

Clause 15 (Built environment and heritage) seeks to ensure *all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context*. *The establishment and maintenance of communities must be supported by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.* The objectives of Clauses 15.01-1S (Urban design), 15.01-2S (Building design) and 15.01-5S (Neighbourhood character) are to *create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity*, *achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development* and *recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

Clause 16.01-1S (Housing Supply) seeks to facilitate well-located, integrated and diverse housing that meets community needs. The policy encourages the provision of a sufficient supply of housing within established urban areas, particularly in locations with good access to employment, services and public transport. It supports increased residential densities and a diverse mix of housing types to accommodate changing household needs, including housing for older people, people with disability, students and lower-income households. The policy also seeks to ensure that housing is well designed,

provides a high level of amenity, and contributes to the consolidation of urban areas through efficient and sustainable development outcomes.

Strategies under Clause 19.02-1S (Health facilities) seek to *facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.*

Overall, having regard to the relevant policies within the Planning Policy Framework, the proposed use and development is consistent with and supports the objectives, strategies and directions of both State and Local Planning Policy.

In particular, the subject site is an appropriate and logical location for a retirement village when assessed against the relevant planning policy framework. The proposal represents an extension of the existing Martha's Point retirement village and will therefore capitalise on established facilities and infrastructure, reducing the need for additional standalone services and buildings. The site is also located in an area with good access to public transport, providing convenient connections to Mornington Activity Centre and nearby health services, including the Bays Hospital and Beleura Private Hospital, both of which are located within 3 kilometres of the site.

The built form has been appropriately designed to respond to the site's constraints and respect the established character of the surrounding area. The amended design incorporates a predominantly single-storey built form and a greater delineation of individual buildings, resulting in a more spacious and recessive development outcome when viewed from adjoining properties and the public realm. The revised design also adopts a more residential architectural character that is better integrated with the surrounding neighbourhood, representing an improvement over the previously proposed two-storey built form.

General Residential Zone – Schedule 1 (GRZ1)
Previously under the GRZ1, the use for a '*residential aged care facility*' did not require consideration as the use was as of right under the zone, however, now that the use is proposed to be for a '*retirement village*' the use now requires consideration under the zone as it is a form of accommodation as defined under Clause 73.03 of the planning scheme.

The proposed residential use is consistent with the purpose of the zone, which seeks to encourage a diversity of housing types and housing growth in locations with good access to services, facilities and public transport. It is noted that the 2021 Census data from the Australian Bureau of Statistics (ABS)[1] indicates that the Mornington Peninsula has a substantially older population profile than Victoria as a whole, with approximately 42.3% of residents aged 50 years or older compared to 34.6% across Victoria. This demographic profile demonstrates a higher concentration of older residents within the municipality and

[1] 2021 Mornington Peninsula, Census All persons QuickStats | Australian Bureau of Statistics

supports the need for housing options specifically designed to accommodate the needs of an ageing population, including retirement village accommodation.

The proposal, along with the 32 independent living units, also includes a communal building which will not only provide a multi-purpose facility inclusive of a cinema, communal lounge, multi-purpose space and outdoor area, to the future residents but will also be a building which facilitates the existing 125 independent living units and their residents who currently occupy Martha's Point Retirement Village.

Buildings and works
As the land use is considered a Section 2 Use under the General Residential Zone, all associated buildings and works subsequently require a planning permit pursuant to Clause 32.08-10.

Clause	Requirement	Assessment
Clause 32.08-4	The Garden Area requirements do not apply to retirement villages	N/A
Clause 32.08-11	The maximum building height requirements do not apply to retirement villages.	N/A
Clause 32.08-7	The requirements of Clause 55 do not apply to retirement villages.	N/A

There are no decision guidelines in the zone for buildings and works for a retirement village, as it is not dwellings, or a residential building or a non-residential use and development. Notwithstanding this, it is appropriate to give consideration to the matters raised for non-residential uses, which are:

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

The application includes a landscape plan which will be discussed in a later section of this report.

While Clause 55 does not apply to this application, it is noted that the application proposes a high level of compliance with Clause 55. Given the proposed built units are single storey, many of the Standards specified under Clause 55 are inherently met such as overlooking (Standard B4-4), overshadowing (Standard B4-3), building height (Standard B2-2) and setbacks (Standard B2-3). In any case, the applicant has provided overshadowing diagrams and internal layout plans of each type of unit proposed in which

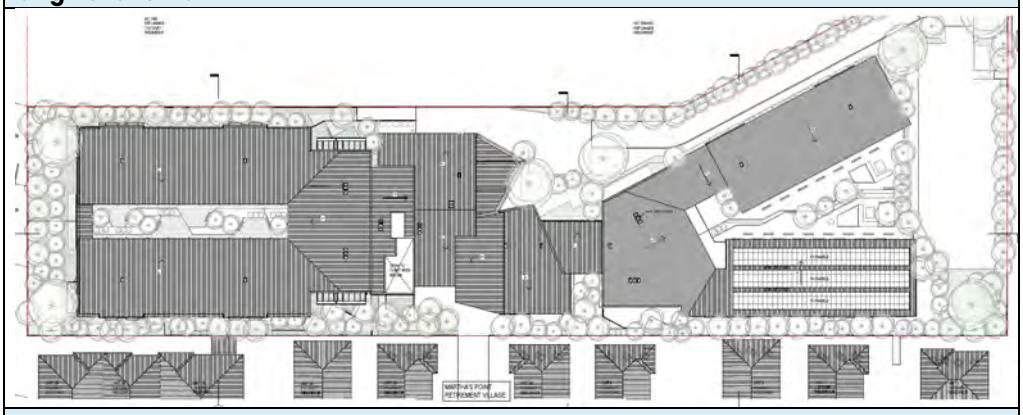
the proposal meets the amenity, accessibility and sustainability outcomes that Clause 55 seeks to impose.

Overall, the change in the land use from '*residential aged care facility*' to '*retirement village*' is similar in nature and similarly caters to a growing demand of accommodation to an ageing demographic within the Mornington Peninsula. The proposed changes to the built form such as the reduction from double to single storey and the shift from a single structure to independent units, substantially reduce the visual bulk and scale of the development and better integrate with the surrounding residential character.

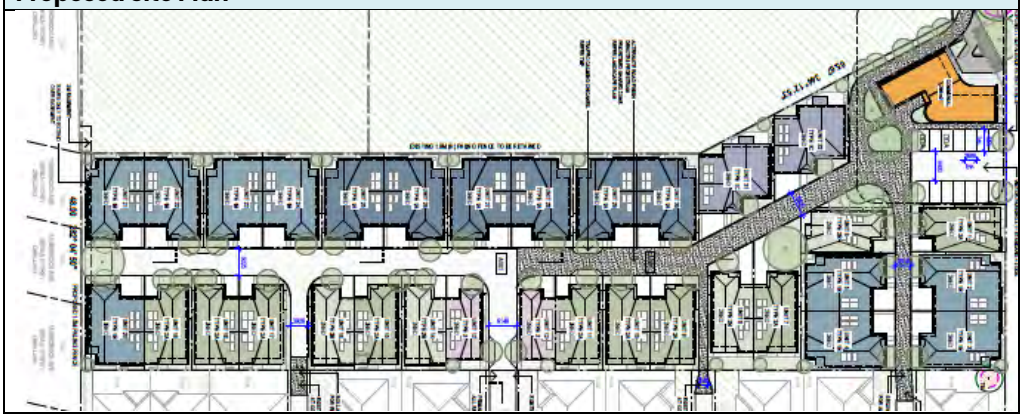
Change in built form

Design and Development Overlay – Schedule 1 (DDO1)
The amended development represents a significant departure from the approved plans, with the contiguous double-storey building replaced by individual single-storey units, as shown below.

Original Site Plan



Proposed Site Plan



Original Plans



Amended Plans



The amended design results in a reduced maximum building height from 8.8 metres to 3.9 metres, greater separation between individual units, and increased vehicle and pedestrian movement throughout the site. While the amended design represents a significant reduction in building bulk and a more dispersed built form, the following design objectives of the Design and Development Overlay remain relevant to the assessment:

- To ensure that new development has proper regard for the established streetscape and development pattern in terms of building height, scale and siting.
- To protect shared viewlines where reasonable and practical.
- To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets and properties.
- To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape.

- To ensure that subdivision and development proposals have proper regard to heritage values, including those of adjoining foreshore areas.

- To ensure that buildings do not encroach visually on foreshore areas or main roads.

- To ensure that the traffic generated by medium density residential development does not detrimentally affect the safety, efficiency or amenity of existing residential streets or main roads.

- To indicate residential areas adjacent to the foreshore and commercial centres of Rosebud and Dromana that will provide for a range of medium density residential living in conjunction with a limited range of service and leisure based commercial uses.

Overall, the amended design responds appropriately to the above design objectives. The site is located within a residential area of Mornington characterised by a mix of older housing stock, predominantly single-storey brick and weatherboard dwellings with pitched roofs, and newer contemporary unit developments. It is also noted that the existing retirement village (Martha's Point), of which the proposal forms an extension, comprises single-storey units. As such, the amended design will integrate more seamlessly with the existing retirement village than the previously approved double-storey built form.



Existing Units at Martha's Point Retirement Village

Apart from the proposed pedestrian walkway to the Esplanade, the development has no direct streetscape interface and will be largely concealed from surrounding streets, as it is located behind the existing dwelling at 594 Esplanade. This limited visibility is further reinforced by the established vegetation on that site (refer to image below).



594 and 602 Esplanade (Google Street View – Jan 2026)



Nearmap – 7 February 2026

Esplanade (TRZ2)

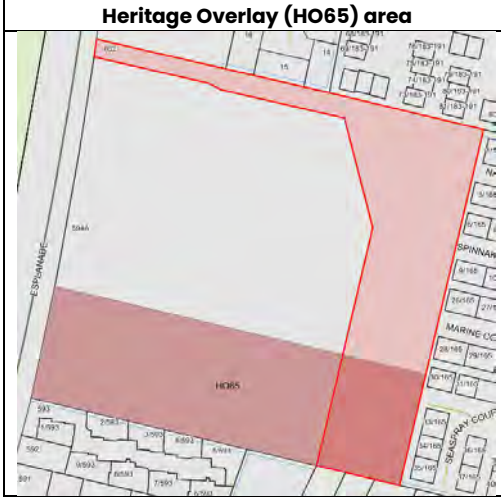
Vegetation Buffer

Furthermore, the amended built form, particularly the reduced building heights, ensures that the development is appropriately designed and sited to avoid being visually obtrusive. In particular, the proposal will not create a prominent silhouette above the skyline or existing tree canopy when viewed from surrounding streets or neighbouring properties.

Given the site's proximity to the foreshore at Dava Beach, it is important that the development does not adversely affect the visual character of the foreshore environment. As discussed above, while the proposal includes a pedestrian connection to the foreshore, the development will have a negligible visual impact on the foreshore area, including the existing walking tracks along both sides of the Esplanade and the area's natural environmental features.

Heritage Overlay Schedule 65 (HO65) (Woodclyffe Cottage)
The purpose of this overlay includes to conserve and enhance those elements which contribute to the significance of heritage places. The application was referred to Council's heritage planner.

As shown above, the Heritage Overlay applies only to the southern portion of the site, reflecting the original subdivision layout discussed earlier in this report. HO65 relates to the existing cottage dwelling (Woodclyffe Cottage) and the Monterey Pine Trees, both located at 594 Esplanade. Given that the heritage significance is attributable to the abutting property, the proposed development has a negligible impact on the values the overlay seeks to protect.

Heritage Overlay (HO65) area	Location of Woodclyffe Cottage (blue)
	

Council's Heritage Advisor raised no concerns, noting that "*The proposal will not impact the heritage values of 594 Esplanade. The set back to the heritage form on 594 Esplanade is very significant and the proposed development is single storey*." The proposed development is therefore considered an appropriate heritage design response.

Erosion Management Overlay – Schedule 7 (EMO7)
A permit is required under Clause 44.01-2 to construct a building or construct or carry out works. It is noted, as seen in red within the aerial imagery below, that the EMO7 applies to isolated sections along the east boundary.



Aerial image with EMO7 overlay (red)

The objectives of the EMO7 are as follows:

- To ensure that development achieves tolerable landslide risk to human life and property.

- To ensure that development is designed in accordance with established principles of good hillside construction practice and is responsive to the landform and site conditions.

- To avoid development in areas that cannot achieve tolerable landslide risk.

The application requirements of EMO7 include a number of matters that must accompany an application, such as a Landslide Risk Assessment and an independent peer review of that assessment. However, the schedule includes an exception whereby the responsible authority may waive or vary these application requirements if, in its opinion, a requirement is not relevant to the assessment of the application.

The application was referred to Council's Development Engineering Department, who advised that the application requirements were not necessary given the limited extent of the EMO7 area affecting the site and the modest scale of the proposed development and vegetation removal. As the proposal does not involve development or vegetation removal of a scale or intensity likely to increase landslide risk, it is considered that the proposal appropriately responds to the objectives of EMO7.

Particular Provisions

Vegetation

Vegetation is protected by Clause 52.17 (Native Vegetation). The application includes the following relevant documents:

- Arboricultural impact Assessment prepared by Treelogic, Version 3, dated 8th December 2025.
- Landscape Masterplan prepared by Tract, dated 02 December 2025.
- Biodiversity Assessment prepared by ecology & heritage partners dated December 2025.

The proposal requires the removal of most trees on the site with the exception of Trees 1-3, 5, 7, 12 and Group 18 (within the subject site), Tree 56-63 and Group 19-22 and 25 (neighbouring vegetation). Of the trees proposed to be removed Trees 4, 5, 9, 47, 61, Groups 2, 4, 5, 7-15, 17, 19 and 23 require a permit under Clause 52.17.

Clause 52.17 – Native Vegetation

Under Clause 52.17-1, a permit is required to remove, destroy or lop native vegetation, including dead native vegetation.

The purpose of the Clause is to:

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

The removal of vegetation requiring a permit under Clause 52.17 is considered appropriate for the following reasons:

- No large trees or native vegetation of high significance are proposed to be removed.
- The proposal seeks to remove the minimum amount of vegetation necessary to facilitate the development without compromising its key objectives.
- Where the removal of native vegetation cannot be avoided, an appropriate offset has been identified.
- The native vegetation offset is considered suitable. The requirements outlined in the vegetation referral response will be included as permit conditions.
- The submitted Landscape Masterplan proposes strategic planting to maintain the landscape and environmental values of the area.

Clause 52.37 – Canopy Trees

Under Clause 52.37, a permit is required to remove, destroy or lop a canopy tree in the Mixed Use Zone, Township Zone, Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and Housing Choice and Transport Zone.

However, under Clause 52.37-9, the requirements of Clause 52.37 do not apply to the removal, destruction or lopping of a canopy tree associated with the construction of a building, or the construction or carrying out of works, in accordance with a permit granted before the approval date of Amendment VC289. As the original permit was granted prior to 15 September 2025, being the approval date of Amendment VC289, a permit is not required under Clause 52.37.

The proposal has also been assessed against Clause 52.17. Unlike the original application, which proposed the removal of all vegetation on the site, the amended proposal retains high-quality and meaningful vegetation that will contribute to a strong landscaped outcome. This approach is supported by Council's Senior Vegetation Officer, who confirmed that the submitted Landscape Masterplan identifies strategic planting to ensure the landscape and environmental values of the area are maintained, and is suitable for endorsement.

Car Parking

Clause 52.06 – Car Parking

Clause 52.06 applies to a new use, whether or not a planning permit is required under Clause 52.06-3. However, it is first necessary to establish whether a permit is required under the clause. The submitted planning report prepared by Tract, dated 8 December 2025, identifies that the statutory car parking requirement for the proposed retirement village is 55 spaces, while the proposal provides 103 spaces, as shown in the table below.

Use	Clause 52.06 rate	Proposal	Requirement	Provision
Retirement Village	1 to each one or two bedroom dwelling plus	15	15	15
	2 to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus	17	34	34
	1 for visitors to every five dwellings for developments of five or more dwellings	32	6	48
TOTAL			**55**	**103**

However, as a result of planning scheme amendment VC277, this rate changed after the proposal was lodged. The current rate for a retirement village is 1.2 spaces (Category 1) per dwelling, resulting in a required provision of 38 spaces.

The proposal meets both the former and current clause rates and does not require a permit under Clause 52.06. Notwithstanding this, as there are no transitional provisions within VC277 that apply where the current rate is less than the former rate, the current rate of 38 spaces is the applicable requirement. The proposal provides 103 spaces, which exceeds this requirement.

Response to Submissions

Issue	Response
Noise	The site is located within an established residential area and the proposed development is not expected to result in an unreasonable increase in residential noise.
Pollution	This objection relates to waste generation during construction and once the proposal is operational. Waste during the construction phase will be managed through the Construction Management Plan (CMP) required by condition of the permit. EPA requirements also apply during this stage. The application included a Waste Management Plan (WMP) prepared by Ratio Consultants, dated 8 December 2025, which outlines how waste will be managed once the development is operational. The WMP addresses matters including expected waste volumes, storage and equipment, collection arrangements, and relevant design standards. The WMP was referred to Council's Circular Economy and Waste Department, who did not raise any concerns.
Waste Facility	See above
Lighting	It is expected that any proposed lighting will be within the scope of a normal residential development. In any case, a permit condition ensures that any external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land.
Environmental impact	This objection raises concerns regarding the loss of existing mature trees, impacts on local wildlife, and loss of privacy and screening for existing residents. The proposed vegetation removal and landscaping is assessed in the sections above.

	Regarding the loss of mature trees, it is noted that vegetation is being removed from the subject site, however this amendment results in more significant established trees being retained compared to the original proposal (P17/2105). The removal of vehicle access from the Esplanade has allowed canopy trees including Trees 1, 2, 3, 5, 7 and 12 to be retained. The proposed vegetation removal is considered appropriate and will have little effect on the vegetated streetscape, given the vegetation buffer visible from the Esplanade is largely maintained. The application was referred to Council's Senior Vegetation Officer, who concluded that the proposed removal and replacement landscaping are appropriate and will maintain the landscape and environmental values of the area. Regarding impacts on local wildlife, a condition will be imposed on the permit requiring that prior to any vegetation removal, the trees be inspected for signs of fauna habitation. If wildlife is found to be present, a suitably qualified wildlife handler or zoologist must be engaged. Regarding privacy, the single storey built form of the current proposal is expected to result in improved privacy outcomes compared to the original proposal (P17/2105). The removal of on-site vegetation is not expected to result in unreasonable privacy impacts beyond what would be typical of a standard residential development.
Neighbourhood character	This objection raises concerns regarding a significant shift in neighbourhood character should the proposal be approved. The proposed amended design is discussed in the sections above. The objection states that the surrounding area consists of homes or units on larger blocks. However, the surrounding residential context is not uniform. This part of Mount Martha contains a broad mix of residential types, subdivision patterns and allotment sizes. There are several examples of smaller residential lots between approximately 100 and 400 square metres, including unit-style developments along Bay Vista Close, at 2A Bentons Road, and within the existing Martha's Point Retirement Village. Medium density subdivision patterns are also evident nearby, with lots between approximately 400 and 800 square metres, often in battle-axe arrangements, particularly north of

	the subject site within the area bounded by the Esplanade, Birdrock Avenue, Osborne Drive and Clarkes Avenue. Larger allotments, generally between approximately 800 and 1,500 square metres, are more evident along Birdrock Avenue. However, that area is affected by Design and Development Overlay Schedule 2 (DDO2), whereas the subject site is affected by Design and Development Overlay Schedule 1 (DDO1). The larger lot pattern along Birdrock Avenue therefore reflects a different planning control context and should not be treated as representative of the whole surrounding area or as determinative of the preferred subdivision outcome for the subject site. A separate aspect of this objection raises concern that the proposed walkway will result in a significant increase in foot traffic to the Esplanade pathway and Birdrock Beach. There is no evidence to support this concern, and it is not expected that the walkway will generate an unreasonable increase in pedestrian activity. The Esplanade track is a public access route and its primary function is to accommodate foot traffic. It is also noted that the original application (P17/2105) proposed vehicle access onto the Esplanade. The current amendment replaces this with a pedestrian walkway accessed from Osborne Drive, which represents a safer outcome for both residents and users of the Esplanade beach track.
Increased density	This objection relates to the lack of existing amenities to support the additional units. In addition to the 32 proposed dwellings, the proposal includes a communal building providing amenities for both new and existing residents. In turn, the proposed residents will also have access to the existing facilities within the village, which include an indoor heated swimming pool and spa, gym, tennis court, bowling green, barbeque area, alfresco dining, communal vegetable garden and village bus. The proposal is considered to provide ample facilities to support incoming residents while also enhancing the amenity available to existing residents.
Limited emergency services	The current capacity of emergency services is not a relevant planning consideration. However, as discussed earlier in this report, the development is within reasonable proximity to important medical facilities. Additionally, the application was referred to Fire Rescue Victoria (FRV), who raised no concerns regarding any unreasonable demand the proposal may place

	on their services.
Safety	This objection relates to in the case of an emergency which requires evacuation. The implementation of a fire evacuation plan is not a planning consideration, however, this will be addressed under the Building Code of Australia once a building permit is applied for.
Vehicle Traffic	It is not expected that the proposal will result in an unreasonable increase in vehicle traffic. Vehicle access currently enters and exits via Osborne Drive, and this arrangement is to be retained. A Traffic Impact Assessment prepared by Traffic & Transport Solutions, dated December 2025, was submitted with the application. The assessment was referred to Council's Traffic and Transport Department, who did not object to the proposal. The department confirmed that the development meets parking requirements for all users, the surrounding road network is expected to operate efficiently without adverse impacts, and the proposed driveway and access arrangements comply with planning scheme requirements and Australian Standards.
Foot traffic	This objection relates to the use of informal shortcuts for beach access and concerns regarding safe road crossing of the Esplanade. These matters are not considered relevant planning considerations. The use of informal shortcuts is arbitrary behaviour that cannot reasonably be addressed through a planning permit condition. Similarly, how residents choose to access the beach once they leave the site — including whether they cross the Esplanade — is outside the scope of this assessment and not something that can or should be restricted through the planning process. It is noted that an established pathway exists that provides beach access without requiring residents to cross the Esplanade.
Public parking	Car parking is discussed in an earlier section of this report, however it is worth highlighting that the proposal well exceeds its statutory car parking requirement, ensuring ample parking is available for visitors. The car parking area associated with the communal building alone provides 14 dedicated visitor spaces.
South boundary fence	The south boundary fence is shown as a proposed 1.8 metre high paling fence on the submitted Development Plans.
South boundary setback	The development is setback 1.2 metres from the southern boundary and is of single storey built form. The landscaping

	buffer proposed under the original application (P17/2105) has not been carried forward into this amendment. Given the significant reduction in built form, this buffer is no longer considered necessary. It is also noted that whilst not required, the southern setback would satisfy the side and rear setback standard under Clause 55 if assessed as a typical residential development, and some existing planting is present along the southern boundary. Given the modest scale and single storey nature of the development, imposing a landscape buffer along the southern boundary is not considered necessary or warranted.
New overlays	There are no additional overlays affecting the subject site that specifically restrict or reduce housing density on environmental or traffic grounds. It is understood that this objection may be referring to the Birdrock Avenue area, which is affected by DDO2. However, the subject site itself is affected by DDO1. The southern boundary of the subject site generally marks the transition between these overlay areas.
Aged care facility zoning	This objection questions whether a retirement village is needed given the identified demand for aged care facilities in the area. Whilst the need for aged care facilities has been acknowledged in the original application (P17/2105), there is also a demonstrated need for retirement living accommodation on the Mornington Peninsula, as discussed in the sections above. The existence of a need for one use does not negate the need for another, and it is not a relevant planning consideration to preference one residential use over another on this basis.
Lack of CHMP	A Cultural Heritage Management Plan (CHMP) has been provided.
Proposed dog run to result in loss of vegetation	The proposed dog run within the submitted Landscape Masterplan does not require the removal of any further vegetation. The plan identifies potential opportunities for this area, such as a dog run or productive garden.
The walkway be used for other purposes other than a walkway	Concerns have been raised regarding the walkway, including its use as a dog park, its accessibility, and its security. The original application (P17/2105) proposed driveway access at this location, which is now proposed to be a pedestrian walkway. The Landscape Masterplan identifies an opportunity for this area to function as a dog run rather than an off-leash dog park. In any

	case, the specific terminology used to describe this area is not considered a relevant planning consideration. In relation to accessibility and security, the development plans identify the Esplanade entrance as having a secure point of entry.

CONCLUSION
Overall, the amendment represents a reduction in built form, building height, and vegetation removal. The proposal continues to align with the purpose and decision guidelines of the GRZ1, the design objectives and decision guidelines of DDO1 and the EMO7, and the relevant planning policy framework. There is also an improved outcome with respect to Clause 52.17. On this basis, the proposed amendment is considered appropriate for approval.

DECISION
That Council having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to grant an amended planning permit under the provisions of the Mornington Peninsula Planning Scheme in respect of the land known and described as 594 and 602 Esplanade Esplanade MOUNT MARTHA VIC 3934 and 165 Osbourne Drive MOUNT MARTHA VIC 3934 in accordance with the endorsed plans and subject to the following new or amended permit conditions:

THE PERMIT ALLOWS

PLANNING SCHEME CLAUSE	**MATTER FOR WHICH THE PERMIT HAS BEEN GRANTED**	**REVIEWABLE OR NON-REVIEWLABLE** **MUST BE COMPLETED FOR EACH TRIGGER**
Clause 32.08-2 (GRZ1)	Use the land for a section 2 use (Retirement Village)	Reviewable
Clause 32.08-10 (GRZ1)	Construct a building or construct or carry out works for a Section 2 use (Retirement Village)	Reviewable

Clause 43.02-2 (DDO1)	Construct a building or construct or carry out works (Retirement Village)	Reviewable
Clause 43.01-1 (HO65)	Construct a building or construct or carry out works Remove, destroy or lop a tree where tree controls apply	Reviewable
Clause 44.01-2 (EMO7)	Construct a building or construct or carry out works (Retirement Village) Remove, destroy or lop any vegetation	Non-reviewable
Clause 52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation	Reviewable

Condition 1A - Amended Plans

1A. Before the developments 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 generally in accordance with the plans submitted with the application but modified to show:

a. A Tree Protection and Management Plan (TPMP) prepared by a Level 5 (Australian Qualifications Framework) Arborist in accordance with Australian Standard AS4970:2025 – Protection of trees on development sites. The report must be prepared to the satisfaction of the Responsible Authority, and include:
   i. The appointment of a Level 5 Project Arborist;
   ii. A detailed site survey drawn to scale, including trees located on the subject site; and trees on the adjoining land whose Notional Root Zones (NRZ) fall within the subject site;
   iii. Tree Protection Specifications (TPS) including:

1. A description of all tree protection fencing, special construction methods, special construction materials, and tree protection measures; which must be implemented and certified;
2. A Supervision Timetable to ensure Arboricultural oversight during critical stages of the development;
3. A Certification Document using a logical and sequential process; and,

iv. a Tree Protection Plan (TPP) drawn to scale;

b. Existing surface contour lines clearly labelled on all plans.

c. The spacing between Dwelling Unit 16 and Dwelling Unit 17 increased to provide minimum 500 mm horizontal clearance from the back of kerb to all buildings and building overhangs, and also minimum 500 mm horizontal clearance between the body of a turning 8.80 m Medium Rigid Vehicle and all buildings and building overhangs.

d. The road pavement between Dwelling Unit 16 and Dwelling Unit 17 increased in width to enable all wheels of a turning 8.80 m Medium Rigid Vehicle to remain on the road pavement at all times, while also maintaining minimum 500 mm horizontal clearance between the body of the Medium Rigid Vehicle and all buildings and building overhangs.

e. Swept Path Diagrams for a B85 car entering and exiting garages to dwellings, including when one car space is already occupied in double garages, in all critical locations.

f. Swept Path Diagrams for B85 car access to and from visitor parking spaces in front of garages to dwellings, in all critical locations.

g. The spelling of 'Spiniker Court' amended on all plans to 'Spinnaker Court' to match the existing spelling of this internal road.

Amended Plans

1. Before the developments starts, amended plans and documentation 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 generally in accordance with the plans submitted with the application but modified to show:

    b. Deleted.

c. Deleted.

d. Deleted.

e. Deleted.

f. Deleted.

g. Wheel stops omitted where parking bays provide direct pedestrian access to footpaths (to avoid tripping hazards).

h. Provision of adequate lighting along driveways and within car park areas.

i. Deleted.

j. Deleted.

k. Deleted.

l. Deleted.

m. Deleted

n. Deleted.

o. Deleted.

Engineering Plans

2. After the endorsement of Condition 1 plans and before any works associated with the development starts, a signed and completed 'Checklist for Development Engineering Plan Approval' along with engineering plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and shall be emailed to devengadmin@mornpen.vic.gov.au in pdf format.

   The plans must show:

   a) Areas of the development discharging to the north-east of the site being drained by means of an underground drainage system to retain a post development 1 in 100 year storm event for the critical storm duration. Discharge from this area of the site must be limited to an equivalent pre-development flow based on a 1 in 2 year storm event for the critical storm duration and be connected to the existing Council underground drainage system near the northern boundary of the property or to the existing Council underground drainage system within No. 165 Osborne Drive.

b) Areas of the site sloping towards Esplanade being drained by means of an underground drainage system to retain a post development 1 in 10 year storm event for the critical storm duration. Discharge from this area of the site must be limited to an equivalent pre-development flow based on a 1 in 2 year storm event for the critical storm duration and be connected to the existing Council drainage pit adjacent to the north west corner of No. 604 Esplanade.

Or alternatively,

Areas of the site sloping towards Esplanade being drained by means of an underground drainage system to retain a post development 1 in 10 year storm event for the critical storm duration, and discharged via a pumping system to limit the discharge to an equivalent pre-developed flow based on a 1 in 2 year storm event for the critical storm. Discharge from the pumping system is to be directed to the existing Council underground drainage system near the northern boundary of the property or to the existing Council underground drainage system within No. 165 Osborne Drive. The pumping system shall be designed and installed in accordance with AS/NZS 3500.3, Section 8 Pumped Systems.

d) Details, including levels, of common driveways and car parking areas within the site.

f) Deleted.

g) Deleted.

h) Details of internal road traffic signage and line marking.

i) Drainage to capture all surface run-off from No. 594A Esplanade, along the eastern boundaries of this property.

Construction Management Plan

4. Prior to the commencement of any works and after approval of engineering plans, a project-specific Major Construction Management Plan (CMP) must be endorsed by the Responsible Authority. This CMP is to be based on the standard Major CMP template found on the Mornington Peninsula Shire's website. When approved, the CMP will be endorsed and form part of the Planning Permit. The endorsed CMP must be implemented to the satisfaction of the Responsible Authority prior to, and during the works.

Traffic Management Plan

5. Prior to the commencement of works for this development a project specific Traffic Management Plan (TMP) must be submitted to Council for approval. The TMP must then be implemented to the satisfaction of the Responsible Authority prior to and during construction of the retirement village.

Layout not altered

6. The approved development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority (unless otherwise specified by a condition of this permit, consent is not required for any buildings or works which do not require a planning permit under the Mornington Peninsula Planning Scheme).

Colours and materials

7. The materials and colours of the exterior finish of the development must be in accordance with the endorsed plans unless with the further written consent of the Responsible Authority.

8. Prior to the initial occupation of the development, external finishes must be completed to a professional standard to the satisfaction of the Responsible Authority.

Tree Removal

11. Deleted.

12. Deleted.

Offset requirement

13. To offset the removal of 0.252 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DEECA 2025) as specified below:

    - A general offset of 0.05 general habitat units:
        - located within the Melbourne Water CMA boundary or Mornington Peninsula Shire municipal district
        - with a minimum strategic biodiversity score of at least 0.1543.

14. Before any native vegetation is removed evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:

- an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or
- credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Energy, Environment and Climate Action (DEECA).

15. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner `must provide a report at the reasonable request of a statutory authority.

Protection of fauna

16. Prior to the removal of the vegetation, the site/trees must be inspected for signs of habitation by fauna. If wildlife are present when removing vegetation, only a suitably qualified wildlife handler or zoologist can handle wildlife to ensure it is not harmed.

Tree protection

17. Deleted.

18. Deleted.

19. Prior to the commencement of any demolition, excavation or works; and during all stages of development, the Tree Protection Zones (TPZ), tree protection fencing, recommendations, and tree protection measures; identified in the approved Tree Protection and Management Plan (TPMP); must be implemented, complied with, and certified; to the satisfaction of the Responsible Authority. A final certified copy of the Tree Protection Management Plan, demonstrating that compliance with the plan has been implemented and achieved, must be prepared and made available at the reasonable request of a statutory authority.

20. Any underground services must be installed outside the Notional Root Zone (NRZ) of any retained trees (unless shown on the approved plans) or installed by directional boring outside of the Structural Root Zone (SRZ); and at a minimum depth of 600mm; unless with the written permission of the Responsible Authority and by using non-destructive excavation techniques (methods (pneumatic, hydraulic, hand digging or similar); under the direct supervision of a Level 5 (AQF) Arborist; and in accordance with any requirements of the Responsible Authority.

Prior to occupation

25. Before the initial occupation of the development, areas set aside for the parking of vehicles, access lanes and driveways as shown on the endorsed plans must be constructed in accordance with approved construction plans.

    Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Engineering

32. Paths, pram crossings, crossovers, access ramps and TGSIs must be installed in accordance with DDA requirements and relevant Australian Standards.

33. Disabled access into buildings must be in accordance with DDA requirements and relevant Australian Standards.

CFA Conditions

34. The Master Plan prepared by V/A Architects, Rev A, dated 27/11/2025 must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by FRV and the Responsible Authority.

    a) The general layout and dimensions of the vehicle access must be constructed as per the endorsed plans and in accordance with the following requirements: There must be at least 4.0 m clearance vertically.
    b) They must be capable of accommodating a vehicle with a weight of 15 tonnes.
    c) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.

35. Before occupancy of any dwelling, operable above ground fire hydrants must be provided in accordance with the following requirements, or to satisfaction of FRV.

36. The maximum distance between a hydrant and the rear of any building must be 120 metres and hydrants must be no more than 200 metres apart.

37. Hydrants must be identified as specified in 'Identification of Street Hydrants for Firefighting purposes' available under publications on the Country Fire Authority web site (www.cfa.vic.gov.au)

Waste Management

39. All garbage and waste material must be stored in areas set aside for such purpose to the satisfaction of the Responsible Authority.

Environmental Health

40. Deleted.

41. Deleted.

42. Deleted

43. Deleted.

44. Deleted.

Amenity

53. Deleted.

Notes

The permitted development must be undertaken in accordance with Cultural Heritage Management Plan, CHMP Number: 20910 approved under the *Aboriginal Heritage Act 2006* on 25 June 2026.

	
Alex Colquhoun **Senior Planner**	**Peter Hampton** **Acting Team Leader – Statutory Planning**
Delegate Approved:	31/08/2026

CONDITIONS

Condition 1A - Amended Plans

1A. Before the developments 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 generally in accordance with the plans submitted with the application but modified to show:

a. A Tree Protection and Management Plan (TPMP) prepared by a Level 5 (Australian Qualifications Framework) Arborist in accordance with Australian Standard AS4970:2025 – Protection of trees on development sites. The report must be prepared to the satisfaction of the Responsible Authority, and include:

i. The appointment of a Level 5 Project Arborist;
ii. A detailed site survey drawn to scale, including trees located on the subject site; and trees on the adjoining land whose Notional Root Zones (NRZ) fall within the subject site;
iii. Tree Protection Specifications (TPS) including:
    1. A description of all tree protection fencing, special construction methods, special construction materials, and tree protection measures; which must be implemented and certified;
    2. A Supervision Timetable to ensure Arboricultural oversight during critical stages of the development;
    3. A Certification Document using a logical and sequential process; and,
iv. a Tree Protection Plan (TPP) drawn to scale;

b. Existing surface contour lines clearly labelled on all plans.

c. The spacing between Dwelling Unit 16 and Dwelling Unit 17 increased to provide minimum 500 mm horizontal clearance from the back of kerb to all buildings and building overhangs, and also minimum 500 mm horizontal clearance between the body of a turning 8.80 m Medium Rigid Vehicle and all buildings and building overhangs.

d. The road pavement between Dwelling Unit 16 and Dwelling Unit 17 increased in width to enable all wheels of a turning 8.80 m Medium Rigid Vehicle to remain on the road pavement at all times, while also maintaining minimum 500 mm horizontal clearance between the body of the Medium Rigid Vehicle and all buildings and building overhangs.

e. Swept Path Diagrams for a B85 car entering and exiting garages to dwellings, including when one car space is already occupied in double garages, in all critical locations.

f. Swept Path Diagrams for B85 car access to and from visitor parking spaces in front of garages to dwellings, in all critical locations.

g. The spelling of 'Spiniker Court' amended on all plans to 'Spinnaker Court' to match the existing spelling of this internal road.

Amended Plans

1. Before the developments starts, amended plans and documentation 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 generally in accordance with the plans submitted with the application but modified to show:

54. The location of static water tanks required for the hydrant/sprinkler systems in accordance with CFA requirements.

55. Deleted.

56. Deleted.

57. Deleted.

58. Deleted.

59. Deleted.

60. Wheel stops omitted where parking bays provide direct pedestrian access to footpaths (to avoid tripping hazards).

61. Provision of adequate lighting along driveways and within car park areas.

62. Deleted.

63. Deleted.

64. Deleted.

65. Deleted.

66. Deleted

67. Deleted.

68. Deleted.

Engineering Plans

2. After the endorsement of Condition 1 plans and before any works associated with the development starts, a signed and completed 'Checklist for Development Engineering Plan Approval' along with engineering plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and shall be emailed to devengadmin@mornpen.vic.gov.au in pdf format.

   The plans must show:

j) Areas of the development discharging to the north-east of the site being drained by means of an underground drainage system to retain a post development 1 in 100 year storm event for the critical storm duration. Discharge from this area of the site must be limited to an equivalent pre-development flow based on a 1 in 2 year storm event for the critical storm duration and connected to the existing Council underground drainage system near the northern boundary of the property.

k) Areas of the site discharging to Esplanade being drained by means of an underground drainage system to retain a post development 1 in 10 year storm event for the critical storm duration. Discharge from this area of the site must be limited to an equivalent pre-development flow based on a 1 in 2 year storm event for the critical storm duration and be connected to the existing Council drainage pit adjacent to the north west corner of 604 Esplanade and within Esplanade.

l) All surface areas of private open spaces being drained by a minimum 100 mm diameter drainage pipe connected to the storm water system.

m) Details, including levels, of common driveways and car parking areas within the site.

n) The design of all vehicle movements entering and exiting the property being in a forward direction.

o) Deleted.

p) ~~Deleted.~~

q) Details of internal road traffic signage and line marking.

r) Drainage to capture all surface run-off from No. 594A Esplanade, along the eastern boundaries of this property.

3. Before any works associated with the development commences, drainage computations are required for the proposed drainage system, including consideration of any drainage catchment external to the development that may drain to the proposed drainage system.

Construction Management Plan

4. Prior to the commencement of any works and after approval of engineering plans, a project-specific Major Construction Management Plan (CMP) must be endorsed by the Responsible Authority. This CMP is to be based on the standard Major CMP template found on the Mornington Peninsula Shire's website. When approved, the CMP will be endorsed and form part of the Planning Permit. The endorsed CMP must be

implemented to the satisfaction of the Responsible Authority prior to, and during the works.

Traffic Management Plan

5. Prior to the commencement of works for this development a project specific Traffic Management Plan (TMP) must be submitted to Council for approval. The TMP must then be implemented to the satisfaction of the Responsible Authority prior to and during construction of the retirement village.

Layout not altered

6. The approved development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority (unless otherwise specified by a condition of this permit, consent is not required for any buildings or works which do not require a planning permit under the Mornington Peninsula Planning Scheme).

Colours and materials

7. The materials and colours of the exterior finish of the development must be in accordance with the endorsed plans unless with the further written consent of the Responsible Authority.

8. Prior to the initial occupation of the development, external finishes must be completed to a professional standard to the satisfaction of the Responsible Authority.

Tree Removal

9. The extent of clearing of vegetation as shown on the endorsed plans must not be altered or modified without the consent of the Responsible Authority.

10. All disturbed surfaces on the land must be revegetated and stabilised to the satisfaction of the Responsible Authority.

11. Deleted.

12. Deleted.

Offset requirement

13. To offset the removal of 0.252 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DEECA 2025) as specified below:

    - A general offset of 0.05 general habitat units:

- located within the Melbourne Water CMA boundary or Mornington Peninsula Shire municipal district
- with a minimum strategic biodiversity score of at least 0.1543.

14. Before any native vegetation is removed evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:

    - an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or
    - credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

    A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Energy, Environment and Climate Action (DEECA).

15. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner `must provide a report at the reasonable request of a statutory authority.

Protection of fauna

16. Prior to the removal of the vegetation, the site/trees must be inspected for signs of habitation by fauna. If wildlife are present when removing vegetation, only a suitably qualified wildlife handler or zoologist can handle wildlife to ensure it is not harmed.

Tree protection

17. Deleted.

18. Deleted.

19. Prior to the commencement of any demolition, excavation or works; and during all stages of development, the Tree Protection Zones (TPZ), tree protection fencing, recommendations, and tree protection measures; identified in the approved Tree Protection and Management Plan (TPMP); must be implemented, complied with, and certified; to the satisfaction of the Responsible Authority. A final certified copy of the Tree Protection Management Plan, demonstrating that compliance with the plan has been implemented and achieved, must be prepared and made available at the

reasonable request of a statutory authority.

20. Any underground services must be installed outside the Notional Root Zone (NRZ) of any retained trees (unless shown on the approved plans) or installed by directional boring outside of the Structural Root Zone (SRZ); and at a minimum depth of 600mm; unless with the written permission of the Responsible Authority and by using non-destructive excavation techniques (methods (pneumatic, hydraulic, hand digging or similar); under the direct supervision of a Level 5 (AQF) Arborist; and in accordance with any requirements of the Responsible Authority.

21. Any pruning which may be required on trees which are to be retained on the subject site and neighbouring land must be undertaken by a qualified arborist in compliance with the procedures and practices described in AS 4373-2007 Australian Standard pruning of amenity trees.

22. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and are advised of any obligations in relation to the protection of those trees.

23. No trenching or soil excavation is to occur within the Tree Protection Zones of retained trees unless shown on the endorsed plans without the prior written consent of the Responsible Authority. No vehicular or pedestrian access, storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.

Prior to occupation

24. Before the initial occupation of the development, drainage works associated with the development must be constructed in accordance with approved construction plans, and to the satisfaction of the Responsible Authority.

25. Before the initial occupation of the development, areas set aside for the parking of vehicles, access lanes and driveways as shown on the endorsed plans must be constructed in accordance with approved construction plans.

    Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Landscaping

26. Within 6 months of the practical completion of the development (or other time agreed to in writing by the Responsible Authority), the landscaping works shown on the endorsed plans must be carried out and completed, to the satisfaction of the Responsible Authority.

27. Landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced as soon as practicable.

Engineering

28. Adequate lighting along and within car park and driveway areas must be provided for safe night time traffic movement in accordance with Australian Standards.

29. Security lighting must be installed at the entrance to the building and within any car parking area and pedestrian access way on site to the satisfaction of the Responsible Authority.

30. Clear sight lines must be provided for adequate visibility between vehicles leaving access driveways and pedestrians at the property lines as per Australian Standards AS/NZ 2890.1:2004 S3.2.4 Fig3.3. Obstructions including letterboxes, meter boxes, front and boundary fencing, vegetation and the like must be restricted to a maximum height of 1 metre.

31. Linemarkings, pavement markings, TGSI's (Tactile Ground Surface Indicators) and signage must be installed in accordance with relevant Australian Standards.

32. Paths, pram crossings, crossovers, access ramps and TGSIs must be installed in accordance with DDA requirements and relevant Australian Standards.

33. Disabled access into buildings must be in accordance with DDA requirements and relevant Australian Standards.

CFA Conditions

34. The Master Plan prepared by V/A Architects, Rev A, dated 27/11/2025 must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by FRV and the Responsible Authority.

    d) The general layout and dimensions of the vehicle access must be constructed as per the endorsed plans and in accordance with the following requirements: There must be at least 4.0 m clearance vertically.
    e) They must be capable of accommodating a vehicle with a weight of 15 tonnes.
    f) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.

35. Before occupancy of any dwelling, operable above ground fire hydrants must be provided in accordance with the following requirements, or to satisfaction of FRV.

36. The maximum distance between a hydrant and the rear of any building must be 120 metres and hydrants must be no more than 200 metres apart.

37. Hydrants must be identified as specified in 'Identification of Street Hydrants for Firefighting purposes' available under publications on the Country Fire Authority web site (www.cfa.vic.gov.au)

Waste Management

38. Matters relating to waste storage and collection must be conducted in accordance with the endorsed Waste Management Plan. Any differing arrangements relating to waste storage and collection on the land must be approved by the Responsible Authority.

39. All garbage and waste material must be stored in areas set aside for such purpose to the satisfaction of the Responsible Authority.

Environmental Health

40. Deleted.

41. Deleted.

42. Deleted

43. Deleted.

44. Deleted.

45. All wastewater must be discharged to the reticulated sewerage system to the satisfaction of the Responsible Authority.

46. Any external areas used for the storage or cleaning of waste receptacles, equipment or vehicles must be connected to the reticulated sewer system to the satisfaction of the Responsible Authority.

47. Exhaust ventilation systems must comply with Australian Standard 1668:4 – The Use of Ventilation and Air Conditioning in Buildings.

48. The amenity of the area must not be detrimentally affected by the use or development, through the:
    a. Transporting materials, goods, or commodities to and from the land.
    b. The appearance of any buildings, works, or materials.
    c. The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

49. The endorsed Waste Management and/or Environmental Management Plan must be implemented during all operations of the permitted land use.

50. The emission of noise from the use and/or development hereby permitted shall not exceed the noise limits determined in accordance with *EPA publication 1826.4*, *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment* venues (Noise Protocol) or any subsequent revision of this publication or EPA regulations.

51. Air-conditioning, external fans or other like plant equipment as shown on the endorsed plans must be installed, screened, baffled, and maintained to prevent loss of amenity to the area by its appearance, noise emission or otherwise to the satisfaction of the Responsible Authority.

Amenity

52. The amenity of the area must not be detrimentally affected by use of the development, through the:
    a) Transport or materials, goods or commodities to or from the land.
    b) Appearance of any buildings, works or materials.
    c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
    d) Presence of vermin.

53. Deleted.

54. Noise levels must not exceed those required to the met under the State Environment Protection Policies N-1 (Control of noise from Commerce, Industry and Trade), N-2 (Control of music from Public Premises) & NIRV.

55. Any security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.

56. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

Signage

57. The location and details of the sign, including the supporting structure, shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.

58. The sign must not be illuminated by external light except with the written consent of the Responsible Authority.

59. The sign must be constructed and maintained to the satisfaction of the Responsible Authority.

General

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

VicRoads

61. Prior to the commencement of works, amended plans to the satisfaction of VicRoads must be submitted to the Responsible Authority for endorsement. Once endorsed, the plans will form part of this permit. The amended plan(s) shall show:
    a. A fully dimensioned functional layout plan showing access arrangement with auxiliary turn treatments AUL(S) and CHR(S) as per Austroads Guide to Road Design Part 4A.
    b. Appropriate drainage across the site access.
    c. Works incidental to the construction of the left turn and right turn lanes such as but not limited to the realignment of the foot path along the site frontage, relocation of power pole(s) (if necessary), modifications to drainage assets and line markings and signage etc.
62. Prior to the commencement of any roadworks, the applicant must submit the detailed engineering design plans along with detailed design stage road safety audit to VicRoads for review and obtain written approval. The detailed design plans must be prepared generally in accordance with the approved functional layout plan and functional stage road safety audit.

63. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access crossover and associated works, including service relocation, must be provided and available for use to the satisfaction and at no cost to VicRoads and the Responsible Authority.

64. Where the roadworks, including footpath and nature strip, lie within private property, a widening of the road reserve will be required, at no cost to VicRoads. The developer must engage a licensed surveyor to prepare a Plan of Subdivision showing the affected land labelled "ROAD", which is to be vested in the Roads Corporation upon certification of the Plan of Subdivision, without any encumbrances. Subsequent to the registration of the plan, the subdivider must ensure that the original Certificates of Title that issue in the name of the Roads Corporation, are posted to: VicRoads - Property Services Department, 60 Denmark Street KEW, 3101.

Expiry

65. This permit will expire if one of the following circumstances applies:

- The development is not started within three years of the date of this permit.
- The development is not completed within five years from the 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.

Notes

The permitted development must be undertaken in accordance with Cultural Heritage Management Plan, CHMP Number: 20910 approved under the *Aboriginal Heritage Act 2006* on 25 June 2026.

SECTION 2 – DRAFT NOTICE OF DECISION (ALL REVIEWABLE) – MUST ALSO COMPLETE SECTION 3
SECTION 3 – DRAFT AMENDED PLANNING PERMIT – MUST BE COMPLETED WITH SECTION 2

Mornington Peninsula Shire

19 August 2026

Colleen Peterson
Deputy Secretary
Planning and Land Services
Department of Transport and Planning

planning.reform@transport.vic.gov.au.

Mornington Peninsula Shire officer submission to the Victorian Government's Planning scheme amendments and compensation regulations

Mornington Peninsula Shire (Shire) welcomes the opportunity to provide feedback on the Victorian Government's consultation on proposed planning scheme amendment and compensation regulation reforms.

Shire officers have reviewed the proposed Planning and Environment Interim Regulations 2026 and the accompanying information available on the Engage Victoria webpage and provide the following submission in response to the consultation material.

Mornington Peninsula Shire Council (Council) has previously endorsed submissions by the Municipal Association of Victoria (MAV) regarding proposed reforms to the *Planning & Environment Act 1987*.

The consultation period opened on the 22 July 2026 with a deadline for submissions on 19 August 2026. Due to this limited period, there was insufficient time for this submission to be presented at an Ordinary Meeting of the Council for formal endorsement. This submission therefore represents the views of Shire officers only and is subject to Council endorsement at a later date.

The format of this submission addresses each of the following DTP survey topics:
- Planning scheme amendments: impact category criteria
- Planning scheme amendments: public engagement regulations and guidance
- Planning scheme amendments: other regulations

This submission does not address the proposed compensation regulations regarding future public use of private land which we understand seek to align rules and processes with case law.

Council continues to advocate for sensible reforms to ensure Victoria's planning system delivers timely, yet quality planning outcomes that can be effectively administered by councils and supported by the community. Officers therefore make the following general observations about the overall reform package and implications for Council's decision-making processes.

- These reforms represent a major change to implementation of the *Planning and Environment Act 1987* which was introduced nearly four decades ago. All users of the planning system and particularly local

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Victorian councils (as planning authorities) require sufficient time to adapt to the new processes within existing constrained local government resourcing environments.

- This part of the reform package focusses on planning scheme amendments. This statutory process is significant and often contentious for local communities as it may change the strategic land use directions of a local council. Therefore, a short four-week consultation period is inadequate for meaningful industry engagement and for practitioners to fully appreciate the consequences of the new regulations. A four-week period does not allow time for our Council to endorse the proposed regulations and to undertake local community consultation.
- Notably, the reforms to the planning permit system are being programmed during the coming year, which is a longer timeframe than has been provided for reforming the planning scheme amendment process. This timeframe presumably acknowledges the major change to the statutory processes and the impacts on council's planning departments, costs, and systems. Similar issues and implications arise for changes in planning scheme amendment rules and processes which we consider should have been given similar due process.
- The Victorian Government has not clearly explained to local communities the 'what' and 'why' of the reforms and leaves it to each council to explain the changes and how communities will be consulted in future and how their 'submissions' and 'comments' will be treated (in contrast to the commonly understood existing process). Some of the proposed reforms which remove the ability of people to have their submissions heard at an independent planning panel are likely to be of considerable concern as this is a significant departure from current practise.
- The proposed streamlining of the planning scheme amendment processes; proportional to an amendment's complexity, risk and the potential impacts is supported in-principle – including tailoring public notice requirements accordingly. This approach is likely to deliver time and cost savings and provide greater certainty and predictability to the community and proponents. Currently, the system adopts a 'one-size-fits-all' approach resulting in significantly long and costly processes with uncertain outcomes – even when relatively minor amendments are sought.
- For proponent-led planning scheme amendments, we have concerns about the decision-making process where there may be a difference of opinion between the proponent, Council and DTP. This would apply in the decision to nominate an impact category and about the required inclusions in a Public Engagement Plan. For instance, if a proponent has nominated a different impact category, can the planning authority determine the category without further consultation with the proponent? Will the DTP require further discussion with the proponent? There should be clear guidance on a linear process whereby the council determines the impact and the scope of the Public Engagement Plan and provides written reasons.
- We support each of the proposed amendment types listed in the 'high impact' category as they reflect amendments that generate significant community interest and therefore tend to benefit from submissions and an independent review process. However, the proposed 'general considerations' for determining if an amendment should be high impact (review by a planning panel) or medium impact (no panel), where the amendment does not meet a prescribed form, require further clarification as they are currently open to interpretation which creates administrative complexity and therefore uncertainty.
- We are concerned about how amendments addressing environmental risks will be treated under the new framework and whether the right balance is being struck between ensuring expedient implementation of controls to respond to risks affecting life, property and the environment, but with proper oversight and expert input. Examples include sea level rise, erosion, landslides, flooding, landfill gas risk, major pipeline buffers, extractive industry buffers, major hazard facility buffers, etc. At present, implementation and updating of bushfire controls are state led and fast-tracked, yet a similar approach (low impact amendment) is only proposed for flooding. We consider a state-wide

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approach to other key environmental risks is required, noting, for example, the McCrae Landslide Board of Inquiry recommends a state led approach to landslide data and controls.

- In terms of practical application of the different amendment impact categories, we agree that a single impact category should be assigned to a whole planning scheme amendment, as assigning different impact categories to different components would be unworkable. We also agree that a planning panel should review the whole planning scheme amendment for high impact amendments, rather than limiting review to specific submissions referred, as there is significant benefit in independent review of the amendment.
- The proposed process of preparing a Public Engagement Plan (PEP) to be signed off at the time of authorisation is generally supported as the proposed reforms will be proportional to the impact category of the planning scheme amendment, provide inherent flexibility for councils to tailor notice, and generally represent a formalisation of long-standing existing council practices.
- The 'other regulations' proposed for planning scheme amendments are generally supported, subject to further refinement and clarification of several matters.
- DTP advises that more guidance material will be produced when the new regulations are introduced. We are concerned that some of the proposed regulations are subjective, open to interpretation and may result in referral for legal opinions. Examples are noted in the tables in the following sections. This would add delays, costs and complexity to the process when the objective of the reforms is to streamline the process.

1. Planning scheme amendments: proposed impact category criteria

The consultation material provides detailed information about the proposed impact streams, namely:

Category	Consultation	Panel
Prescribed low impact	Targeted consultation with people or bodies	No panel
Prescribed medium impact	Formal notification and public exhibition	No panel
Prescribed high impact	Formal notification and public exhibition	Mandatory referral to panel
If not prescribed as low, medium or high, assess whether the amendment should be medium or high impact based on the 'general considerations'	Formal notification and public exhibition	Medium impact - no panel High impact -mandatory referral to panel

The following tables provide officer feedback to the proposed impact categories.

1.1 Prescribed low impact categories

Grouping	Class	Officer comments August 2026
Technical or corrective amendments	An amendment of a class described in regulation 8(1) that is not being prepared by the Minister under section 20A of the *Planning and Environment Act 1987*.	DTP should confirm that this does not apply to a request for an interim planning scheme amendment to the Minister under section 20(4).

Grouping	Class	Officer comments August 2026
		Agree with low impact category for classes of amendment listed in Regulation 8(1). These classes of amendment summarised below represent corrections of errors or minor fix ups to keep the planning scheme up to date: • correct an obvious or technical error in the VPPs/planning scheme • delete an expired clause • clarify or improve the style, format, language or grammatical form of a clause if intent is not changed • remove a clause that duplicates another clause • insert or update a heading • update a reference to a clause • delete a reference to an expired / redundant incorporated document or a reference document • if the legal description of person, body, department, Act or statutory rule has changed • delete a reference to a person or body specified as a referral authority at their request • (j) delete a reference to a person or body to whom notice of an application for a permit must be given at their request • (k) delete a reference to a heritage place being included on the VHR if the heritage place is not on the VHR • (l) include land in the Transport Zone if that land has been declared a freeway or an arterial road • (m) delete a Road Closure Overlay from land • (n) delete a PAO if acquired by the acquiring authority

Grouping	Class	Officer comments August 2026
		• (o) delete an EAO from land if an EA statement or report has been issued for that land • (p) extend the expiry of a clause in the Victoria Planning Provisions or a planning scheme for a period of 12 months or less • (q) incorporate an infrastructure contributions plan if PSP approved
	An amendment to alter a clause or schedule for the purpose of resolving an inconsistency between the clause or schedule and the Ministerial Direction – The Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.	Agree with low impact category – targeted consultation, no panel.
	An amendment to rezone land to correct an obvious error or anomaly in the planning scheme map.	DTP should clarify. An 'obvious' error is sometimes immediately evident following approval of a planning scheme amendment, and this correction is readily explained, so should be categorised as low impact. However, some errors only come to light after years/decades, and it may be hard to pinpoint the original intent of the application of a zone and its mapping. This is often made more difficult due to incomplete or inaccessible municipal records. These historical errors may not be easily corrected and in some cases should be subject to exhibition and panel review (if there are unresolved submissions), given the passage of time and different planning regimes. Some examples of this are: • Where land is in two zones – which zone should apply? • Private land zoned for a public use – rezoning to a non-public zone may cause community concern if there is a long-held community expectation of a public use.

Grouping	Class	Officer comments August 2026
	An amendment to include land in or delete land from an overlay to correct an obvious error or anomaly in the planning scheme map.	Same comments as above.
	An amendment to delete a schedule to a zone or a schedule to an overlay that does not apply to any land, including as a result of any change to the planning scheme map concurrently proposed by the amendment.	Agree with low impact category – targeted consultation, no panel.
	An amendment to alter a clause or schedule for the purpose of resolving an inconsistency between the clause or schedule and any of the following: • The Yarra River Strategic Plan approved under section 37 of the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017*; or • A Great Ocean Road strategic framework plan approved under section 38 of the *Great Ocean Road and Environs Protection Act 2020*; or • A Statement of Planning Policy approved under section 46AY of the *Planning and Environment Act 1987*; or • The approved Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan within the meaning of section 46A of the *Planning and Environment Act 1987;* or • The approved Melbourne Airport Environs Strategy Plan within the meaning of section 46R of the *Planning and Environment Act 1987*; or • The approved Williamstown Shipyard Site Strategy Plan within the meaning of section 46ZA of the *Planning and Environment Act 1987*.	Agree with low impact category – targeted consultation, no panel.

Grouping	Class	Officer comments August 2026
Amendments that transfer an existing schedule to an overlay to a more appropriate overlay	An amendment to delete land from a schedule to an overlay and include that same land in a schedule to a different overlay, providing the new overlay aligns with the intended effect of the original schedule, and providing that permit requirements, requirements applicable to the use and development of land, and decision guidelines are not substantially altered. ***Example:*** *Transferring planning controls from an existing Environmental Significance Overlay schedule to a Significant Landscape Overlay (SLO) schedule because the SLO is the most appropriate Victoria Planning Provision to protect the identified values.*	DTP should clarify how decision makers will assess 'not substantially altered': *…providing that permit requirements, requirements applicable to the use and development of land, and decision guidelines are not substantially altered.* This may involve a subjective judgement about the differences in permit requirements, use and development requirements and decision guidelines in the existing and proposed schedules. While the objectives and majority of provisions may appear very similar, there could be one key difference in a decision guideline. In addition, legacy decision guidelines may not comply with current form and content templates, therefore they may require 'substantial' change.
Amendments that support arrangements for land handed back to Traditional Owners	An amendment to rezone land where freehold title has been granted to a Traditional Owner group entity for that land pursuant to a Recognition and Settlement Agreement under the *Traditional Owner Settlement Act 2010*.	Agree with low impact category – targeted consultation, no panel.
Amendments to the Planning Policy Framework or Municipal Planning Strategy	An amendment to the Planning Policy Framework or the Municipal Planning Strategy that is necessary to make it consistent with any State planning strategy or regional planning strategy approved under *Part 1AA of the Planning and Environment Act 1987.* ***Note:*** *The Reform Act will introduce the ability for a 'State planning strategy' and a 'regional planning strategy' to be prepared under Part 1AA of the PE Act. Under new section 39B in the PE Act, to approve a planning scheme amendment the Minister must be satisfied that it is consistent with the State planning*	DTP should clarify scope of changes to any regional of State planning strategy. This should only be categorised as low impact when the ordinance is updated to reflect references to an approved State or regional planning strategy. It should not apply to any planning scheme amendments that introduce a new strategy that fundamentally changes the Planning Policy Framework or the Municipal Planning Strategy.

Grouping	Class	Officer comments August 2026
	strategy and any applicable regional planning strategy.	
	An amendment to the Planning Policy Framework to include or update reference to a policy document, without any other change to the Planning Policy Framework.	Agree with low impact category – targeted consultation, no panel.
	An amendment to clause 02.01 or clause 02.02 of the Municipal Planning Strategy.	Do not agree that an amendment to clause 02.01 or clause 02.02 would always be characterised as 'low impact'. Clause 02.01 provides the planning context for the Mornington Peninsula Planning Scheme and importantly clause 02.02 sets out the local vision and strategic objectives that are derived from the Council Plan. The vision and strategic objectives directly link to the subsequent strategic directions (clause 02.03) and strategic framework plan (clause 02.04). There is a concern that clause 02.02 could be amended as part of a proponent-led planning scheme amendment request directly to the Minister. This has the potential to undermine approved local policy. Irrespective of whether it is a proponent-led amendment, or Council led, a change to the municipal planning strategy that amends strategic objectives should be subject to exhibition and a panel if there are unresolved submissions.
Amendments relating to public land zones and Urban Growth Zone	An amendment to rezone land to a public land zone if: • The land is Crown land or land owned by a public authority or municipal council; and • The land was acquired by the Crown, public authority or municipal council within 12 months prior to the application for authorisation being made.	Agree with low impact category – targeted consultation, no panel.

Grouping	Class	Officer comments August 2026
	An amendment to rezone land currently in a public land zone to any other zone if: • The land is to be rezoned to a zone that adjoins the land; and – what if there is more than one different adjoining zones? (medium) • The land has been disposed of by the Crown, a public authority or municipal council in accordance with relevant legislation for the disposal of the land within 12 months of the application for authorisation being made; or • The land is owned by a municipal council and that municipal council has decided to sell the land.	DTP should clarify the impact category if the land to be rezoned adjoins properties in a number of different zones. In this scenario, exhibition may be required and a panel if there are unresolved submissions.
	An amendment to rezone land currently in the Urban Growth Zone to any other zone if: • The land is to be rezoned to the applied zone identified for that land in the schedule to the Urban Growth Zone; and • All required Growth Area Infrastructure Contributions applicable to the land have been paid.	Agree with low impact category – targeted consultation, no panel.
Amendments relating to zones and overlays	An amendment to modify the content of an existing schedule to a zone, overlay or particular provision, that does not alter any of the following applicable to any land: 1. a permit requirement; or 2. an exemption from a requirement to obtain a permit; or 3. a requirement applicable to use and development; or 4. a requirement to include a condition in a permit; or	While the majority of the requirements of a zone, overlay or particular provision must remain the same, the ability to modify design objectives or decision guidelines in an existing overlay schedule could raise issues that may require review by a panel. This would depend on the extent of modification and whether the modification would change the focus for the decision maker. Changes of this nature have the potential to undermine the intent of the control. Also, there is concern that a design objective or decision guideline could be amended as part of a proponent-led planning scheme amendment request directly to the Minister. In

Grouping	Class	Officer comments August 2026
	5. an exemption from the requirements of section 52(1), section 64(1), (2) and (3), or section 82(1); or 6. a requirement to refer a permit application under section 55(1); or 7. a requirement for a financial contribution or land contribution; or 8. a public benefit uplift framework. ***Example***: *Modifying the design objectives or decision guidelines in an existing overlay schedule.*	this case, the revised wording may undermine the intent of the control as understood by the community. Any changes to the design objective or decision guidelines of a control that impact many properties should be subject to exhibition and a panel.
	An amendment to include land in a zone, overlay or schedule to a zone or overlay, that does not alter any of the following applicable to any land: • a requirement to obtain a permit for any use or development; or • an exemption from a requirement to obtain a permit for any use or development; or • a requirement applicable to use and development; or • a requirement to include a condition in a permit; or • an exemption from the requirements of section 52(1), section 64(1), (2) and (3), or section 82(1); or • a requirement to refer a permit application under section 55(1); or • a requirement for a financial contribution or land contribution; or • a public benefit uplift framework. ***Example***: *Including land that is currently in one schedule to the General Residential Zone in another schedule to the General Residential Zone where the effect of this change only alters decision guidelines applicable to use or development.*	DTP should clarify circumstances where this pathway would apply. The example given is changing a schedule to the GRZ where the only difference in the schedule is the decision guidelines. It is predicted that this would likely only be applicable where a few nearly identical schedules are proposed to be rationalised into fewer schedules.

Grouping	Class	Officer comments August 2026
Amendments relating to heritage and built form overlays.	An amendment to specify or modify a reference to a statement of significance in the schedule to the Heritage Overlay without altering any requirement in the schedule to the Heritage Overlay. ***Note**: This only relates to the name and date of the statement of significance in the schedule, not amendments to the content of an existing statement of significance. Separate classes are proposed in relation to statements of significance under clause 72.04 (Incorporated documents).*	Agree with low impact category – targeted consultation, no panel.
	An amendment to modify the identification of a heritage place in the schedule to the Heritage Overlay to reflect a new or updated statement of significance or incorporated plan applicable to the heritage place.	Agree with low impact category only where the modification to the identification of a heritage place applies to the same land that is already in the Heritage Overlay. If there is a change to the identification of a heritage place and the extent of land mapped in the Heritage Overlay, and the landowner has not consented, the planning scheme amendment should be subject to exhibition and review by a panel if there are unresolved submissions.
	An amendment to include land in, or delete land from, a Heritage Overlay to more accurately reflect the location or extent of an existing heritage place in the schedule to the Heritage Overlay that is not a precinct.	Agree with low impact category only where land is deleted from an individual HO (not in a precinct). Do not agree with a low impact category if it includes land in a Heritage Overlay to more accurately reflect its location or extent of a heritage place, unless the landowner consents. The addition of land in a Heritage overlay is often contentious for owners and a planning scheme amendment should be subject to exhibition and a panel, if there are unresolved submissions, as this scenario often benefits from the examination of evidence by heritage experts in a panel setting
	An amendment to include land in, or delete land from, a Heritage Overlay to	Agree with low impact category – targeted consultation, no panel.

Grouping	Class	Officer comments August 2026
	correct a discrepancy between the planning scheme map and the schedule.	
	An amendment to delete a heritage place from the schedule to the Heritage Overlay where the heritage place has been lawfully demolished or removed.	Agree with low impact category – targeted consultation, no panel.
	An amendment to delete a Development Plan Overlay or Incorporated Plan Overlay from land if development in accordance with the development plan or incorporated plan has been completed.	Agree with low impact category, but DTP to clarify the circumstances of 'completion'. Some Development Plans and Incorporated Plans can be deemed to be completed when development has finished, and particularly for a combined 96A permit when the development has been completed in accordance with the permit. In other examples, the plans themselves lock down development requirements in the future. In these circumstances, the plan cannot be deemed to be completed and would not be considered a low impact category. DTP should confirm that the 'in accordance with' is deliberate, to avoid the need for subjective assessments under the 'generally in accordance' phrase.
Amendments relating to land management overlays	An amendment to include land in an existing schedule to a land management overlay where all the following apply: • The land is already in that overlay but not the schedule proposed to apply to the land. • The effect of the schedule would be to apply specified application requirements to a class of permit application to exempt that class of permit application from referral to a referral authority, or to exempt development from the requirement to obtain a permit.	Agree with low impact category – targeted consultation, no panel. It is assumed the inclusion of land in a schedule when already in an overlay would only be deemed low impact if the application requirements and permit requirements were less onerous than if the land is only in the parent overlay. With respect to referral authority consent, DTP should provide further guidance for practitioners to seek appropriate and consistent wording to avoid ambiguity in consent letters.

Grouping	Class	Officer comments August 2026
	• Any relevant referral authority consents to the planning scheme amendment. ***Example**: Including land in Schedule 1 to the Land Subject to Inundation Overlay (LSIO) where the land is already subject to the LSIO but is not currently within a schedule, and where the effect of the schedule would be to exempt certain developments from requiring a permit.*	
	An amendment to delete an existing schedule to a land management overlay from land where all the following apply: • The overlay does not mandate an accompanying schedule. • The land is to remain in the same overlay. • The effect of deleting the schedule from the land would be to remove an exemption from a referral requirement. • The relevant referral authority consents to the planning scheme amendment. ***Example**: Reverting an area subject to a schedule in the Bushfire Management Overlay (BMO) to the ordinary BMO provisions.*	DTP should clarify circumstances when this would be contemplated other than a BMO. With respect to referral authority consent, DTP to provide further guidance for practitioners to seek appropriate and consistent wording to avoid ambiguity in consent letters.
	An amendment to include land in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay with the written consent of Melbourne Water or a floodplain management authority under section 201 of the *Water Act 1989.*	This proposed reform raises broader issues about the way in which planning controls are implemented for environmental risks which affect life, property and the environment. A planning scheme amendment to apply a land management overlay is based on technical modelling which, traditionally, may be assessed by various experts with differing conclusions and recommendations. Such differences are best aired and balanced by an independent panel.

Grouping	Class	Officer comments August 2026
		This is particularly important given the controls themselves have the potential to significantly burden a landowner, in terms of permit and associated application requirements, as well as the responsible authority which needs to process applications. The low impact category for environmental risks may be appropriate, but only where a Council or other government authority has previously consulted with landowners about the hazard data, such as when preparing a municipal or regional scale study. Consistent with previous advocacy to the Minister for Planning, Council's view is that the State Government should lead the preparation and continual update of hazard data for state-wide environmental risks (such as sea level rise, erosion, landslides, flooding, major pipeline buffers, extractive industry buffers, major hazard facility buffers, etc.) and the associated amendment processes to implement and update appropriate planning controls. Independent review of data and planning controls by a standing advisory committee/s which specialise in these matters, and can test related expert evidence, would provide important oversight while ensuring expedient and *consistent* outcomes across Victoria. Importantly, the use of Statewide hazard mapping was included in the recommendations of the Victorian Government's Board of Inquiry into the McCrae landslide Report, September 2025. **Recommendation 20: Addressing data gaps on landslide risk** The Board of Inquiry recommends the Victorian Government develop and implement a project that addresses data gaps on landslide risk. As part of the project, the Victorian Government should explore options for how landslide risk data can be shared and made broadly accessible, including by those living in areas with landslide risk for use in mitigating and managing the risk. Consideration should be given to all options, including: a. the creation of an online data resource; b. engaging with Geoscience Australia to explore opportunities, such as a partnership, aimed at resuming online data collection of Victorian landslides which was ceased in 2018; c. the provision of technical or financial assistance to local government authorities where necessary; and d. statewide mapping of landslide susceptibility, in coordination with relevant government departments.

Grouping	Class	Officer comments August 2026
		With respect to referral authority consent, DTP should provide further guidance for practitioners to seek appropriate and consistent wording to avoid ambiguity in consent letters.
	An amendment to include land in the Environmental Audit Overlay with the written and unconditional consent of all landowners of that land.	Agree with low impact category – targeted consultation, no panel. With respect to 'unconditional consent of all landowners', DTP should provide further guidance for practitioners to seek appropriate and consistent wording to avoid ambiguity in consent letters.
Amendments relating to the Public Acquisition Overlay	An amendment to delete a Public Acquisition Overlay from land made with the consent of the acquiring authority.	Agree with low impact category – targeted consultation, no panel. With respect to acquiring authority consent, DTP should provide further guidance for practitioners to seek appropriate and consistent wording to avoid ambiguity in consent letters.
	An amendment to modify the schedule to the Public Acquisition Overlay to change the acquiring authority for any land in the overlay, made with the consent of both the existing and proposed new acquiring authorities.	Agree with low impact category – targeted consultation, no panel. With respect to acquiring authority consent, DTP should provide further guidance for practitioners to seek appropriate and consistent wording to avoid ambiguity in consent letters.
	An amendment to include land, other than Crown land or land owned by a public authority or municipal council, in a Public Acquisition Overlay with the written and unconditional consent of all landowners and occupiers of that land and the proposed acquiring authority.	Agree with low impact category – targeted consultation, no panel. With respect to 'unconditional consent of all landowners' and proposed acquiring authority, DTP should provide further guidance for practitioners to seek appropriate and consistent wording to avoid ambiguity in consent letters.
Amendments relating to the Restructure Overlay	An amendment to delete a Restructure Overlay from land if the restructure has been completed in accordance with a	Agree with low impact category – targeted consultation, no panel.

Grouping	Class	Officer comments August 2026
	restructure plan listed in the schedule to the Restructure Overlay.	
Amendments relating to the Specific Controls Overlay	An amendment to update the reference to an incorporated document listed in a schedule to the Specific Controls Overlay. ***Note:*** *This only relates to the name and date of the specific control listed in the schedule, not amendments to the content of an existing specific control. Separate classes are proposed in relation to amendments to a specific control itself under clause 72.04 (Incorporated documents).*	Agree with low impact category – targeted consultation, no panel.
	An amendment to delete a Specific Controls Overlay from land and to delete the relevant reference to the specific control in the schedule to the Specific Controls Overlay if the specific control has expired under clause 45.12-2.	Agree with low impact category – targeted consultation, no panel.
Amendments relating to the Development Contributions Plan Overlay, Infrastructure Contributions Plan Overlay or Infrastructure Plan Overlay	An amendment to modify a schedule to the Development Contributions Plan Overlay, Infrastructure Contributions Plan Overlay or Infrastructure Contributions Overlay to change the works, services or facilities funded by a levy under one of these overlays if all the following requirements are met: • The amendment does not increase the contribution amount. • The relevant municipal council has conducted public consultation on the works, services or facilities as part of capital works planning in annual budget processes. ***Note****: Separate classes are proposed below in relation to amendments to development contributions plans and infrastructure contributions plans under clause 72.04 (Incorporated documents).*	DTP should provide further guidance on this scenario. For example, the following scenario should not be identified as low impact. If the council has conducted consultation as part of an annual budget, it may change the scope of services in its adopted budget to reduce infrastructure but retain the contribution amount. In this scenario, a subsequent planning scheme amendment to change the works, services or facilities funded by a levy should be subject to exhibition and a panel in the interests of fairness and transparency.

Grouping	Class	Officer comments August 2026
	An amendment to delete an existing schedule to the Development Contributions Plan Overlay, Infrastructure Contributions Overlay or Infrastructure Contributions Plan Overlay where: • The expenditure of collected funds has been reconciled; and • The planning authority and all collecting agencies and development agencies referenced in the relevant incorporated document have provided their written and unconditional consent to the deletion of the schedule. ***Note**: Separate classes are proposed in relation to amendments to development contributions plans and infrastructure contributions plans under clause 72.04 (Incorporated documents).*	Agree with low impact category – targeted consultation, no panel. With respect to agency consent, DTP should provide further guidance for practitioners to seek appropriate and consistent wording to avoid ambiguity in consent letters.
Amendments relating to general and operational provisions	An amendment to the schedule to clause 66.04 (Referral of permit applications under local provisions) to delete a referral requirement where the relevant referral authority has provided its written and unconditional consent to the deletion.	Agree with low impact category. DTP should provide further guidance for practitioners to seek appropriate and consistent wording to avoid ambiguity in consent letters. For example, is 'unconditional consent' given if the consent is phrased as 'Do not object', 'Agree', 'give unconditional consent', 'support' and so on.
	An amendment to the schedule to clause 66.06 (Notice of permit applications under local provisions).	Agree with low impact category – targeted consultation, no panel.
	An amendment to the schedule to clause 72.04 (Incorporated documents) if that amendment is required to facilitate a class of an amendment that is listed in this table.	Agree with low impact category – targeted consultation, no panel.
	An amendment to the schedule to clause 72.04 (Incorporated documents) to include a statement of significance as an	Agree with low impact category – targeted consultation, no panel.

Grouping	Class	Officer comments August 2026
	incorporated document, which does not alter the designation of any contributory or non-contributory place.	
	An amendment to the schedule to clause 72.04 (Incorporated documents) to change an incorporated document that is identified in the schedule to the Specific Controls Overlay where the effect of the change is limited to specifying or modifying an expiry date for a specific control.	Agree with low impact category – targeted consultation, no panel.
	An amendment to the schedule to clause 72.04 (Incorporated documents) to change an existing incorporated development contributions plan or infrastructure contributions plan where the effect of the change is limited to modifying the works, services or facilities funded by a levy and all the following requirements are met: • The amendment does not change the contribution amount. • The relevant municipal council has conducted public consultation on the works, services or facilities as part of capital works planning in annual budget processes.	See comments above for an amendment to modify a schedule to the Development Contributions Plan Overlay, Infrastructure Contributions Plan Overlay or Infrastructure Contributions Overlay.
	An amendment to the schedules to any of the following clauses: • 72.02 (What area is covered by this planning scheme?) • 72.03 (What does this planning scheme consist of?) • 72.05 (When did this planning scheme begin?) • 72.08 (Background documents) • 74.01 (Application of zones, overlays and provisions)	Agree with low impact category – targeted consultation, no panel.

Grouping	Class	Officer comments August 2026
	• 74.02 (Further strategic work)	

1.2 Prescribed high impact categories

Class	Officer comments August 2026
An amendment that would alter the minimum subdivision area applicable to any land in a rural zone. This does not apply to the rezoning of land in a rural zone to any zone that is not a rural zone.	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.
An amendment that would alter the area for which no permit is required to use any land for a dwelling in a rural zone, other than a Rural Living Zone. This does not apply to the rezoning of land in a rural zone to any zone that is not a rural zone.	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.
An amendment to introduce a financial or land contribution requirement to land under any zone, overlay or particular provision, except: • an amendment made with the written and unconditional consent of all landowners of all land subject to the amendment, or • an amendment made in conjunction with a precinct structure plan that is proposed as part of the same amendment, or • an amendment made in conjunction with an approved precinct structure plan.	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.
An amendment to increase a financial or land contribution requirement already applicable to land under any zone, overlay or particular provision, except: • an amendment made with the written and unconditional consent of all landowners of all land subject to the amendment, or • an amendment made in conjunction with a precinct structure plan that is proposed as part of the same amendment, or	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.

Class	Officer comments August 2026
• an amendment made in conjunction with an approved precinct structure plan.	
An amendment to extend the life of a Development Contributions Plan or an Infrastructure Contributions Plan, except an amendment made with the written and unconditional consent of all landowners of all land subject to the amendment.	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.
An amendment to insert a public benefit uplift framework in a schedule to a zone or overlay.	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.
An amendment to apply a Restructure Overlay to land not subject to that overlay.	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.
An amendment to apply a Public Acquisition Overlay to land not subject to that overlay, except: • an amendment made with the written and unconditional consent of all landowners of all land subject to the amendment, or • an amendment made in conjunction with a precinct structure plan that is proposed as part of the same amendment, or • an amendment made in conjunction with an approved precinct structure plan.	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.
An amendment to apply a Specific Controls Overlay to land not subject to that overlay.	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.
An amendment to the schedule to clause 51.02 (Metropolitan green wedge land: core planning provisions) that disapplies the core planning provisions from any land.	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.
An amendment to the schedule to clause 52.02 (Easements, restrictions and reserves).	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.
An amendment to the schedule to clause 52.28 (Gaming machines) that prohibits the installation or use of a gaming machine on any land or removes an existing prohibition on the	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.

Class	Officer comments August 2026
installation or use of a gaming machine from any land.	
An amendment to the schedule to clause 52.32 (Wind energy facility).	Agree with high impact category – formal notification, public exhibition, mandatory referral to panel.

1.3 Prescribed medium impact categories

Class	Officer comments August 2026
An amendment to rezone land where the amendment is consistent with existing explicit land use directions in the planning scheme applying to that land.	DTP should clarify interpretations of these terms to avoid ambiguity. • 'Explicit' – must be clearly stated in terms of all policy (local or State) or adopted land use outcome? • 'land use directions' – is it limited to explicit strategies in Planning Policy Framework? • '...in the planning scheme' – what about if it is an explicit outcome in an adopted background document, e.g. a structure plan?
An amendment to apply an existing schedule to a residential, industrial, commercial, or rural zone to land where a different schedule in that same zone currently applies.	Do not agree that this should be medium impact. The different schedule may be more flexible (less impact), but it could be more onerous. Exhibition and an independent Panel (if there are unresolved submissions) would assist in determining whether the new schedule is appropriate.
An amendment to modify the content of an existing schedule to a residential, industrial, commercial or rural zone.	Do not agree that this should be medium impact. The different schedule may be more flexible (less impact), but it could be more onerous. Exhibition and an independent Panel (if there are unresolved submissions) would assist in determining whether the new schedule is appropriate.
An amendment to modify the designation of the purpose of public land use in the Public Use Zone shown on the planning scheme map.	Agree with prescribed medium impact category – formal notification, no panel.

Class	Officer comments August 2026
An amendment to modify the designation of the purpose of transport use in the Transport Zone shown on the planning scheme map.	Agree with prescribed medium impact category – formal notification, no panel.
For a land management overlay (other than a State Resource Overlay), or for the Environmental Audit Overlay, an amendment to: • Modify the content of an existing schedule to an overlay, or • Include land in or delete land from an overlay or schedule to an overlay.	This would apply to the following existing overlays in the Mornington Peninsula Planning Scheme: • Erosion Management Overlay • Floodway Overlay • Land Subject to Inundation Overlay • Environmental Audit Overlay This would also apply to the following overlays not currently in the Mornington Peninsula Planning Scheme but may be applied in the future: • Special Building Overlay • Buffer Area Overlay See comments provided for the proposed 'low impact' category for flooding controls.
An amendment to modify a schedule to any of the following clauses: • 52.05 (Signs) to specify, modify or delete an exemption from notice and review. • 52.17 (Native vegetation) to specify, modify or delete an exemption from requirement to obtain a permit for specified land or a scheduled weed. • 52.33 (Post boxes and dry stone walls) to specify, modify or delete a requirement to obtain a permit to demolish, remove or alter a dry stone wall.	A planning scheme amendment to modify a schedule for an exemption from notice for a sign appears to fit the medium impact category. However, there is concern that an exemption with urban design impacts for township areas could be approved as part of a proponent led planning scheme amendment request directly to the Minister. Any major change to reduces notice requirements for some signs may impact township areas and should be subject to exhibition and a panel. A planning scheme amendment to modify a schedule to include exemptions for permits on specified land or for scheduled weeds appears to fit the medium impact category. However, there may be good reasons for requiring a permit including the retention of habitat to meet biodiversity objectives.
An amendment to insert, delete, or alter a class of local VicSmart application in the schedule to clause 59.15 (Local VicSmart Applications).	Agree with prescribed medium impact category – formal notification, no panel.

Class	Officer comments August 2026
Note: The process relating to VicSmart permit applications will be reviewed as part of the future implementation of planning permit reforms.	
An amendment to the schedule to clause 53.01 (Public open space contribution and subdivision) that does any of the following: • Reduce the amount of contribution for public open space applicable to any land, or • Increase the amount of contribution for public open space applicable to any land where the increase has the written and unconditional support of all landowners of that land.	Agree with prescribed medium impact category – formal notification, no panel.
An amendment to the schedule to clause 66.04 (Referral of permit applications under local provisions) to introduce or modify a referral requirement.	Agree with prescribed medium impact category – formal notification, no panel.
An amendment to the schedule to clause 72.01 (Responsible authority for this planning scheme)	Agree with prescribed medium impact category – formal notification, no panel.
An amendment to the schedule to clause 72.04 (Incorporated documents) other than an amendment prescribed as a low-impact class of amendment.	Agree with prescribed medium impact category – formal notification, no panel.
Amendments accompanied by an application for a planning permit under section 96A If an amendment would be categorised as a low-impact amendment but the planning authority has agreed to also consider an application for a planning permit under section 96A of the PE Act, that amendment is to be categorised as a medium-impact amendment. *Note: the above is a temporary measure to address a transitional matter regarding the application of section 96C (Notice of amendment, application and permit) to low-impact amendments. This will be removed once the permit reforms of Part 5 of the Reform Act come into effect.*	DTP should provide further guidance, as many section 96A applications involve many components, some of which would require an assessment of 'general considerations' and potentially require a panel.

1.4 General considerations

Officers provide the following feedback about 'general considerations':

- DTP to confirm if only one 'general consideration' needs to be met to determine if an amendment should be high impact (review by a planning panel) or medium impact (no panel).
- DTP has flagged that further guidance will be developed for applying the 'general considerations'. This will need to include how the assessment of 'general considerations' is recorded.
- It is understood that assessing an amendment against the 'general considerations' is not a merits assessment, it is only to choose a pathway (panel or no panel). However, the assessment of the 'general considerations' will necessarily involve a discussion of merits. This is another process where Council will need to advise the public, and perhaps a proponent, of its decision, and to explain the subtle difference.
- DTP has not provided examples where the 'general considerations' are balanced against each other to provide a final determination of a high versus a medium impact pathway.

As noted above, the wording of the 'general considerations' are open to interpretation as shown below:

General consideration	Officer comments
a. Whether the changes proposed by the amendment are materially inconsistent with any existing explicit land use directions in the planning scheme that apply to land that is the subject of the amendment.	The following terms involve a subjective assessment, are open to interpretation and could be subject to legal dispute: – 'materially inconsistent' – 'existing explicit' – 'land use directions' The assessment of this general consideration is likely to differ in the opinion of a proponent, a council officer and a DTP officer. DTP should explain the process for DTP making a final decision about an amendment being categorised under this consideration.
b. Whether the changes proposed by the amendment would collectively impose significant burden to owners or occupiers of land, in terms of: i. changes to the requirement to obtain a permit for any use or development, or ii. changes to the requirements or restrictions imposed on the use or development of land.	As above, the following terms involve a subjective assessment, are open to interpretation and could be subject to legal dispute: – 'collectively impose' – 'significant burden' – 'owners or occupiers' The assessment of this general consideration is likely to differ in the opinion of a proponent, an owner of land, an occupier of land, a council officer and a DTP officer. DTP should explain the process for DTP making a final decision about an amendment being categorised under this consideration.

General consideration	Officer comments
	DTP should advise if owners and occupiers of land include owners and occupiers of adjacent land that may be impacted by use or development permitted on adjacent land.
c. Whether the changes proposed by the amendment would substantially alter the use and development profile of land through the planning controls applied to land subject to the amendment.	Agree in principle, however the term 'substantially' is open to interpretation and requires clear guidance.
d. Whether the changes proposed by the amendment are likely to enable significant impact to land that is not subject to the amendment.	Agree in principle, however the term 'significant impact' is open to interpretation and requires clear guidance.
e. Whether the changes proposed by the amendment raise a major issue of policy. *For the purposes of consideration (e) – determinations should be guided by the objectives of planning in Victoria, the State planning strategy, any relevant regional planning strategy, any relevant Ministerial Directions, and the State and Regional policies in the Planning Policy Framework.*	Agree in principle, however the term 'major issue of policy' is open to interpretation and requires clear guidance.

2. Planning scheme amendments: public engagement regulations and guidance

Officers generally support the proposed process of preparing a Public Engagement Plan (PEP) to be signed off at the time of authorisation. The scope of a PEP will be proportional to the impact category of the planning scheme amendment.

The proposed low impact category will not undergo exhibition, but its PEP will detail targeted consultation with specific stakeholders (such as a directly impacted landowner) and relevant agencies.

The DTP's 'Draft guidance to support reforms relating to engagement on a planning scheme amendment' includes a draft template for a PEP. This document notes that while the template is not prescriptive, the minimum level of engagement is likely to include direct notification by letter or email, a newspaper advert and a website notice.

It is understood these low impact categories with targeted consultation would be amendments which implement technical and administrative updates or other relatively minor changes to planning policy or controls. Examples include correcting a zoning boundary error, deleting redundant provisions such as a Public Acquisition Overlay where the subject land has since been acquired or a Development Plan Overlay where the land has since been fully developed, updating references to the name or date of an Incorporated Document, or minor drafting changes to local policy to update references to a policy document.

Officers provide the following feedback about public engagement regulations:

- The requirement of a PEP provides flexibility for Councils to tailor notice to suit the nature and scale of an amendment in the most efficient and effective manner. We submit that other forms of notice, such as letters, emails, websites, social media, etc. are likely to be suitable in many situations.
- In practice, Council provides notice in a variety of ways, often beyond the minimum legal requirements, using a mix of newspaper advertisements, online webpages, direct notification to affected landowners by email or letter, notification to community groups, associations and development industry practitioners, media releases, and social media posts. Council also often provides engagement opportunities in the form of online surveys and submission portals, drop-in sessions, and the ability to book a 1:1 meeting or phone call with a planning officer. We assume that Council can continue to use these methods where appropriate.
- We submit that a council's desired method of notice is based on local knowledge and an understanding of key community groups/individuals, and successful methods of interactions with different groups in various townships across the municipality. The DTP should respect this local knowledge when reviewing a PEP (submitted with a request for authorisation), rather than applying a minimal state-wide approach.
- For the benefit of our community, DTP should provide clearer guidance on the distinction between 'comments' (low impact), 'comments' (where exemption from exhibition has been granted) and 'submissions' (high and medium impact). This is a major change from the current process where submitters can participate at every Council decision point and the panel hearing if relevant. Stakeholders need to know when they have genuine input into the process, and what matters their comments / submissions can influence.
- While high-impact amendments must be referred to a planning panel for independent review, medium impact amendments cannot be referred to a planning panel by the planning authority, only if directed by the Minister for Planning. DTP should clarify this process and in what circumstances would this be contemplated – is it based on number of submissions; new issues raised, etc.?
- The reforms recommend early information consultation with DTP about the PEP. While this is supported, DTP should acknowledge the additional lead times required to informally contact council officers about a proposed PEP before it is formally submitted with the request for authorisation. This early task needs to be incorporated into the project plans of both council and DTP officers.
- If the planning authority determines that the number of owners and occupiers affected makes it impractical to notify them all individually (including due to prohibitive costs for a council), the PEP should include a statement explaining the reasoning for that decision. It is recommended that DTP provides guidance about acceptable reasons (e.g. threshold of cost or number of owners/occupiers) for administrative clarity.

3. Planning scheme amendments: other regulations

Officers provide the following comments on the specific new or amended regulations:

[Note *Blue text - additions in Reform Act NEW denotes a new regulation*]

Regulation	Officer comments August 2026
5A Request under section 16A for municipal council to prepare amendment	The information required by a proponent who requests Council to prepare an amendment should be the same information that Council has to provide to the Minister when we make an authorisation request (refer to

Regulation	Officer comments August 2026
(1) A request under section 16A of the Act for a municipal council to prepare a planning scheme amendment must be made in writing. (2) For the purposes of section 16A(2)(a) of the Act, the prescribed information is— (a) the name of the planning scheme proposed to be amended; and (aa) the proposed impact category of the amendment required under section 16F(2)(b) of the Act; and (b) a description of the land affected by the request by— (i) stating the address of the land; or (ii) stating the title particulars of the land; or (iii) including a plan showing the land; or (iv) any combination of subparagraph (i), (ii) or (iii); and (c) a description of the requested amendment to the planning scheme; and (d) a draft of the amendment to the planning scheme; and (e) if the amendment would alter the planning scheme map, a plan of any proposed alterations to the planning scheme map; and (f) any documents, including background and technical reports, that support and justify the request and that are reasonably required to address the requirements of sections 12 and 12A of the Act; and (g) a draft of the explanatory report to be prepared under section 12(1)(e) of the Act in respect of the amendment; and (ga) a draft of the proposed public engagement plan required under section 16F(2)(d) of the Act; and (h) the name, postal address, email address and telephone number of the person making the request; and	Ministerial Direction 11 and PPN46 (or to keep it general 'any relevant ministerial direction of practice note). Most planning scheme amendments assessments are lengthy and require multiple responses from internal experts and sometimes external technical expertise. The Shire's practice is to seek cost recovery from the proponent. This should be reflected in the regulations and/or through a revision of fees. For example, the prescribed information could specify the requirement for a signed cost recovery agreement. While not included in these draft regulations, it is important that fees are reviewed to ensure cost recovery and to align them with the proposed planning scheme amendment scales (low, medium and high impact). With respect to part (f) requiring *"any documents, including background and technical reports, that support and justify the request and may be reasonably required to address the requirements of sections 12 and 12A of the Act"* - this is supported. It is flexible to allow the responsible authority to require any background and technical report that should inform the decision to request an authorisation. It is our experience that for complex planning scheme amendments, numerous technical reports and sometimes peer reviews are sought, as the municipal council is unlikely to have all specialised expertise in house. It is noted that fees regulations under the Planning and Environment (Fees) Regulations 2016 are not being reviewed at this stage. The DTP consultation information notes: *The fees regulations will not be amended substantively in 2026. It is intended that the fees relating to planning scheme amendments will be comprehensively reviewed as part of a broader review into fees to be carried out in late 2026 and through 2027.* *In the interim, some minor amendments to regulation 6 of the fees regulations will be*

Regulation	Officer comments August 2026
(i) a description of the existing use of the land affected by the request; and (j) the name of the owner of the land affected by the request; and (k) evidence of the consent of the owner of the land affected by the amendment to the request being made.	*necessary to ensure that fees can continue to be collected, however, these amendments will not change the fee amounts.* *These minor amendments are not subject to the current consultation.*
NEW 5AA Register of proponent requests to prepare a planning scheme amendment For the purposes of section 16A(3) of the Act, the prescribed information is— (a) the date the request to prepare the amendment was received; and (b) the name of the proponent; and (c) the name of the planning scheme proposed to be amended; and (d) the address of the land affected by the amendment; and (e) a brief description of the amendment; and (f) if more information has been requested under section 16AB of the Act, the lapse date for that request; and (g) the status of the amendment, being one of the following— (i) request received, where the request has been received but more information has not been required under section 16AB of the Act and written notice of the decision has not yet been provided to the proponent under section 16C of the Act; or (ii) more information required, where more information has been required under section 16AB of the Act but the required information has not yet been provided by the proponent; or (iii) more information received, where more information required under section 16AB of the Act has been provided by the proponent, but written notice of the decision has not yet	Agree with proposed planning register of proponent requests. This should be in same format as planning application register for administrative efficiency of data input.

Regulation	Officer comments August 2026
been provided to the proponent under section 16C of the Act; or (iv) request lapsed, where the request has lapsed under section 16AD of the Act; or (v) request accepted, where the municipal council has decided under section 16B(a) of the Act to apply to the Minister for authorisation to prepare the amendment, with or without changes, and written notice of the decision has been provided to the proponent under section 16C of the Act; or (vi) request refused, where the municipal council has decided under section 16B(b) of the Act to refuse the request, and written notice of the decision has been provided to the proponent under section 16C of the Act; and (h) the date of any the decision made under section 16B of the Act.	
5B Notice of decision under section 16C on request to prepare an amendment For the purposes of section 16C(2) of the Act, the prescribed information is— (a) a statement of the decision of the municipal council to either— (i) refuse the request (and the reasons for the refusal); or (ii) apply to the Minister for authorisation to prepare the amendment; and (ab) the proposed impact category of the amendment required under section 16F(2)(b) of the Act; and (b) a description of any changes to be made to the amendment by the municipal council (if applicable); and (c) a description of the requested amendment to the planning scheme; and (d) a description of the land affected by the amendment by— (i) stating the address of the land; or	The prescribed information that Council must include in their decision is considered appropriate. There is no indication of any timeframes for a Council decision to either approve or apply to the Minister for authorisation which is considered appropriate given timeframes vary considerably dependent on for example, the complexity of the amendment request, whether there is a need to request further information, whether technical reports require peer review.

Regulation	Officer comments August 2026
(ii) stating the title particulars of the land; or (iii) including a plan showing the land; or (iv) any combination of subparagraph (i), (ii) or (iii); and (e) the name of the planning scheme proposed to be amended; and (f) the planning scheme amendment number allocated for the amendment, if applicable; and (g) the name of the municipal council that would become the planning authority.	
5C Application for authorisation under section 16F For the purposes of section 16F(2) of the Act, an application for authorisation to prepare a planning scheme amendment must be made in writing and contain the following information— (a) the name of the planning scheme proposed to be amended; and (b) the planning scheme amendment number; and (c) the name of the planning authority; and (d) the proposed impact category of the amendment required under section 16F(2)(b) of the Act; and (e) a description of the land affected by the request by— (i) stating the address of the land; or (ii) stating the title particulars of the land; or (iii) including a plan showing the land; or (iv) any combination of subparagraph (i), (ii) or (iii); and (f) a description of the requested amendment to the planning scheme; and (g) a statement explaining the planning authority's determination of the proposed impact category based on regulation 5E; and	The application for authorisation for a planning scheme amendment should be in writing. Agree with explicit information that is required to be included in an application for authorisation, including the proposed impact category of the amendment (i.e. low, medium or high) and the proposed public engagement plan.

Regulation	Officer comments August 2026
(h) amendment documentation including proposed amendments to the planning scheme or planning scheme maps; and (i) the explanatory report to be prepared under section 12(1)(e) of the Act in respect of the proposed amendment; and (j) the proposed public engagement plan required under section 16F(2)(d) of the Act; and (k) any documents, including background and technical reports, that support and justify the proposed amendment that are reasonably required to address the requirements of sections 12 and 12A of the Act; and (l) if the amendment is of a class in regulation 5E that requires the written and unconditional consent of any person, evidence of that consent; and (m) if the amendment is a proponent-initiated amendment, a copy of the request under section 16A; and (n) if the planning authority is a municipal council and the planning authority has agreed to consider an application for permit under section 96A(2)— (i) the information required by section 96A(4), (ii) the information required by section 96(4A) and (4A) if applicable; and (iii) the information required by regulation 40; and (iv) any information supporting the application submitted to the planning authority by the person who made the application for permit.	
NEW 5CA Information to be included in a proposed public engagement plan under section 16F(3) (1) For the purposes of section 16F(3) of the Act, a public engagement plan must include— (a) the name of the planning scheme proposed to be amended; and	Agree with information to be provided in a proposed Public Engagement Plan, noting that the content will be proportional to the impact category of the planning scheme amendment. Also agree with requirement to describe prior engagement on the matter. In effect this 'prior' engagement may become more formalised to form the basis of a future exemption request. An exemption

Regulation	Officer comments August 2026
(b) the planning scheme amendment number; and (c) a description (which may be by map) to identify the land affected by the amendment; and (d) a brief description of the effect of the amendment; and (e) the name of the planning authority; and (f) a summary of any engagement undertaken regarding the amendment prior to the request for authorisation being submitted, including the duration and dates of the engagement; and (g) a description of how the amendment responds to any comments received during engagement specified under paragraph (f); and (h) details of the proposed consultation or exhibition and notice to be undertaken for the amendment, including— (i) a list of any referral authorities proposed to be consulted or provided notice; (ii) if applicable, a list of any persons required to be provided notice under regulation 6; (iii) a list of any Minister or public authority or Government Department proposed to be consulted or provided notice under regulation 6; (iv) a map showing the extent of owners and occupiers to be consulted or provided notice; Note: the proposed public engagement plan must not include any personal details of owners or occupiers. (v) any other person or body to be consulted or provided notice; (vi) the form of the engagement; and (vii) description of how the planning authority intends to respond to comments and submissions received; and (i) if a planning authority is requesting an exemption from notification and exhibition under section 19(1A) of the Act, a statement explaining the reason for the request; and	request may be appropriate when Council has recently undertaken consultation on a strategy and has indicated the proposed planning scheme controls. A subsequent exhibition may result in consultation fatigue and increases overall administrative costs of implementing a strategy.

Regulation	Officer comments August 2026
(j) if a planning authority is seeking an exemption under section 16LA, the following as relevant—	
(i) a written request containing a statement setting out the reasons for the exemption;	
(ii) how the public consultation undertaken aligns with any notice and exhibition requirements under the Act;	
(iii) any differences between the details of the amendment that were previously engaged on and the amendment to which the public engagement plan relates;	
(iv) an outline of the prior public consultation undertaken, including—	
(1) a list of any referral authorities engaged;	
(2) a list of any Minister or public authority or Government Department engaged;	
(3) a map showing the extent of owners and occupiers engaged;	
Note: the proposed public engagement plan must not include any personal details of owners or occupiers.	
(4) any other person or body engaged;	
(5) details of all public engagement activities, to include dates and timeframes and the form of engagement activities undertaken;	
(v) details of how the public consultation made it clear—	
(1) that the public consultation was being undertaken to support a future planning scheme amendment;	
(2) what the outcome of a future planning scheme amendment would be in terms of proposed amendments to the planning scheme or planning scheme maps;	
(vi) a statement explaining how the prior public consultation aligns with the relevant municipal council community engagement policy.	

Regulation	Officer comments August 2026
(2) In this regulation, 'public authority' means a body established for a public purpose by or under an Act and includes a municipal council.	
NEW 5CB Amount of time from date of decision to refuse extension of time to new lapse date under section 16GD(6) For the purposes of section 16GD(6) of the Act, the prescribed time after the date of the decision is 10 business days.	DTP should confirm why 2 weeks is deemed appropriate for a new lapse date and how many times this provision can be exercised.
Proposed amendments to new regulation 5D Application for authorisation under section 16I (o) a statement explaining why the municipal council is proposing an amendment within an adjoining municipal district; and (p) a statement explaining whether the municipal council has consulted or engaged with the adjoining municipal council prior to the application for authorisation being made.	This is supported – the application for authorisation for a planning scheme amendment for an adjoining municipal district should be in writing.
Proposed regulation 5E Impact category criteria under section 16N(2) New section 16N(2) will require that regulations must specify the criteria for each of the three impact categories of planning scheme amendment (low impact, medium impact and high impact).	Refer to previous officer comments on proposed planning scheme categories for prescribed low, high and medium impact categories. Request more detail in DTP proposed Impact Category Criteria Technical Guidance.
NEW 5F Circumstances where the Minister may determine to change the impact category of an amendment before the amendment is adopted under section 16N(3) For the purposes of section 16N(3) of the Act, the circumstances where the Minister may determine to change the impact category of an amendment are— (a) where an amendment has been changed in a way that alters the applicable impact category, except where the change has been	Agree with ability for planning authority to change impact category at various points in the process, e.g., following notice and exhibition. DTP should clarify if a change of impact category would impact timelines. DTP should also clarify if a Council can ask the Minister to change the impact category and, if so, whether this must this be done by a Council resolution. If a planning scheme amendment is adopted or abandoned in part, it is logical that the remaining part may be ascribed a different impact category.

Regulation	Officer comments August 2026
made after a panel has reviewed a high-impact amendment under Part 8 of the Act; and (b) where an amendment is adopted in part or abandoned in part, and the part of the amendment not adopted or abandoned (as relevant) would be a different impact category under section 16N(2) of the Act from the parent amendment.	
NEW 5G Consultation on a low-impact amendment under section 18A For the purposes of section 18A(2) of the Act, the prescribed manner is to send a notice either hardcopy or electronically containing the following information— (a) state the name of the planning scheme proposed to be amended; and (b) state the planning scheme amendment number; and (c) include a description (which may be by map) to identify the land affected by the amendment; and (d) briefly describe the effect of the amendment; and (e) state the name of the planning authority; and (f) state that copies of the following documents may be inspected— (i) the amendment; (ii) any documents that support the amendment; (iii) the explanatory report in respect of the amendment; and (g) if the planning authority intends to make the documents referred to in paragraph (f) available in person in accordance with the requirements set out in section 197B of the Act— (i) state that those documents may be inspected at the office of the planning	Agree with the extent of information for the notice of a low impact planning scheme amendment. It is noted that the means of engagement will be specified on the separate approved Public Engagement Plan and the engagement details will be proportionate to the low impact nature of the planning scheme amendment. For a low impact planning scheme amendment, the notice will state that a person can make a 'comment' on the proposed planning scheme amendment. This contrasts to the commonly understood practice of lodging a submission and having the planning authority formally consider the submission. In future, councils will need to include in any consultation material an explanation of how 'comments' will be addressed and acknowledged, and the limits to further engagement (i.e. no panel) as this fundamentally alters existing practise and is likely to be contentious for community members. As noted in the general observations at the beginning of this submission, the burden falls on Council to explain the impacts of the changes to regulations to our local community. These are changes imposed by State Government and that Council may not necessarily agree with. The State Government should socialise these major changes to ensure transparency and trust in the overhaul of the planning system.

Regulation	Officer comments August 2026
authority during office hours free of charge; and (ii) state the address or addresses where those documents may be inspected; and (h) if the planning authority intends to make the documents referred to in paragraph (f) available electronically and on request in accordance with the requirements set out in sections 197C and 197D of the Act— (i) state that those documents may be inspected free of charge either— (A) on the planning authority's Internet site; or (B) on request at the office of the planning authority during office hours; and (ii) state the address of the planning authority's Internet site; and (iii) state the planning authority's contact details for making a request to inspect those documents; and (j) state that any person may make a comment to the planning authority about the amendment; and (k) state the closing date for comments and the address of the planning authority to which comments may be sent; and (l) be signed on behalf of the planning authority.	
NEW Proposed amendments to existing regulation 7 Notices under section 19 (ka) if the amendment is a high-impact amendment, state that the amendment will be referred to a panel for independent review; and	The DTP information session noted that all high impact planning scheme amendments will be referred to a panel. If there are no submissions or resolved submissions, it is likely that a panel will be held 'on the papers'. This is like the current practice. As mentioned in the comment to the previous regulation, the change to the panel process needs to be socialised by State Government. This is a major change in the panel process whereby the planning scheme amendment is reviewed in its entirety (which represents

Regulation	Officer comments August 2026
	a fresh 'merits' assessment), not just a review of identified unresolved submissions.
NEW 8A Exceptional circumstances for consent to abandon a proponent-initiated amendment under section 27A(4) For the purposes of section 27A(4) of the Act, the prescribed circumstances are— (a) the amendment includes, or is based on, false or misleading information; and (b) the proponent has died; and (c) in the case of a proponent that is a body corporate, the proponent has been deregistered; and (d) the proponent has not responded to any requests by the planning authority for a period not less than two years.	Agree with exceptional circumstances.
NEW Information to be submitted to the Minister under section 31(1) For the purposes of section 31(1) of the Act, the following is the prescribed information— (a) the reasons for the amendment; (b) for a low-impact amendment, a summary of consultation undertaken under section 18A; (c) for a medium-impact amendment or a high-impact amendment, a list of the notices given under section 19(1) of the Act; (d) for a medium-impact amendment or a high-impact amendment, a summary of action taken under section 19(1B) (if applicable), 19(2), 19(2A), 19(3) and 19(7) of the Act; (e) copies of any comments, submissions or reports received on the amendment; (f) the reasons why any recommendations of a panel appointed under Part 8 of the Act were not adopted;	Agree with new information to be given to the Minister about consultation, exhibition and why any panel recommendations are not adopted. DTP to confirm what constitutes a 'comment' for low impact planning scheme amendments and how they must be recorded, to avoid disputes about correspondence with council officers. For example, comments should be in writing (letter, email, lodged via webpage consultation portal). Verbal comments or notes from online meetings, webinars, phone calls, drop-in sessions etc. will not be registered as a 'comment' to the planning scheme amendment.

Regulation	Officer comments August 2026
~~(f) a report on submissions not referred to a panel;~~ (g) a description of and the reasons for any changes made to the amendment before adoption	
NEW Proposed amendments to existing regulation 12 Documents to be lodged with an approved amendment (d) in relation to a decision under section 35 of the Act, the explanatory statement required by section 39C(1) of the Act.	Agree with the requirement that the Minister makes available an explanatory statement for each decision to approve or refuse an amendment.
NEW Proposed amendments to existing regulation 41 (Notices under section 96C) (ka) if the amendment is a high-impact amendment, state that the amendment will be referred to a panel for independent review; and	Agree.
Proposed regulation 50B Timeframe for compensating authority to respond to claim	No comments.
Proposed regulation 50C Exceptions from section 108 requirement and circumstances where exceptions apply	No comments.
Proposed amendment to Form 15A (Notice of claim for compensation)	No comments.
Proposed amendment to Form 16 (Statement of compensation paid)	No comments.

- end of document -

Draft planning scheme amendment regulations

August 2026



The voice for local government

MUNICIPAL ASSOCIATION OF VICTORIA

No one understands the challenges and opportunities facing Victoria in the 21st century better than local councils. From rapidly evolving technology to social changes, shifting economies to environmental pressures, our local communities and the governments that represent them–are at the forefront of multiple transformations happening simultaneously.

As the peak body for the Victorian local government sector, the Municipal Association of Victoria (MAV) offers councils a one-stop shop of services and support to help them serve their communities.



ACKNOWLEDGEMENT OF COUNTRY

The Municipal Association of Victoria acknowledges the Traditional Owners of Country throughout Victoria, and recognise their continuing connection to lands, waters, and culture. We pay our respect to Elders past and present who carry the memories, traditions, cultures, and aspirations of First Peoples, and who forge the path ahead for emerging leaders.

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1 Executive Summary

The MAV welcomes the opportunity to provide feedback on the proposed regulations and guidance supporting reforms to Victoria's planning scheme amendment framework.

The reforms will introduce three 'impact categories' for planning scheme amendments – low, medium and high impact – with different statutory processes applying to each. The proposed impact category criteria regulations will determine how amendments are categorised and, consequently, the processes they must follow.

This is particularly important for Victoria's municipal councils and communities. Councils prepare and administer a large proportion of Victoria's planning scheme amendments. The impact category assigned to an amendment will affect the time, cost and council resources required to progress it, as well as requirements for public engagement and independent Panel review. In turn, these choices will affect the quality of public participation in the planning process, the extent to which municipal communities can influence the future of their towns and regions, and public trust in planning decisions.

The MAV surveyed Victoria's 79 councils about the proposed reforms. Responding councils broadly support the proposed approach. There is strong support for clear and predictable pathways for common amendment types while retaining sufficient flexibility for those that are novel, complex or will have effects that are difficult to anticipate.

The consultation has nevertheless identified detailed and technical improvements that should be made before the regulations and guidance are finalised. These include specific refinements to the 'impact category criteria' and their application to different classes of planning scheme amendment, greater recognition of the consultation and strategic work already undertaken prior to the requirement to categorise the amendment, and ensuring that public engagement requirements are proportionate and practical.

The detailed critique in this submission should be understood in the context of overall support for the objective of these reforms. The MAV and responding councils are invested in a planning scheme amendment framework that is more efficient, predictable and proportionate, while maintaining meaningful public participation and appropriate scrutiny.

Subject to the detailed recommendations in this submission, the proposed regulations and guidance have the potential to deliver such a framework.

Recommendation

That the proposed planning scheme amendment regulations and public engagement guidance be finalised subject to the detailed recommendations highlighted throughout this submission.

2 Introduction

The *Planning Amendment (Better Decisions Made Faster) Act 2026* ('the Reform Act') makes reforms to the Planning and Environment Act 1987 ('the PE Act'). Part 3 of the Reform Act includes changes to the process that enables amendments to be made to Victoria's 82 planning schemes.

Councils were not consulted on the terms of the Reform Act, either during the Bill-drafting stage or following the Bill's introduction. Local Government nevertheless cautiously welcomed much of Part 3 of the Reform Act, given its potential to make the planning scheme amendment process more efficient.[1]

This support was provided in the context of also:

- requesting a Parliamentary inquiry on the Bill[2] (which was not supported),
- requesting the creation of a standing planning system oversight body[3] (which was partially supported),
- requesting an opportunity to critique the regulations[4] (which this sector submission now seeks to do – along with other submissions made by individual councils), and
- recognising the need to make significant updates to the state's Amendment Tracking System[5] (which we understand is provided for in the Victorian Budget 2026).

The Department of Transport and Planning (DTP) currently proposes to commence Part 3 of the Reform Act by early 2027, with the proclamation for that commencement to come in late 2026.[6]

Changes to the *Planning and Environment Interim Regulations 2026* (the regulations) are required to give effect to these reforms, and will need to commence at the same time. Draft regulations were published by the Department on 22 July 2026, with public feedback sought by 19 August 2026.

The MAV has prepared this Local Government sector submission on the draft regulations and guidance documents on behalf of Victoria's councils – many of which were not in a position to make individual submissions in the time available.

[1] See: MAV, *Local Government Position: Planning Amendment Bill 2025*, p20
[2] Ibid., 4
[3] Ibid., 41-43
[4] Ibid., 12
[5] Ibid., 20
[6] The MAV maintains its position, informed by consultation with councils, that Sections 15 and 16 of the Reform Act (which relate to the objectives of, and Ministerial powers to direct out-of-cycle, municipal planning scheme reviews) should not commence with the rest of Part 3 and should, instead, commence with the 'phase 3' reforms, being the reforms that must commence by the latest possible commencement date. This would align the commencement of Sections 15 and 16 with the commencement of the new Objectives of Planning in Victoria – a foundational consideration of any municipal planning scheme review.

3 Methodology

The MAV invited 79 Victorian councils' planning teams to provide feedback on the consultation materials through an online survey between 31 July and 14 August 2026.

Responses were received from individuals or teams from 22 councils.[7] The responses were not able to be endorsed by elected councils given the short timeframes available: they relayed the reactions of experienced practitioners rather than the endorsed policies of councils.

This submission synthesises those responses to identify areas of broad agreement, divergent views and recurring concerns. It does not treat the consultation as a quantitative survey. The number of councils expressing a particular view is relevant, but has been considered alongside the substance of the reasoning provided and the different circumstances in which councils operate.

Not all councils responded to every question. Accordingly, terms such as "most councils", "several councils" and "some councils" refer to responding councils rather than all Victorian councils and should not be interpreted as statistically representative findings.

Where responses identified specific drafting problems or practical implementation issues, these have been considered on their merits even where raised by only one or two councils. Conversely, the absence of significant concerns about a proposal has not always been treated as unanimous and affirmative support.

The recommendations in this submission reflect the MAV's synthesis and analysis of council feedback. They do not reproduce the position of any individual council and, where views diverged, seek to identify a workable sector position while transparently acknowledging significant differences of view.

At the end of every discussion of every component part of the draft regulations and guidance material, the recommendations in this submission take one of two forms:

- Green highlighted recommendations denote unqualified support.
- Yellow highlighted recommendations denote support subject to an amendment or complementary measure.

[7] Pages 14 and 15 of this submission show which 'growth type class' of council the 22 responding councils fell within.

4 Draft regulations

This section directly responds to the planning scheme amendment-related proposals found within the document titled "Proposed amendments to Planning and Environment Interim Regulations 2026."[8]

Proposed amendments to new regulation 5A (Request under section 16A for municipal council to prepare amendment)

The proposal makes logical updates to recently introduced regulations relating to requests from proponents to councils to prepare planning scheme amendments. The proposal does no more than is necessary to give effect to the Reform Act.

The proposal is supported.

Proposed new regulation 5AA (Register of proponent requests to prepare a planning scheme amendment)

The proposal makes a new regulation under Section 16A(3) the PE Act. That section, which is yet to commence, provides that "A municipal council must keep a register containing the prescribed information in respect of all requests [by proponents] made to it under this section."

Surveyed councils broadly supported the proposed register, with few identifying significant problems with the requirement itself. The principal concern was the additional administrative and systems burden, particularly the cost of establishing and maintaining new processes. This was a sector-wide implementation concern that becomes more acute for some smaller councils, although several councils with very small teams anticipated little difficulty because proponent-led amendments are so infrequent.

There was a recurring preference for a standardised approach, including a DTP template, and integration with the Amendment Tracking System or a centrally administered State register. Councils also sought clarity on the scope and operation of the register, including publication, privacy, record retention and when requests must be entered.

Councils also called for the forthcoming fees review to consider cost recovery for the additional administrative functions associated with proponent-led amendments.

The proposal is supported subject to complementary measures:

- Integrate the register of proponent requests into the Amendment Tracking System as part of the upgrades underway.
- Address privacy and record-keeping considerations through the design of the integrated register.

[8] Document published on the *Engage Victoria* site during the formal consultation period: Planning scheme amendments and compensation regulations | Engage Victoria

Proposed amendments to new regulation 5B (Notice of decision under section 16C on request to prepare an amendment)

The proposal makes logical updates to recently introduced regulations relating to information that must be included in a notice of a council's decision to request to prepare a planning scheme amendment. The proposal does no more than is necessary to give effect to the Reform Act.

The proposal is supported.

Proposed amendments to new regulation 5C (Application for authorisation under section 16F)

The proposal rewrites recently introduced regulations relating to information that must be included in a notice of a council's decision to request to prepare a planning scheme amendment.

Councils generally considered the proposed requirements manageable and broadly consistent with existing practice.

The principal concern was the additional responsibility placed on councils to determine *and justify* an amendment's impact category. (Consideration of the regulatory strategy for the impact category criteria is discussed further in part 5 of this submission.)

One council that experiences a high volume of proponent-initiated planning scheme amendments was concerned about the unequal responsibility for justifying an amendment's impact category. That is, while proponents would be required to nominate an impact category, they would not be required to justify that nomination (regulation 5A); by contrast, the council would be required to explain *and justify* the nomination of the impact category (regulation 5C). The council suggested that proponents also be required to provide a statement justifying their nominated category, reducing the assessment burden on councils and providing a clearer basis for resolving any disagreement about categorisation.

The MAV considers that a full assessment of a proponent-requested amendment against the impact category criteria would be required by the council whether or not the proponent has provided the council with its own justification, and that the proponent will provide the council with its own justification whether or not the regulations require it. We therefore stop short of recommending changes to the proposal, but report these divergent opinions in order to provide a complete account of Local Government sector opinion.

The proposal is supported subject to complementary measures:

- Integrate the list of authorisation requests into the Amendment Tracking System as part of the upgrades underway.

Proposed regulation 5CA (Information to be included in a proposed public engagement plan under section 16F(3))

The proposal makes a new regulation under Section 16F(3) the PE Act. That section, which is yet to commence, provides that "A proposed public engagement plan must … (b) include any prescribed information."

The proposal prescribes the minimum content that a public engagement plan (PEP) must include.

The proposal goes on to require, where the planning authority is seeking an exemption from the requirement to exhibit an amendment, what consultation has occurred *prior* to preparing a proposed PEP. While this may cause confusion, it makes sense to include the regulations that relate to public engagement together: alternative approaches may be even less elegant.

Councils generally supported the introduction of public engagement plans (PEPs), with several noting that the proposal largely formalises existing engagement practices.

However, there was a recurring concern that the prescribed requirements could duplicate information and processes already contained in explanatory reports, ATS submissions, communications plans and council reporting. Councils sought standard templates and integration with ATS so that information is captured once rather than reproduced across multiple documents.

Several councils also emphasised that engagement requirements should be proportionate to the amendment and its impact category. Concerns were raised about imposing detailed PEP requirements on low-impact amendments and about the additional burden this could create for smaller councils. These concerns are best addressed through the PEP guidelines and forms – and are discussed further in part 6 of this submission.

Councils sought greater clarity about how the new arrangements would operate, including recognition of consultation undertaken before an amendment commences; the relationship between engagement and exhibition (for medium- and high-impact amendments); the status of the PEP as a public document; requirements for responding to submissions; and how disagreements between councils, proponents and DTP about engagement requirements would be resolved.

A further view was that the new engagement framework should apply consistently to State Government amendments as well as council-led amendments, reflecting concern about previous changes to the Victoria Planning Provisions occurring without local government engagement. This view is not in scope of Section 16F but is reported to provide a complete account of Local Government sector opinion.

The proposal is supported subject to the recommendations made in part 6 of this submission.

Proposed regulation 5CB (Amount of time from date of decision to refuse extension of time to new lapse date under section 16GD(6))

The proposal implements Section 16GD(6) of the Act ("If the Minister decides to refuse to extend the time [to provide more information about an application to prepare amendments] and, at the date of the decision, the lapse date has passed or will occur within the next 10 business days, the notice must set out a new lapse date that is the prescribed time after the date of the decision") by prescribing a time of 10 business days after the date of the decision.

Councils raised concerns that the proposed 10-day timeframe may be insufficient, given the potentially significant investment of council and proponent resources in preparing and progressing an amendment – and the need, therefore, to carefully consider the costs and benefits of any options available to them. A decision of this type will also often require some time if the internal approvals process requires collective or multi-layered decision-making.

The proposal is supported subject to amendment:

- Extend the prescribed time from 10 business days to 20 business days.

Proposed amendments to new regulation 5D (Application for authorisation under section 16I)

The proposal rewrites recently introduced regulations relating to information that must be included in a notice of a council's decision to request to prepare a planning scheme amendment, if the amendment seeks to amend a planning scheme of an adjoining municipal district.

The proposal mirrors the proposal in relation to regulation 5C, with minor logical additions.

The proposal is supported subject to complementary measures:

- Integrate the list of authorisation requests into the Amendment Tracking System as part of the upgrades underway.

Proposed regulation 5E (Impact category criteria under Section 16N(2))

Section 16N(2) of the Act requires that:

- An amendment to a planning scheme is to be *categorised*, in accordance with the regulations, as [a low-, medium- or high-impact amendment]; and
- The regulations specify the *criteria* for each impact category.

The proposed regulatory text is found in a separate document and is discussed in part 5 of this submission.

Proposed regulation 5F (Circumstances where the Minister may determine to change the impact category of an amendment before the amendment is adopted under section 16N(3)

Proposed regulation 5F specifies the circumstances where the Minister may decide to change the impact category of an amendment. The two circumstances are logical and appear to cover the field.

The proposal is supported.

Proposed regulation 5G (Consultation on a low-impact amendment under section 18A)

Proposed regulation 5G lists the information that must be given to people or bodies consulted on a low-impact amendment. The proposal generally reflects existing regulation 7 and should not pose an undue burden on the planning authority.

The proposal is supported.

Proposed amendments to existing regulation 7 (Notices under section 19)

The proposal adds to existing regulation 7 which dictates the contents of any notice of preparation of an amendment to a planning scheme amendment.

The single addition is necessary to give effect to the Reform Act, but could be improved in the interests of managing expectations of those receiving the notice: if the amendment is either abandoned or subject to a changed impact category after the close date for submissions, or if the Minister decides that a high-impact amendment should be treated like a medium-impact amendment under Section 16G(4A)(b) of the PE Act, a statement on the statutory notice that "the amendment will be referred to a panel" may not be strictly true.

The proposal is supported subject to amendment:

- Insert additional words in sub-regulation (ka): "if the amendment is a high-impact amendment, state that the amendment, if it is not later abandoned or subject to a change of impact category or treatment, will be referred to a panel for independent review."

Proposed regulation 8A (Exceptional circumstances for consent to abandon a proponent-initiated amendment under section 27A(4))

The proposal sets out the exceptional circumstances in which the Minister may give written consent to the planning authority to abandon a proponent-initiated amendment, above and beyond those circumstances already provided for in the PE Act.

Councils expressed substantial concern that the proposed exceptional circumstances are too narrow. A recurring view was that councils should not be required to continue

progressing an amendment where circumstances have materially changed, including because of new strategic, environmental or infrastructure information, changes in State or local policy, changes in ownership, or where an amendment is no longer necessary or strategically supported. Some councils considered that planning authorities should retain a broader discretion to abandon proponent-initiated amendments.

There was also strong concern about the proposed two-year period of proponent inactivity before abandonment may be permitted. Several councils considered two years excessive, with suggested alternatives ranging from six to 12 months. Smaller councils particularly noted the resource and work-planning implications of dormant amendments remaining live and subsequently reactivating.

Several councils identified that the use of “and” between paragraphs (a)–(d) appears, on its ordinary reading, to make the prescribed circumstances cumulative rather than alternative. This would produce anomalous outcomes and appears unlikely to reflect the intended operation of the provision. The drafting should be amended to make clear that each prescribed circumstance is an independent ground for seeking the Minister's consent to abandon an amendment.

The proposal is supported subject to:

- Removal of any suggestion that the circumstances need to apply in conjunction;
- Circumstance (d) being amended such that the timeframe is six months rather than two years;
- The addition of new circumstances, being:
    - (e) the proponent has failed to pay a relevant fee or to comply with a financial agreement it has previously entered with the planning authority;
    - (f) a relevant independent body has recommended that the amendment be abandoned;
    - (g) continuing with the amendment would pose a serious risk to the good governance of the council due to evidence of improper influence;
    - (h) new information has emerged, or a Victorian Government policy or proposal has been approved or announced, and that information, policy or proposal has or would undermine the strategic basis or policy justification for the amendment to the extent that abandonment of the amendment is warranted;
    - (i) the amendment is no longer necessary to meet the use and development outcomes it seeks;
    - (j) a disaster or hazard has impacted the subject land in a way that warrants abandonment of the amendment.

Proposed amendments to existing regulation 9 (Information to be submitted to the Minister under section 31(1))

The proposal makes logical updates to regulation 9 relating to information that must be submitted to the Minister with an adopted amendment. The proposal does no more than is necessary to give effect to the Reform Act.

The proposal is supported.

Proposed amendments to existing regulation 12 (Documents to be lodged with an approved amendment)

The proposal makes minor and logical updates to regulation 12. The proposal does no more than is necessary to give effect to the Reform Act.

The proposal is supported.

Proposed amendments to existing regulation 41 (Notices under section 96C)

The proposal adds to existing regulation 41 which dictates the contents of any notice of preparation of an amendment combined with a planning permit. The single addition is necessary to give effect to the Reform Act, but could be improved in the interests of managing expectations of those receiving the notice, in much the same way as is discussed above in relation to regulation 7: if the amendment is either abandoned or subject to a changed impact category after the close date for submissions, or if the Minister decides that a high-impact amendment should be treated like a medium-impact amendment under Section 16G(4A)(b) of the PE Act, a statement on the statutory notice that "the amendment will be referred to a panel" may not be strictly true.

The proposal is supported subject to amendment:

- Insert additional words in sub-regulation (ka): "if the amendment is a high-impact amendment, state that the amendment, if it is not later abandoned or subject to a change of impact category or treatment, will be referred to a panel for independent review."

5 Draft impact category criteria

This section directly responds to the document titled "Draft planning scheme amendment impact category criteria."[9]

Background

Section 16N(2) of the PE Act, once it commences, will require that the regulations set out the criteria for categorising planning scheme amendments to the low-, medium- and high-impact categories.

The category will influence the statutory pathway for the amendment:

Category:	Low impact	Medium impact	High impact
Key features of statutory pathway:	- Targeted consultation with people or bodies - No panel	- Formal notification and public exhibition - No panel	- Formal notification and public exhibition - Mandatory referral to panel (even if no submissions)

The Minister will not be bound by the impact category criteria when assigning an impact category to an amendment for which the Minister is the planning authority. And if an amendment is subject to the Section 20(4) exemptions it will have no impact category.

Despite this, if the impact category criteria are clear and generate a consensus about *how and why* particular types of amendment should go through particular statutory pathways, they should, over time, guide the Minister's decisions about place-based amendments (i.e. most C and GC and some VC amendments) for which the Minister is the planning authority.

There are no compelling reasons why amendments that consider substantially the same policy considerations should be subject to different standards of exhibition and independent scrutiny just because one planning authority is a municipal council and the other is the Minister: that will only invite forum-shopping.

High level reactions to the draft impact category criteria from councils

Survey respondents were asked:

- To what extent do you agree that the proposed criteria are effective at assigning the appropriate impact category?
- To what extent do you agree that the proposed criteria are usable and easy to understand?

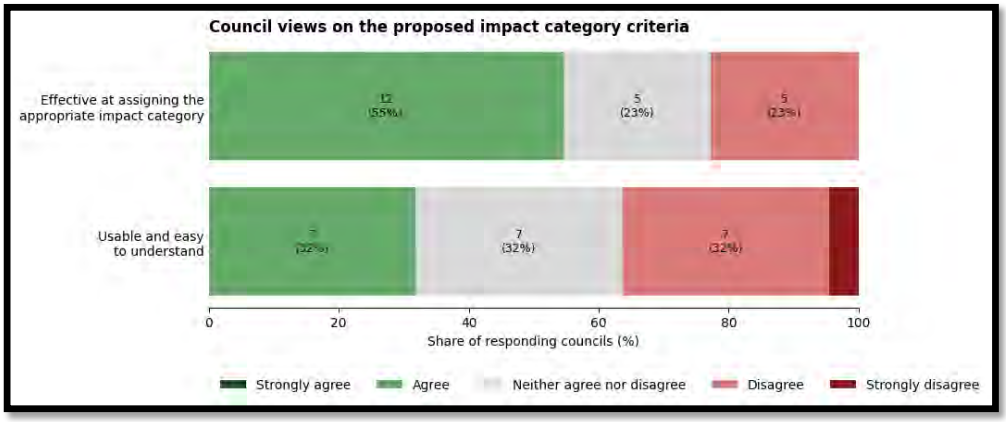
Multiple choice answers were offered: strongly agree; agree; neither disagree nor disagree; disagree; and strongly disagree.

[9] Document published on the *Engage Victoria* site during the formal consultation period: Planning scheme amendments and compensation regulations | Engage Victoria

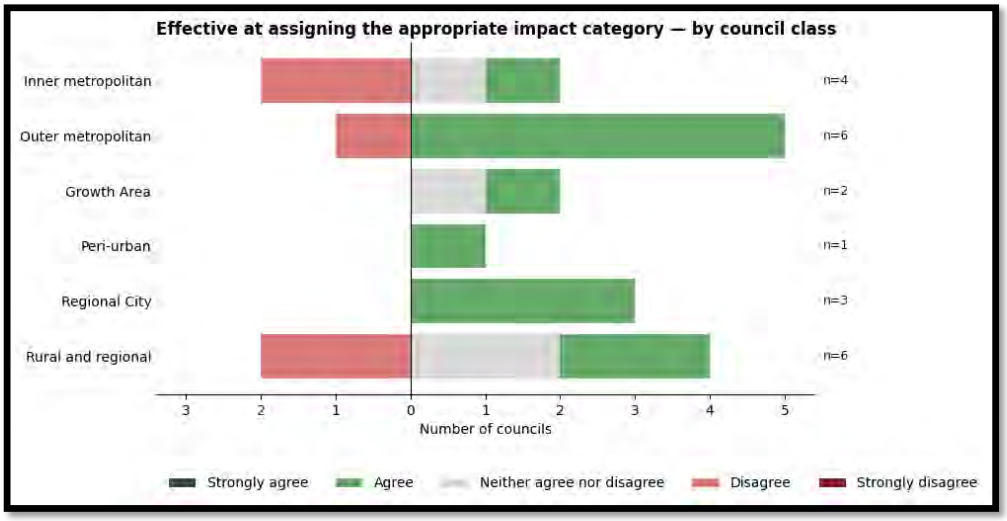
Given the short timeframes, council responses were not reflective of collective council decisions: they were usually responses provided by officers working within council strategic planning teams or their managers.

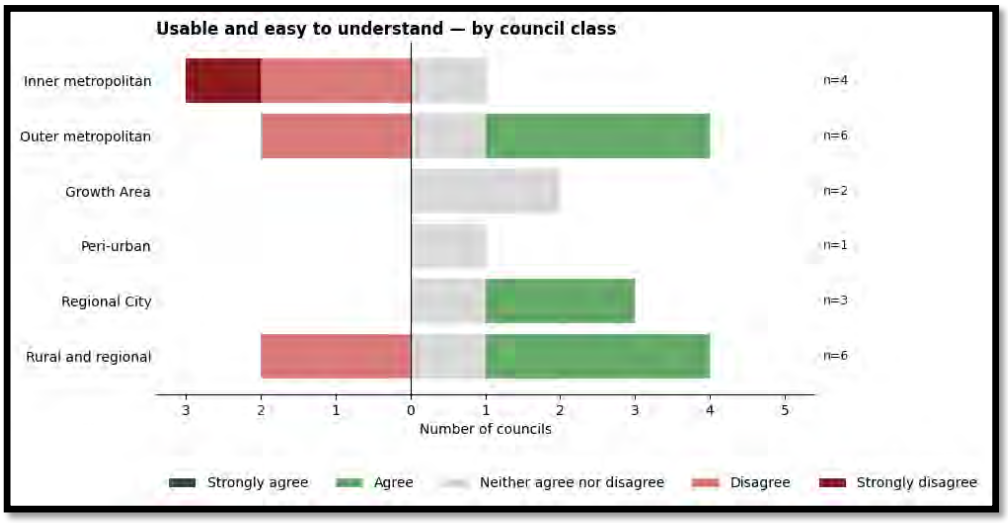
Councils were more positive about the effectiveness of the proposed criteria than their usability. Twelve of the 22 councils that responded agreed that the criteria would effectively assign amendments to the appropriate impact category, compared with five that disagreed and five that were neutral.

Views on usability were substantially more divided. Seven councils agreed that the criteria were usable and easy to understand, seven were neutral, and eight disagreed or strongly disagreed.



Views also varied by council class. Inner metropolitan councils were markedly more critical, particularly on usability, while Regional Cities were consistently more positive and outer metropolitan councils were generally positive about effectiveness. Rural and regional councils expressed mixed views. Given the small number of respondents within some council classes, these differences should be treated as indicative rather than representative.





Step 1: Amendments requiring ratification by Parliament

Step 1 of the draft impact category criteria provides that if any part of an amendment requires ratification by Parliament, the amendment will be categorised as a high-impact amendment. Seven circumstances are listed: these cover the field and a high-impact category is appropriate for each. This will provide the Parliament with confidence that the scrutiny applied to the amendment prior to the ratification request was adequate.

Step 1 is supported.

Step 2: Prescribed low impact amendments

Step 2 of the draft impact category criteria provides that an amendment that consists only of classes listed in the table will be categorised as a low-impact amendment, and that an amendment cannot be categorised as low impact if any part of the amendment is not of a class listed.

Operational text

The operational text provides that an amendment cannot be categorised as low impact if any part of the amendment is not of a listed class. This means that an otherwise low-impact amendment would be categorised as medium impact where even a minor or genuinely low-impact consequential component falls outside the listed classes. While the Minister's general power to reallocate an amendment to the low-impact category provides a potential remedy, a recurring reliance on Ministerial intervention in such cases would not be efficient.

Consideration should therefore be given to a narrowly framed exception for incidental, consequential or corrective components that do not materially alter the effect of the amendment. This would avoid the unintended escalation of otherwise low-impact

amendments, while also preventing matters that ought not be considered under a low-impact pathway from being so considered.

In Step 2, the operational text is supported subject to consideration of a narrowly framed exception that aims to capture those components of amendments that are difficult to define or anticipate but which are incontestably low-impact.

The operational text could be amended as follows:

> An amendment that consists only of classes listed in the table below will be categorised as a low-impact amendment.
>
> ~~An amendment cannot be categorised as low impact if any part of the amendment is not of a class listed below.~~ An amendment will also be categorised as low impact where its substantive part or parts are of a class listed below, provided that no other part is of a class listed in the tables under steps 1, 3 or 4 and any remaining parts are incidental, consequential or corrective in nature and do not materially increase the overall impact of the amendment.

Grouping: Technical or corrective amendments

The proposed grouping contains six proposed classes.

Councils generally supported the proposed technical and corrective classes as low-impact amendments.

Some councils suggested broadening or clarifying the classes to ensure that policy-neutral typing, formatting and grammatical corrections, anomalies and changes required to comply with Form and Content requirements can use the low-impact pathway. Clarification was also sought as to what constitutes an "obvious" error – and whether that qualifier should be deleted.

In Step 2, the 'Technical or corrective amendments' grouping of classes is supported subject to consideration of minor drafting changes.

Grouping: Amendments that transfer an existing schedule to an overlay to a more appropriate overlay

The proposed grouping contains one proposed class: "An amendment to delete land from a schedule to an overlay and include that same land in a schedule to a different overlay, providing the new overlay aligns with the intended effect of the original schedule, and providing that permit requirements, requirements applicable to the use and development of land, and decision guidelines are not substantially altered."

Councils generally supported facilitating the transfer of existing schedules to more appropriate overlays, but several raised concerns about treating all such amendments as low impact. Transfers between overlays may alter permit requirements, third-party rights, decision guidelines or otherwise have substantive consequences for affected land, even where the amendment purports to be policy-neutral. Councils also identified uncertainty in

determining whether an alternative overlay is “more appropriate” and whether requirements are “substantially altered”.

Four councils tested the proposed class against potential transfers from an Environmental Significance Overlay to a Bushfire Assessment Overlay, or from a Design and Development Overlay to a Built Form Overlay. Their responses demonstrate the difficulty of determining in the abstract whether such transfers are substantially equivalent: depending on the particular controls, a transfer may be largely administrative or may materially change its practical effect.

The proposed class also does not expressly address changes to third-party notice or review rights attached to type 3 applications (in a post-October-2027 framework). One council noted that a transfer between otherwise similar overlays may alter those rights. Given that the low-impact pathway itself limits opportunities for third-party participation, changes to notice or review rights should form part of the test for whether an overlay transfer can properly be treated as low impact.

Concerns about the subjective nature of the proposed class were most evident among metropolitan councils with medium-to-large planning teams, although they were not confined to those councils.

In Step 2, the ‘Amendments that transfer an existing schedule to an overlay to a more appropriate overlay’ grouping of classes is supported subject to amendments:

- Rewrite the class description to read: “An amendment to delete land from a schedule to an overlay and include that same land in a schedule to a different overlay, providing the new overlay: (a) gives effect to substantially the same planning objectives as the original schedule; and (b) does not substantially alter permit requirements, requirements applying to the use or development of land, or decision guidelines; and (c) does not reduce the application of the requirements of section 52(1), section 64(1), (2) and (3), or section 82(1) .”

Grouping: Amendments that support arrangements for land handed back to Traditional Owners

The proposed grouping contains one proposed class: “An amendment to rezone land where freehold title has been granted to a Traditional Owner group entity for that land pursuant to a Recognition and Settlement Agreement under the Traditional Owner Settlement Act 2010.”

It is assumed that the rationale for placing this class in the low-impact category involves consideration of the other statutory processes that would already have been completed to inform the granting of the freehold title, and the desire to avoid the relitigating of those matters through a panel process associated with a high-impact pathway.

Notwithstanding that assumption, the proposed class does not constrain the nature or effect of the rezoning that may occur. While the circumstances giving rise to the amendment are clearly defined, the land could potentially be rezoned from or to any zone. Two councils therefore questioned the low-impact classification and whether the description could be limited.

One council separately suggested broadening the class to include circumstances where a Traditional Owner group is appointed as committee of management, and amendments inserting incorporated documents to provide particular consideration for Traditional Owner groups.

In Step 2, the 'Amendments that support arrangements for land handed back to Traditional Owners' grouping of classes is supported subject to consideration of minor drafting changes.

Grouping: Amendments to the Planning Policy Framework or Municipal Planning Strategy

The proposed grouping contains three proposed classes.

Councils generally supported the proposed classes being categorised as low impact.

Some councils queried whether the class relating to the Municipal Planning Strategy could be expanded to encompass other parts of the MPS beyond clauses 02.01 and 02.02.

One council suggested an additional class for amendments to local policy that are consequential to another low-impact amendment. This would ensure that an otherwise low-impact amendment does not move to a higher category merely because corresponding changes to local policy are required. (This issue is addressed by our recommendation above in the sub-section discussing the operational text for Step 2.)

In Step 2, the 'Amendments to the Planning Policy Framework or Municipal Planning Strategy' grouping of classes is supported subject to:

- The addition of a class to be inserted after the first class, to read: "An amendment to the Municipal Planning Strategy that is necessary to make it consistent with a Council Plan adopted under Section 90 of the Local Government Act 2020."
- Our recommendation above in relation to the operational text for Step 2 being adopted.

Grouping: Amendments relating to public land zones and Urban Growth Zone

The proposed grouping contains three proposed classes.

Councils generally supported a low-impact pathway for straightforward amendments relating to public land. However, there was substantial concern about the proposed 12-month limitation applying to some classes. Councils noted that historic mapping anomalies and minor consequential rezonings may remain outstanding for considerably longer than 12 months, particularly where councils periodically consolidate minor corrections into a single amendment. The passage of time does not, of itself, increase the impact of such an amendment, and the remaining requirements sufficiently define the circumstances in which the amendment may use the low-impact pathway.

A smaller number of councils questioned whether all public-land rezonings should be low impact, even where a rezoning from a public land zone materially changes use or development opportunities.

One council raised questions about how the second class should be interpreted alongside Section 114 of the *Local Government Act 2020,* which requires that a notice of intention is published and a community engagement process is undertaken *before* the decision by a council to sell land that it owns.

In Step 2, the 'Amendments relating to public land zones and Urban Growth Zone' grouping of classes is supported subject to:

1. Removing the 12-month limitation in the first and second classes.
2. Considering whether any refinements to the third condition in the second class, or a note under the second class, is necessary to remove the potential for confusion when reading the class alongside Section 114 of the Local Government Act 2020.

Grouping: Amendments relating to zones and overlays

The proposed grouping contains two proposed classes.

Councils generally supported the proposed classes. The principal issue raised was uncertainty about the scope of "a requirement applicable to use and development", with councils seeking greater clarity about the types of requirements captured by this expression.

One council suggested that minor alterations to design requirements should be capable of being categorised as low impact where they do not compromise the underlying design objectives. The example given was a DDO specifying a fence height slightly below that required for child safety, where all other design objectives are met.

A possible drafting ambiguity arises in both classes. The exceptions refer separately to altering a requirement to obtain a permit and altering an exemption from such a requirement, and similarly to altering an exemption from the requirements of sections 52, 64 and 82. While this clearly captures alteration or removal of an existing exemption, it is less clear that it captures the introduction of a new exemption. The ambiguity could be avoided by referring directly to alteration of the application of the relevant requirements, thereby capturing amendments that either introduce or remove an exemption.

The exceptions should also capture amendments that alter the application of section 60. Section 60 contains significant requirements concerning matters a responsible authority must consider in deciding a type 2 or 3 permit application; changes to their application should not automatically qualify as low impact.

In Step 2, the 'Amendments relating to zones and overlays' grouping of classes is supported subject to amendments:

- Modify the exceptions lists in both classes as follows:
  …that does not alter any of the following applicable to any land:
  - a requirement to obtain a permit for any use or development; or
  - ~~an exemption from a~~ a requirement to obtain a permit for any use or development; or
  - a requirement applicable to use and development, unless the alteration is minor or incidental; or
  - the application of the requirements of section 60; or
  - a requirement to include a condition in a permit; or

- ~~an exemption from~~ the application of the requirements of section 52(1), section 64(1), (2) and (3), or section 82(1); or
- a requirement to refer a permit application under section 55(1); or
- a requirement for a financial contribution or land contribution; or
- a public benefit uplift framework.

Grouping: Amendments relating to heritage and built form overlays

The proposed grouping contains six proposed classes.

Councils generally supported the proposed classes. Several councils proposed targeted additions or refinements, principally to facilitate technical corrections and the removal of obsolete controls. Suggestions included allowing minor corrections to Heritage Overlay precinct boundaries, correcting property addresses in Heritage Overlay schedules, and expressly allowing the application of a Heritage Overlay, or change to the heritage grading or statement of significance, where the affected landowner has provided written consent.

One council raised concerns with the drafting of the fifth class, which allows removal of the Heritage Overlay where a heritage place has been "lawfully demolished or removed". This may not capture a heritage place that no longer exists for another reason, such as destruction by fire. The issue could be addressed by reversing the exception so that the class captures places that no longer exist except where this resulted from unlawful demolition or removal.

In Step 2, the 'Amendments relating to heritage and built form overlays' grouping of classes is supported subject to amendments:

1. Amend the fifth class to read:
   An amendment to delete a heritage place from the schedule to the Heritage Overlay where the building, structure, tree, feature or other heritage fabric for which the Heritage Overlay was applied has been demolished, destroyed or removed, unless that demolition, destruction or removal was unlawful. ~~heritage place has been lawfully demolished or removed.~~
2. Add three new classes:
   a. An amendment to correct the address of an existing heritage place in the schedule to the Heritage Overlay or a relevant incorporated document where the amendment does not alter the land to which the Heritage Overlay applies.
   b. An amendment to include land in a Heritage Overlay where every owner of the affected land has provided written consent.
   c. An amendment to change the grading and/or the statement of significance for a heritage place with landowner consent.

Grouping: Amendments relating to land management overlays

The proposed grouping contains four proposed classes.

Councils expressed divergent views on the proposed classes, principally in relation to the class allowing land to be included in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay with the written consent of Melbourne Water or another floodplain management authority.

Several councils questioned whether the consent of the relevant floodplain management authority is, by itself, sufficient to justify categorisation as low impact. While that consent may establish the technical basis for applying the control, the control may nevertheless have significant consequences for affected owners and occupiers. Councils suggested that the extent of land affected, consequences for owners and occupiers, underlying risk and opportunities for affected landowners to participate should also be considered.

These concerns will be alleviated if the new suite of flood management controls intended to be introduced to the VPPs in the near future will *not* be prescribed to the low-impact category. That is, the UFZ, FO, LSIO and SBO class of amendments will be treated only as technical amendments to the application of *legacy flood controls*, while amendments involving the application of the *new flood controls* will undergo statutory exhibition and invite submissions from landowners.

(The MAV understands that, in future, the new powers available to the Minister under the Building Act to declare land to be flood prone based on the 1% AEP modelling will happen quickly, as new modelling is finalised by floodplain management authorities. This in turn leaves the planning scheme amendment process as the only statutory process in which landowners can seek remedies to any errors they identify. It follows that the amendment pathway for applying the new flood controls should not be prescribed to the low-impact category, because the low-impact pathway does not allow for statutory exhibition and submissions.)

Some councils supported a low-impact pathway for amendments applying land management overlays to land, emphasising that these controls are based on detailed technical assessments that are difficult to test or change after a planning scheme amendment process has begun. The councils supporting this low-impact pathway were predominantly those with the smallest planning teams, i.e. those least resourced to fund and manage amendment processes that rely on external specialist technical authorities and very significant public engagement programs.

(The MAV notes that the impact category criteria will need to apply to all planning authorities who are not the Planning Minister, and that this potentially includes more than just municipal planning authorities: the impact category criteria could, in theory, apply to floodplain management authorities and the Water Minister if they act as the planning authority.)

Given the clear correlation between size of council planning team and attitudes about which impact category is most suitable for the flood controls class, an elegant solution could be found in a simple amendment to the class description: the low-impact pathway is chosen with the written consent of the floodplain management authority *and the planning authority.*

One council proposed a complementary class allowing land to be *removed* from a UFZ, FO, LSIO or SBO with the written consent of Melbourne Water or the relevant floodplain management authority. Another proposed allowing an Environmental Audit Overlay to be removed following completion of an environmental audit. Rather than prescribing particular environmental audit outcomes, a broader class could allow deletion of an Environmental Audit Overlay with the written consent of the Environment Protection Authority. This would provide a simple objective test (similar to the 'with the written consent of the floodplain management authority' test found in the flood controls class) while ensuring that the low-impact pathway is only available where the relevant environmental regulator supports removal of the control.

The feedback reveals a tension between the technical basis for an amendment and its impact. Technical endorsement by the relevant authority may provide confidence in the merits of an amendment, but does not necessarily mean that its consequences for affected landowners are low impact – or that the amendment deals with matters of low risk and complexity.

In Step 2, the 'Amendments relating to land management overlays' grouping of classes is supported subject to amendments:

1. Amend the third class to read:
   An amendment to include land in or remove land from an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay with the written consent of the planning authority and either Melbourne Water or a floodplain management authority under section 201 of the Water Act 1989.
2. The same class not being expanded or replicated to include the new flood management controls when they are introduced to the VPPs, the application of those controls to land being better suited to a medium- or high-impact category (or a high-impact category without panel where warranted).
3. Add a fifth class: "An amendment to delete land from an Environmental Audit Overlay with the written consent of the Environment Protection Authority."

Grouping: Amendments relating to the Public Acquisition Overlay

The proposed grouping contains three proposed classes.

Councils supported the proposed classes. No council identified a class as inappropriate or proposed an amendment to the classes.

In Step 2, the 'Amendments relating to the Public Acquisition Overlay' grouping of classes is supported.

Grouping: Amendments relating to the Restructure Overlay

The proposed grouping contains one proposed class.

Councils supported the proposed class.

In Step 2, the 'Amendments relating to the Restructure Overlay' grouping is supported.

Grouping: Amendments relating to the Specific Controls Overlay

The proposed grouping contains two proposed classes.

Councils supported the proposed classes.

In Step 2, the 'Amendments relating to the Specific Controls Overlay' grouping of classes is supported.

Grouping: Amendments relating to the Development Contributions Plan Overlay, Infrastructure Contributions Plan Overlay or Infrastructure Plan Overlay

The proposed grouping contains two proposed classes.

Councils generally supported the proposed classes, with several proposing targeted extensions.

Two councils proposed additional circumstances for low-impact categorisation, including removal of a DCPO from land where the corresponding schedule has been removed, extension of the expiry date of a DCP or ICP, and changes to the way charges are calculated where the other requirements of the proposed class are satisfied.

In Step 2, the 'Amendments relating to the Development Contributions Plan Overlay, Infrastructure Contributions Plan Overlay or Infrastructure Plan Overlay' grouping is supported subject to amendments:

1. Expand the first class to include changes to the way charges are calculated (subject to the contribution amount not being increased); and
2. Expand the second class to include removal of the corresponding overlay from land.

Grouping: Amendments relating to general and operational provisions

The proposed grouping contains seven proposed classes.

Councils generally supported the proposed classes.

One council suggested that the sixth class could be adjusted to allow for minor increases to contribution amounts, either within a prescribed percentage threshold or where the increase is determined by reference to an objective measure such as CPI. We stop short of adopting this recommendation as our own but report it in order to provide a complete account of sector feedback.

In Step 2, the 'Amendments relating to general and operational provisions' grouping of classes is supported.

Potential additional classes identified for inclusion in Step 2

Councils were asked if there any other classes and/or groupings of amendments that should be prescribed low-impact amendments.

Councils proposed a range of additional low-impact classes. These included amendments to introduce or modify referral requirements with the consent of the relevant referral authority; consequential amendments required following a VC amendment; extensions to temporary controls; particular technical heritage amendments; and amendments arising from Planning Scheme Reviews that do not substantively alter policy or controls.

More fundamentally, councils identified the risk that an exhaustive list of prescribed low-impact classes will inevitably omit amendments whose actual complexity and impact are low. One council proposed a residual discretion to categorise such amendments as low impact,

while another sought confirmation that combining multiple prescribed low-impact matters would not elevate the amendment to a higher category.

The strength of this feedback informs our recommendation above in relation to the operational text for Step 2, to capture more matters within the low-impact category that do not materially add to the impact of the amendment overall.

For completeness, the individual suggestions not already discussed in this submission addressed:

- Neutral translation of existing policy material into objectives in an overlay schedule;
- Extensions to the expiry date of temporary/interim controls;
- Consequential changes required because of a VC amendment that do not fall within the existing s 20A pathway for duplicating a VPP provision;
- Introducing or modifying a clause 66.04 referral requirement, rather than merely deleting one. The council's rationale is that this changes who considers an issue without creating a new permit trigger or changing the underlying planning considerations;
- Environmental Significance Overlay amendments, using an approach similar to the proposed land management overlay classes because ESOs may also be scientifically based; and
- Moving certain classes of application already exempt from notice into a VicSmart class, with development in the BMO given as the example.

One suggestion is carried forward as a recommendation by the MAV:

In Step 2, add a new grouping with a single class as follows:

Amendments relating to Environmental and Landscape Overlays	An amendment to remove a tree from the schedule to the Vegetation Protection Overlay or Environmental Significance Overlay where the tree has been destroyed or removed, unless that destruction or removal was unlawful.

Step 3: Prescribed high impact amendments

Step 3 of the draft impact category criteria provides that if an amendment is not a prescribed low-impact amendment, an amendment is to be categorised as a high-impact amendment if the amendment consists of any of the classes listed in the table below.

First and second listed classes

The first listed class is “An amendment that would alter the minimum subdivision area applicable to any land in a rural zone. This does not apply to the rezoning of land in a rural zone to any zone that is not a rural zone.”

The second listed class is “An amendment that would alter the area for which no permit is required to use any land for a dwelling in a rural zone, other than a Rural Living Zone. This does not apply to the rezoning of land in a rural zone to any zone that is not a rural zone.”

Councils generally supported treating these amendments as high impact, recognising the potentially significant implications of changes to rural subdivision and dwelling controls for agricultural land, settlement patterns and service provision.

Some councils nevertheless questioned whether the classes should capture changes in both directions. As drafted, an amendment that tightens subdivision or dwelling controls is treated in the same way as one that loosens them, notwithstanding the potentially different strategic consequences.

Several councils also found the exclusion in each class for rezoning land from a rural zone to a non-rural zone unclear and suggested that it be reworded or removed.

In Step 3, the first and second listed classes are supported, subject to:

1. Redrafting the exclusions relating to rezoning land from a rural zone to a non-rural zone for greater clarity; and
2. Consideration of whether some amendments that tighten existing subdivision or dwelling controls should be excepted from the automatic high impact prescription.

Third and fourth listed class

The third listed class is “An amendment to introduce a financial or land contribution requirement to land under any zone, overlay or particular provision, except:

- an amendment made with the written and unconditional consent of all landowners of all land subject to the amendment, or
- an amendment made in conjunction with a precinct structure plan that is proposed as part of the same amendment, or
- an amendment made in conjunction with an approved precinct structure plan.”

The fourth listed class is “An amendment to increase a financial or land contribution requirement already applicable to land under any zone, overlay or particular provision, except:

- an amendment made with the written and unconditional consent of all landowners of all land subject to the amendment, or
- an amendment made in conjunction with a precinct structure plan that is proposed as part of the same amendment, or
- an amendment made in conjunction with an approved precinct structure plan.”

Councils expressed divergent views on the Precinct Structure Plan exceptions. Some councils considered that the significant changes facilitated through Precinct Structure Plans always warrant the scrutiny that goes with the high-impact category, including where contribution requirements are introduced or increased as part of that process. Others considered that contributions implementing the outcomes of an extensive prior planning process should not necessarily be automatically categorised as high impact.

One Growth Area council supported scrutiny of new or increased contribution requirements, but argued that exceptions from automatic high-impact classification should turn on the extent of prior strategic planning and consultation rather than whether the relevant plan is a Precinct Structure Plan. It proposed extending the exception to contributions implementing an approved development plan or adopted structure plan where equivalent consultation has

already occurred and the amendment does not increase the obligations established through that process.

Some councils outside the Growth Areas queried why Structure Plans and like documents should not also trigger an exception on the same basis as Precinct Structure Plans.

The MAV notes that the Precinct Structure Plan (PSP) exceptions do not prevent the PSP-associated amendments in these classes from being categorised as high impact; the exceptions just push those amendments to Step 5. The amendments could be medium impact or high impact depending on the application of the general considerations. Even after a planning authority has applied the prescribed impact category criteria and proposed an impact category in its authorisation request, the PE Act will confer powers on the Minister to alter that categorisation or to treat a high-impact amendment as medium impact:

Stage	Decision-maker	Power
Consideration of request by planning authority to the Minister to authorise the preparation of an amendment. S16G(4A)	Minister	Confirm the impact category proposed by the planning authority or disagree with that proposal and determine that the amendment is of another impact category.
	Minister	Allow a high impact amendment to be treated as medium impact amendment if it is considered that a panel review is not warranted.
Any time before adoption. S16N	Minister	Change the impact category in prescribed circumstances.

Despite the potential use of these powers, there is obvious benefit to planning system users in making the likely impact category of amendments implementing PSPs as predictable as possible. For councils, greater predictability assists budgeting, project programming and allocation of staff resources.

On balance, the MAV supports the proposed third and fourth classes, including the exceptions from automatic high-impact classification for amendments made in conjunction with a Precinct Structure Plan. Those exceptions appropriately allow the amendment to proceed to Step 5, where its actual impact can be assessed against the general considerations.

We expect that many such amendments will nevertheless be proposed as high impact under Step 5. A medium-impact categorisation may be appropriate where the strategic planning process preceding the authorisation request has already involved a level of landowner and stakeholder engagement sufficient to make a panel process unnecessary.

In Step 3, the third and fourth listed classes and their specified exceptions are supported in principle, on the understanding that the Step 5 general considerations will be applied to the excepted amendments on a consistent and predictable basis.

Fifth listed class

The fifth listed class is “An amendment to extend the life of a Development Contributions Plan or an Infrastructure Contributions Plan, except an amendment made with the written and unconditional consent of all landowners of all land subject to the amendment.”

Councils expressed divergent views about prescribing these amendments as high impact. Several considered automatic high-impact categorisation disproportionate where an amendment merely extends the operation of an existing plan without introducing or increasing contribution obligations or altering its boundaries. Alternatives proposed included medium-impact categorisation, low-impact categorisation, and limiting automatic high-impact categorisation to extensions exceeding a specified period.

One council raised a separate concern with the exception requiring the written and unconditional consent of all affected landowners. For contribution plans applying to many properties, unanimous consent may be impractical: a single non-response or uncontactable owner could prevent the exception applying irrespective of the planning impacts of the amendment. It proposed that reasonable and genuine attempts to obtain consent, coupled with an absence of objection, should be sufficient.

The MAV considers that attempting to apply threshold-based exceptions to this type of amendment would produce unintended consequences. The amendment type is therefore better left to the Step 5 general considerations, where the amendment would normally but not always be categorised as high impact.

In Step 3, the fifth listed class should be deleted, allowing amendments in this class to be considered under Step 5.

Sixth listed class

The sixth listed class is “An amendment to insert a public benefit uplift framework in a schedule to a zone or overlay.”

Councils supported prescribing this class as high impact.

In Step 3, the sixth listed class is supported.

Seventh listed class

The seventh listed class is “An amendment to apply a Restructure Overlay to land not subject to that overlay.”

Councils generally supported prescribing this class as high impact. One council considered that it should instead be medium impact, but no broader concern with the categorisation was evident. One council supported the class while noting more broadly that better planning tools are needed to facilitate avoidance of and retreat from unmanageable environmental hazards, for which the Restructure Overlay is presently one of the few available tools.

In Step 3, the seventh listed class is supported.

Eighth listed class

The eighth listed class is “An amendment to apply a Public Acquisition Overlay to land not subject to that overlay, except:

- an amendment made with the written and unconditional consent of all landowners of all land subject to the amendment, or
- an amendment made in conjunction with a precinct structure plan that is proposed as part of the same amendment, or
- an amendment made in conjunction with an approved precinct structure plan.”

Councils generally supported prescribing this class as high impact, recognising the potentially significant implications for affected landowners and occupiers where consent has not been obtained.

Some councils nevertheless identified circumstances in which automatic high-impact categorisation may be disproportionate. One inner metropolitan council gave the example of applying a PAO to the rear metre of five residential properties to facilitate a public path, and suggested that categorisation instead be determined case-by-case.

As with the preceding contribution classes, councils expressed different views about the exceptions. One council opposed the exceptions for amendments associated with proposed or approved Precinct Structure Plans, considering that these should remain high impact. The only Growth Area council to provide substantive feedback again raised the practicality of requiring unanimous landowner consent where many properties are affected, proposing that genuine attempts to obtain consent combined with an absence of objection should be sufficient.

On balance, and to be consistent with our position on the third and fourth listed classes:

In Step 3, the eighth listed class and its specified exceptions are supported in principle, on the understanding that the Step 5 general considerations will be applied to the excepted amendments on a consistent and predictable basis.

Ninth listed class

The ninth listed class is “An amendment to apply a Specific Controls Overlay to land not subject to that overlay.”

Councils expressed divergent views about prescribing all such amendments as high impact. Several supported the proposed classification, while others considered it too broad given the wide range of purposes and effects for which a Specific Controls Overlay may be used.

Some councils identified circumstances in which applying an SCO may have relatively limited impact, including where it reflects historic uses or replaces previously existing controls. One council considered the potential scope of an SCO too wide and varied for a predetermined impact category and suggested that these amendments instead proceed to the Step 5 general considerations. Two rural councils similarly questioned automatic high-impact treatment, with one proposing medium impact where justified.

The MAV considers that the Special Controls Overlay itself reveals too little about impact to justify automatic high-impact classification. We also consider that amendments to apply the Special Controls Overlay to land are most frequently proposed by the Minister and applied under S20(4) of the PE Act: automatic prescription to the high-impact category where the planning authority is not the Minister would give rise to a highly inconsistent approach to impact categorisation and may undermine the purpose of the impact category criteria.

In Step 3, the ninth listed class should be deleted, allowing amendments in this class to be considered under Step 5, where the general considerations can have regard to the particular purpose and effect of the proposed special controls.

Tenth listed class

The tenth listed class is "An amendment to the schedule to clause 51.02 (Metropolitan green wedge land: core planning provisions) that disapplies the core planning provisions from any land."

Councils that expressed a substantive view supported prescribing this class as high impact. Outer metropolitan councils in particular emphasised the significant strategic and land-use implications of changes to Green Wedge controls and the strong community interest in such amendments, including the value of independent Panel review. No council proposed a lower impact category.

In Step 3, the tenth listed class is supported.

Eleventh listed class

The eleventh listed class is "An amendment to the schedule to clause 52.02 (Easements, restrictions and reserves)."

Councils expressed significant reservations about automatically prescribing all such amendments as high impact. Several considered that amendments involving the variation or removal of covenants will not necessarily warrant high-impact treatment (especially considering the objectives of the Reform Act), with three councils expressly proposing medium-impact categorisation.

Other councils suggested that categorisation should depend on the circumstances. One proposed an exception where all beneficiaries consent, while another suggested an exception where the addition or removal of a restriction has the written consent of all benefiting and burdened landowners.

The responses therefore suggest that the breadth of the class is the problem, rather than that amendments to clause 52.02 are not normally high impact.

In Step 3, the eleventh listed class is supported subject to consideration of applying reasonable exceptions.

Twelfth listed class

The twelfth listed class is “An amendment to the schedule to clause 52.28 (Gaming machines) that prohibits the installation or use of a gaming machine on any land or removes an existing prohibition on the installation or use of a gaming machine from any land.”

Councils expressed divergent views about prescribing these amendments as high impact. Several supported the proposed classification, including on the basis of community interest and the opportunity for independent Panel review. Others considered medium impact more appropriate or questioned why amendments to the schedule should automatically be high impact.

In Step 3, the twelfth listed class is supported in principle.

Potential additional classes identified for inclusion in Step 3

Councils proposed a range of additional classes for automatic high-impact categorisation, although there was no consolidated position on any particular addition.

Suggestions included amendments that expand or retract a Strategic Settlement Boundary; redevelopment of former landfill sites; rezoning land to the Industrial 2 Zone or other higher-impact industrial zones; amendments associated with an Environment Effects Statement; and some amendments implementing structure plans, applying overlays or rezoning land where those changes have not previously been foreshadowed in the planning scheme.

Several councils also raised land management overlays, particularly flood and other hazard controls. Views were more nuanced than a proposal for automatic high-impact treatment: councils noted that their appropriate categorisation may depend on the extent of land affected, the consequences for landowners and occupiers, and the consultation already undertaken.

A broader concern raised by some councils was that the prescribed high-impact classes may be too narrow, particularly given that high-impact categorisation provides access to independent Panel review. One council proposed that amendments with the potential to unreasonably affect third-party amenity or development expectations should always be high impact.

No additional classes are proposed in Step 3. The suggestions made by councils should, however, inform the application and drafting of the Step 5 general considerations.

Step 4: Prescribed high impact amendments

Step 3 of the draft impact category criteria provides that if an amendment is neither a prescribed low- or high-impact amendment, it is to be categorised as a medium-impact amendment if it consists only of any combination of classes listed in the table; or consists only of any combination of classes listed in the table with any combination of classes listed in the prescribed low-impact table at Step 2.

First listed class

The first listed class is “An amendment to rezone land where the amendment is consistent with existing explicit land use directions in the planning scheme applying to that land.”

Councils generally supported the concept, but there was substantial concern about the drafting. In particular, councils considered “consistent with”, “explicit” and “land use directions” unclear and potentially requiring significant interpretation or judgement. These concerns were somewhat qualified by an acknowledgement that, by step 4, three other steps will have been considered and found not to be applicable, and so more discretionary language describing the classes in step 4 may be appropriate.

Questions about interpretation of these terms included whether the direction must appear in the MPS or PPF, and whether strategic documents referred to, incorporated into or required by the planning scheme could qualify.

One council opposed prescribing the class altogether, principally because an existing strategic direction may have become outdated and medium-impact treatment could remove access to a Panel for contentious land.

In Step 4, the first listed class is supported in principle, subject to any minor revisions that may be warranted after considering the interpretational questions raised by councils.

Second listed class

The second listed class is “An amendment to apply an existing schedule to a residential, industrial, commercial, or rural zone to land where a different schedule in that same zone currently applies.”

Councils expressed mixed views. Several supported the proposed class, while others considered that different schedules within the same zone can apply substantially different controls and that categorisation should therefore depend on the substantive effect of the amendment. Some proposed that these amendments instead proceed to the Step 5 general considerations.

Other councils proposed broadening the class. Suggestions included extending it to public land and special purpose zones, where the amendment implements an established strategic direction and does not raise a major policy issue.

In Step 4, the second listed class is supported.

Third listed class

The third listed class is “An amendment to modify the content of an existing schedule to a residential, industrial, commercial or rural zone.”

Councils generally supported the proposed class. A small number considered that these amendments should instead proceed to the Step 5 general considerations, reflecting the

same concern raised for the preceding class that changes to zone schedules can have materially different effects.

As with the preceding class, councils also questioned why the prescribed pathway is confined to residential, industrial, commercial and rural zones, rather than extending to other zones where equivalent schedule changes may occur.

One council suggested combining the second and third classes into a single class.

In Step 4, the third listed class is supported.

Fourth listed class

The fourth listed class is “An amendment to modify the designation of the purpose of public land use in the Public Use Zone shown on the planning scheme map.”

Councils expressed mixed views. Several supported medium-impact categorisation, but others considered these amendments should be low impact where the change simply reflects existing public land use, ownership or management and does not involve a substantive planning decision.

Conversely, several councils considered that changes between Public Use Zone designations can have significant consequences depending on the purposes involved, and should therefore proceed to the Step 5 general considerations. The example given was a change from a utility purpose to an education purpose.

Councils also questioned the apparent inconsistency between prescribing changes between Public Use Zone designations as medium impact while some amendments rezoning land out of a public land zone are proposed to be low impact.

In Step 4, the fourth listed class is supported.

Fifth listed class

The fifth listed class is “An amendment to modify the designation of the purpose of transport use in the Transport Zone shown on the planning scheme map.”

Councils expressed mixed views. Several supported medium-impact categorisation, while others considered these amendments should be low impact because changes to Transport Zone designations are often procedural or reflect changes that have already been formally established.

Some councils again questioned the consistency of the proposed framework, particularly why a change between Transport Zone designations should attract a higher impact category than some amendments rezoning land out of a public land zone. One council instead considered that these amendments should proceed to the Step 5 general considerations.

In Step 4, the fifth listed class is supported.

Sixth listed class

The sixth listed class is “For a land management overlay (other than a State Resource Overlay), or for the Environmental Audit Overlay, an amendment to:

- Modify the content of an existing schedule to an overlay, or
- Include land in or delete land from an overlay or schedule to an overlay.”

Councils generally supported the class, including on the basis that it would facilitate amendments implementing contemporary scientific assessments or evidence without the expense associated with a high-impact process.

There were, however, divergent views about whether medium impact is appropriate in all circumstances. Some councils considered particular amendments should instead be low impact, including removal of an Environmental Audit Overlay following completion of an audit (addressed in this submission earlier) and, more generally, removal of land from any land management overlay. One council proposed including the Environmental Significance Overlay in the class on the basis that these controls are generally science-based.

Conversely, some councils were concerned that application or modification of hazard overlays can have substantial consequences for affected landowners, including implications for insurance and property values, and questioned removing the ordinary opportunity for independent Panel consideration.

In Step 4, the sixth listed class is supported.

Seventh listed class

The seventh listed class is “An amendment to modify a schedule to any of the following clauses:

- 52.05 (Signs) to specify, modify or delete an exemption from notice and review.
- 52.17 (Native vegetation) to specify, modify or delete an exemption from requirement to obtain a permit for specified land or a scheduled weed.
- 52.33 (Post boxes and dry stone walls) to specify, modify or delete a requirement to obtain a permit to demolish, remove or alter a dry stone wall.”

Councils generally supported prescribing these amendments as medium impact. The substantive responses were overwhelmingly supportive, with only one council proposing that they instead proceed to the Step 5 general considerations. No council proposed alternative drafting or identified a particular component of the class that should be treated differently.

In Step 4, the seventh listed class is supported.

Eighth listed class

The eighth listed class is “An amendment to insert, delete, or alter a class of local VicSmart application in the schedule to clause 59.15 (Local VicSmart Applications).”

The proposal notes that the VicSmart permit process will itself be reviewed through future planning permit reforms: the categorisation is temporary.

In Step 4, the eighth listed class is supported.

Ninth listed class

The ninth listed class is "An amendment to the schedule to clause 53.01 (Public open space contribution and subdivision) that does any of the following:

- Reduce the amount of contribution for public open space applicable to any land, or
- Increase the amount of contribution for public open space applicable to any land where the increase has the written and unconditional support of all landowners of that land."

Councils generally supported prescribing these amendments as medium impact. One council nevertheless identified an important distinction between the burden imposed on the subject land and the broader impact of the amendment: reducing a public open space contribution benefits the affected landowner but may have broader consequences for public open space provision and the community.

In Step 4, the ninth listed class is supported.

Tenth listed class

The tenth listed class is "An amendment to the schedule to clause 66.04 (Referral of permit applications under local provisions) to introduce or modify a referral requirement."

Councils generally supported prescribing these amendments as medium impact. Several nevertheless considered that some changes should be low impact, particularly where they are minor and have the agreement of the relevant referral authority, or where all affected parties consent.

In Step 4, the tenth listed class is supported.

Eleventh listed class

The eleventh listed class is "An amendment to the schedule to clause 72.01 (Responsible authority for this planning scheme)."

Councils generally supported prescribing these amendments as medium impact, although there were a wide range of views about the appropriate impact category depending on the nature of the change and the extent to which the municipal council supports that change.

Councils noted that amendments to the schedule to clause 72.01 can be made without warning and can significantly affect council resources, and the distribution of responsibilities, powers and revenues between state and local government.

The MAV shares these concerns but notes that amendments to the schedule to clause 72.01 that are opposed by councils will generally not be subject to the impact category criteria regulations. Such amendments will ordinarily be prepared by the Minister and will therefore either be subject to Ministerial discretion as to the impact category or be exempted from the requirements of the Act under section 20(4), in which case no impact category will apply.

The MAV considers that amendments to clause 72.01 or its schedule should always follow, at a minimum, an exchange of letters between the Minister and the responsible authority responsible for administering the planning scheme (i.e. the council in the case of 79 of Victoria's 82 planning schemes), seeking agreement on an efficient and fair distribution of the responsibilities, powers and revenues associated with the clause, having regard to the objectives of planning and the planning framework established by section 4 of the Act. A planning scheme amendment process cannot itself secure such an agreement, but an amendment under section 20(4) can give effect to one.

The practical utility of automatically prescribing amendments to the schedule to clause 72.01 as medium-impact is therefore severely limited.

Nevertheless –

In Step 4, the eleventh listed class is not opposed.

Twelfth listed class

The twelfth listed class is "An amendment to the schedule to clause 72.04 (Incorporated documents) other than an amendment prescribed as a low-impact class of amendment."

Councils generally supported prescribing these amendments as medium impact. One council nevertheless noted that some incorporated documents can have broad implications and might warrant high-impact treatment, although it acknowledged the difficulty of defining those cases through a prescribed class.

One council also identified a drafting issue: the words "other than an amendment prescribed as a low-impact class of amendment" appear unnecessary because Step 4 is only reached after determining that the amendment does not fall within a prescribed low-impact class.

In Step 4, the twelfth listed class is supported subject to deleting the redundant words "other than an amendment prescribed as a low-impact class of amendment".

Potential additional classes identified for inclusion in Step 4

Councils proposed few additional classes for automatic medium-impact categorisation, and there was no consolidated position in favour of any particular addition.

One council proposed rezonings within settlement boundaries between zones in the same broad category, such as LDRZ or TZ to GRZ, or IN3Z to IN1Z, on the basis that these do not change the high-level land-use intent. Another proposed amendments involving higher-impact industrial zones.

One additional class is recommended for consideration in Step 4. This recommendation is consequential on an earlier recommendation in relation to the application of flood controls to land (see Step 2 and the 'Amendments relating to land management overlays' grouping of classes).

Either: in Step 4, add a class to read: "An amendment to include land in or remove land from a Flood Management Zone or Flood Management Overlay"; or: leave amendments of this type for the general considerations in step 5.

Step 5: General considerations

Step 5 of the draft impact category criteria provides that an amendment that cannot be categorised into a prescribed class under steps 1 to 4 is to be categorised as either medium-impact or high-impact, depending on five general considerations.

The regulatory approach is supported

The regulatory approach for the five steps, concluding with performance-based criteria for allocating any amendment that cannot be allocated under the more prescriptive steps 1 to 4, received substantial support from councils. The approach balances the need for certainty and predictability with the flexibility required for matters that cannot be cleanly defined or anticipated because of their complexity or novel character.

Councils observed that many amendments to heritage controls, the Municipal Planning Strategy and Planning Policy Framework would be left to Step 5 to categorise, and were broadly comfortable with this approach. There was some correlation between the size of councils' strategic planning teams and attitudes towards the regulatory approach, with larger councils expressing more enthusiasm for the performance-based criteria than smaller councils. This pattern is evident throughout this submission and reflects the particular imperative for resource-constrained councils to know upfront the resources required to facilitate an amendment process.

The regulatory approach involving prescriptive steps 1 to 4 followed by a performance-based step 5 is generally supported.

The general considerations

Councils broadly supported the themes reflected in the proposed general considerations, but there was a strong and consistent view that they may prove to be too subjective to operate predictably without substantially more guidance. That guidance need not necessarily be contained in the regulations proper. Particular concern centred on the meaning of terms including "materially inconsistent", "explicit land use directions", "significant burden", "substantially alter", "off-site impacts" and "major issue of policy".

Councils also sought greater clarity about how the considerations interact. In particular, it is unclear whether satisfaction of any one consideration is sufficient to make an amendment high impact, whether the considerations are cumulative or weighted, or whether a balanced assessment must be undertaken across all of them.

Several councils considered the scope of the considerations too narrow. Suggestions included consideration of environmental, social and economic impacts; impacts on existing infrastructure and transport networks; risks to human health and the environment; the public interest and natural justice; and the extent to which the amendment implements strategic work that has already undergone consultation.

A recurring concern was that the criteria appear to give particular weight to burdens imposed on landowners or development interests without equivalently addressing impacts on communities or the broader public interest.

The general considerations are supported subject to amendments, to read:

> If an amendment cannot be categorised into a prescribed class of amendment, the planning authority and Minister will have regard to the general considerations in determining if the amendment should be categorised as high-impact. Assessment against the general considerations is limited to the parts of the amendment that are not in a prescribed class in the tables above. The general considerations are not ordered by importance: the weight of each will depend on the scope, effects and complexity of the amendment.
>
> a. Whether the changes proposed by the amendment are materially inconsistent with any existing ~~explicit~~ land use directions in the planning scheme that apply to land that is the subject of the amendment.
> b. Whether the changes proposed by the amendment would collectively impose a significant burden to owners or occupiers of land, in terms of:
> i. changes to the requirement to obtain a permit for any use or development, or
> ii. changes to the requirements or restrictions imposed on the use or development of land.
> c. Whether the changes proposed by the amendment would substantially alter the use and development profile of land through the planning controls applied to land subject to the amendment.
> d. Whether the changes proposed by the amendment are likely to enable significant impact to land that is not subject to the amendment.
> da. Whether the changes proposed by the amendment have already been the subject of direct consultation with affected persons.
> db. Whether the changes proposed by the amendment would substantially reduce the application of the third party notice and review requirements of the Act.
> e. Whether the changes proposed by the amendment raise a major issue of policy.
> f. Whether the public interest is served by categorising the amendment in a particular way.
>
> For the purposes of consideration (e) – determinations should be guided by the objectives of planning in Victoria and the objectives of the planning framework, the State planning strategy, any relevant regional planning strategy, any relevant Ministerial Directions, and the State and Regional policies in the Planning Policy Framework. Determinations should also be guided by any Municipal Planning Strategy and Local policies in the Planning Policy Framework if the amendment is a proponent-initiated amendment.

The further guidance

The draft impact category criteria note, at the end of Step 5, that "Further guidance will be developed for applying the general considerations."

Councils supported the development of further guidance. The most consistent request was for worked examples showing how common amendment types could be categorised, and a user-friendly record of how amendments have been categorised at Step 5 over time.

Councils generally called for contextual information that would assist in applying the general criteria and making a proposal, rather than calling for more direction. Despite this, councils noted that most amendments should not be the subject of protracted assessment or negotiation because that would defeat the purpose of the reforms. To that end, the DTP should be able to informally advise the municipal planning authority when asked what impact category they would be likely to recommend to the Minister in the case of any amendment.

Councils requested that consideration be given to the creation of a register of impact-category proposals and decisions, which could possibly be integrated into the new 'Performance reporting on amendments' requirements soon to commence in the PE Act. Councils noted that information like this would inform more consistent impact categorisation proposals by different planning authorities across the state about amendments that are broadly similar in terms of the policy questions they raise.

The MAV is willing to facilitate workshops between council planners and the DTP to explore these matters further.

The Department should consider the above council feedback when considering what 'further guidance' will be necessary.

6 Draft public engagement plan guidance

This section directly responds to the document titled "Draft guidance for preparing a public engagement plan."[10]

Public engagement plan guidance

Councils generally supported the concept of public engagement plans and the proposed engagement principles but sought amendments to make the guidance clearer and reduce unnecessary administrative burden and duplication.

A key issue was the relationship between public engagement, statutory notice and exhibition, and consultation undertaken during earlier strategic work. Councils sought clearer guidance on whether and when earlier consultation can satisfy (or qualify for an exemption from) statutory engagement requirements, and a consolidated explanation of the minimum statutory consultation and notice requirements applying to each impact category.

Councils also sought greater proportionality in the content required in a public engagement plan. Concerns were raised about duplication with explanatory reports, council reports and subsequent engagement reports, and whether all of the proposed risk-management, monitoring and evaluation requirements are necessary for every amendment no matter how small.

A number of practical matters also require clarification, including how disagreements about a proposed engagement plan are resolved (in a way that does not only involve the Minister or delegate making decisions that would require a council to commit considerably more resources than planned, without an opportunity to discuss those implications first); how engagement is coordinated for amendments crossing municipal boundaries; the process for modifying an approved public engagement plan; and respective responsibilities of a planning authority and proponent for proponent-led amendments.

Councils also proposed allowing engagement reports to respond to submissions by theme rather than individually, where appropriate, to avoid repetitive and unnecessarily burdensome reporting.

Some councils observed that the planning scheme amendment reforms are yet to commence and may take some time to be fully realised, and that it is inevitable that planning system users will learn from what is and is not working in the period following commencement. They call for an express commitment to review the guidance, and the performance of the regulations, in early 2028.

The draft guidance is supported subject to:

1. A final review informed by workshops with a representative sample of experienced Local Government strategic planners from different types of councils.
2. The Department providing an express commitment that the Guidelines will undergo a comprehensive review in early 2028, informed by reporting on the performance of the reformed planning scheme amendment framework.

[10] Document published on the *Engage Victoria* site during the formal consultation period: Planning scheme amendments and compensation regulations | Engage Victoria

Public engagement plan template

Councils generally supported the use of a standard public engagement plan template, noting that much of the information required reflects existing council practice. However, there was a consistent preference for the template to be more practical, detailed and proportionate to the impact category of the amendment.

Several councils sought worked examples or completed example plans, rather than guidance consisting principally of prompts. There was particular support for a streamlined approach for low-impact amendments, given that completing the full template may impose unnecessary administrative work for straightforward amendments.

Councils also sought better recognition of engagement undertaken before preparation of the plan, including consultation undertaken by another agency or a proponent, and clarification of the evidence required to demonstrate that this consultation has occurred.

There was also support for reducing duplication through integration with the Amendment Tracking System (ATS), including by automatically populating the plan with information already entered into ATS.

Other specific amendments proposed by individual councils included:

- Specify when supporting evidence is required.
- Clarify which community-engagement policy applies to proponent-initiated amendments.
- Remove the risk-management and monitoring/evaluation requirements from the template.
- Provide a detailed template for the post-exhibition engagement report as well as the PEP.
- Use a structured question-and-answer format and tick boxes for engagement methods, similar to the Strategic Assessment Guidelines used for planning scheme amendments.
- Clarify whether supporting material such as photographs, attachments, posters, consultation artefacts and spreadsheets forms part of the PEP/template.

The public engagement plan template is supported subject to:

1. A final review informed by workshops with a representative sample of experienced Local Government strategic planners from different types of councils.
2. That review considering proportionality and practicality of consultation and the information necessary to be provided commensurate with the purpose of the impact category, and worked examples of completed forms.
3. Integration with the Amendment Tracking System as part of the upgrades underway.

MAV would be pleased to provide clarification on any information in this submission. For further information, please contact inquiries@mav.asn.au

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MAV Sector Submission: Senate Inquiry into Artificial Intelligence and Data Centres

September 2026



The voice for local government

MAV
MUNICIPAL ASSOCIATION OF VICTORIA

MAVlab

casbe
Council Alliance for a Sustainable Built Environment

Climate volatility, social fragmentation, digital disruption and rising costs are reshaping the way we live, work, and connect. Local government is where these global challenges turn into local responses – strengthening trust and resilience through the places, services and experiences people rely on every day.

The Municipal Association of Victoria (MAV) is the legislated peak body for local government in Victoria, advocating for all 79 councils across the state.

MAV works closely with councils, state and federal governments and global experts across industry and academia to deliver services and solutions grounded in local knowledge and community needs across metropolitan, rural and regional Victoria.

MAV offers sector-specific, not-for-profit procurement and insurance services, a local government innovation lab and statewide annual learning, convening programs designed to support Victorian local government to meet the challenges of a fast-changing future.



ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the traditional custodians of the land on which we live. We recognise their continuing connection to land, waters and culture and pay our respects to their Elders past, present and emerging.

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1 Executive Summary

This is a joint submission between the Municipal Association of Victoria (MAV), its MAVlab division and the Council Alliance for a Sustainable Built Environment (CASBE). We welcome this opportunity to provide a submission to the Senate Inquiry into Artificial Intelligence and Data Centres.

MAV, MAVlab and CASBE would be pleased to provide further information or appear before the Committee to elaborate on any aspect of this submission.

Together, we support a coordinated national approach to AI and digital infrastructure that enables Australia to realise the economic and technological benefits of AI while ensuring that environmental sustainability, infrastructure resilience, community trust, and long-term public value remain central to decision-making frameworks.

This submission draws on our collective sector-wide engagement with Victorian councils on the use and evolution of AI in local government, as well planning and environment matters of most importance to the sector and community in relation to data centre development. We provide case studies, apply CASBEs expertise in environmentally sustainable development and the planning system, practitioner discussions, and MAVlab's research on AI governance and AIs potential for local government.

This submission was also prepared at a time of significant change and policy announcements from local governments, and the federal government launching the Office of AI and a National Cabinet coordination of new data centre developments across Australia. We welcome the Federal Government's leadership, and we await further announcements. We are expecting further announcements from the Victorian Government in relation to land use planning and data centre development, however MAV and councils have little to no insight into the state's approach,

Victoria's local government sector recognises that data centres and AI-related infrastructure are critical digital infrastructure. Unfortunately, the rapid acceleration of Data Centre infrastructure development, and lack of transparency on processes and impacts, risks undermining public confidence where communities perceive decisions are occurring too quickly, impacts are poorly explained, benefits are unevenly distributed, and meaningful engagement is absent. This challenge is particularly acute where infrastructure projects involve substantial environmental footprints, unclear local benefit, opaque commercial arrangements, or limited public understanding of AI systems and infrastructure impacts.

Notably, the cities of Maribyrnong, Brimbank, Melton and Hume have separately called for an immediate moratorium on new or expanded data centre approvals pending development of a proper framework. These four councils are in the western metropolitan region of Melbourne, have fast growing populations, and have a significant number of data centre applications and developments within their municipality. MAV expects the number of councils calling for a moratorium to increase.

Victoria's local governments are operating at the intersection of AI expansion, energy transition, climate adaptation, infrastructure strain, and changing community expectations. The scale and speed of proposed AI and data centre infrastructure development present both significant opportunities and substantial governance challenges.

As one council planning officer summarised in a recent MAVlab Data Centre Talk:
*"Data centres are really flash points that make those intersections visible:
water and energy, land and infrastructure, global benefit and local impact."*

We note also, the MAV is convening the National AI Working Group on behalf of the local government sector.

This working group engages all state and territory Local Government Associations and the Australian Local Government Association. It reflects the sectors recognition that artificial intelligence is no longer simply a technology issue for local government. Rather, it is an emerging strategic capability that will influence how councils deliver services, make decisions, engage communities, manage risk and build organisational capability over the coming decade. It also recognises the value of a coordinated national approach that enables the sector to learn together, share practical experience and engage constructively and strategically with governments and industry.

The *National AI Working Group for Local Government* has been established to support the above objective. The AI Working Group is intended to build on the significant work already underway across state and territory local government associations and councils. Every jurisdiction is developing valuable experience, resources and expertise. By bringing these together, we have an opportunity to accelerate learning, reduce duplication of effort, identify common challenges and strengthen the sector's collective capability.

In many ways, this reflects the approach of the recently established Office of AI in the Prime Ministers Office – a coordinating function to draw together the critical work around AI that has emerged across a variety of domains.

MAV is pleased to lead the convening of the local government sector in AI, building on the nationally recognised achievements of MAVlab, whose practical AI initiatives, procurement and governance work have supported councils across Victoria to adopt AI responsibly and effectively. Through this experience, we have seen the value of creating spaces for collaboration that build relationships and enable councils to learn from one another while navigating rapidly evolving technologies.

AI and Data Centres in local government

This joint submission posits that AI and data centre infrastructure should not be understood solely as a technology or an economic development issue.

AI and cloud capabilities are enabled by very tangible physical infrastructure that carries considerable energy and water demands. Critical to Australia's modern digital economy, AI and data centres are now seen as essential, along with telecommunications, energy and water and the infrastructure that supports them.

Local government sits at the frontline of the social, environmental and infrastructure impacts associated with the rapid expansion of AI and AI-enabled infrastructure. Public debate on the social licence and environmental and amenity impacts of data centres have come under increased, and intense, community scrutiny. The increasing number and increasing scale of applications for data centres and their associated infrastructure are being felt across metropolitan and regional areas as their development out-paces long-understood planning and environment regulations.

Councils are increasingly being asked to assess and manage the impacts of data centres, while simultaneously balancing housing growth, infrastructure strain, climate adaptation pressures, energy transition and community expectations for how these assessments should be done. They are doing this work without support from the State Government, clear strategic direction or strong regulatory guidance or visibility into the compounding impact of applications. Meanwhile, most data centre applications in Victoria are decided through the Victorian Government's Development Facilitation Program, which bypasses council decision making to the Victorian Planning Minister.

Such is the significant and growing concern on data centre development, the October 2025 State Council of the MAV called for a state strategy to locate data centres within circular economy precincts. The motion specifically asked MAV to call on the Victorian Government to develop a state-wide strategy to guide the location and development of data centres within designated circular economy precincts, including:

1. *Strategic land use planning to co-locate data centres with recycling, energy recovery, and advanced manufacturing facilities*
2. *Infrastructure investment to support energy efficiency, renewable energy integration, and heat recovery systems in data centre design*
3. *Policy and regulatory frameworks that incentivise circular practices in data centre operations, including e-waste management and resource reuse*
4. *Collaboration with local government to identify suitable precincts and align with regional circular economy plans*
5. *Funding and innovation support for councils and industry to pilot circular data centre models and share best practices.*

Since the 2025 meeting of all local governments in Victoria, these matters have only compounded in urgency and increased in importance to them and their communities. In addition to some councils calling for moratoriums, councils are calling for stronger measures and as and AI infrastructure planning has fast become a priority area for MAV planning and sustainable development advocacy. While framed differently across councils, we have heard converging themes:

- Community Benefit Frameworks/Agreements tied to major developments;
- exclusion of data centres from fast-track approval pathways;
- the need for a dedicated statewide planning and sustainability framework with clear siting criteria and land use definitions; mandatory, meaningful consultation with host and neighbouring councils;
- assessment of cumulative impacts on energy, water, transport and community infrastructure;
- minimum sustainability and resource-efficiency standards with public reporting;
- explicit prohibition on data centres in Green Wedge zones.

Many of these matters, including MAV to formally call for a statewide moratorium, will be debated at the forthcoming MAV State Council meeting in October. These matters will also be covered by this submission.

At the June 2026 Australian Local Government Association (ALGA) National General Assembly in Canberra, the following motions from local government were carried by the assembly of councils from across Australia:

#	Councils:	Title & motion
125	**Hume City Council, Victoria and Bega Valley Shire Council, NSW**	*The National General Assembly calls on the Australian Government and pending outcomes of the currently open federal inquiries into data centres to report by end 2026, and other state or territory expectations papers, to establish a nationally consistent, performance-based policy and regulatory framework*

		for data centres that recognises the national importance of artificial intelligence and digital infrastructure, promotes best-practice siting, design and operation, ensures efficient and transparent management of energy and water use including renewable energy integration and low-water cooling technologies, safeguards and enhances human oversight and jobs, including local government jobs, and formally recognises local government as a key partner in planning, sustainability and community impact management.
142	**City of Melbourne, Victoria**	*That the National General Assembly calls on the Australian Government to:* *1. Recognise that artificial intelligence and digital infrastructure are critical to Australia's future productivity, research excellence, sovereign capability and global competitiveness, and that local government is a key partner in delivering sustainable digital infrastructure.* *2. Establish a nationally consistent, performance-based policy and regulatory framework for data centres that supports best-practice siting and design, mandatory renewable energy integration, fit-for-purpose water use, innovation in low-water and non-water cooling technologies, measurable community benefits, and transparent reporting of energy, water and emissions.*
237	**Penrith City Council, NSW**	*The National General Assembly calls on the Australian Government, in their development of national data centre principles & approval processes to include:* *1. Strategic assessment of:* *a. Suitability of location, ideally where services are available and where other important land uses are not compromised as a result* *b. Local place-based impacts–e.g. potential strain on energy grids, water supply and ecosystems effects, land use trade-offs, clustering issues, impacts on local jobs* *2. Meaningful community engagement* *3. Transparent public reporting* *4. That councils have a central role in decision-making* *5. Engaging with councils for feedback into the preparation and finalisation of these documents.*

Recommendations to the Inquiry

The recommendations we put forward to the inquiry are informed by resolutions of the MAV State Council, the ALGA National General Assembly, and our research and engagement with local government and evidence from case studies.

Recommendations on AI in local government:	
No.	**Recommendation**
1	**Connect directly with the National Local Government AI Working Group convened by the MAV on behalf of ALGA.**
2	**Formally recognise local government as a key partner in national AI policy, and include local government within AI workforce safeguards.**
3	**Invest in shared, sector wide, civic resilience capability, including shared threat detection, coordinated response protocols and frontline staff protection, treating information integrity as a democratic resilience function analogous to cybersecurity.**
4	**Fund a coordinated sector-wide capability program covering shared standards, procurement and common governance frameworks to reduce risk and support sector wide standardisation for local government.**
5	**Adopt tiered, risk-proportionate AI governance distinguishing low-risk service applications from systems informing statutory decisions, with mandatory human oversight for the latter.**
6	**Require explainability and transparency standards in government AI procurement, distinguishing process transparency from decision transparency, and preventing planning rules from being privatised behind proprietary systems.**
7	**Establish data sovereignty and stewardship requirements for AI systems processing council-held personal, spatial and planning information.**
Recommendations on Decision Making Fragmentation and Planning Approvals:	
8	**Establish a nationally consistent, performance-based policy and regulatory framework for data centres, developed with local government as a formal partner in its design.**
9	**Establish transparency of grid and water connection queues, published at municipal level, so that genuine proposals can be distinguished from speculative ones and non-genuine applications cease congesting approval pathways.**
10	**Require cumulative and place-based strategic assessment of siting, addressing grid capacity, water supply and catchment health, ecosystem effects, land-use trade-offs, clustering and local employment.**

11	Mandate transparent public reporting of energy, water and emissions performance for all facilities above a defined capacity threshold, through a national database with jurisdictional and municipal-level disaggregation.
12	Victorian Government to provide dedicated funding and access to specialist expertise for councils assessing data centre proposals, recognising the technical demands of energy, water, thermal and network infrastructure assessment.
13	Victorian Government to require disclosure of forecast aggregate electricity and water demand for proposed data centre developments to the relevant council and water corporation at the pre-application stage.
14	Direct data centres to well-serviced industrial land with appropriate buffers from sensitive uses, exclude them from agricultural land, green wedge land and land identified for future housing, and require strategic assessment of employment land opportunity cost.
15	Introduce a land use definition for data centres in the Victoria Planning Provisions, with scale thresholds that escalate assessment requirements in proportion to energy and water demand, and restrict their use in rural, green wedge and residential zones.
16	Introduce a particular provision for data centres setting mandatory ESD requirements, application requirements and decision guidelines.
17	Require that sustainability assessments address the whole facility including data halls, and ensure Stage Two of the ESD Roadmap applies expressly to utility installations and sets a floor rather than displacing higher standards councils have adopted.
18	Develop a state-wide strategy to guide the location and development of data centres within designated circular economy precincts, applying the spatial method already used for renewable energy: assess candidate areas in advance against environmental, cultural, land use, servicing and engineering criteria, and identify preferred locations before applications are lodged.
19	Provide model municipal planning strategy and local policy content, developed with the sector, so councils can act consistently.
20	Require meaningful community engagement and disclosure before approval pathways are locked in, and measurable community benefit commitments proportionate to local impact.
21	Restore councils to a central role in decision-making, including determining referral status, retention of application fees where councils undertake the assessment, and resourcing for enforcement of conditions on permits issued by others.
22	Establish a mandatory mechanism for recovery of local infrastructure costs generated by data centre development, covering road pavement and haulage route

	damage, drainage augmentation and open space provision, with contribution rates set by the State rather than negotiated project by project.
23	Establish defined community benefit contributions for data centre developments, with minimum thresholds, governance arrangements, indexing and compliance mechanisms specified at the outset and a defined role for local government in design and governance.
24	Fund independent readiness and impact studies for municipalities hosting or proposed to host significant data centre capacity, covering workforce, housing, local infrastructure and aggregate demand for water and energy.
Recommendations on environmental impacts:	
25	Investigate appropriate methods to mandate renewable generation commensurate with each facility's load.
26	Require fit-for-purpose water use, prohibiting potable water for cooling where recycled water or closed-loop and non-water technologies are available, with catchment management oversight of demand.
27	Introduce waste heat controls and set air quality conditions governing generators with legislated limits on off-site heat exhaust, and investigate incentives for beneficial heat reuse.
28	Clarify referral triggers under the Environment Effects Act 1978 as they apply to data centres, and test at least one representative Victorian proposal against the existing greenhouse gas and pollution criteria.

2 Introduction

This is a joint submission from the Municipal Association of Victoria (MAV), its innovation lab - MAVlab, and the Council Alliance for a Sustainable Built Environment (CASBE). Through case studies and discussion based on our engagement with Victoria's councils, our submission responds to the inquiry's terms of reference, addressing:

a) *the effectiveness of existing regulatory frameworks in managing the growth of data centres in Australia, including in relation to existing and future deals between the Government and global AI companies;*

b) *the potential impacts of AI and data centres on Australian communities, industries and the environment, water and energy; and*

c) *any other related matters.*

The submission draws on sector-wide engagement conducted by MAV, MAVlab and CASBE networks (such as the CASBE Data Centre Working Group), including workshops, practitioner discussions and interviews with planners and infrastructure stakeholders. It also references MAVlab's direct work on AI governance for local government and community connections.

About MAV

The Municipal Association of Victoria (MAV) is the statutory peak body for local government in Victoria, representing all 79 municipalities.

We undertake specialist policy and advocacy, governance and legislative advice to Victorian local government, and provide sector development, insurance and procurement services to all Victorian councils.

MAV's vision is to be a nation-leading thought leader, partner and resource hub for the Victorian local government sector in strategic foresight, policy and research, leadership and governance, service design and advocacy impact.

MAV is overseen by the MAV President and a board of elected councillors. Twice a year, the Victorian local government sector meets at the MAV State Council to decide upon motions that set the strategic policy and advocacy agenda for the MAV.

Our policy and advocacy work is informed by councils working together, drawing on research and thought leadership from across the sector, academia and civil society.

About MAVlab

MAVlab is the innovation lab for the MAV. The team works collaboratively with the network of 79 Victorian local governments and the broader sector to prepare for and respond to the increasingly complex challenges that our communities are facing. In the face of rapid change, a resilient local government sector must develop an "anticipatory muscle" to flex into new challenges, cultivating the imagination, determination, and foresight to deliberately adapt to radically different contexts.

Given the rising demand for services, growing external pressures and resourcing constraints that the local government sector faces, it is increasingly critical that we step up to these challenges together, coordinating effort, distributing risk and cost and addressing our shared challenges. We need to do this not as 79 individual municipal

governments in Victoria (or 538 individual governments in Australia), but as a connected network of civic infrastructure that touches the lives of every Australian every day.

We believe that more can be achieved when our councils collaborate on shared challenges. MAVlab is committed to convening and walking with local government on this journey as we aim to develop the capabilities needed to shape 'what's now' and 'what's next' with passion, purpose, and optimism.

A primary MAVlab workstream focuses on the role of Artificial Intelligence and automation to support enhanced service delivery and operational efficiency for local government in service of community outcomes. This sector leading work has delivered both significant impact within local councils and received a wide range of awards and commendations in state and national forums for its efforts to engage the sector in an open conversation about the use and impact of these technologies and alongside developing shared governance support, capability uplift, procurement reform, and guidance around the use of AI in statutory planning.

MAVlab also leads a program of work related to Active Democracy and Engagement. This work is observing the emerging effects of AI in the interactions and relationships between communities and local government and the impacts on trust and democratic resilience. This intersects with MAVs broader program of work in dis and mis-information and harassment of elected officials. Together, this body of work points to growing socio-technical risks to local democracy related to the growing capabilities and applications of AI.

These emerging opportunities and threats require strategic guidance, practical tools and dynamic and collaborative ways of working that can support a joined up approach from the sector as councils navigate emerging technology and their growing impacts at a rapid and accelerating pace.

About CASBE

The Council Alliance for a Sustainable Built Environment (CASBE) is an association of Victorian councils committed to ensuring future generations can enjoy a sustainable built environment. CASBE enables broad-scale positive change to Victoria's built environment through collaborative, local government led action.
CASBE is a collaboration of Victorian councils advancing a sustainable built environment through local government leadership.

CASBE represents 84% of the state's population through our 43 member councils and provides a forum for sharing Environmentally Sustainable Development (ESD) best practice and drives stronger sustainability outcomes by embedding ESD assessment in the planning permit process.

In the area of interest of this inquiry, CASBE hosts a Data Centre working group of Victorian councils seeing data centre developments in their areas. The group works to coordinate consistent approaches to data centre assessment across local governments, working with industry and other levels of government.

CASBE is auspiced by the MAV.

3 Artificial Intelligence, transformation and local government

> *"Councils aren't just implementing software - they're custodians of community values, cultural knowledge, and public accountability." – quote from a council planning officer, MAVlab Innovation talk on Data Centres, 2026*

Artificial intelligence is reshaping how public institutions operate. This is now happening at a pace that shows no sign of slowing down. For local governments, this presents opportunities, risks and responsibilities in equal measure.

Distinguishing AI from automation

References throughout this submission to AI technologies require a distinction between automation and AI, as they offer different capabilities and carry different limitations. Automation refers to predefined, rule-based systems that perform repetitive tasks with minimal variation. AI, by contrast, can respond to complexity, nuance and uncertainty:

- **Artificial intelligence** encompasses technologies that enable machines to perform tasks typically requiring human intelligence — learning from data, recognising patterns, making predictions and adapting over time. Common forms include machine learning, natural language processing and computer vision.
- **Large language models (LLMs)** such as ChatGPT (OpenAI), Copilot (Microsoft), Claude (Anthropic) and Gemini (Google) sit within natural language processing. They generalise across a wide range of text-based tasks, making them versatile tools for knowledge work and customer service.

Different technologies suit different workflows. Automation excels at high-volume, standardised processes such as document management or task routing. AI is better suited to tasks involving judgment, interpretation or decision support, such as assessing planning applications or extracting insight from complex datasets.

Choosing the right tool for the task is the foundation of designing systems that augment human capability rather than replace it.

AI can streamline services, automate repetitive tasks and improve sense-making. However, when deployed without due care or process, the same tools can entrench bias, erode public trust and undermine accountability.

A consistent theme across MAVlab's recent Community Connections research - developed in collaboration with the Australian Resilience Democracy Research Network at the Australian National University - is that trust in institutions is increasingly shaped through everyday experiences of responsiveness, transparency and perceived competence. As AI becomes increasingly embedded in these experiences, how councils, and state and federal government, choose to adopt and govern AI will be one of the defining administrative challenges of in the coming years.

Local government's operating environment: civic pressures and systems strain

Councils work in increasingly complex and volatile environments, that are now shaped by misinformation and rising community expectations. While these have been long-term

challenges for councils working on the front line of delivering for communities, these issues are being compounded through a more adversarial and hostile civic life.

Councils are now operating in conditions where legitimate digital behaviour is competing with synthetic demand (artificially generated data that mimics genuine customer demand), cyber risk, online harassment and ongoing and increasing abuse of frontline staff. These conditions are placing significant strain on civic participation systems and exposing vulnerabilities across fragmented organisational structures, data systems and communications.

Communities experience councils through hundreds of interactions - customer service, libraries, planning, waste services, maternal and child health, community engagement, emergency response and digital platforms. While all this is community and local democracy in action, Councils are increasingly judged not only on the decisions they make, but on how coherent and navigable their systems feel to the people using them. Where these systems are disconnected, people experience government as fragmented and difficult to navigate.

Local governments are now managing constant, high-volume pressure through every civic channel: inboxes, customer service centres, public meetings and planning processes, to name just a few.

This increasing community demand incubates in a degrading information environment where algorithms amplify emotions and accelerate outrage. This meets a local government system already under workforce and service delivery strain. Most of this demand reflects genuine community need, but it now sits alongside misinformation, coordinated campaigns, online abuse and algorithmic amplification.

MAVlab describes this condition as Civic DDoS. Borrowing from the cyber security term for a distributed denial of service attack, in which a system is overwhelmed by a flood of requests. Local government is experiencing something similar: not a single crisis, but a constant state of overload in which routine civic processes are pushed beyond their design limits. Councils report:

- increasingly abrasive customer service calls
- sophisticated AI-generated correspondence
- growth in the volume and complexity of FOI requests, disruptive behaviour in council meetings
- abuse directed at councillors and staff
- coordinated responses to consultation
- amplified outrage online.

Recent MAV work on disinformation found that nearly four in five councillors report experiencing abuse, bullying or intimidation. AI is acting as a force multiplier on these trends, while simultaneously offering new capacity for sense-making across large and unstructured datasets, and with it, renewed potential for civic sense-making and data-informed governance. Participation processes designed for in-person deliberation are being forced to operate at the speed of online attention and generative AI tools.

From reactive to anticipatory capability

We want to be clear that the aforementioned issues are not symptoms of councils and communities disengaging from each other, but rather hyper-engagement that is unevenly distributed and frequently weaponised. These pressures are accumulating, but targeted investment and intervention can counteract that momentum.

Where councils use administrative and community data together, they can act before issues escalate. Our research finds that councils can run structured, deliberative engagement, and communities can then better understand trade-offs. Further to this, where government invests in trusted local civic spaces such as libraries and service offices, people have a clear front door into government and frontline workers are equipped to navigate social fragmentation and polarisation. It is in these spaces that institutions become more adaptive, more relational and better able to respond under pressure.

MAVs work on mis- and dis- information and MAVlab's Community Connections research seek to help move local government:

- from reactive to anticipatory capability
- from transactional community engagement to sustained relationships
- from individual council responses to coordinated and, ideally, interjurisdictional shared infrastructure and information

Our research in Community Connections shows that if rising civic pressure – accelerated by the use of AI - is treated as a system-level issue, the sector can build shared capability to detect risks earlier, respond consistently, protect frontline workers, and keep participation open, safe and trusted. Councils are already learning to identify harmful narratives early, understand how they spread, and respond in coordinated, evidence-informed ways. The foundation exists in local government; it does not need to be built from scratch.

Opportunities in the planning system

Integrating automation and AI into government workflows offers significant potential benefits. For example, in the planning system large volumes of data and complex decision-making are common and can benefit from AI automation, for example:

- Rules-based systems, workflow engines and process automation can handle application triaging, document routing and notification generation with speed and consistency, reducing error and improving compliance
- AI can streamline administrative functions, reduce processing times and free staff capacity for higher-value, human-centred and human-in-the-loop work
- Decision support can be strengthened by analysing patterns in data, flagging inconsistencies and surfacing insights that might otherwise go unnoticed
- Chatbots and LLMs can improve customer service through faster, more consistent responses to enquiries, and assist in drafting correspondence or summarising application material

As demands on the planning system grow, particularly under pressure to deliver higher volumes of quality housing, automation can ensure foundational tasks are performed reliably at scale while AI offers adaptability and deeper analysis. When integrated thoughtfully and with human oversight and community input, AI may help councils manage workloads more efficiently, improve responsiveness, and generate insights that inform policy development, service design and community engagement on a stronger evidence base.

Risks requiring governance

The benefits described above, however, come with real and present risks. These risks are subject to ongoing research and public policy responses. MAVlab has identified the following in its nation-leading work:

- Uneven digital capability across councils risks inconsistent implementation and outcomes, widening the gap between well-resourced and less-resourced councils
- Complex models can lack transparency, making it difficult to explain how decisions are reached, eroding public trust
- Professional judgment can be diminished where AI tools are treated as replacements for, rather than supports to, skilled practitioners
- Privacy and data security exposure increases as systems rely on sensitive personal, spatial and planning information
- AI systems can reinforce historical biases embedded in data, producing unfair or discriminatory outcomes, particularly for vulnerable or marginalised communities
- LLMs have an infamous tendency to hallucinate - generating fluent, confident text that is actually factually incorrect, fabricated or misleading - because they predict the most likely sequence of words rather than verifying information against a source of truth

Reducing hallucination requires combining LLMs with verified data sources, human oversight and well-defined boundaries for their use. In high-stakes domains such as planning and governance, where accuracy, accountability and legal precision are critical, outputs must be carefully reviewed.

Thoughtful integration, anchored in strong governance, inclusive design and continuous evaluation, is essential if AI is to deliver value without undermining trust or equity.

Sector capability and coordination

MAV's broader AI research - including the AI Roadmap for Local Government, AI procurement guidance, and the Advancing AI Innovation in Local Government project - identified strong demand across the sector for shared standards, collaborative procurement models, coordinated governance frameworks and state-enabled infrastructure support.

MAVlab has been leading a strategic, sector-wide approach to coordinating AI delivery in Victorian local government, and now nationally. This program of work began with the Advancing AI Innovation in Local Government project, a collaboration between MAVlab, MAV Procurement and the City of Greater Dandenong, funded by the Commonwealth Housing Support Program to enhance councils' ability to address housing supply issues. It examined opportunities for integrating AI and automation into the statutory planning process, with a first phase focused on procurement. Outputs included:

- **Adopting AI for Planning in Victoria's Councils** — a comprehensive account of the design research process and insights on AI use in councils, in statutory planning and beyond
- **AI and Planning Use Cases** — a detailed set of use cases for the application of AI in the statutory planning process
- **AI in Planning Procurement Register** — a register supporting councils to access vendors evaluated against those criteria
- **AI Procurement Support** — procurement guidance documents and new assessment criteria to evaluate AI vendors

More than 250 participants contributed to shaping this work. A core theme throughout consultation was the significant opportunity for enhanced collaboration across the sector, and a strong expectation that MAVlab continue to lead coordination as councils move from experimental testing and piloting into adoption and regular use.

The resulting report, Adopting AI for Planning in Victoria's Councils: A Moment of Readiness, A Moment of Caution, has received state and national awards and is referenced internationally for its approach to AI integration in local government.

A significant tension exists around transparency and proprietary systems in AI planning tools. External experts warn against black box platforms that obscure decision-making and privatise planning rules. Planning decisions affect communities profoundly and should remain accountable to public scrutiny, regardless of the technology used to support them. Our submission goes into depth on these matters in relation to the planning system.

Councils similarly emphasise explainability as necessary to maintain public trust and meet statutory obligations. AI may improve efficiency, but it can inadvertently undermine community trust if decisions become more opaque or less explainable. Councils that oversee local development outcome are ultimately accountable for the decisions they make, irrespective of the technologies used to support them - carrying operational, reputational and liability risk.

Vendors report that they can disclose where AI is used, how models work and what data flows into them, but some acknowledge trade-offs between intellectual property protection and full transparency. The non-deterministic nature of AI also makes comprehensive explainability technically challenging, particularly for complex or general-purpose models. This points to the need for clear explainability standards in procurement requirements, and a distinction between process transparency (how a system works) and decision transparency (why a specific recommendation was made), with higher standards applied to the latter in planning contexts.

Unresolved governance questions

Operationalising ethics

While the intent to adopt ethical AI is widespread, including in local planning decisions, the ability to define and operationalise ethics in a planning, community shaping context remains a significant challenge. Councils are starting from very different levels of maturity and lack stare or national frameworks to work within. There is no widely agreed benchmark for what fairness or bias mitigation should look like in a planning context.

Councils are being asked to make ethical calls in the absence of consistent frameworks, data standards or support, and to uphold values that are difficult to define and harder still to measure and question, for example:

- *How can fairness be audited when it is context-dependent?*
- *How can bias be mitigated when historical data reflects exclusionary past decisions?*
- *How can ethical rigour be maintained without stifling innovation, particularly from emerging vendors?*

These questions introduce both operational risk and uncertainty, particularly for smaller councils without dedicated AI or ethics expertise.

Ethical risk is highly context-dependent: what is appropriate for a chatbot is not what is needed for a decision-support tool that may influence development rights.

The MAV AI Procurement Guidelines for Statutory Planning AI Technologies responded to these tensions. They set concrete governance requirements including pre-deployment bias testing, continuous fairness audits, data sovereignty provisions and mandatory human oversight of all AI-

assisted statutory planning decisions, and are structured to support phased, risk-based implementation. These recognised that ethical capability cannot be built overnight but must be grown alongside use. As one vendor put it: *"We'll comply - we just need to know what that looks like in a local planning context."* What is needed is a practical, evolving ethics approach developed in dialogue between councils, vendors and government.

Shared standards and infrastructure

Shared data standards, documentation requirements and platforms are essential infrastructure if AI tools are to scale effectively. The path forward is not uniformity across councils, but interoperable solutions and well-structured systems that leave room for discretion where it matters.

This balanced approach would benefit from State Government leadership and investment to establish common standards and infrastructure, while preserving councils' ability to address the local needs and context that make planning effective.

Proportionate regulation and governance

Across stakeholder groups there is emerging consensus around a responsive, proportionate approach to AI governance rather than rigid compliance regimes.

Experts with regulatory backgrounds advocate for regulation that builds trust over time and adapts to context, keeping local government judgment at the centre rather than replacing it with compliance checklists, and evolving alongside the technology as lessons emerge from real-world implementation.

This supports a tiered governance framework applying different levels of oversight according to the risk profile of the application: lighter-touch governance for customer service chatbots or document classification tools, and more rigorous requirements for systems that inform planning assessments or recommendations. Such an approach reduces barriers to low-risk innovation while maintaining safeguards where they matter, and aligns with international practice recognising that contextual risk assessment is more effective than blanket rules.

Stakeholders drew a useful parallel with biosecurity management, which requires dedicated hierarchical engagement at national, state and local levels, applies requirements and regulations proportionate to risk, and relies heavily on relationships for monitoring and compliance. There is much for AI regulation to learn from that model.

A moment of readiness, a moment of caution

Victoria stands at a pivotal moment for AI, and it demands more than generic enthusiasm for technology. The consensus across stakeholders is not simply that AI can help, but that getting it right from the start matters profoundly.

Councils, and all levels of government, must lead with a values-first approach: transparency in decision-making, cultural inclusivity and sensitivity to place, support for professional judgment, and data handled with proper stewardship.

Successful adoption requires practical commitments - shared resources for smaller councils, standards that enable collaboration without erasing local context, and governance proportionate to risk.

Most critically, it requires a belief and capability for in house development alongside a shift from traditional client-vendor relationships to genuine partnerships in which local government expertise and technological capability evolve together.

Councils must lead with clear values: transparency in decision-making, cultural inclusivity and sensitivity to place, support for professional judgment, and data handled with proper stewardship. Successful adoption of AI in local government requires practical commitments - first and foremost a coordinated approach and strategic investment to support shared resources for smaller councils, standards that enable collaboration without erasing local context, and governance that's proportionate to risk.

Recommendations on AI in local government:	
1	**Connect directly with the National Local Government AI Working Group convened by the MAV on behalf of ALGA.**
2	**Formally recognise local government as a key partner in national AI policy, and include local government within AI workforce safeguards.**
3	**Invest in shared, sector wide, civic resilience capability, including shared threat detection, coordinated response protocols and frontline staff protection, treating information integrity as a democratic resilience function analogous to cybersecurity.**
4	**Fund a coordinated sector-wide capability program covering shared standards, procurement and common governance frameworks to reduce risk and support sector wide standardisation for local government.**
5	**Adopt tiered, risk-proportionate AI governance distinguishing low-risk service applications from systems informing statutory decisions, with mandatory human oversight for the latter.**
6	**Require explainability and transparency standards in government AI procurement, distinguishing process transparency from decision transparency, and preventing planning rules from being privatised behind proprietary systems.**
7	**Establish data sovereignty and stewardship requirements for AI systems processing council-held personal, spatial and planning information.**

4 Data centre development regulations and approvals

This Inquiry presents an important opportunity to examine whether existing planning, environmental and infrastructure governance systems are capable of managing AI infrastructure as a long-term strategic issue rather than a series of isolated development applications.

Victorian Councils are very familiar with data centre developments, across varied scales and locations. The sector understands these facilities have become essential infrastructure for a modern digital economy, and for Victoria's and Australia's economic competitiveness. In the Victorian context we have the technology and technical expertise to address the built and natural-environment challenges posed by data centres, but the planning system is not yet equipped to apply strategic or regulatory frameworks at the pace required.

Local government is working rapidly to build these systems, but in a vacuum of oversight and decision making, more time and better processes are needed to align policy, infrastructure planning, and land-use strategy so that data centre growth does not outpace the safeguards required to protect communities and local environments.

The dynamics identified in this paper are system wide and compounding. Individual councils cannot effectively manage these risks alone. A coordinated sector- and nation-wide response is required, including shared monitoring capability, common risk indicators, workforce safeguarding measures, misinformation response protocols, intelligence sharing arrangements and governance frameworks.

This work must be treated as a democratic resilience function analogous to cybersecurity, recognising that trust, participation and institutional legitimacy are critical public assets requiring active protection.

Within the last two years, the uptick in the scale and number of data centre applications has outpacing the trust, transparency and oversight of Victoria's planning, environment, and decision-making frameworks for these types of applications.

A coherent regulatory framework is lacking but is now essential in Victoria. MAV's broader AI research, including the AI Roadmap for Local Government, identified strong sector support for clearer integration between strategic planning, infrastructure policy, energy transition planning and AI governance.

As the tier of government responsible for long-term land-use planning, climate resilience, and community wellbeing, councils are deeply concerned that current regulatory settings are not keeping pace with the scale and intensity of this emerging industry and development typology. Victoria's planning framework contains no clear definitions, mandatory sustainability standards specific to data centres, and without them, the data centre industry's growth risks undoing progress already made in reducing the built environment's carbon footprint.

Many applications are fast-tracked through the Victorian Government's flagship Development Facilitation Program (DFP), which MAV and councils have expressed concerns on the program's opaque decision-making, drain on council resources, and rushed approvals. Councils and communities are left unable to weigh the merits of siting or design of these facilities - yet they carry long-term social, infrastructure and environmental consequences of decisions not made locally.

MAV has sought to engage meaningfully with the Victorian Planning Minister's Office and Department of Transport and Planning (DTP) on these matters, as well as the DFP itself, the Department of Environment, Energy and Climate Action (DEECA) the Department of Jobs, Skills, Industry and Regions (DJSIR) on these matters. We have received positive responses and meet on shared concerns, but also at times discussions have been shut down. We will continue to engage meaningfully and seek to be partners on reform in this space.

The former Victorian minister for economic growth, Steve Dimopoulos … told an economic forum that it was not a question of how many data centres the state can build but *"what kind of Victoria we build around them"* – Guardian, July 2026

The following sections of this submission address five matters of relevance to this inquiry, and are the most urgent for the local government sector:

1. fragmented governance and the absence of system-wide transparency
2. the community, environmental and infrastructure impacts councils are already managing
3. the intersection of AI and data infrastructure growth with broader infrastructure strain
4. the effectiveness of current regulation
5. the consequences for community trust and democratic legitimacy

Without stronger coordination across federal, state and local government, councils remain in reactive positions where:

1. decisions are made faster than communities can meaningfully engage
2. long-term environmental implications are insufficiently assessed, or not at all assessed
3. councils absorb operational consequences without adequate authority, resourcing or technical support

This submission outlines the current planning issues local governments and communities are experiencing. It also sets out policy to build the kind of community trust that governments and data centre developers should implement for communities hosting date centres and their associated infrastructure.

Decision-making fragmentation and planning issues

No institution has visibility of cumulative demand or aggregate impacts

We have not heard of a single institution or department within Victoria tasked with tracking the total projected electricity demand, water consumption, regional infrastructure loading or land use concentration caused by data centres. We are similarly unaware of how government is monitoring, or has any interest in monitoring, the environmental and community impacts of multiple data centre developments occurring simultaneously across jurisdictions.

MAV understands that some of this work is being undertaken by state government departments as part of the currently under-development Sustainable Data Centre Action Plan[1]. However, local government has not been engaged on this work, and at the time of writing this submission, there is no further information available from government on the timing or recommendations and actions stemming from the Action Plan.

[1] Department of Jobs, Skills, Industry and Regions (DJSIR), 2026, Sustainable Data Centre Action Plan <https://djsir.vic.gov.au/priorities-and-initiatives/ai-mission-statement/sustainable-data-centre-action-plan>

Fragmented decision making is also creating challenges for accountability. Communities are experiencing the impacts of decisions locally, but responsibility for decision-making is dispersed across multiple agencies and some of the highest, and most inaccessible, levels of government.

These matters are of deep concern to councils and local communities hosting new data centres due to their proposed scale, proliferation and proposed demands on water, energy and impacts on local air quality and environment. Councils are left in an unenviable position of representing community interests, undertaking strategic land use planning for housing and industrial areas and the environment, without statutory decision making powers, or information as to the cumulative impacts from data centre expansion across jurisdictions, infrastructure, and our environmental resources.

In Victoria, councils have reported difficulty in measuring the true scale of projected infrastructure and resource demand as the size and capacity of proposed data centres increases[2]. This is because:

- Individual councils will only see applications within their municipality
- State government is prioritising economic development and strategic investment attraction
- Federal policy settings may focus on national productivity and sovereign AI capability, although recent announcements are seeing increased Federal interest in intervening[3]
- Water authorities may only assess localised supply impacts
- Energy providers may focus on grid connection and transmission requirements

With no way of understanding aggregate pressures in a coherent national or regional picture, communities can only begin to grasp the localised impacts when there is a data centre proposed near them. For example, one council reported to MAV that they are seeing applications for the energy use for a single data centre being greater than the entire municipality but have not been involved in regional strategic planning discussions or connection planning matters.

The fragmentation issue in Victoria is made worse by the uncertainty of proposed data centres proceeding. Even data centre industry bodies such as Data Centres Australia point to “phantom demand”. They argue that 85% of energy connection requests will not be realised. If accurate, it points to extreme levels of speculative development. Planning for future demand on energy, water and land use is made more difficult when the proponents themselves do not know whether a proposal will proceed or not. There are several risks with this speculative approach from data centre proponents:

- Risks of publicly funded infrastructure being developed with no eventual need; planning for new data centre hubs or precincts happening in isolation rather than systemically
- cumulative environmental impacts being underestimated
- competition between industrial, residential and environmental resource use
- inconsistent conditions and expectations between jurisdictions
- reduced public transparency, and erosion of community trust in decision-making processes

This can make it almost impossible for communities – and in many cases councils themselves – to understand who is accountable, how cumulative impacts are being

[2] MAVlab Data Centre Talk, April 2026
[3] Prime Minister of Australia, July 2026, AI in Australia's interests < https://www.pm.gov.au/media/ai-australias-interests-0>

assessed, what long-term infrastructure assumptions are being made, and how trade-offs are being balanced.

Recommendations on Decision Making Fragmentation and Planning Approvals:	
8	**Establish a nationally consistent, performance-based policy and regulatory framework for data centres, developed with local government as a formal partner in its design.**
9	**Establish transparency of grid and water connection queues, published at municipal level, so that genuine proposals can be distinguished from speculative ones and non-genuine applications cease congesting approval pathways.**
10	**Require cumulative and place-based strategic assessment of siting, addressing grid capacity, water supply and catchment health, ecosystem effects, land-use trade-offs, clustering and local employment.**
11	**Mandate transparent public reporting of energy, water and emissions performance for all facilities above a defined capacity threshold, through a national database with jurisdictional and municipal-level disaggregation.**

Compressed decision-making and lack of transparency

A recurring theme across this submission and case studies is that councils are being required to respond to rapid technological and infrastructure change while operating within fragmented regulatory systems and uneven capability environments.

Many councils are still building foundational capability in data governance, AI literacy, procurement, AI infrastructure assessment, and digital systems integration. At the same time, they have only loose oversight when making decisions on nationally significant digital infrastructure projects.

As this submission has already explained, responsibility for assessing different aspects of data centre development are fragmented across state planning authorities, federal policy and investment frameworks, electricity market operators, transmission providers, water authorities, environmental regulators, and private infrastructure providers.

Data centre proponents point to the uncertain nature of data centre proposals going ahead as reason for damping concern of energy consumption and other individual and cumulative impacts. This uncertainty points to speculative data centre applications that councils spend considerable time and resources assessing. This is true whether the application is with council or is referred to them by state government through the government's fast-track Development Facilitation Program (DFP). In an environment where councils are publicly called to speed up planning timeframes, speculative data centre applications are becoming a frustrating drain on time and resources.

On these matters, we welcome the Australian Government's Expectations of data centres and AI infrastructure developers that *"Non-genuine data centre proposals that congest approval pathways are not welcome. To ensure a focus on well-developed proposals, we are working with industry and networks on improving connection approvals."*[4]

[4] Department of Industry, Science and Resources (DISR) March 2026, Expectations of data centres and AI infrastructure developers < https://www.industry.gov.au/publications/expectations-data-centres-and-ai-infrastructure-developers>

We also welcomed the launch of the Office of AI within the Department of the Prime Minister and Cabinet in July. We understand that the office will coordinate across agencies to design and legislate the new Australian AI standards and training. We support new national mandatory requirements for large AI data centres, including setting standards for energy and water. MAV and local government are seeking a seat at the table.

We also welcome the recent Energy and Climate Change Ministerial Council (ECMC) agreement "to progress regulatory arrangements to mandate that data centres offset their electricity demand by investing in additional renewable generation located in the jurisdiction where the data centre is located…" and "to develop National Electricity Rule change requests for consideration by ECMC in September" to realise the mandate. Also

Singapore's Strategic Pause

Singapore's response to the rapid growth of data centres provides an important international reference point for Australia as it considers the expansion of AI infrastructure.

By 2019, Singapore had become one of Asia's largest data centre hubs, but the pace of development was placing increasing pressure on the country's highly constrained energy, land and water systems. At that time, data centres were estimated to account for around 7% of national electricity consumption, while growing concerns emerged regarding long-term sustainability, infrastructure capacity and the cumulative impacts of approving projects individually rather than strategically.

In response, the Singapore Government introduced a temporary moratorium on new data centre developments. The government was careful to frame the pause as not a rejection of AI or digital infrastructure but to allow government to assess the long-term implications of continued growth and establish clearer policy settings, sustainability standards and infrastructure priorities before proceeding further.

During the pause, Singapore undertook a coordinated review involving planning authorities, energy agencies, environmental regulators and digital economy bodies. When approvals resumed in 2022, they did so under a far more selective framework focused on energy efficiency, sustainability performance, land optimisation and broader national strategic benefit. Only projects capable of meeting significantly higher standards were prioritised.

Singapore's approach demonstrates that AI and data centre infrastructure require special consideration because once they are constructed, their impacts can shape urban systems and public resource allocation for decades.

For Australia, and particularly for local government, the case highlights the value of taking a coordinated and precautionary approach before infrastructure growth accelerates beyond the capacity of governance systems to manage it effectively. It suggests the need for clear national standards, integrated planning frameworks, sustainability benchmarks and stronger assessment of cumulative impacts across regions and communities.

Most importantly, the Singapore example demonstrates that a strategic pause can create the conditions for better long-term outcomes, allowing all levels of government to establish and align on clear rules, improve coordination, build public trust and ensure that AI infrastructure

important in the announcements were the inclusion of adequate firming, demand flexibility and enhancing transparency of data centre energy use.[5]

While we support Federal leadership in this space, Victoria's planning and approval systems are not yet adequately configured to manage the scale, speed and complexity of AI infrastructure demands. The Victorian Government is yet to formally engage with MAV, local government or communities on any proposed state-wide approaches to the location, design and oversight of data centres and their associated infrastructure. Any formal public engagement done to date by the state government has been undertaken without local government or community involvement, despite our sector's critical involvement in the planning and sustainable development of local places and communities.

MAV and CASBE have been working with councils to address the local planning and decision-making difficulties councils have been facing. We have held online collaborative and information sharing forums, and a CASBE working group has advised on commissioned policy and legislative research towards improving clarity on assessing data centre planning permit applications. This collaborative approach has included discussions with other levels of government, advocacy groups and industry bodies.

Victoria's planning framework for data centre development

Victoria's planning system was not designed to assess data centres at the scale and pace of which they are being proposed.

Independent research commissioned by CASBE and CASBE member councils has examined the provisions currently relied upon and the assessments they have produced. The work includes highlighting what legislative support exists, what aspects differ in data centre proposals compared to other development types, what expectations and standards are appropriate in the current context and how to complete technical assessments. The research identifies failures at two levels: the statutory controls do not adequately assess the matters that define data centre impacts, and there is no strategic framework directing where the use should occur.

Councils are advocating to government for planning rules that ensure data centres are located within already well serviced areas with infrastructure like transmission and water, and with appropriate buffers between sensitive uses. This is because the location of data centres has major consequences for nearby communities, local environments, but also the wider local and regional economy where residential, commercial, or agricultural land is being used for data centre development. These matters make strategic siting essential.

To date, MAV, CASBE nor any council in Victoria has been meaningfully engaged with planning reform related to strategic siting and location of data centres. If asked, MAV would advocate for a state-wide strategy, developed with input from local government, to guide the location and development of data centres within designated circular economy and data centre precincts. This could involve applying a similar spatial plan across Victoria used for renewable energy. Assessment for candidate areas would account for environmental, cultural, land use, servicing and engineering criteria, and identify preferred locations before applications are lodged. In these areas, resources access would be tied to community benefits sharing.

[5] Department of Climate Change, Energy, the Environment and Water (DCCEEW) July 2026, Energy and Climate Change Ministerial Council Meeting Communique Tuesday 28 July 2026 <https://www.energy.gov.au/energy-and-climate-change-ministerial-council/meetings-and-communiques>

Statutory planning controls
Data centres are not a defined use under the Victoria Planning Provisions. They are assessed as a "utility installation" - a use applying equally to a local telecommunications facility and a facility of globally significant scale. The definition has no scale threshold, so assessment intensity cannot escalate with energy demand, water use or emissions. A utility installation is also permissible across a wide range of zones: most data centre applications are made in the industrial suite of zones and the Urban Growth Zone, but the use is available in residential and rural zones, and applications could feasibly be made in the Mixed Use or Green Wedge Zone.

Lovely Banks – City of Greater Geelong

The situation at Lovely Banks illustrates the risks of poorly located data centre development.

NEXTDC, a major data center developer and operator, has recently purchased around 169 hectares of land previously earmarked for 2,000–2,105 new homes. Residents have raised concerns that the planned housing will no longer eventuate, with essential land and infrastructure capacity instead redirected to a large-scale data centre precinct. Community members argue they have not been meaningfully consulted and that the project's water, energy, and biodiversity impacts are incompatible with the area's intended role as a future residential community.

This case highlights the growing tension between housing supply, employment land, and data centre expansion—and underscores why strategic, community-centred site selection is essential.

Under the industrial zones, a responsible authority may consider drainage, traffic, servicing, interface, streetscape, built form, landscaping, lighting and stormwater. These are the guidelines of a conventional industrial assessment. They do not permit assessment of electricity source or sufficiency, water volume or source, contribution to legislated emissions targets, or off-site heat rejection. The issues driving community concern are those the zone provisions cannot examine.

Regarding environmentally sustainable design, the most specific expectations available to decision makers are the local ESD policies in many schemes, requiring a Sustainability Management Plan for non-residential buildings above a set trigger (commonly 1,000 to 2,000 square metres). That requirement can be satisfied in a way that defeats its purpose: assessments have been submitted covering *only the ancillary office component*, so a headline rating reflects a small share of floor area while the data halls sit outside the assessed scope. This is not the intent of the policies, however it is how they have often been applied.

Clause 65 and section 60 of the *Planning and Environment Act 1987* require consideration of significant environmental, social and economic effects, and of any strategic plan or guideline adopted by a Minister or department. This is the only pathway by which state and federal data centre expectations can presently be considered in a decision.

CASBE's research included a review of recent determinations. It found that energy and water usage did not appear to have formed part of any assessment, urban heat was not considered, and assessment routinely deferred to applicant-prepared plans without interrogation. Environmental risk was generally confined to bushfire and ecology.

Strategic land use planning
We understand that data centre proponents select sites on proximity to fibre, transmission capacity and substation headroom, then test permissibility against the applicable zone. The resulting concentration in outer metropolitan industrial areas and near regional transmission corridors reflects infrastructure availability. Missing here is any assessment of capacity to absorb the development, as outlined throughout this submission.

Data centres are often large in their development footprint, but small in terms of jobs on site. The issue here is they consume serviced industrial land while generating a fraction of the employment and economic benefits of the manufacturing, logistics and advanced industry uses that land was zoned to accommodate and that industrial land planning has sought to protect and grow.

Footscray West – City of Maribyrnong

The experience in Footscray West highlights the institutional unease about siting choices, and community and safety risks that arise when data centres are expanded within established residential areas.

Residents in Tottenham and surrounding neighbourhoods are opposing a proposal to expand the existing M3 facility to four times its current size, describing the centre as "monolithic" and warning that further growth will worsen noise, industrial character, and overall liveability. Concerns extend beyond the community:

Fire Rescue Victoria personnel have raised alarms about the concentration of data centres in the inner west, particularly around West Footscray, citing heightened risks associated with lithium ion battery thermal runaway and the strain such facilities place on emergency response capacity.

Proposals on agricultural land, green wedge areas, or land identified for future housing sharpen the tension between housing supply, employment land protection and data centre expansion. Near sensitive uses, the combination of continuous operation, generator testing, acoustic treatment, security fencing, impermeable surfaces and heat ejection are being managed after the fact through complaints to councils.

Strengthening municipal planning strategies is a direct lever available, but few schemes contain any such direction and councils introducing them face a difficult path where community positions may well diverge from state facilitation objectives.

A state-wide strategy structured around designated circular economy precincts would close this gap, enabling co-location with recycling, energy recovery and advanced manufacturing facilities so that waste heat, water and material flows are captured as inputs rather than discharged as impacts. It would also allow siting decisions to be tested against water availability, including access to recycled and non-potable supply, and against the cumulative carrying capacity of local road, drainage and utility networks.

While the economic benefits of AI infrastructure are often framed as part of national and global social and economic transformations, many impacts are experienced locally. As a combination of storing sensitive and important information, with high electricity demand infrastructure, operating in buildings in highly urbanised areas, data centres are a unique combination.

Old Ford Motors site – City of Greater Geelong

The proposed data centre at the old Ford site in Norlane, Geelong—a long-established industrial precinct bounded by Princes Highway, Melbourne Road and Cowies Creek—illustrates how strategic siting can reduce community impacts.

Unlike locations such as Lovely Banks, this site does not displace planned housing or encroach on sensitive uses; instead, it repurposes a large parcel of former manufacturing land with existing buffers, transport access, and an industrial character already familiar to the surrounding community. Its proximity to major grid infrastructure also makes it a more logical candidate for high-demand uses.

While issues such as energy load, water use, heat and noise, and emergency-response risks still require rigorous assessment, the Ford site demonstrates how directing data centre development to well-serviced industrial land can better align with community expectations and long-term land-use planning.

These matters create important questions regarding social licence, equitable distribution of benefits, local infrastructure burden, and long-term community outcomes. Trust in the development process is sorely lacking. MAV is aware of some examples where councils have found out about a proposed data centre development through local media reporting, land sales reports, or market updates provided to shareholders as part of regular developer reporting.

As our case studies have demonstrated, there are examples where proposals receive local support because proponents engage and work with decision makers to design and site their development in locations that can support the infrastructure and align with local and regional development plans. They also point to the need for AI infrastructure to be more rigorously assessed through integrated planning and environmental assessment frameworks if the data centre industry is to enjoy wider support from communities, councils and other regulators. We urge this inquiry to recommend integrated planning frameworks that consider:

- regional development priorities and land use patters
- cumulative impacts
- long-term sustainability thresholds
- infrastructure interdependencies, and local carrying capacity

Recommendations on Decision Making Fragmentation and Planning Approvals cont:	
12	**Victorian Government to provide dedicated funding and access to specialist expertise for councils assessing data centre proposals, recognising the technical demands of energy, water, thermal and network infrastructure assessment.**
13	**Victorian Government to require disclosure of forecast aggregate electricity and water demand for proposed data centre developments to the relevant council and water corporation at the pre-application stage.**
14	**Direct data centres to well-serviced industrial land with appropriate buffers from sensitive uses, exclude them from agricultural land, green wedge land and land**

	identified for future housing, and require strategic assessment of employment land opportunity cost.
15	**Introduce a land use definition for data centres in the Victoria Planning Provisions, with scale thresholds that escalate assessment requirements in proportion to energy and water demand, and restrict their use in rural, green wedge and residential zones.**
16	**Introduce a particular provision for data centres setting mandatory ESD requirements, application requirements and decision guidelines.**
17	**Require that sustainability assessments address the whole facility including data halls, and ensure Stage Two of the ESD Roadmap applies expressly to utility installations and sets a floor rather than displacing higher standards councils have adopted.**
18	**Develop a state-wide strategy to guide the location and development of data centres within designated circular economy precincts, applying the spatial method already used for renewable energy: assess candidate areas in advance against environmental, cultural, land use, servicing and engineering criteria, and identify preferred locations before applications are lodged.**
19	**Provide model municipal planning strategy and local policy content, developed with the sector, so councils can act consistently.**

Fast-tracking data centre development

The Victorian Government's flagship Development Facilitation Program (DFP) seeks to provide *"expedited planning pathways and facilitation services for eligible projects that inject investment into the Victorian economy, keep people in jobs, and create homes for people."*[6] While these goals are worthy, the program lacks transparency, is a cost shift to hosting communities, and undermines trust in the fairness and overall efficiency of Victoria's planning system.

Under the DFP approval pathway, the Minister for Planning becomes the responsible authority for planning decision making by issuing a planning permit, waive planning scheme requirements, waive application requirements and decisions cannot be appealed to the Victorian Civil and Administrative Tribunal (VCAT). Applications with a construction cost exceeding $10 million in regional areas or $20 million in metropolitan areas are eligible for the Development Facilitation Program. Effectively every data centre application in Victoria meets this threshold.

Input from councils is usually sought. This input is often requested in short time frames, with incomplete information, and as a non-determining referral authority the planning minister and the DFP often ignores the advice of the council. CASBE and MAV have identified seventeen data centre applications determined or under assessment through the DFP, fifteen of them lodged within the past two years. In this pathway councils are reduced to referral, and the communities that host these facilities have no right of notice, submission or review.

[6] Department of Transport and Planning, Development Facilitation Program, 2026 < https://www.planning.vic.gov.au/planning-approvals/planning-enquiries-and-requests/development-facilitation-program>

A recent referral to Hobsons Bay for a data centre in the suburb of Brooklyn, allowed only 14 days to respond to the referral for a proposal worth $1 Billion that would create significant amenity impacts, little regard for existing residential amenity and is focused on delivering an outcome that would entrench an inactive use in this area of Brooklyn. Council formally requested an extension of time and was advised by DTP "*that it cannot guarantee that a determination will be deferred to accommodate this process"*

A CASBE-commissioned review of recent determinations under the DFP pathway found that:

- energy and water usage did not appear to have formed part of any assessment
- that urban heat was not considered despite occasional reference
- assessment routinely deferred to sustainability and stormwater management plans submitted by applicants without those documents being interrogated.
- Environmental risk was generally confined to bushfire and ecology.

CASBE's assessment has identified matters that materially affect local communities and that would otherwise pass unexamined, including:

- the exclusion of data halls from sustainability assessment scope so that a facility's headline rating reflects only its ancillary office component
- the offsetting of stormwater quality obligations to off-site schemes despite poor runoff quality from very large roof areas
- minimal on-site permeability and canopy provision
- the absence of any assessment of off-site urban heat impacts on adjoining residential land.

Where councils are the responsible authority, outcomes are significantly different and more aligned to community concerns. We understand that councils are working together to develop standard approaches to data centre proposals and working together to share information. For example, Wyndham City Council has worked with applicants through the planning system to secure improved outcomes for its community and has commissioned independent expert assessment of proposals against climate change and environmentally sustainable design policy.

Where the Minister issues a permit under the Development Facilitation Program, councils inherit compliance and enforcement of conditions they had no role in setting, and without resourcing. Applicants also pay no application fee to councils, with the fee going to the DFP and state government. Councils have long relied on planning fees, especially from large, complex development, to fund their town planning functions.

With millions of dollars in application fees going to DFP projects, councils are still doing much of the assessment work when requested by the DFP, to improve outcomes and advocate on behalf of communities. These are sharp cost-shifts to local government. MAV has long advocated for application fees to be returned to councils, or at least reasonably shared, for doing assessments and undertaking compliance.

Recommendations on Decision Making Fragmentation and Planning Approvals cont:	
20	**Require meaningful community engagement and disclosure before approval pathways are locked in, and measurable community benefit commitments proportionate to local impact.**

21	**Restore councils to a central role in decision-making, including determining referral status, retention of application fees where councils undertake the assessment, and resourcing for enforcement of conditions on permits issued by others.**

Managing cumulative impacts, and ensuring the community benefits

Data centre proposals currently sit outside any framework capable of capturing their local infrastructure impacts, or community benefits sharing.

Victoria's infrastructure contributions system - development and infrastructure contributions plans under the *Planning and Environment Act 1987* – is designed for residential and greenfield growth and offers no mechanism to recover the cost of pavement damage from sustained heavy vehicle movements, haulage route upgrades, drainage upgrades or open space provision generated by a single high-impact industrial utility use like a data centre.

Councils and the state government can seek to negotiate these matters project by project through permit conditions and a provision in the Act known as Section 173 agreements. To do this work well is a resource-intensive process, inconsistent between municipalities and decision makers in state government, and developments because negotiations are dependent on the proponent's willingness to agree. The benefits put to put to host communities remains largely temporary construction employment.

These are the same issues councils and communities in rural and regional Victoria have long recognised and advocated for change in the renewable energy sector. In recent years, the Victorian Government has sought to resolve widespread community frustration at the lack of meaningful benefits for host communities of renewable energy and associated infrastructure.

Latrobe City Council's Promotion of a Data Centre in Morwell

Latrobe City Council has actively positioned Morwell as a strategic location for data centre investment, aligning economic diversification with the region's transition from traditional coal-based industries. This initiative reflects a broader effort to revitalise the local economy, attract high-value industries, and leverage existing infrastructure amid the municipality's structural shift away from fossil fuel generation.

Latrobe City Council has highlighted several advantages in its investment attraction strategies, targeting developers in the digital and technology sectors. These include the region's high-capacity energy infrastructure due to its historical role in power generation, high data connectivity on the Sydney-Melbourne Aura Network (formerly Intercity Fibre), available industrial land, particularly former energy and manufacturing sites and a skilled workforce transitioning from the energy sector.

Council advocacy has included improved planning processes, engagement with state government agencies, and promotion of Morwell's connectivity. By emphasising these factors, Council has sought to position Morwell as a cost-effective alternative to metropolitan data centre hubs.

Council's proactive support for a data centre in Morwell demonstrates a strategic approach to regional development. By leveraging existing infrastructure, promoting sustainable energy use, and actively facilitating investment, the Council aims to transform Morwell into a key node in Australia's growing digital infrastructure landscape.

The Government is now putting forward new frameworks to ensure communities can benefit from transmission and project development in their region.

The Victorian Transmission Plan (VTP) sets out a new long-term strategic plan for transmission and renewable energy zone development in Victoria. Through the VTP and associated frameworks, the State Government is seeking to move beyond ad-hoc benefits towards a mandated, standardised benefit framework for projects located in Renewable Energy Zones.

The Renewable Energy Zone (REZ) Community Benefits Plan, to be released in 2026, will establish a REZ Community Energy Fund for each region hosting a zone, alongside benefits for landholders, significantly impacted neighbours and Traditional Owners. Delivery is proposed to be financed through mandatory contributions from transmission companies and generation and storage developers within REZs, exceeding any discretionary payments developers might otherwise make.

Councils are still seeking clarity on several elements of the REZ Community Benefits Plan including:

- minimum contribution thresholds,
- governance arrangements,
- indexing,
- compliance mechanisms and
- compensation paid to councils for the local infrastructure costs the transition imposes

The MAV has called for additional state-local government engagement and co-design of the final plan (for further information see MAVs July 2026 submission on the Draft 2026 Victorian Transmission Plan Guidelines).

Critically, benefit-sharing will be made a condition of market access. Under the recently released Community Engagement and Social Value Guidelines, developers must demonstrate they will meet government expectations on community engagement and benefit sharing. It will be important for the State Government to develop compliance and enforcement mechanisms to ensure developers meet these expectations.

A similar regulatory approach could be applied to data centre proposals due to their scale, lack of community support and perceived benefits, and especially likely impacts on local and regional natural resources. A data centre benefits sharing framework should combine a State-set, mandatory community benefit contribution scaled to facility capacity with a clear and enforceable mechanisms for local infrastructure cost recovery, impacts on the environment and energy resources, drainage issues, utility upgrades and expansions. Councils must be involved in the design of such a framework.

Without a benefits-sharing regime, Victorian councils and host communities will continue to carry the enduring costs of nationally significant digital and AI infrastructure while their communities receive little tangible value.

Recommendations on Decision Making Fragmentation and Planning Approvals cont:	
22	**Establish a mandatory mechanism for recovery of local infrastructure costs generated by data centre development, covering road pavement and haulage route damage, drainage augmentation and open space provision, with contribution rates set by the State rather than negotiated project by project.**

23	**Establish defined community benefit contributions for data centre developments, with minimum thresholds, governance arrangements, indexing and compliance mechanisms specified at the outset and a defined role for local government in design and governance.**
24	**Fund independent readiness and impact studies for municipalities hosting or proposed to host significant data centre capacity, covering workforce, housing, local infrastructure and aggregate demand for water and energy.**

5 Environmental impacts

The Inquiry's focus on energy, water, and environmental impacts is particularly important from a local government and community perspective. Without stronger strategic guidance, poorly located or weakly regulated facilities risk eroding community safety and liveability and straining essential services.

This submission makes it clear that planning and environment regulation to date has not been designed with the scale and pace of data centres development we are now experiencing. These matters have become another case study of how a new issue has outpaced reform and community expectations.

Data centres concentrate extraordinary environmental demand on single sites, at a scale Victoria's environmental regulations have not anticipated. As a result, current regulations assess some impacts and fail to consider others in a systems-wide context.

This section examines water, emissions, urban heat, air quality and noise, and the gaps in current controls across each.

Water

Water impacts from data centre development are critical concern. There are concerns that without a regional or catchment oversight, proliferated data centre development risks the water supply, ecosystem health and the broader climate resilience in an expected hotter and dryer climate.

Many data centres are using potable (drinking quality) water for cooling – this is a low value use. Other data centres are seeking to use recycled water for cooling in their centres, which should be supported and the technology further developed and mandated. Use of recycled water is preferable to use of drinking water, especially in Victoria's (and Australia's) dryer environment.

Examples of near zero potable water consumption have been proposed, including by CDC developments who propose closed-loop liquid cooling systems which don't evaporate water to the environment for the purpose of facility or technology cooling. Our members have reported that by referencing commitments in other recent applications as evidence of current industry practice, officers were able to negotiate lower water use cooling systems in two recent applications.

As is widely reported, data centres commonly use Water Usage Effectiveness (WUE) as the metric for appropriate facility design for efficient water consumption. CASBE member councils are working with consultants on setting best practice WUE for data centres in Victoria with early indications pointing to a maximum WUE of 0.4.

While WUE is important, the projected water consumption is critical as very large data centres could be large water users, even when considered relatively water efficient. For example, a 1GW data centre with WUE of 0.4 could consume 9.6ML of water in a day, equivalent to more than 60,000 people in their homes.

In parts of the world where droughts are common, Victoria being one of those, drinking quality water must be protected and preserved. Victoria already has an identified shortage of potable water. As noted in the Central and Gippsland Region Sustainable Water Strategy 2022 "Currently Melburnians use 50 to 70 gigalitres more water per year on average than flows into our storages, depending on rainfall, with desalinated water orders currently meeting this gap. While demand for urban water is growing, the availability of water in our rivers is declining."

A key response to this is included in Infrastructure Victoria's 30 year infrastructure strategy with "Manufactured water, like desalination and recycled drinking water, can add new sources to the system. But large projects can take up to 10 years to plan and build. Melbourne, Geelong and Bendigo face future shortfalls and ageing assets. Victoria must secure new sources in time to meet demand and protect rivers."
It would be imprudent to allow high water use data centres to operate while we have a shortage for communities, agriculture, environmental flows and Traditional owners.

Energy use and emissions

Councils are seeing proposals for data centre sites nearing 1,000 MW (or 1 GW).

We understand at least two sites are proposed to host data centres are proposed to consume more energy consumption than the Portland Alcoa Aluminium Smelter - currently the biggest single user of electricity in Victoria. Each data centre would be over 10% of the peak demand for all of Victoria. Another proposed data centre campus proposed for a 350 hectare site in Plumpton, north west of Melbourne, is reported to required up to 2.4GW or 3.1GW for electricity use.

It's worth noting that Victoria's all time maximum peak demand was on 27 January 2026 at 10.7GW, which caused blackouts on the grid. Projects proposed at these levels of energy consumption require community engagement, and community benefits frameworks, that are meaningful, and are seen as such.

The scale of data centre proposals also undermines carbon emissions reduction. Such significant contributions from electricity-related greenhouse gases, diesel backup generation and embodied construction carbon demand far stronger transparency, regulation and long-term mitigation planning in a climate context. For example, recent announcements by the Victorian government include a $1.3 billion battery energy storage system in Morwell. The battery will be able to power "344,000 homes during peak demand" or a single 1 GW data centre for 4 hours during a grid outage.

Data Centres Australia has highlighted that *"cloud and AI inferencing workloads require continuous availability – they cannot be curtailed during peaks. Load shifting is not feasible for co-location operators, which do not control customer workloads"*[7]. We can therefore expect the Plumpton site alone to increase peak demand in Victoria by more than 20%.

MAV noted in its July 2026 submission on the Draft 2026 Victorian Transmission Plan Guidelines that each scenario informing the 2027 Plan factors data centre demand into future energy needs. AEMO estimate data centres could consume up to 19 per cent of Melbourne's electricity grid by 2050, up from approximately 2 per cent in 2025.

Existing legislation exists to test these environmental impacts. It does not appear to have been applied to data centres to date. The *Environmental Effects Act 1978* includes triggers for environmental impact assessment. The individual trigger criteria of "Potential for greenhouse gas emissions exceeding 200,000 tonnes of carbon dioxide equivalent per annum (direct and indirect) attributable to the operation of the facility." would be far exceeded by a 100MW data centre when Victorian grid emissions intensity and partial renewables are applied.

[7] Data Centres Australia, February 2026 *"Principles in isolation can't achieve sustainable outcome"*, accessed 27 July 2026 <https://datacentres.org.au/principles-in-isolation-cant-achieve-sustainable-outcome>

The NSW Secretary's Environmental Assessment Requirements (SEARS) planning assessment process is a model that Victoria could adopt to improve transparency and rigour in data centre assessments.

The dual/combined trigger of "Potential for extensive or major effects to human health or the environment, or displacement of residents, from pollution or waste emitted to air, land, water or groundwater." also warrants further exploration to address the human health impacts discussed in the following two sections.

Compounding Demands on Energy and Water - ABC

An ABC News report (May 2026) examining the rapid growth of AI-driven data centres in Australia highlights mounting concerns that the sector's escalating demand for electricity and water could significantly undermine the nation's energy transition and place growing pressure on essential infrastructure systems.

The report estimates that electricity consumption from Australian data centres could increase more than sixfold between 2024 and 2040, rising from approximately 2% to as much as 13% of total national electricity demand. Analysts suggest that the additional energy demand generated by AI infrastructure may exceed the electricity required for the large-scale electrification of homes and vehicles combined.

This creates a compounding challenge for Australia's energy transition, decarbonisation and rapidly growing AI demand simultaneously.

The report also highlights growing concerns regarding water use. Large hyperscale data centres require substantial cooling systems, many of which rely heavily on water-intensive processes.

Sydney Water modelling cited in related reporting warns that data centres could account for up to 25% of Sydney's drinking water demand by 2035 if current growth trajectories continue.

These pressures are expected to intensify during periods of heat, drought and climate volatility, creating potential competition between industrial cooling requirements, residential consumption and environmental water needs.

Urban Heat

Data centres present new challenges in combating the urban heat island effect. We understand that data centres import massive amounts of energy to a single site and then exhaust that as waste heat into the neighbourhood, effectively using the neighbourhood as a heat sink. The urban heat island effect is therefore a significant risk for proposals located close to housing or other sensitive uses like schools, hospitals and recreation facilities. While industrial land use buffers exist for other off-site impacts including odours, Victoria does not include buffers for exhausted heat.

Urban heat impacts from data centre development are a significant concern, as large heat-emitting facilities can intensify local heat islands, reduce neighbourhood thermal comfort and compound climate-resilience challenges in already warming urban environments.

Further, there are no legislated limits to local heat exhausting, at least in Victoria.

Well-designed and consulted planning policy including buffers from sensitive uses and considering local context would help protect people from 'data centre induced heat stress'.

This heat also presents an opportunity where the waste can be turned into a useful resource. Planning has not been designed to deal with the situation where there is such a large amount of residual heat with no proposal from an operator for how to mitigate its impact. However, we can learn from parallels with expectations for how off-site impacts are dealt with for stormwater quality, flow and volume. If a proposal can't reduce the impact onsite sufficiently, then offsite options are explored. For heat, there are energy re-use opportunities onsite or offsite. For offsite, precinct planning / colocation opportunities emerge with capturing data centre heat for other uses nearby like an aquatic centre, hydroponic food growing or manufacturing requiring low to medium grade heat. It can also be onsite - for example CSIRO have a technology being used on sites using waste heat to desalinate mining water, another is adsorption cooling which uses heat instead of electricity to drive cooling.[8]

It is still unclear, however, how massive amount of energy that data centres import as electricity and turn into heat can be assessed. Using the neighbourhood generally as a heat sink is not appropriate and isn't safe for residents within 35m who won't have a say given notice and review exemptions.

We also understand that the urban heat impact of data centres is exacerbated by poor landscape outcomes resulting from operational security requirements and extensive underground services. Proposed tree canopy cover is typically in the range of 1-2% and sometimes as low as 0.3%. For example, one council oversaw applications where:

- perimeter security fences had a 3m clearance zone around them, prohibiting the planting or retention of canopy trees or large shrubs within the security clearance
- fenceline setbacks were not positioned to allow any tree planting – in some cases prohibiting tree planting in the landscaped street setback.
- Tree provision is not prioritised in site planning that seeks to maximise building footprint
- Underground services restricting deep soil planting. These issues arise throughout the approval and endorsement process. This was evident where the initial submission showed 157 trees, but subsequent plans showed 57 trees, plans submitted for final planning satisfaction showed just 18 trees

Air and noise impacts quality

Air-quality impacts from data centre development are a significant concern. The Environment Protection Act and related regulations cover noise and air quality but not waste heat controls. This is not surprising given large industrial energy users near the scale of data centres such as aluminium smelters have rightly been located well away from urban population centres.

Emissions from data centre development are a growing environmental concern, especially in highly urbanised locations close to residential areas.

[8] CSIRO, accessed 31July2025, Mine wastewater treatment < https://www.csiro.au/en/work-with-us/industries/mining-resources/social-and-environmental-performance/mine-wastewater-treatment>

The heavy reliance on diesel backup generators can release concentrated bursts of particulate pollution, nitrogen oxides and other harmful pollutants that degrade local air quality and pose health risks for nearby communities.

Greenhouse gas emissions and local air quality are being impacted by diesel generators at data centre sites. Diesel generators proposed as backup only are being used by some data centre operators as grid firming with operators being paid for this service through the energy market mechanisms. This should not be supported.
Noise pollution from data centre development is a significant concern, as continuous mechanical cooling systems and periodic diesel-generator testing can elevate ambient noise levels and undermine neighbourhood amenity in surrounding communities.

As noted in the Footscray West case study, community concerns include noise impacts. This impact is mostly felt by nearby residents due to the 24-7 operational nature of data centres and the large cooling systems required.

Existing controls under the Environment Protection Act should be reviewed to ensure they are fit for purpose for data centres.

Recommendations on environmental impacts:	
25	**Investigate appropriate methods to mandate renewable generation commensurate with each facility's load.**
26	**Require fit-for-purpose water use, prohibiting potable water for cooling where recycled water or closed-loop and non-water technologies are available, with catchment management oversight of demand.**
27	**Introduce waste heat controls and set air quality conditions governing generators with legislated limits on off-site heat exhaust, and investigate incentives for beneficial heat reuse.**
28	**Clarify referral triggers under the *Environment Effects Act 1978* as they apply to data centres, and test at least one representative Victorian proposal against the existing greenhouse gas and pollution criteria.**

6 Community trust and democratic legitimacy

This submission outlined the system gaps and understanding of the impacts of AI in local democracy, and how councils are grappling with, and working together to ready themselves. It has also outlined the impacts of data centres on local resources, energy and land. Local communities are grappling with legitimate concerns about the amenity and environmental impacts of the rapid surge in AI and data centre development across Australia.

Navigating these complex contexts requires councils to mediate tensions and competing priorities, often with incomplete information in heightened emotional environments and under significant financial strain.

Community concerns for the future of their local economies and places in an AI-enabled world, with compounding energy demand and water consumption required to run it, along with impacts to air quality, noise, fire safety risks, the strain placed on local infrastructure and concerns about sovereign capabilities are building.

These concerns are amplified when proposed data centres involve substantial environmental footprints, unclear local benefit, opaque commercial arrangements, or limited public understanding of AI systems and their infrastructure impacts. Broader concerns about the rapid pace and scale of these developments amplify these concerns.

A consistent theme across MAVlab's Community Connections research is that trust in institutions is increasingly shaped through everyday experiences of responsiveness, transparency and perceived competence.

The above are all legitimate matters to investigate and are likely the drivers behind why the Senate is investigating these matters through this inquiry.

Councils sit at the centre of this tension in their communities. As more decisions on AI and data centre development are centralised to state government 'facilitation' processes, local government and neighbours to proposals have limited, and at times no, visibility or influence. Fast tracked decision timeframes puts pressure on, and reduces the ability of, local governments, community groups and individuals to meaningfully provides input to data centre proposals. Despite this, as the most visible and accessible arm of government, councils are often the first institution that communities turn to with questions, frustrations, and fears about the future, regardless of whether councils hold direct authority over a data centre or similar proposals.

MAV, CASBE and MAVLab strongly advocate for the critical role that councils play in mediating tension and maintaining trust between community and government. Maintaining trust will require all levels of government to communicate more clearly about trade-offs, improve transparency around infrastructure impacts, establish clearer public accountability mechanisms, and ensure communities are meaningfully engaged before AI transformations or major infrastructure pathways become locked in.

The recommendations we provide to this Inquiry present a pathway forward that we urge you to adopt.

MAV would be pleased to provide clarification on any information in this submission. For further information, please contact MAV inquiries at inquiries@mav.asn.au

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Australian Government
Department of Infrastructure, Transport,
Regional Development, Communications, Sport and the Arts

Guidelines

Active Transport Fund

August 2026

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1.1 Processes for the Program

Program established

The Program opens for applications through one merit assessment tranche each year.

↓

Applicants complete and submit applications

Applicants complete and submit the application form, addressing all the eligibility and assessment criteria and providing relevant attachments.

↓

The department checks applications for eligibility

The department checks all applications against the eligibility criteria. Applicants that do not meet all eligibility requirements will not proceed to merit assessment.

↓

The department undertakes merit assessment

Eligible applications are assessed against the Program assessment criteria, including consideration of value with relevant money, and are compared against other applications.

↓

The department recommends projects for funding

The department recommends projects to the Minister (or their delegate) for approval.

↓

Ministerial decision on projects to fund

The Minister (or their delegate) selects projects and provides approval.

↓

The department notifies applicants of the outcome

The department advises applicants of the outcome of their application/s. The department works with successful applicants to confirm the delivery arrangements for the project including final scope, budget and milestones, and issues a funding offer for each approved project.

↓

Delivery of projects

The proponent undertakes the project activity and reports to the department on progress as set out in the funding offer and in line with these Guidelines. The department manages each project working with the proponent, monitoring project progress and making payments when milestones are met.

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2. About the Guidelines

These Guidelines outline the eligibility criteria, application process and certain administrative requirements for the Active Transport Fund (the Program).

The Program is governed by and administered under the following (as in force or implemented from time-to-time):

- the *National Land Transport Act 2014* (Cth) (NLT Act)
- the *National Land Transport Regulations 2022* (NLT Regulations)
- the Intergovernmental Agreement on Federal Financial Relations (FFR)
- the Federation Funding Agreement – Infrastructure (FFA) and Land Transport Infrastructure Projects Federation Funding Agreement Schedule (FFAS)
- these Guidelines.

The Program is a sub-program for the purposes of the FFAS. Projects under this Program are administered under the NLT Act, and payments for this Program are made to states and territories under the FFA and FFAS, including where the applicant is a Local Government Authority (LGA). The Guidelines should be read subject to the NLT Act, and in conjunction with relevant sections of the FFR, FFA and FFAS. The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (the department) administers the Program.

These Guidelines come into effect from 1 August 2026 and apply to all funding applications submitted thereafter.

Definitions of significant terms used within these Guidelines can be found in the glossary.

2.1 About the Program

The Program is part of the Australian Government's commitment, under the National Road Safety Strategy 2021-30, to improve road safety outcomes, including for vulnerable road users such as cyclists and pedestrians. The Program also supports the Australian Government's commitment to reducing transport emissions and supporting active and liveable communities. It is an ongoing, application-based, merit-assessed, funding program, open to all state and territory governments and LGAs. Funding of $50 million will be available under the Program each year for the upgrade of existing, and construction of new, bicycle and walking pathways across Australia.

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2.2 Program Objectives

The Program has 3 objectives that are linked to active transport priorities. Applicants are required to demonstrate how their project meets these objectives in their application.

Program Objectives	
Road safety	To improve road safety and reduce road trauma for active transport users.
Reduce transport emissions	To support commuters to choose more efficient, healthy, affordable and sustainable modes of transport, including walking and cycling.
Active and liveable communities	To invest in projects which better connect people to where they live, work and learn, reduce traffic-related air and noise pollution, and promote outdoor physical activity.

3. Eligibility criteria

This section outlines the eligibility criteria for applications under the Program. The department will only consider applications that satisfy all eligibility criteria.

3.1 Eligible applicants

Applications can only be submitted by a:

- State or Territory Government entity, or
- LGA.

Applications in partnership with other government and non-government entities must have a lead applicant from a state or territory government, or LGA. Applications cannot be submitted by, and will not be accepted from, any other entity.

3.2 Eligible projects

To be eligible for assessment projects must meet all eligibility requirements set out below. Examples of eligible and ineligible projects are provided below. This list is not exhaustive, and applicants should ensure their application clearly demonstrates that the project meets all eligibility requirements.

When designing projects, applicants should consider the Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling, as well as any relevant state/territory specific supplements to the Austroads Guide, which outline best practice design principles. Applicants should also consider supplementary state/territory design guidance where relevant.

3.2.1 Be for the construction of a new or upgraded bicycle or walking pathway that is on or associated with a public road

The Program funds construction only projects, and design and construction projects. Construction can include new builds, as well as the upgrade and/or replacement of an existing pathway. Maintenance projects are ineligible.

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Projects must be for the construction of new, or upgrade of existing, bicycle or walking pathways to encourage the use of active transport. Projects must have the primary purpose of 'construction' (as defined in section 4(2) of the NLT Act) and meet the definition of a 'road' as defined in the NLT Act and the NLT Regulations. Pathways must be accessible to the public and not located on private land.

3.2.2 Be a whole and complete project

Projects must be standalone, able to be delivered independently and not reliant on the completion of other works. Where a project forms part of a broader staged program of works, funding will only be considered where any preceding stages have been completed and are operational. Broader projects cannot be separated into smaller sections to be submitted as separate project applications in one funding tranche. Approval of one stage of a project does not imply or guarantee approval of a later stage of the project in a future funding tranche.

Examples of eligible projects:

- widening or realignment of existing pathways that are associated with a road
- new pathways that run alongside or on a road providing users physical separation from vehicular traffic, for example:
  - footpaths
  - raised cycle tracks adjacent to kerb
  - protected bicycle lanes - on-road bicycle lanes with physical separation from motor vehicles, provided in a single or bi-direction
  - bicycle paths - bicycle-only facilities providing separation from people walking and motor vehicles
  - shared-user paths – for example, a bicycle path separated from motor vehicles, but shared with people walking
- a pedestrian crossing connecting new or existing pathways that improves connectivity and supports safer active transport outcomes.

Examples of ineligible projects:

- projects that are not associated with a road e.g. cycling/walking paths/circuits in parklands or open spaces that do not relate to, or connect with, a road
- projects that have commenced construction, including where construction tenders have been awarded, prior to the application being submitted.
- projects that are for maintenance of existing pathways
- design only projects
- projects that cannot commence or be completed until another project is completed
- construction of a section of a pathway where the same applicant has applied for an adjoining section of the same pathway in the same tranche

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- projects that do not provide a usable or operational connection independently of future stages
- projects that have already been, or could be, fully funded from other sources
- projects that are for a commercial purpose, including those that operate on a user-pays basis or are intended to generate a profit
- projects that have already received funding under the Program.

4. Funding rules

The Program is designed to support delivery of new projects that cannot be undertaken without Australian Government funding support. The Program will not fund projects that have already commenced construction (including where construction tenders have been awarded) or where the applicant has already secured adequate funds to complete the project from other sources.

The Program will contribute up to a maximum of $5 million in Program funding for each eligible project. All projects require a funding co-contribution. In-kind contributions cannot be accepted.

For **projects submitted by state and territory governments**, the Program will contribute up to 50% of the total project cost for all projects, regardless of project location, up to the cap of $5 million per project.

For **projects submitted by LGAs**, the Australian Government recognises that some LGAs, particularly those in regional and remote areas, may be limited in their ability to provide a 50% co-contribution. If an LGA is unable to provide a 50% co-contribution, alternative funding co-contributions can be sought as part of the application. Applicants must provide a strong justification for the need for an Australian Government contribution of more than 50% of the total project cost. Funding contributions of more than 50% from the Program will be considered in exceptional circumstances only, as evidenced through the application and at the sole discretion of the Minister (or delegate).

Applicants are required to list all funding sources being used to meet their project cost co-contribution in the application form and may be asked to provide evidence of this. All applicants will be required to declare in their application that they have sufficient funding secured to meet their required co-contributions. If a project is approved, all costs over the original approved project budget are the responsibility of the proponent (see also section 7.1).

The Program funds projects under the NLT Act and administered under the FFA and FFAS. Accordingly, payments will only be made to, and through, state and territory governments. Where the applicant is an LGA, the relevant state or territory government will be responsible for providing the funding to the LGA. The Australian Government will not provide Program funding directly to LGAs.

Projects should not commence construction prior to the department approving the funding offer. Any costs incurred by a proponent prior to the approval of the funding offer are at the proponent's own risk.

4.1 Eligible and ineligible expenditure

It is a requirement of the NLT Act that funding for an approved project must be wholly expended on approved purposes in relation to the funded project.

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The department may ask for the verification of project costs that were provided in the application, and evidence such as quotes may need to be provided. The Program delegate (a senior executive within the department, responsible for administering the Program) makes the final decision on eligible expenditure.

The department may update the guidance on eligible and ineligible expenditure from time to time. Applicants that require advice about the eligibility of project costs should contact the department (refer to section 14).

4.1.1 Eligible expenditure

To be eligible, expenditure must be:

- a direct cost of the project
- incurred/required for approved project activities
- incurred prior to the completion of the project.

Eligible expenditure on a project can include, but is not limited to:

- contractor costs
- costs associated with contractors who undertake project activities including items and materials purchased by contractors
- employee and labour hire
- the portion of employee and labour hire costs directly related to undertaking core project activities
- the portion of project management costs directly related to undertaking core project activities
- plant and equipment hire
- materials
- consultant or in-house engineering, geology, hydrology, environment, cultural and heritage surveys and inspections (or similar) required to undertake the project, and directly related to core project activities
- ancillary costs directly related to the project, such as insurance costs
- land acquisition costs, but only in relation to the purchase of the land related to the project site
- temporary pathways that are needed to ensure safety of users while a permanent pathway is upgraded or constructed under the Program
- costs incurred to meet Australian Government project signage requirements as set out in the Guidelines and/or the funding offer
- design costs, including engineering specifications, drawings, and other design activities (for design and construction projects)
- minor design revision costs incurred after construction commencement (for all projects).

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4.1.2 Ineligible expenditure

A project should not commence construction prior to the funding offer being approved. Expenses incurred before a funding offer is approved are at the proponent's risk. Proponents should ensure they have sufficient funding to meet any project costs deemed ineligible.

Expenditure items that are ineligible include:

- ongoing maintenance and/or repair costs
- costs that cannot be directly linked to the approved project
- costs incurred before an application has been submitted or where construction works have been physically completed prior to funding approval
- approval costs including fees and charges for planning, environmental, cultural, and heritage and all other similar costs associated with pre-development approval
- procurement costs for materials or services that are not directly related to delivery of the project
- environmental offset costs
- routine operational expenses, including communications, administrative overheads, accommodation, office computing facilities, printing and stationery, postage, legal and accounting fees, loan interest and bank charges
- business as usual expenditure that is unrelated to the project, including but not limited to staff training, legal fees and media or advertising costs.

4.2 Project delivery timeframes

The ongoing nature of the Program is designed to encourage applicants to apply for funding for a project when that project is ready to commence. Projects that are at an early concept stage should generally be submitted at a later time, when planning and design work has progressed further and costs and timeframes are known with more certainty.

In general, projects are expected to be able to be completed within two years of commencing construction, as shown in the following table. Projects submitted with anticipated delivery timeframes outside this period may not be considered for funding.

Delivery milestone	Construction only projects	Design and construction projects
Completion of pre-construction design	Not applicable	Expected within 12 months of funding offer approval
Commencement of construction	Expected within 12 months of funding offer approval	Expected within 12 months of completion of design
Completion of construction	Expected within 2 years of the start of construction	Expected within 2 years of the start of construction
Acceptance of Post Completion Report (PCR)	Within 3 months of construction completion	Within 3 months of construction completion

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5 Application process

The Program is an ongoing, application-based, merit-assessed program. There will be one funding tranche each year, with application opening and closing dates published on the department's website.

When submitting an application, consideration should be given to the overall timing of the funding tranche, including the assessment and approval phases. Following closure of a tranche, assessment and approval processes can take at least 12 weeks, and negotiation and approval of the funding offer for successful projects can take up to an additional 6-8 weeks. Projects should not commence construction until the funding offer has been approved, and doing so may result in the withdrawal of the funding offer. Applicants should account for these expected timeframes in terms of both construction timeframes and costs for a project.

5.1 How to apply

Before applying for funding under this Program, applicants should read and understand these Guidelines, as well as the resources available on the department's website.

To apply, applicants must:

- ensure the proposed project meets all the eligibility criteria
- complete and submit the application through the Reporting and Program Management (RPM) system
- provide all the information requested
- address all eligibility and assessment criteria
- include all necessary attachments
- have the application signed by a suitably authorised person from the organisation (e.g. Chief Executive Officer, Chief Financial Officer, Chair of the Board) to confirm that the project and funding application is supported by the organisation and that the organisation can complete the project and meet the costs of the project activities as set out in the application.

Applicants should be aware that incomplete or incorrect applications may be deemed ineligible and not proceed to merit assessment.

Applicants should contact RPMsupport@infrastructure.gov.au if experiencing technical issues applying on the portal.

5.2 Application evidence

All claims made in the application form should be supported by evidence. The application form provides details of the supporting documents applicants may wish to include to support claims against the assessment criteria. The amount of detail and supporting evidence provided in the application should be relative to the size and complexity of the project and the funding being sought.

Applicants are responsible for ensuring any links to documents on public websites are correct and accessible at the time of submission. The department may contact applicants to clarify information provided in the application, but it is the responsibility of the applicant to ensure all information provided in the application is correct and all supporting evidence has been supplied. New or additional information provided to the department after the application period has closed may not be considered by the department.

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5.3 Merit assessment

The department will review all applications against the eligibility criteria. Eligible applications will then proceed to merit assessment. The department will consider each application on its merits, based on:

- how well it meets the assessment criteria
- how it compares to other applications
- whether it provides value with relevant money.

When assessing the extent to which a proposal represents value with relevant money, the department may have regard to the:

- extent to which the evidence in the application has demonstrated the proposed project will meet the Program objectives
- relative value of the funding sought
- overall deliverability of the proposed project, including whether the project is ready to proceed, and
- the extent to which the application adequately addresses how project risks will be effectively managed.

5.4 Assessment criteria

There are three assessment criteria against which all eligible applications will be assessed. Applications must address all the assessment criteria in the application form and provide evidence to support the responses.

The criteria are equally weighted. The department will not recommend projects for funding that do not score at least 60% against each assessment criterion, as these applications will not be deemed to provide value with relevant money.

Further guidance on information and evidence to support claims against each of the criteria will be included in the application form and supporting materials.

Criterion 1: Strategic fit

Outline the rationale for the project, why there is a strong case for action, the fitness for purpose of the proposal in achieving the Program objectives, and how it meets the needs of the community.

- State how the project aligns with the three objectives of the Program and the outcomes the project aims to achieve.
- Explain how the project directly contributes to relevant national, state, territory and local government goals, objectives, policies and strategic plans.
- Explain the case for change, including the problem it seeks to address and what the opportunities are, and how the project will directly address the issue/s.
- Justify why the proposal is the most appropriate response to address the issue/s and opportunities.
- Outline the support for the proposal and buy-in from stakeholders and the community, noting how it responds to their needs, and if there is any known community opposition to the proposed project.

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Criterion 2: Project benefits and impact

Demonstrate the impact of the project with evidence-based analysis. This includes direct project benefits once the project is complete as well as benefits during the construction of the project.

- Explain how the proposal will improve road safety for vulnerable road users. Outline how the project will reduce the risk of road trauma for cyclists and/or pedestrians.
- Explain how the proposal will reduce transport emissions.
- Explain how the proposal will contribute to the creation of active and liveable communities. Outline how the project will contribute to better connecting where people live, work and learn, encouraging outdoor physical activity and reducing traffic-related air and noise pollution.
- Explain how the project improves outcomes for First Nations people and vulnerable communities.
- Explain how the proposal provides economic benefits, including productivity, efficiency and employment benefits.

Criterion 3: Project deliverability

Demonstrate the capability and capacity to deliver the project, including mitigating identified risks.

- Outline the plan to deliver the project within the expected timeframes, including identifying key expected delivery milestones.
- Detail the skills and capacity of those being engaged to deliver the project, including the relevant skills, experience and performance history.
- State if the required approvals to deliver the project have been obtained, including development, cultural and environmental approvals. If they have not been granted, outline when they will be sought and the expected timeframe for approvals to be granted.
- State if land acquisition and/or the relocation of utilities is required, and if consent has been provided. If it has not been provided, outline when it will be sought and the expected timeframe for consent to be granted.
- Explain whether the absence of Australian Government funding is likely to prevent the project from being delivered.
- Explain the size and adequacy of the project budget, including allowances for contingency and how any cost overruns will be managed by the proponent.
- Outline governance arrangements and how they are appropriate for successful delivery of the project.
- Outline the procurement model for the project, and how it contributes to the wider outcomes listed in section 6.4.
- Outline project risks, including where there may be project delays, cost overruns and/or changes in scope.
- Outline risk mitigation strategies to effectively manage the project risks.

5.5 Ministerial decision making

Upon completion of the assessment of a tranche of applications, the department will recommend projects to the Minister (or their delegate) for approval. Recommendations to the Minister (or delegate) will be informed by the department's merit assessment and the available Program budget for each funding tranche.

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Where there are more meritorious projects in a tranche than available funding allows, the department may need to undertake a moderation process before making recommendations to the Minister. Consideration will be given to a range of factors including, but not limited to:

- the relative value of the project and requested funding
- the extent to which prior funding has been awarded to an applicant in previous tranches
- whether any applicant has more than one meritorious project within a tranche
- the capacity of the proponent to deliver the project considering progress on other active Australian Government-funded projects.

The Minister (or their delegate) will make the final decision on projects funded under each tranche.

5.6 Notification of outcomes

Following the Minister's (or delegate's) decision, the department will contact all applicants to advise of the outcome of their application. Applicants will be offered the opportunity to seek feedback from the department on their application if it is unsuccessful.

6 Successful applications

6.1 Funding offers

After an application is approved, the department will contact the proponent to schedule an inception meeting to discuss the process for finalising delivery arrangements for the project and outline delivery and reporting expectations across the life of the project. The department will confirm the delivery arrangements for the project including final scope, budget and milestones, and issue a funding offer for each approved project that reflects these arrangements.

Proponents must review, sign and return the funding offer within 30 calendar days from it being issued. If a signed funding offer document is not received by the department within 30 calendar days from the time it is sent out, the department may withdraw funding for the project.

The department will share LGA proponents' approved funding offers with their relevant state or territory government agency to assist with the management of milestone payments and reporting.

Proponents should not commence construction on the approved project until the department has provided written confirmation that the funding offer has been approved. This includes not awarding tenders or construction contracts. For design and construction projects, design work can commence prior to the funding offer being approved, but only design costs incurred after the project application was submitted will be considered eligible expenses. If design work has been fully completed prior to the approval of the funding offer, the delegate may consider those design costs to be ineligible.

6.2 Milestone payments

Payments will be made based on achievement of agreed milestones, as set out in the approved funding offer. In developing the agreed milestones, the following principles will apply:

- milestones should generally reflect the critical path for project delivery
- there must be a milestone for each of the commencement of construction, completion of construction and acceptance of the post-completion report (PCR)

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- no individual milestone will be for more than 40% of approved Program funding
- completion of design milestones cannot be more than 10% of approved Program funding
- the acceptance of PCR milestone must be for at least 10% of approved Program funding.

If preferred by the Proponent, the following default milestones and payment percentages will be applied.

Milestone	Construction only projects	Design and construction projects
Completion of pre-construction design	Not applicable	10% of Program funding
Commencement of construction	40% of Program funding	40% of Program funding
Completion of construction	40% of Program funding	30% of Program funding
Acceptance of PCR	20% of Program funding	20% of Program funding

6.2.1 Achievement of milestones

Milestone claim forms must be submitted for each payment and are available on the department's website. This form outlines the minimum evidence requirements for each milestone. Proponents must provide evidence to support the claim that the milestone has been achieved for payment to be made. The department has the discretion to accept, reject or request further evidence prior to approving a claim for payment.

Where projects are led by LGA proponents, the department will make payments to the relevant state/territory government agency, which will then make payments to the proponent in line with the requirements under the FFAS. The state/territory government agency may have additional requirements of the proponent before funds can be paid, such as the provision of an invoice. Payment arrangements must be made directly between the proponent and state/territory government agency.

Proponents should advise the department in writing as soon as possible if an upcoming milestone is unlikely to be achieved on time, and discuss and agree with the department in writing as to whether a formal variation is required to be submitted to give effect to a change in the milestone schedule.

6.3 Construction standards

All construction must comply with relevant Australian and state/territory standards in place at the time of construction, including construction standards, building codes and work health and safety requirements.

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6.4 Procurement

Funding recipients must call for public tenders for all work on an approved project unless the cost of the work is less than $100,000 or an exemption has been granted, consistent with the requirements of the NLT Act.

Proponents must comply with the rules and guidelines in their state or territory for the expenditure of public money and the procurement of goods and services.

Consistent with procurement requirements outlined in the FFAS and considering the opportunities and market capabilities in their respective jurisdictions, proponents should seek to optimise procurement practices to deliver value for money and enable the wider outcomes listed below:

a) an uplift in socioeconomic outcomes for First Nations people and businesses and First Nations cultural heritage protection, in line with Closing the Gap.
b) a reduction in embodied carbon in transport infrastructure in line with Australia's Net Zero commitments
c) an increase in women's participation at all levels of the construction industry
d) optimising recycled content in transport infrastructure to support Australia's transition to a circular economy by 2030
e) supporting opportunities for Australian and local businesses and industry, and direct employment with local government where possible
f) optimising opportunities for trainees and apprentices, including Australian Skills Guarantee targets, to ensure a pipeline of skilled workers
g) optimising opportunities to enhance construction sector culture and participation, including flexibility, wellbeing and diversity.

7 Project costs

The Program funding amount and the percentage split for the project are set out in the funding offer. Changes to the approved Program funding can only be made in exceptional circumstances and through a formal variation (see section 8).

7.1 Projects over budget

All costs over the approved Program funding are the responsibility of the proponent. The project budget as set out in the application should be developed using a robust cost estimation process, with sufficient contingency applied. Further guidance is included in the application form.

Provision of any additional Program funds will only be considered in exceptional circumstances, upon formal written request to the department. The proponent must investigate other options to address any potential cost increase for the project before seeking a funding increase from the department. The Minister (or delegate) will have sole discretion as to the approval or rejection of a request for additional funding. Any request for additional funding must maintain the approved funding split, and total Program funding cannot exceed $5 million.

7.2 Projects under budget

Where an approved project is completed under the original budget, the savings must be shared proportionally between the Australian Government and the proponent in accordance with the

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approved funding splits for the project. The Australian Government's share of any project savings will be returned to the Program for future tranches. Proponents cannot use savings on one project towards other projects.

8 Project variations

The department recognises that unexpected events may affect delivery of a project. In these circumstances, the proponent must submit a project variation request, including when proposing to:

- change the project name
- change the project scope
- amend project delivery timeframes
- request additional Program funding (see section 7.1).

Project variations must be requested by completing the department's Project Variation Form, available on the department's website.

Proponents should contact the department as soon as possible once the need for a variation is identified. Project variations must be approved in writing prior to any change in work. Proponents should not assume that a variation request will be successful, and any works undertaken prior to a variation request being approved are at the proponent's own risk. The Minister (or delegate) has complete discretion to approve or reject variation requests. Outcomes of these requests will be provided in writing to the proponent. The Department will endeavour to provide a decision within 4 weeks of receiving a completed variation request.

9 Reporting and governance

Proponents have obligations to report on the status of their projects, in line with the terms of the NLT Act, the funding offer, the FFAS and as outlined below or as otherwise agreed in writing with the department.

9.1 Meetings

Proponents are required to meet with the department on a regular basis throughout the delivery of their project, to discuss project progress and monitor risks. The frequency of these ongoing meetings will be agreed at the inception meeting.

9.2 Quarterly reporting

Proponents are required to provide quarterly reports detailing the status of their project(s), including information on project progress, timelines (including if milestones are on track), risks and finances (including if it is anticipated a project will have cost overruns or savings). The required timing and format of these reports will be set out in the funding offer.

9.3 Ad-hoc reporting

If there is a material change to a project outside of the quarterly reporting period, proponents must inform the department as soon as possible.

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Examples of incidents that require ad-hoc reporting to the department include:

- change of senior personnel on the project, such as the project manager
- change to the funding sources for the project, such as the granting of further funding from other sources or changes to the co-contributor/s
- issues that are likely to impact the delivery of the project (e.g. extreme weather, natural disasters or unforeseen project management issues).

The department may request information on an ad-hoc basis regarding project delivery, to meet its requirements under the Program and FFAS. Proponents must provide this information within the timeframe the department specifies.

9.4 Financial records and acquittal of Program funds

Proponents must keep financial records for each project and be able to accurately report on costs. Program funding must be fully acquitted through the Post Completion Report (PCR) to substantiate the amount of the final payment. Proponents are required to provide a PCR within 3 months of the completion of their project's construction.

10 Events, announcements, promotions and publicity

If a proponent proposes to hold an event in relation to a funded project (e.g. start of works, project completion, opening etc) they must inform the department at least 4 weeks before the proposed event is to be held. Details of the proposed event should be sent to events@infrastructure.gov.au, and they will liaise with the appropriate Australian Government official on the proponent's behalf. If requested by the department or Australian Government representative, proponents are expected to arrange a joint event.

Any media release about a funded project is expected to acknowledge Australian Government funding and must be cleared by the department prior to use. A draft should be provided to media@infrastructure.gov.au at least 5 working days prior to its proposed release.

If a proponent proposes to issue any other communications, digital posts, displays, publications or advertising relating to the project, they should acknowledge and give appropriate recognition to the contribution of the Australian Government. A draft should be provided to events@infrastructure.gov.au at least 5 working days prior to its proposed release.

Proponents should include ATF-projects@infrastructure.gov.au into this correspondence to ensure the project officers are aware of any upcoming media or events.

10.1 Signage requirements

Proponents must install signage prior to the commencement of construction of a project in accordance with the Signage Guidelines available on the department's website. Proponents are required to submit final design proofs of signs and plaques to events@infrastructure.gov.au for clearance prior to production and installation. Proponents should ensure their manufacturing timetable deadlines include sufficient time for comment and approvals from the department (5 working days may be required).

Please include ATF-projects@infrastructure.gov.au into this correspondence.

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11 Withdrawal and cancellation of projects

Proponents may request to withdraw a project using the department's Project Withdrawal Form available on the department's website.

In circumstances where Program funding has been paid towards a project, the department will work with the proponent to understand the circumstances of the project and review the eligibility of the costs incurred on a case-by-case basis. This will include an assessment of milestone payments that have been made, with consideration given to whether reimbursement of Program funding is required by the proponent.

In certain circumstances the department may seek to cancel a project, including where a proponent has failed to comply with obligations under these Guidelines or in the funding offer. Further details on the circumstances of when the termination of a project might be triggered will be set out in the funding offer.

12 Administration

12.1 Amendment of the Guidelines

The Australian Government may amend these Guidelines from time to time. Applicants must comply with updated Guidelines from the time they are published. Updates will be communicated and published on the department's website.

12.2 Confidentiality

Information from applications may be used for reporting purposes. Details of funded projects, including the project name, project scope, funding recipient, Program funding provided and project costs, will be made publicly available on the department's website.

Project details (including details from confidential applications) may be disclosed to other government agencies where necessary. This includes the sharing of LGA funding offers, and other relevant documentation, with their state or territory government agency, to assist with the management of project payments.

Applicants should identify any information submitted which they are seeking to be considered confidential, supported by reasons for the request. Automatically-generated confidentiality statements or disclaimers appended to an email do not suffice for this purpose. The Australian Government reserves the right to accept or refuse a request to treat information as confidential. The *Privacy Act 1988* applies to the handling of personal information about individuals obtained during the delivery of the Program.

Information received (including confidential and personal information) may be disclosed by the Commonwealth as permitted or required by law, or in response to a request from a Commonwealth Minister, or from a Committee or a House of the Parliament of the Commonwealth of Australia.

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12.3 Probity

It is important that the Australian Government avoids bias and the perception of bias and other probity issues in the operation of this Program.

Any information which may have a material impact on the decision to approve an application must be disclosed in the application. This includes any actual or perceived conflict of interest.

Failing to declare relevant information or making a false declaration on the application may make it ineligible or result in the withdrawal of a funding offer.

13 Evaluation

Evaluation of the Program may be undertaken from time to time to measure how well the outcomes and objectives have been achieved. The department may use information from applications, funding offer and reports for this purpose.

Proponents may be required to provide additional information for evaluation. The department may interview applicants and proponents to help understand the impact of program settings. The department may contact proponents up to two years after projects are completed to seek information to assist with evaluation.

14 Enquiries about the Program

For general enquiries or questions related to applications: ATF-applications@infrastructure.gov.au.

For matters related to approved projects: ATF-projects@infrastructure.gov.au.

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15 Glossary

Term	Definition
Active transport	Ways of travelling including walking, cycling and other physically active modes of transport that can be undertaken alone or combined with public transport.
Applicant	The Local Government Authority, state or territory government agency which submits the application. Applications with multiple co-funding partners must have a single eligible lead applicant which submits the application.
Application	A completed application form, and associated documents, requesting funding under the Program. Once approved, applications become projects.
Conflict of interest	The exercise of a power or making of a decision by a person in a way that may be, or may be perceived to be, influenced by either a material personal interest (whether financial or non-financial) or a material personal association.
Design	The plans, specifications and other related materials which together provide the instructions for construction of the project.
Eligible application	An application for funding under the Program that meets the eligibility requirements in accordance with these Guidelines.
FFA	Federation Funding Agreement – Infrastructure.
FFAS	Federation Funding Agreement Schedule.
FFR	Intergovernmental Agreement on Federal Financial Relations.
Funding offer	A document, which in conjunction with these Guidelines, lays outs out the delivery arrangements of an approved project, including the project name, project scope, project cost, Program funding amount, maximum Program funding percentage, milestone details and delivery requirements.
LGA	A body established for the purposes of local government by or under a law applying in a State or Territory.
NLT Act	*National Land Transport Act 2014* (Cth).
Pathway	With reference to the definition of a road in the National Land Transport Regulations 2022: (a) a path for the use of pedestrians; (b) a path for the use of persons using any form of transport.

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Term	Definition
Program funding	The Program funding amount and percentage committed to a project under the Program.
State and Territory Governments	State and Territory Governments are the: • Australian Capital Territory Government • New South Wales Government • Northern Territory Government • Queensland Government • South Australia Government • Tasmanian Government • Victorian Government • Western Australia Government.
The Program	The Active Transport Fund.
The Proponent	The eligible entity delivering the project.

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Proposals considered for submission

Project	PPN ranking	Maximises ATF funding opportunity	
Mornington to Moorooduc Shared Trail – whole length	NA	✗	Does not meet the criteria that requires the project to be on or associated with a public road. Additionally, the safety-in-design risk assessment has yet to be completed as part of the detailed design.
Sub-section of the Mornington to Moorooduc Peninsula Trail (Watt Rd and Government Rd)	NA	✓	This smaller section of path is associated with a public road, will enable a connection between Mornington and The Briars in Mt Martha, links in with existing footpaths and cycling facilities, and will deliver standalone benefits even without the completion of the entire Mornington – Moorooduc shared trail.
Nepean Hwy Dromana	1	✗	Freeway ramp crossings requiring DTP approval and potential additional unknown extra costs.
Boundary Road Dromana	2	✗	Existing footpath and on road cycle lanes from Arthurs Seat Rd to Lombardy Ave. Which already leads to the commercial strip and Hillview Reserve. Unconstructed section would be a strong application when the Dromana Shared Path has been constructed as would complete links through to the industrial estate, secondary school etc. However on it's own now it is not linking to anything at one end.
Bruce Rd Mt Martha	3	✗	Constructability issues due to space and grade of the road reserve that may prevent construction of a shared path.
Pickings Road Safety Beach	4	✗	Only connects to an existing path at one end. Therefore, doesn't provide strong demonstration of the Program objective of connecting people to where they live work and learn and promote physical activity
Nepean Highway (Mornington – Mt Eliza) Footpath	5	✓	As it is alongside a DTP managed road their approval is required. They have approved the current plans.
Capel Ave Capel Sound	5	✗	Council has funded through Capital Works budget and will be completed this financial year
Broadway, Capel Sound	6	✗	Constructed

Tallis Drive, Mornington	7	✕	Only connects to an existing path at one end. Therefore, doesn't provide strong demonstration of the Program objective of connecting people to where they live work and learn and promote physical activity
Austin Road Somerville	8	✕	Only connects to an existing path at one end. Therefore, doesn't provide strong demonstration of the Program objective of connecting people to where they live work and learn and promote physical activity
Esplanade Mornington	9	✕	Part of the road is managed by DTP therefore additional approvals and potential unknown extra costs. Significant sections with potential biodiversity/cultural heritage impacts which could impact costs and time to complete the project
Somerset Drive Mt Martha	9	✕	Does not connect to other existing paths or trails or directly link to key facilities/destinations. Therefore, doesn't provide strong demonstration of the Program objective of connecting people to where they live work and learn and promote physical activity
Bungower Rd Somerville	10	✕	Connects to an existing path/trail at one end. Could be combined with Austin Rd to link school but still not a strong application
Governors Rd Crib Point	11	✕	Potential biodiversity and cultural heritage issues identified. Work would need to be done prior to a grant submission to ensure feasibility. Connects to footpath at one end but not any cycling path or lane for the active travel component. Links to recreation reserves. Could consider combining with Martin St
Balaka St Capel Sound	11	✕	Only connects to an existing path at one end and no cycling facilities. Therefore, doesn't provide strong demonstration of the Program objective of connecting people to where they live work and learn and promote physical activity
Elizabeth Ave Capel Sound	11	✕	Provides a missing footpath link but not the cycling links required to make it a strong active travel application
Dromana Pde Safety beach	12	✕	Connects to existing paths at Nepean Hwy and Victoria St but these are not shared paths so no connection to any cycling facilities.
Barkly St Mornington	13	✕	Existing footpath between Esplanade and Beleura Hill Rd. Some on road cycling facilities on this same

			section of Barkly St but not dedicated cycle lanes. No path connection at other end. Therefore, doesn't provide strong demonstration of active travel benefits
Country Club Drive	14	✕	Links to an existing footpath at Nepean Hwy end however no links at other end. Nepean Hwy has cycle lanes however existing path on Country Club drive is a footpath. No ability to cross Nepean Hwy to and only a path to the west. Therefore, doesn't provide strong demonstration of the Program objective of connecting people to where they live work and learn and promote physical activity
Bath St Mornington	14	✕	Connects to existing footpath at one end only. Potential Biodiversity and constructability issues.
Koetong Pde Mt Eliza	14	✕	Link to footpath and cycle lanes at Nepean Hwy end but doesn't provide strong connections at other end
Wood Street Flinders	15	✕	Part of the road is managed by DTP therefore additional approvals and potential unknown extra costs.
Wimborne Ave, Mt Eliza	16	✓	Combined with Rutland Ave and Acheron Ave it provides a link between Kunyung Rd which has shared path, primary School and potential future aged care development at one end. At the other end it links into the Mt Eliza Village commercial area through existing footpath and cycle lanes. Passes through reserves with walking trails as well. Within an area with a Heritage Overlay which may impact the design and material options. Therefore, provides a strong demonstration of the Program objective of connecting people to where they live work and learn and promote physical activity
Fifth Avenue Rosebud	16	✕	Provides a link between Point Nepean Rd and Eastbourne Rd which both have a footpath and cycle lanes. Constructability issues with power poles and limited road reserve for shared path. Aligns well with program guidelines however would need to do further preliminary work to confirm that shared path would be feasible. Could be a good future application if preliminary work had been completed
Wimbledon Ave Mt Eliza	16	✕	Very short section on the PPN and requires Ranelagh Dve to form a connection into Mt Eliza Village. Without the Wimborne Ave path it doesn't connect to any existing facilities

Skinner Street, Hastings	17	✕	Runs parallel to an existing trail therefore wouldn't provide a strong application for Active travel
Lansell Ave Safety Beach	18	✕	Existing footpath for section from Victoria St to Tonkin St no cycling facilities. No existing paths at other end. Therefore, doesn't provide strong demonstration of the Program objective of connecting people to where they live work and learn and promote physical activity
Rutland Ave Mt Eliza	19	✓	Combined with Acheron Ave and Wimborne Ave it provides a link between Kunyung Rd which has shared path, primary School and potential future aged care development at one end. At the other end it links into the Mt Eliza Village commercial area through existing footpath and cycle lanes. Passes through reserves with walking trails as well. Within an area with a Heritage Overlay which may impact the design and material options. Therefore, provides a strong demonstration of the Program objective of connecting people to where they live work and learn and promote physical activity
Acheron Ave Mt Eliza	19	✓	Combined with Rutland Ave and Wimborne Ave it provides a link between Kunyung Rd which has shared path, primary School and potential future aged care development at one end. At the other end it links into the Mt Eliza Village commercial area through existing footpath and cycle lanes. Passes through reserves with walking trails as well. Within an area with a Heritage Overlay which may impact the design and material options. Therefore, provides a strong demonstration of the Program objective of connecting people to where they live work and learn and promote physical activity
Baden Powell Drive, Mt Eliza Footpath	21	✕	Stage 1 designed, stage 2 is not designed
Hotham Road, Sorrento Footpath	23	✕	Stage 1 designed, Stage 2 has constructability issues and is not designed

Coastal Strategy Advisory Committee Terms of Reference

Mornington Peninsula Shire

16 July 2026

1. **Purpose**

The Coastal Strategy Advisory Committee (Advisory Committee) is a diverse committee established to advise Council on the development of the Coastal Strategy.

2. **Objectives**

The Coastal Strategy Advisory Committee has an advisory role only. The functions of the Advisory Committee are:

- to engage in the development of Council's Coastal Strategy,
- to provide advice on Coastal Strategy actions, and
- to advise on coastal issues being experienced by the Mornington Peninsula community.

3. **Context**

With 192 kilometres of coastline along Port Phillip and Western Port, Mornington Peninsula Shire has a strong interest and long-standing commitment to being leaders in coastal planning and management.

The Mornington Peninsula Shire directly manages 64 kilometres of the 192 kilometres of coastline on the Peninsula.

The Mornington Peninsula Shire recognises that the coastal and marine foreshore areas within the Shire are important cultural, environmental, social and economic assets for the community. Much of the Mornington Peninsula is vulnerable to the effects of climate change, requiring adaptation planning to create resilient coastlines and communities.

Council is seeking engagement with community representatives for advice and recommendations on coastal resilience project priorities, guided by the best scientific advice available.

The Advisory Committee with is being established for the Shire to consult with and involve community representatives in the development of its Coastal Strategy.

4. **Roles, Responsibilities and Expectations**

4.1 Membership and Appointment

4.1.1 Councillors – A Councillor will be appointed to Advisory Committees at the establishment of the committee and thereafter for a term of 12 months.

4.1.2 Community Members – up to 28 community representatives from the previous Coastal Advisory Groups will be appointed to the Advisory Committee:

- If vacancies arise during development of the Coastal Strategy, Officers may fill the role via public Expression of Interest and direct appointment noting the time criticality for development of the Coastal Strategy.
- Appointment to the Advisory Committee will be for a maximum term of two years or will cease upon Council adoption of the Coastal Strategy.

4.2 Roles and Responsibilities

4.2.1 Committee Member – Community members must bring their own personal views to Committee discussions and not be answerable to any other organisation.

4.2.2 Councillors – Councillors serve as a vital link between the community and the formal council decision-making process, ensuring that local voices are heard and considered. In fulfilling their duties, councillors are expected to uphold confidentiality in accordance with their official responsibilities. If they choose, councillors may also present delegate reports during council meetings to share insights or updates from their involvement in advisory committees.

4.2.3 Shire Officers – A designated shire officer is responsible for:

- Set the Agenda making sure that each meeting is planned effectively.
- Leading the meeting and ensuring the meeting stays on track and on time
- Ensuring fairness and equality to allow everyone to speak
- Approval of the meeting minutes; and
- Be the primary contact for all Committee Members in relation to the business of the committee.

4.3 Resignation or Termination

- A member of an Advisory Committee can resign at any time. A notice of resignation must be provided in writing to the officer responsible for managing the Advisory Committee.
- If a Committee Member misses three consecutive meetings without prior notice to the responsible Shire Officer, they will be considered to have resigned.
- If a Committee Members fails to comply with the Code of Conduct outlined in the Committee Management Policy, the responsible Shire Officer may request the CEO declare the position vacant.

5. **Grievance Procedure:**

5.1 Informal Resolution

- Committee members are encouraged to raise issues directly with the person involved in a respectful manner.
- If uncomfortable doing so, the member may approach the Supporting Officer to seek assistance in resolving the matter informally.

5.2 Formal Grievance

If the matter cannot be resolved informally:

- The grievance should be submitted in writing to the Supporting Officer.
- The written grievance should include a description of the issue, relevant dates, and any attempts at informal resolution.

5.3 Initial Review

- Supporting Officer will review the grievance within 10 business days.
- They may meet with the parties individually to clarify the issue and explore resolution options.

5.4 Determination and Action

- Outcomes may include mediation, changes to committee processes, or where appropriate, a recommendation to Council or the CEO for further action.
- Where a breach of the Code of Conduct is substantiated, the CEO may recommend removal of a member, in line with the Committee Management Policy.

5.5 Appeal

- If the member is not satisfied with the outcome, they may request a review by the Manager Governance and Risk.
- The Manager Governance and Risk's decision is final.

6. **Code of Conduct:**

All members shall conduct Committee meetings in accordance with the Code of Conduct and the following guidelines:

- Act in the best interests of the Committee and not allow personal interests to override these interests.
- Avoid and / or disclose any real or perceived conflicts of interest.
- Treat all people equally and fairly.
- Refrain from using any circumstance or information connected to committee business for personal profit or gain.
- Protect and promote the integrity of all.
- Respect diversity.
- Treat others with courtesy, consideration, and sensitivity
- Any disagreements, where possible, to be resolved at time of meeting.
- Develop skills and competencies in accordance with responsibilities and help others to do so.
- Communication best practice will be used by members in both terminology and email etiquette ("Netiquette")

7. **Decision Making**

The Advisory Committee operates in an advisory capacity and do not have delegated authority to make decisions. Their primary role is to provide informed advice and recommendations to Council and Shire officers, contributing to the broader decision-making process. While these recommendations may inform policy and operational decisions, they are not binding and must be considered and endorsed by Council or officers with the appropriate delegation and authority.

Shire officers may implement recommendations if they fall within their delegated powers and align with the Committee's advice. However, Advisory Committees must operate within the boundaries of their agreed scope, as defined in this Terms of Reference. They are not permitted to make recommendations on matters beyond this scope, ensuring that their input remains focused and relevant to their designated areas of responsibility.

8. **Committee Meetings**

8.1 Schedule of Meetings

- The Committee will meet a minimum of two times during development of the Coastal Strategy with meeting set by the responsible Shire Officer.
- The Committee can request extraordinary meetings for urgent items. Additional meeting requests will be subject to approval by the Shire.

8.2 Quorum and Voting

- A quorum for a meeting is constituted by a majority of Committee Members, being half of the total number of members plus one.
- A Meeting cannot commence, resume or continue without a quorum.

9. **Agendas and Minutes**

9.1 Agendas

- Agendas will be provided to all Committee Members five business days before the meeting. This will include any relevant documentation to be discussed.
- Agendas will be set by the responsible Shire Officer in consultation with the committee.

9.2 Minutes

- Minutes will be recorded on the Shire's corporate template and circulated within two weeks of the meeting and be listed on the agenda for the next committee meeting for endorsement.
- The Supporting Officer is responsible for the follow-up and timely completion of any actions arising from the meeting and provide an update on the status of any outstanding actions at the next meeting.

10. **Reporting**

Annual Report – Advisory Committees are required to prepare a formal report on an annual basis in line with their objectives set out above. The report must be approved by the committee then provided to officers who will include it in the next available Ordinary Council Meeting for noting.

Delegates Report – Councillors may provide a delegates report or update to Council at any Ordinator Council meeting

11. **Transparency**

The Terms of Reference, Names of all members, adopted minutes and annual reports will be made available on the Mornington Peninsula Shire's website.

12. **Confidential Information**

Committee members must not disclose information that they know or should reasonably have known is confidential information.

13. **Conflict of Interest**

If a committee member has a general or material conflict of interest within the meaning of section 127 and 128 of the Local Government Act 2020 in an item to be considered or discussed by the Committee while they are in attendance, the Committee Member must disclose the interest to the committee before the matter is considered or discussed at the meeting. The committee member must:

- Advise of the conflict of interest

- Explain the nature of the conflict of interest.
- Provide any additional relevant details, if possible.

Where the Chair is of the opinion that the circumstances of the conflict warrant it, the Committee Member may be asked to leave the meeting while the matter is discussed.

All conflicts of interest will be recorded in the Committee Meeting minutes.

14. **Expenses**

Committee members may be reimbursed for reasonable out-of-pocket expenses incurred in the course of their committee duties, with prior approval from the Supporting Officer. Reimbursements will be made in accordance with Council's policy and within the allocated budget

15. **Dissolution**

This advisory committee will cease to exist two years following adoption of this Terms of Reference or upon Council adoption of the Coastal Strategy, whichever comes first.

Formal dissolution of the committee requires a resolution of Council.

16. **Review**

The Coastal Strategy Advisory Committee Terms of Reference will be reviewed every two years or more often as required.

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. However, any change or update which materially alters the document must be by resolution of Council.

Mornington Peninsula Shire

Discontinuance of Roads and Minor Reserve Policy

Council Policy

ECM ref #00000

1. Authority

- Local Government Act 1989
- Local Government Act 2020
- Subdivision Act 1988
- Road Management Act 2004
- Planning and Environment Act 1987

2. Intent

The purpose of this policy is to ensure that the Council:

2.1 Has a consistent, equitable and transparent approach in relation to the Discontinuance and sale of Roads and Minor Reserves within the municipality.

2.2 Complies with all legislative requirements and best practice when undertaking the Discontinuance and Sale of Roads and Minor Reserves.

2.3 Strategically manages its Roads and Minor Reserves for the long-term best interests of Council and the community.

3. Definitions

Applicant	means a person, corporation or organisation who submits an application for a Discontinuance and sale of land adjoining their property.
Approved Development	means a development approved under the *Planning and Environment Act 1987* for land that includes a Road that requires a Discontinuance
Council	means the Mornington Peninsula Shire Council.
Discontinuance	means the exercise of power under Clause 3 of Schedule 10 of the *Local Government Act 1989* in relation to a Road which is affected by a notice published in the Government Gazette and/or the removal of Reserve status in relation to a Minor Reserve under section 24A of the *Subdivision Act 1988.*
Government Road	means a Road on Crown land.

Market Value	means the value of the land as determined by a qualified valuer appointed by Council.
Minor Reserves	means a Minor Reserve, for example land set aside as a drainage reserve or revenge strip on a plan of subdivision. It does not include reserves for recreation or open space purposes.
Road	means a road as defined in the *Local Government Act 1989* and includes public highways at common law.

4. Scope

4.1 This policy applies to all Roads and Minor Reserves within the municipality. It establishes principles for the Discontinuance and Sale of Roads and Minor Reserves.

4.2 The Policy does not apply to Council Land held in freehold title or vested in Council, which is managed under the *Sale and Acquisition of Land Policy*.

4.3 The sale component of this Policy does not apply for Roads located on Crown land (government roads).

5. Governance Principles

Under the *Local Government Act 2020*, Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law;
- priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- collaboration with other Councils and Governments and statutory bodies is to be sought;
- the ongoing financial viability of the Council is to be ensured;
- the transparency of Council decisions, actions and information is to be ensured.

6. Policy Statement

6.1 Introduction

6.1.1 Whilst most Roads and Minor Reserves are required for vehicular and pedestrian access or other strategic purposes, Council may support the Discontinuance of a Road or Minor Reserve if it is no longer required for general public access and the Discontinuance is considered to be in the best interest of the community.

6.1.2 Council discourages the unauthorised occupation of Roads and Minor Reserves and may take steps to remove illegal occupation.

6.2 Road and Minor Reserves Retention Principles (Retention Principles)

6.2.1 All Roads and Minor Reserves are to be retained except where the Road or Minor Reserve:

6.2.1.1 Is no longer required for the use it was set aside for;

6.2.1.2 Is no longer reasonably required for general public use;

6.2.1.3 Does not, or will not support, facilitate or contribute to Council's current or future land use requirements as identified in the Council Plan or relevant Council Strategy or Plan;

6.2.1.4 Does not contribute historic, economic, environmental or community benefit to the municipality;

6.2.1.5 Has no strategic significance to Council on a long-term basis;

6.2.1.6 Does not contain existing infrastructure, or any infrastructure present can either be relocated, is no longer required, or can be protected through an easement; and

6.2.1.7 Is not required for current or future infrastructure

6.3 Considerations for Discontinuance

6.3.1 When a Road or Minor Reserve does not meet the Retention Principles it may be considered for Discontinuance and/or sale.

6.3.2 Council's powers to Discontinue and sell a Road or Minor Reserve is discretionary, meaning Council in its absolute discretion can refuse to proceed with a Discontinuance application if the Road or Minor Reserve meets the Principles for Retention, regardless of an Approved Development, or in a situation where the Discontinuance is not economically viable. An applicant has no formal rights of appeal to such a decision.

6.3.3 Council will only consider the Discontinuance of a Government Road where there is significant community benefit or strategic outcome to justify the decision for Council to carry out the Discontinuance., rather than the State Government noting that the resulting land will vest in the Crown and not Council.

6.3.4 Council may require an applicant to enter into a Section 173 Agreement as a condition of the Discontinuance and sale to provide support, access, projections and/or consolidation of title.

6.4 Division of Road or Minor Reserves

6.4.1 Where practical, Council will offer the Road or Minor Reserve equally to adjoining owners, except where:

6.4.1.1 an adjoining owner can demonstrate long term continuous and exclusive occupation of the Road or Minor Reserve then the Road or Minor Reserve will initially be offered to that occupying adjoining owner.

6.4.1.2 there are services within the Road or Minor Reserve that affect a boundary location and cannot be relocated.

6.4.1.3 Council, at its discretion, may not proceed with the Discontinuance and sale if doing so would result in any land becoming landlocked.

6.5 Financial

6.5.1 An Applicant must pay a non-refundable application fee and agree to meet all of the Council's reasonable costs associated with the Discontinuance, regardless of whether the application proceeds or not. If an application proceeds to a sale the application fee will contribute to the total sale price.

6.5.2 The application fee will be included in the Schedule of Fees and Charges adopted by Council each year as part of the annual budget process.

6.5.3 The Applicant will be responsible for all costs associated with the relocation or removal of any assets, infrastructure, fences or other encroachments on the land resulting from a Discontinuance and sale. Council reserves the right to retain any assets from the Road or Minor Reserve.

6.5.4 The sale of any land resulting from a Discontinuance must be sold at Market Value determined by Council unless a price below Market Value is considered to provide public benefit and is supported by a Council resolution.

6.5.5 If the Applicant can demonstrate continuous and exclusive occupation of the Road or Minor Reserve for more than 15 years, the sale price may be discounted by up to 25% of the Market Value.

7. Human Rights Charter Compatibility

This policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006 (Vic).*

8. Associated Documents

- Local Government Act 1989
- Local Government Act 2020
- Subdivision Act 1988
- Limitation of Actions Act 1958
- Road Management Act 2004
- Planning and Environment Act 1987
- Transfer of Land Act 1958
- Local Government Best Practice Guidelines for the Sale and Exchange of Land
- Council Plan 2025-2029
- Community Engagement Policy
- Sale and Acquisition of Land Policy
- Mornington Peninsula Planning Scheme

9. Policy Sponsor

The Manager - Assets, Buildings and Property is responsible for overseeing the application and review of the Policy.

10. Document Control

10.1 Council will review the Discontinuance of Roads and Minor Reserves Policy within four years or earlier as required.

10.2 **Document Version Table**
Summarise the key changes made to the document to provide a quick understanding of the updates.

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Administrative Updates
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Respondent	Document for Feedback	Comment	Response	Outcome
Respondent 1	Draft Property Strategy	It would be great to have a map with all Council owned sites shown so residents can understand the scope of these frameworks.	The draft Property Strategy includes a map of Council owned and managed land (Page 6).	Officers to explore the feasibility of incorporating an interactive map on Council's website to further enhance accessibility and transparency.
Respondent 2	Draft Sale and Acquisition of Land Policy	Transparency is the key. Community needs to know what is consided "small" and not used as this may be quite different from Council's view and may simply provide Council with a means to buy or sell property when it suits them rather. Each property should be put to community for comnsulation before each decison is made.	The draft Sale and Acquisition of Land Policy is designed to provide clarity and transparency in Council's land transacations.It has been drafted in accordance with its obligations pursuant to the Local Government Act 2020. Should Council resolve to sell Council land, or acquire additional land it must comply with all legislative requirements, with the process guided by the draft Policy. These obligations ensure that any sale and acquisition of land is lawful, transparent and delivers the best outcomes for the community and that Council also meets it's obligations under the Community Engagement Policy to undertake community engagement on any proposed sale.	No change to the draft Sale and Acquisition of Council Land Policy
Respondent 3	Draft Discontinuance of Roads and Minor Reserves Policy	Why do you need to do this?	Council must strategically manage the discontinuance and sale of roads or minor reserves for the long term best interests of the community whilst ensuring decisions relating to the process are soundly based, transparent and legally compliant. The draft Discontinuance of Roads and Minor Reserves Policy introduces a comprehensive framework for the discontinuance of both roads and minor reserves, including clear principles and criteria, to guide decision making in a consistent, equitable and transparent manner.	No change to the Discontinunace or Roads and Minor Reserves Policy.
Respondent 4	Draft Discontinuance of Roads and Minor Reserves Policy	What is stated is clear, but there is no qualification on the agreed set of principles that is proposed.	The draft Discontinunace or Roads and Minor Reserves Policy sets out the Rentention Principles in Section 5.2, particularly that all Roads and Minor Reserves are to be retained unless one of the seven listed exceptions can be established.	Ensure that principles for Policy positions are articulated and accessible to the community through Shire website and future communications.
Respondent 5	Draft Sale and Acquisition of Land Policy	Be clear and transparent.	The draft Sale and Acquisition of Land Policy is designed to provide clarity and transparency in Council's land transacations.It has been drafted in accordance with its obligations pursuant to the Local Government Act 2020. Should Council resolve to sell Council land, or acquire additional land it must comply with all legislative requirements, with the process guided by the draft Policy. These obligations ensure that any sale and acquisition of land is lawful, transparent and delivers the best outcomes for the community and that Council also meets it's obligations under the Community Engagement Policy to undertake community engagement on any proposed sale.	No change to the draft Sale and Acquisition of Council Land Policy

Mornington Peninsula Shire

Sale and Acquisition of Land Policy

Council Policy

ECM ref #00000

1. Authority

- Local Government Act 2020
- Council Plan 2025-2029

2. Intent

The purpose of this policy is to ensure that the Mornington Peninsula Shire Council (Council):

2.1.1 Has a consistent, equitable and transparent framework for the Sale of Council Land and Acquisition of land within the municipality.

2.1.2 Complies with all legislative requirements when undertaking the Sale of Council Land or Acquisition of land.

2.1.3 Manages Council's property portfolio strategically for the long-term interests of both Council and the community.

2.1.4 Delivers the best financial and non-financial value in all of its land dealings.

3. Definitions

Acquisition/Acquire	means the process of gaining ownership or control of land, or an interest in land through purchase, vesting, transfer or exchange
Best Practice Guidelines	means Local Government Best Practice Guideline for Sale/Exchange of Land dated June 2009, prepared by Local Government Victoria and the Government Land Monitor and the Department of Planning and Community Development
Council	means the Mornington Peninsula Shire Council
Council Land	means any freehold land that is owned or vested in Council but excludes land where Council is the Committee of Management of Crown land
Council Plan	means the Council Plan 2025-2029
Sale/Sell	means the transfer or disposition of land or any interest in land for consideration
Market Value	means the value of the land as determined by a Valuer
Valuer	means a qualified person with suitable experience as specified in the *Valuation of Land Act 1960* appointed by Council

4. Scope

This policy applies to all Council Land and provides the framework for how Council will Acquire and Sell land.

The Policy does not apply to:

- Roads and Minor Reserves (as defined in Council's Road Discontinuance and Minor Reserves Policy); and
- the creation, alteration and extinguishment of easements.

5. Governance Principles

Under the *Local Government Act 2020*, Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law;
- priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- the municipal community is to be engaged in strategic planning and strategic decision making;
- innovation and continuous improvement is to be pursued;
- collaboration with other Councils and Governments and statutory bodies is to be sought;
- the ongoing financial viability of the Council is to be ensured;
- regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- the transparency of Council decisions, actions and information is to be ensured.

6. Policy Statement

6.1 Introduction

6.1.1 Land is a finite and highly valuable asset. Decisions regarding the Sale and Acquisition of land carry significant strategic implications. Council's property portfolio must align with Council's strategic priorities, support sustainable growth and respond to the evolving requirements of the community now and into the future.

6.1.2 Council is empowered under the Local Government Act 2020 to acquire, hold, manage and dispose land for the purposes of performing its functions and exercising its powers.

6.1.3 This Policy establishes a clear framework incorporating principles and criteria to determine when land is suitable for Sale or purchase. This ensures Council decisions regarding land transactions are robust, transparent, and legally compliant.

6.2 Sale of Land Assessment

To ascertain whether or not Council Land may be considered for Sale, a two-stage Sale of land Assessment must be carried out:

– Stage One: Retention of Land Principles
– Stage Two: Sale of Land Criteria

6.3 Stage One: Retention of Land Principles

6.3.1 Council Land must be retained, where the Council Land meets any one of the following retention of land principles:

(a) supports, facilitates or contributes to current or future service or infrastructure needs as identified in the Council Plan or relevant Strategy or Plan

(b) contributes economic, environmental or community benefit to justify its retention

(c) is public open space in a gap area

(d) has long-term strategic significance to Council

(e) where the service is still required, the cost of re-establishing the service on another site significantly exceeds the net realisable value.

6.4 Stage Two: Sale of Land Criteria

6.4.1 If the Council Land is evaluated against the Retention of Land Principles and does not meet any of those principles, a detailed land due diligence assessment will be undertaken. This assessment must consider the following criteria:

(a) legal considerations relating to title, including restrictions, leases, covenants, easements, or encumbrances

(b) ownership and how the Council Land was acquired by Council

(c) survey matters including land boundaries and ensuring that no land is rendered landlocked

(d) planning and zoning requirements

(e) environmental and ecological considerations including contamination

(f) conservation values including historical, cultural, heritage and Native Title considerations

(g) if assets are located on the Council Land, their condition and maintenance considerations

(h) financial considerations and value of the Council Land.

6.5 Sale of Land Principles

6.5.1 If, following the completion of the two-stage land assessment, the Council Land is determined to be suitable for potential Sale, the following Sale of Land Principles will apply.

6.5.2 Council must:

(a) not sell Council Land for less than its current Market Value, assessed by a Valuer, unless there is demonstrable community benefit that justifies a Sale at a lesser value

(b) seek to achieve the highest and best use of the Council Land, unless there is some derived community benefit not to

(c) assess opportunities to enhance the Council Land value prior to the Sale, such as rezoning, subdivision, obtaining planning approval for development, or removing existing improvements

(d) consider imposing restrictions or development requirements to guide the future use of the Council Land once sold

(e) ensure that the Sale of the Council Land is in the best interests of the community and delivers the best result (both financial and non-financial) for Council and its community

(f) conduct the Sale of Council Land through a public process, such as auction, tender (open or selected) or expression of interest unless circumstances justify a direct Sale by private treaty

(g) give consideration to the Best Practice Guidelines.

6.6 Council resolution

6.6.1 Where the two-stage land Assessment identifies Council Land as suitable for potential Sale, Council must formally resolve to authorise the commencement of the statutory process to consider a proposal for Sale of the Council Land.

6.6.2 The findings from community engagement must be reported to Council for a decision on whether the Council Land will be sold, retained, or considered for an alternative use. Following Council's decision on the proposal, the community must be notified of the outcome.

6.7 Statutory requirements for Sale of Council Land

6.7.1 If Council resolves to Sell Council Land, it must comply with all legislative requirements.

6.7.2 Section 114 of the Local Government Act 2020 sets out the statutory requirements for Council when Selling, exchanging, or transferring land. These include:

(a) Public notice of intention to sell land

(b) Carry out community engagement in accordance with Council's Community Engagement Policy

(c) Independent valuation within six months of the Sale.

6.8 Sale of Land Process

6.8.1 The Sale of Council Land will ordinarily be undertaken through a public process. In exceptional circumstances, Sale of Council Land by private treaty may be considered more appropriate. Factors to consider include the nature of the Council Land, the manner in which the Sale was initiated and whether previous public Sale methods have been unsuccessful.

6.8.2 The reserve price for the Sale of Council Land by public process must be determined prior to the day of auction or closing date for tenders or expression of interest. The reserve price must not be less than the current Market Value of the Council Land unless there is demonstrable community benefit that justifies a Sale at a lesser value.

6.8.3 Council may also engage a probity auditor to provide independent assurance that the Sale of land process is appropriate and is conducted in accordance with industry standards.

6.9 Sale of Land Proceeds

Proceeds from the sale of all Council Land should be dispersed in accordance with Council's adopted annual budget, Council's adopted long term financial plan or any other resolution of Council, except in the case of public open space land where funds will be allocated to Council's Open Space Fund in accordance with section 24A (8) Subdivision Act 1988.

6.10 Acquisition of Land Principles

6.10.1 Council must ensure that any proposed Acquisition of Land can be clearly demonstrated as required to support or facilitate current or future identified service needs and align with Council's long-term strategic objectives.

6.10.2 To determine whether land is considered suitable for Acquisition, a detailed land due diligence assessment will be undertaken.

6.10.3 This assessment must consider the following criteria:

(a) The land proposed for Acquisition must meet at least one of the following principles:

(i) supports, facilitates or contributes to current or future service or infrastructure needs as identified in the Council Plan or relevant Council Strategy or Plan.

(ii) provides sufficient economic, environmental or community benefit to justify acquisition

(iii) addresses a public open space gap

(iv) has long term strategic significance for Council

(v) enables or promotes investment and positive economic development outcomes.

(b) legal considerations relating to title, including restrictions, leases, covenants, easements, or encumbrances

(c) survey matters including land boundaries

(d) planning and zoning requirements

(e) environmental considerations including contamination

(f) conservation values including historical, cultural, heritage and Native Title considerations

(g) if assets are located on the land, their condition and maintenance considerations

(h) financial considerations and value of the land.

6.11 Acquisition of Land Process

6.11.1 When Acquiring land, Council must obtain an independent market valuation from a Valuer to determine the current Market Value of the land proposed for Acquisition.

6.11.2 Generally, Council will not acquire land at a price exceeding the assessed Market Value unless the proposed Acquisition is strategically important and will deliver a demonstrable and significant community benefit that justifies purchasing the land above market value.

7. Human Rights Charter Compatibility

This policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006 (Vic).*

8. Associated Documents

- Land Acquisition and Compensation Act 1986
- Local Government Act 2020
- Planning and Environment Act 1987
- Subdivision Act 1988
- Transfer of Land Act 1958
- Valuation of Land Act 1960
- Community Engagement Policy
- Discontinuance and Sale of Road and Minor Reserves Policy
- Council Plan 2025-2029
- Property Strategy 2026-2031

– Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land

9. Policy Sponsor

The Manager – Assets, Buildings and Property is responsible for overseeing the application and review of the Sale and Acquisition of Land policy.

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Property Strategy

2026 – 2031

Mornington Peninsula Shire



Acknowledgement of Country

Mornington Peninsula Shire acknowledges the Bunurong people, who have been the custodians of this land for many thousands of years; and pays respect to their Elders past and present. We acknowledge that the land on which we meet is the place of age-old ceremonies, celebrations, initiation and renewal; and that the Bunurong people's living culture continues to have a unique role in the life of this region.



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About the Mornington Peninsula

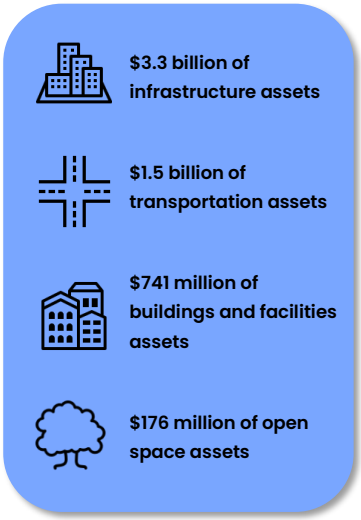
The Mornington Peninsula is located on the traditional lands of the Bunurong people. It sits on the fringe of Melbourne's outer southern suburbs and spans 723 square kilometres, with 192 kilometres of coastline along Port Phillip Bay, Western Port and Bass Strait. Around 70 per cent of the Peninsula is rural and Green Wedge, with the remaining 30 per cent made up of 40 townships and villages.

The region includes more than 1,735 kilometres of roads, 725 kilometres of footpaths, 342 kilometres of walking trails, and 106 kilometres of cycling trails. The Peninsula has a population of more than 175,000 people, with significant seasonal population increases due to tourism and holidaymakers. Townships range from Mount Eliza to Portsea, and from Baxter and Hastings to Crib Point and Balnarring. Larger population centres such as Mornington, Rosebud, Hastings and Sorrento are complemented by smaller communities such as Flinders, Merricks, Red Hill, Somers, Shoreham, St Andrews Beach and Tuerong.

The Peninsula is known for its distinct coastal villages, sandy beaches, lush parklands, vibrant arts scene and a proud First Nations history, which is reflected in Bunurong cultural heritage and significant sites.

Mornington Peninsula Shire is an 'interface Council' – a classification that recognises our community does not yet have full access to many services available in metropolitan Melbourne, often requiring residents to travel outside of the municipality for key services.

For more information, visit:
mornpen.vic.gov.au/ourpeninsula



Our Services

Mornington Peninsula Shire is primarily a service-based organisation. We deliver about 150 services (including both services delivered directly to the community and internal support services) in support of achieving our Community Vision. These are grouped into 40 high-level service areas, including the following 22 who directly engage with the community.

We aim to deliver high-quality services that balance community needs with strategic direction, innovation and long-term financial sustainability.

Liveable Communities

- Economic Development and Business Support
- Land Use Planning
- Open Space
- Transport Connections

Community Health and Safety

- Animal Management
- Building Safety
- Child and Family Health
- Community Safety
- Emergency Management
- Public Health
- Public Works

Community Wellbeing and Connection

- Arts and Cultural Development
- Community Development
- Community Services
- Early Years
- Libraries
- Positive Ageing
- Recreation and Leisure
- Youth Services

Sustainable Environment

- Circular Economy and Waste Management
- Climate Action and Advocacy
- Environment Management



Definitions

Bathing Boxes either a bathing box or boatshed and is a simple, free standing, non-commercial, non-residential structure used by private individuals and families primarily for storing beach equipment or boats and as a change facility and for shade and shelter.

Council is the Mornington Peninsula Shire Council

Council Property is defined in the Scope.

Council Plan the Council Plan 2025-2029.

CoM a Committee of Management appointed under the *Crown Land (Reserves) Act 1978* to manage Crown land on behalf of the Victorian State Government. A CoM is a land manager rather than the land owner.

Crown land any land that has not been alienated from the Crown and includes land owned by the State of Victoria or Australian Commonwealth Government, unreserved Crown land, reserved land or land set aside permanently in accordance with legislation including the *Crown Land (Reserves) Act 1978*.

DEECA the State Government Department of Energy, Environment and Climate Action.

Discontinuance the exercise of power under Clause 3 of Schedule 10 of the *Local Government Act 1989* in relation to a Road which is affected by a notice published in the Government Gazette and/or the removal of reserve status in relation to a Reserve under section 24A of the *Subdivision Act 1988*.

Encroachment the unauthorised use of Council Property, typically involving semi-permanent or permanent structures placed or constructed without approval, this excludes abandoned items.

Lease an agreement where Council (as landlord) grants to a Tenant a right to have exclusive possession of a Council Property (or part thereof) for a fixed duration in return for rental payment. A lease conveys an interest in the land, may be assigned and offers security of tenure to a Tenant as it cannot be arbitrarily terminated.

Licence an agreement where Council permits a Tenant to occupy a Council Property on particular conditions, which may include limitations as to agreed days and times, period of tenure and/or for part or all of the Council Property. A licence is a contractual right and does not permit exclusive occupancy of the premises and does not convey an interest in land.

Minor Reserve a drainage reserve or revenge strip set aside as a reserve on a plan of subdivision. It does not include reserves for recreation or open space purposes.

Road/Roads a road as defined in the *Local Government Act 1989* and includes public highways at common law.

Tenant either a tenant under a Lease, or a licensee under a Licence and is an authorised person, corporation or an incorporated body that has entered into or is proposing to enter into a Lease or Licence with Council for use of a Council Property.

Executive Summary

Vision

To manage Council Property responsibly and adaptively, delivering long-term community benefit and financial sustainability, supporting the Shire's Community Vision as an inclusive, connected and sustainable community.

Scope

For the purpose of this Strategy, **Council Property** means any land, building and improvements owned, managed or controlled by Council including:

- Council freehold land
- Crown land where Council has been appointed as CoM
- Roads and Minor Reserves either owned or vested in Council and no longer used for public access purposes
- Land/buildings where Council has entered into a Lease or Licence with a third party.

Strategic Context

Council manages an extensive and diverse property portfolio which underpins the delivery of community services and facilities across our townships and rural areas. A growing population, increased service expectations in conjunction with financial and environmental pressures are driving the need for a more strategic and sustainable approach to the management of Council's property portfolio.

The Strategy acknowledges the current status of the property portfolio and establishes clear principles, priorities and actions on how Council will plan, acquire, use, and dispose of Council Property, in accordance with the requirements of the *Local Government Act 2020*, the *Local Government Act 1989*, the *Crown Land (Reserves) Act 1978* and Council's broader strategic and financial planning framework.

The Strategy aligns with the strategic objectives of the Council Plan 2025-2029.

Objectives

The following objectives will guide the implementation of this Strategy over the next five years.

Objective 1: transparent and evidence-based decision making

Property decisions are informed, accountable and align with community and service needs.

We will:

- apply robust governance and review processes to maintain transparency and accountability
- use data driven insights to guide decision making
- align decisions with service delivery requirements and community expectations
- apply best practice principles, polices and strategies to guide decision making
- operate within a framework of continuous improvement and legislative compliance
- communicate key property decisions to the community in a clear and timely manner
- identify, manage and reduce the risks associated with property decisions

Objective 2: sustainable and adaptable

Manage Council Property to achieve financial, social and environmental sustainability:

We will:

- balance fiscal responsibility while delivering maximum community benefit
- manage assets to ensure they are responsive to changing needs
- balance community priorities with strategic objectives

Objective 3: future focused property planning

Council Property will meet the needs of a changing community.

We will:

- investigate acquisition and sale of land to ensure Council Property meets expectations now and into the future
- maintain flexibility within the portfolio to adapt to future needs
- integrate property planning across Council through a coordinated, collaborative approach to deliver strategic outcomes for future community need

> “…balance fiscal responsibility while delivering maximum community benefit”

Our Property Portfolio

What is Council Property?

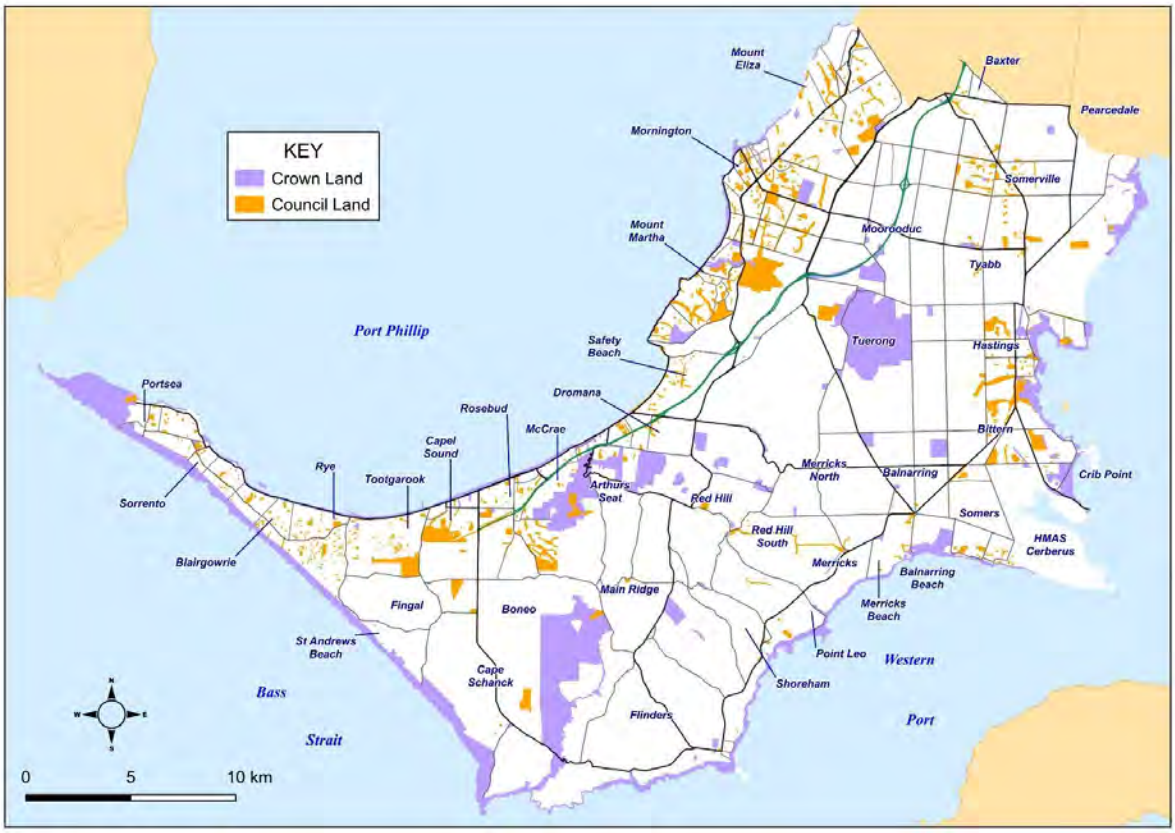
Council may hold land in freehold or manage Crown land on behalf of the State. Council's assets will be located on land that is either freehold or Crown land.

Council is responsible for the management of 30.56 square kilometres of land, with 20.58 square kilometres owned by Council and 9.98 square kilometres managed by Council where we are the CoM.

As owner of freehold land, Council has full legal rights to use, sell, Lease or subdivide the land that it owns (subject to its powers and functions under the *Local Government Act 2020*). In addition, Council frequently acquires ownership of parcels of land created through private subdivision, such as Roads and reserves. Council owns approximately 1,870 freehold land parcels.

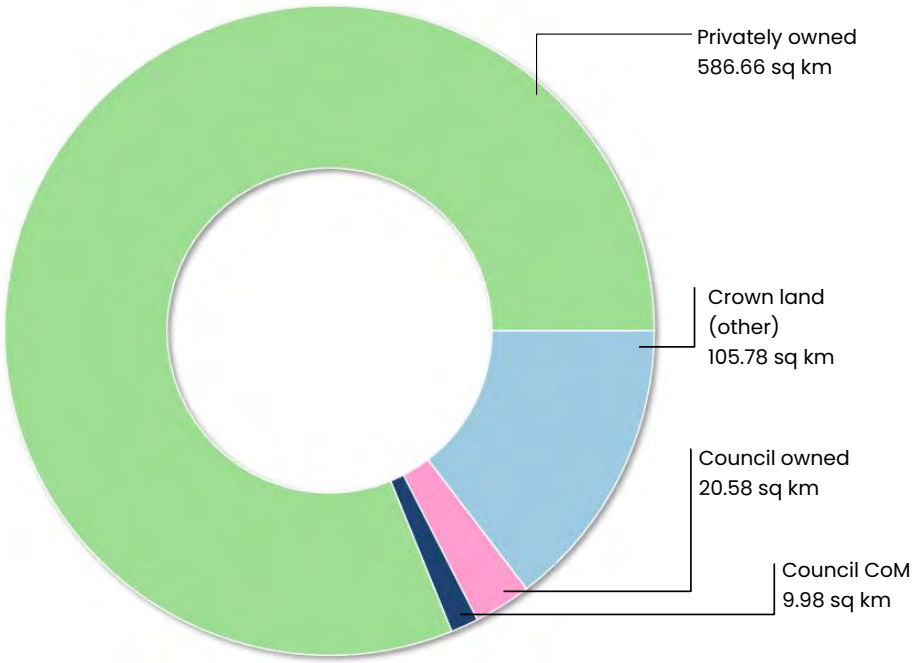
Crown land is either managed directly by DEECA or managed by a CoM. Council is appointed as CoM for 153 parcels of reserved Crown land. The remaining 105.78 square kilometres of Crown land is managed by various state or federal agencies, or other Community CoMs.

Figure 1: Breakdown of Crown Land and Council Land across the municipality



When Council acts as a CoM, we take responsibility for managing, maintaining and improving the reserved Crown land. Council must follow DEECA's approved processes such as obtaining Ministerial approvals for Leases and Licences, whilst DEECA provides oversight, guidance, and operational support to Council. By acting as a CoM, Council can provide the community with a structured, long-standing role in caring for and ensuring public use of Crown land reserves like parks, foreshores, halls, and reserves.

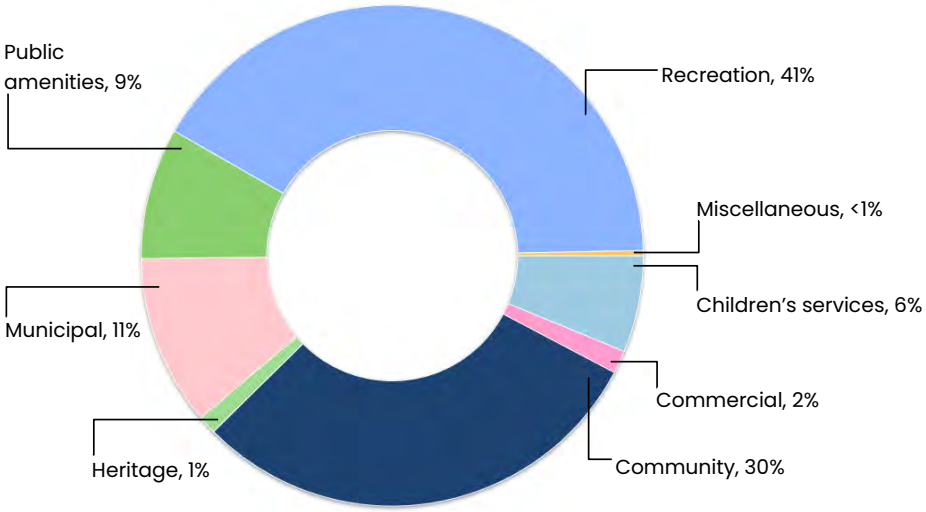
Figure 2: Land ownership across the municipality



What are Council's Buildings?

Including 409 major buildings, Council owns and maintains approximately $740 million worth of buildings and facilities assets across the municipality. Council owns many of these buildings to provide essential spaces for community programs, events, and services, with sports and recreation and community use facilities accounting for 41% and 30% respectively.

Figure 3: Building use across the municipality

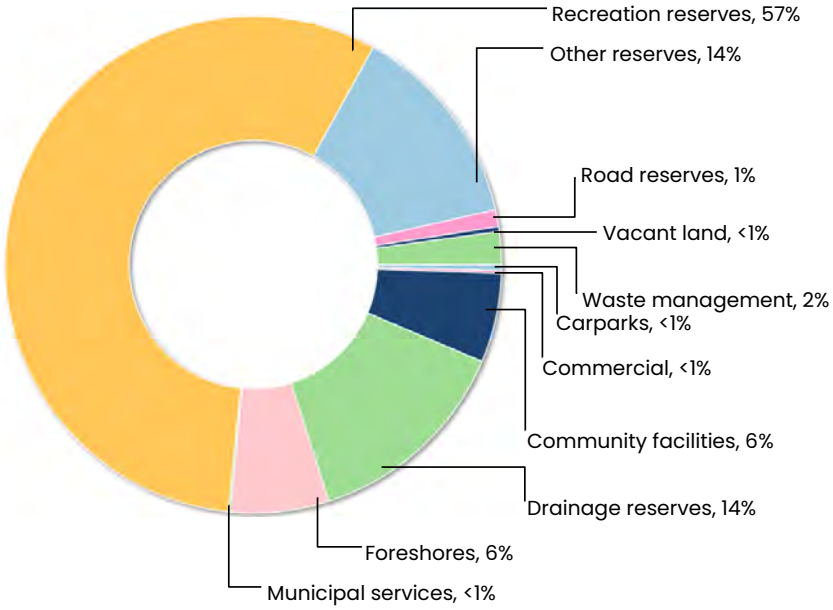




What do we use Council Property for?

Of the 30.56 square kilometres of land Council manages, over half is used for recreation reserves, ranging from our large regional sporting facilities like Civic Reserve in Mornington, to local neighbourhood parks.

Figure 4: Land use across the municipality based on asset values



Strategic Significance of Council's Property

Council Property is a significant and highly valuable resource that directly impacts on the performance of a wide range of Council's services. Council's property is used and deployed in many different ways to support the effective delivery of the broad range of services it provides to the Shire community. Council Property may be occupied and used for:



Council Property plays a vital role in creating healthy communities, enhancing quality of life and wellbeing and the overall social benefit for the community. It is important that Council not only strategically manages its property portfolio for the long-term best interests of the Shire community but that its decisions in relation to the use and occupancy of Council Property are soundly based, transparent and legally compliant.

With projected population growth to 192,000 by 2046 and a significant annual influx of tourists, Council needs to be well positioned to utilise and manage its property to provide for the diverse and evolving needs of the Council and its community now and into the future. Effective management of Council property presents a major opportunity to enhance public value through improved asset utilisation and stronger financial performance".

Strategic Property Work Streams

Council faces the unique challenge of balancing its urban, coastal and farming areas with population growth and increased infrastructure demands, whilst ensuring the provision of services meets the needs of the community.

To support these challenges, Council undertakes a range of property related activities guided by this Strategy, ensuring Council Property is managed to deliver maximum community benefit.

The Strategy sets out clear direction and an action framework included as Attachment 1 for managing Council's Property across the following six key strategic property areas:



Leasing and Licencing



Lease Portfolio

Council Property includes a diverse leasing portfolio, currently comprising over 260 Leased and Licensed facilities with a total income of over $2 million and a total asset value of $740 million.

Council's leasing portfolio is used and deployed in many different ways to support Council operationally and strategically. While the majority of Leases and Licences are located on Council owned land, a number are also situated on Crown land managed by Council.

Whilst Council supports community organisations in their role of providing services and programs to the community, the demand for facilities by community organisations in the municipality is increasing. Council's leasing portfolio needs to be managed to maximise usage for active programs and services that benefit the community, consistent with the Council Plan, now and into the future.

It is important that Council not only strategically manages its Lease portfolio for the long-term best interests of the Shire community but also ensures decisions relating to occupancy agreements provide consistency for Tenants, are soundly based, transparent and legally compliant.

The adoption of a new Lease and Licence Policy will ensure that Council has a clear, consistent and equitable approach for the allocation and management of Council Property, including standardise rent and outgoings, maintenance obligations and ensuring that Council Property can respond to changing community needs.

Legislation

Section 115 of the *Local Government Act 2020* empowers Council to Lease land for a term of up to 50 years. Where a Lease is proposed for 10 years or more or has a rental of $100,000 per annum or more, Council is required to undertake community engagement on the Lease proposal. The engagement must be conducted either through inclusion in Council's annual budget or in accordance with Council's Community Engagement Policy.

Where Council has been appointed CoM of Crown land, Council must also comply with section 17 of the *Crown Land (Reserves) Act 1978* in relation to its powers to grant Leases or Licences on reserved Crown land.

Implementation Plan – Leases and Licences

Actions	Timeframe
Adopt a Lease and Licence Policy	FY26/27

Actions	Timeframe
Update an Instrument of Delegation to delegate to authorised officers the powers, duties and functions to enter into, vary, review and terminate Leases and Licences prepared in accordance with the Lease and Licence Policy	FY26/27
Establish a comprehensive leasing procedure to provide clear, consistent guidance to Council officers for managing Leases and Licences in compliance with legislative requirements, the Lease and Licence Policy and delegated authority	FY26/27
Develop standard Lease and Licence templates for all Tenants, including maintenance schedules in accordance with the Lease and Licence Policy and regularly review the documentation to maintain best practice	FY26/27
Develop expression of interest templates and procedures for the Lease of Council Property, where appropriate	FY26/27
Develop a project plan that ensures all Tenants occupying Council Property have a current Lease or Licence, in compliance with the Lease and Licence Policy	FY26/27
Undertake a review and audit of Council's Lease and Licence data to ensure accuracy of information and establish one source of truth	FY26/27
Create a roles and responsibility matrix, in collaboration with service teams, to strengthen governance and management of Council's Lease portfolio and Tenant relationships	FY27/28
Investigate options for automated debtor invoicing and financial reporting requirements	FY27/28
Develop and implement a robust reporting framework to monitor Tenant compliance in accordance with the Lease	FY27/28
Rationalise permissive occupancy agreements	FY28/29



Sale of Surplus Council Land

Sale of Land Framework



Land is a finite and highly valuable asset, and decisions regarding the sale and acquisition of land carry significant strategic implications. Council's Property needs to respond to the needs of the community now and into the future, which includes selling surplus property and strategically acquiring additional property.

Council currently manages the sale of land in accordance with the Disposal of Property 'Deemed Excess and/or Inappropriate' Policy which was adopted in 2009. Given the polices age and evolving community needs, this policy requires updating to ensure alignment with best practice, strategic objectives and legislative requirements.

A new Sale and Acquisition of Land Policy will provide this framework, incorporating an agreed set of principles and clear criteria to determine when land is considered surplus and suitable for sale. This will ensure Council decisions in relation to the sale of land are robust, transparent, and legally compliant.

The Sale and Acquisition of Land Policy will include a sale of land assessment . This assessment will evaluate the suitability of land for disposal based on a range of criteria, including an assessment of existing and new community infrastructure to meet current and future needs. This assessment will be guided by Council's strategies and plans to ensure that decisions on the sale of land reflect strategic priorities, support sustainable growth and respond to the evolving requirements of the community. A priority disposal plan will be developed following the completion of the Sale of Land Assessment.

Legislation and Guidelines

Section 114 of the *Local Government Act 2020* sets out the legal requirements for Council when selling, exchanging, or transferring land. These include:

- Public notice of intention to sell land
- Community engagement in line with the Council's Community Engagement Policy
- Independent valuation within six months of disposal

In addition, Local Government Victoria and the State Government Land Monitor, released in June 2009, the Best Practice Guideline for the Sale, Exchange and Transfer of Land (Guidelines) to help Victorian councils manage land transactions in a lawful, transparent, and community focused way. It remains a key reference for councils when disposing of land.

How We Sell Surplus Council Land

If Council resolves to sell land, it must comply with all legislative requirements, and the process will be guided by the adopted Sale and Acquisition of Land Policy and the Guidelines. These obligations ensure that the sale of land is lawful, transparent and deliver the best outcomes for

the community. In addition to meeting these requirements, Council will apply the following principles:

- not sell Council land for less than its current market value, assessed by a qualified valuer, unless there is demonstrable community benefit that justifies a lower price
- seek to achieve the highest and best use of the land, unless there is some derived community benefit not to
- assess opportunities to enhance land value prior to sale, such as rezoning, subdivision, obtaining planning approval for development, or removing existing improvements
- consider imposing restrictions or development requirements to guide the future use of the land
- ensure that the sale of the Council Property is in the best interests of the community and delivers the best result (both financial and non-financial) for Council and its community
- conduct the sale of land through a public process, such as auction, tender (open or selected) or expression of interest unless circumstances justify a direct sale by private treaty

Implementation Plan - Sale of Surplus Council Land

Actions	Timeframe
Develop an accurate land holdings register (Land Holdings Register) of all Council owned land to ensure accuracy and establish single source of truth	FY26/27
Develop and adopt the Sale and Acquisition of Land Policy including retention of land principles and sale of land criteria	FY26/27
Establish a comprehensive sale of land procedure to provide clear, consistent guidance to Council officers in applying the Sale of Land Assessment and implementing land sales in accordance with the Sale and Acquisition of Land Policy.	FY26/27
Evaluate the land holdings register against the two stage Sale of Land Assessment: a) the retention of land principles in accordance with the Sale and Acquisition of Land Policy b) sale of land criteria in accordance with the Sale and Acquisition of Land Policy	FY26/27 & FY27/28
Develop a prioritised list of Council owned properties for potential disposal (Disposal Property Plan), to be categorised by Western Port, Northern and Southern region. and assessed at local area level within each region.	FY26/27 & FY27/28
Sell land in accordance with the Disposal Plan	Ongoing

Acquisition of Land

Acquisition of Land Framework

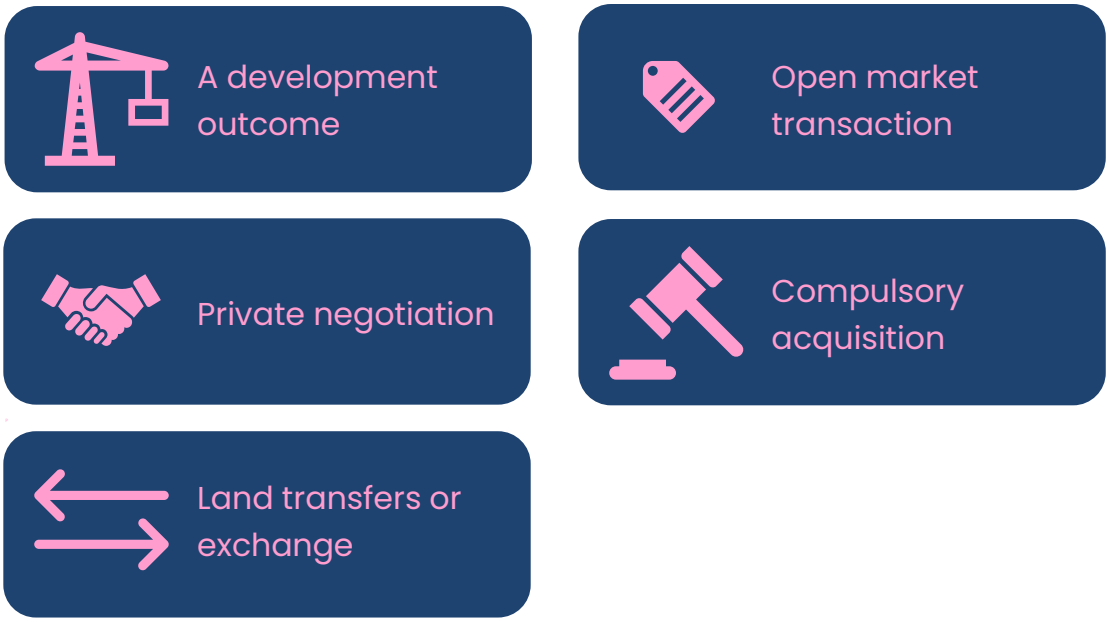
Council's Property should be managed to respond to changing community and organisational needs, ensuring flexibility for future requirements and taking up the opportunity to strategically acquire additional land.

Land is complex in nature and has many varying components. It requires ongoing maintenance, incurs holding costs and cannot be readily converted to cash. For these reasons all land acquisitions must be thoroughly researched, with an appropriate level of due diligence undertaken to ensure a comprehensive understanding of the land prior to proceeding with any acquisition.

Council's acquisition role focuses on identifying land that supports current or future identified service needs and long-term strategic objectives, assessing options for community benefit and value for money, and undertaking rigorous due diligence to evaluate risks, financial impacts, and ongoing costs prior to purchase.

The Sale and Acquisition of Land Policy will provide this framework, incorporating an agreed set of principles and clear criteria to determine when land is considered suitable to purchase (Acquisition Matrix). The Acquisition Matrix will be informed by Council's strategies and plans to ensure that decisions on acquiring land reflect strategic priorities, support sustainable growth and respond to the evolving requirements of the community.

Council may acquire land through:



Legislation

Under section 112 of the *Local Government Act 2020*, Council may purchase or compulsorily acquire land required for, or connected with or incidental to, the performance of its functions or the exercise of its powers.

While the *Local Government Act 2020* requires Council to consult with the community regarding land acquisitions, the timing and extent of consultation may vary throughout the process. This depends on the sensitivity of the acquisition and the potential impact that early public disclosure could have on negotiating commercial terms.

If acquiring land for public open space, Council must comply with section 20(2) of the *Subdivision Act 1988* that specifies Council must use money in the Public Open Space Reserves received under the *Subdivision Act 1988* for specific purposes that include to 'buy land for use for public recreation or public resort, as parklands or similar purposes'.

Council must comply with the *Land Acquisition and Compensation Act 1986* when acquiring land whether by agreement or through a compulsory process. This includes following statutory procedures, and in situations where the land is acquired by a compulsory process will include the issue of notices of intention to acquire and ensuring compensation is determined and paid in accordance with the *Land Acquisition and Compensation Act 1986*.

Implementation Plan - Acquisition of Land

Actions	Timeframe
Develop and adopt a Sale and Acquisition of Land Policy	FY26/27
Establish a comprehensive acquisition of land procedure and checklist to provide clear, consistent guidance to Council officers in applying the acquisition matrix and acquiring land in accordance with the Sale and Acquisition of Land Policy	FY26/27
Evaluation potential acquisition against the Acquisition Matrix	Ongoing



Discontinuances

Roads

Council as the recognised road authority, has a clear responsibility under the *Road Management Act 2004* to effectively manage the local road network. This ensures the network of Roads supports the movement of persons and goods as part of an integrated transport system, while also making Roads available for other appropriate uses. Our Roads are critical to maintaining connectivity across the Shire. Some of these Roads will be freehold land owned by Council, while others are Crown land, and known as government Roads.

Minor Reserves

Council owns a number of Minor Reserves that are no longer required for the purpose for which they were originally set aside for. These parcels of land often provide limited community benefit, have low utilisation, and may impose ongoing maintenance costs.

What is a Discontinuance?



In most cases, Roads or Minor Reserves are still required for access, drainage or other strategic purposes and should remain open to the public. However, Council may support a Discontinuance within its municipality if it is considered in the best interest of the community.

The majority of requests to Discontinue are either initiated by Council as a result of encroachments by adjoining owners over the Road or Minor Reserve, or applications from adjoining owners seeking redevelopment opportunities on their land.

A Discontinuance allows Council the ability to consider repurposing the land or facilitate the disposal.

Council's Discontinuance and Sale of Roads Policy (adopted in 2009) provides limited guidance on Road discontinuances and primarily serves as a procedural document. A new Discontinuance of Roads and Minor Reserves Policy will incorporate an agreed set of principles and clear criteria to provide guidance to ensure Discontinuance proposals are dealt with equitably and in a transparent and consistent manner.

Council's powers to Discontinue are discretionary, meaning Council in its absolute discretion can refuse to proceed with a Discontinuance application if the Road or Minor Reserve is reasonably required for general public use, regardless of whether there is an approved development for the land or an existing encroachment.

Discontinuances are complex and often lengthy processes that can take up to 12 months to complete. They involve many stages to ensure compliance with legislative requirements and to ensure that the Road or Minor Reserve is no longer required for public use or required for strategic retention. These processes can be contentious and, in some cases, litigious, requiring

thorough investigation, community engagement, and careful consideration of legal and financial implications.

Legislation

Pursuant to section 206 and Schedule 10 clause 3 of the *Local Government Act 1989* Council has the power to discontinue and sell all or a section of Road (including constructed and unconstructed Roads), but in order to do so, Council must give public notice and hear submissions in accordance with section 223 of the *Local Government Act 1989*. Submitters are invited to speak in support of their submission at a Section 223 Committee.

The Discontinuance of a Road permanently closes it and removes all private and public encumbrances from the land, except for certain rights retained by public authorities. Once a Road is discontinued, the land vests in freehold in Council unless the Road is a government Road, in which case it will vest in the State as Crown land.

Where a Road is on the register of public roads it must be removed from the register as part of the Road discontinuance process and in accordance with the *Road Management Act 2004*.

In accordance with Section 24A of the *Subdivision Act 1988* Council has the power to remove the reserve status from land designated a Minor Reserve. The removal of reserve status means the land is formally vested in Council as a lot on title.

Before selling land, Council must also comply with section 114 of the *Local Government Act 2020,* including undertaking community engagement in accordance with Council's Community Engagement Policy.

Implementation Plan - Discontinuances

Actions	Timeframe
Develop and adopt a Discontinuance of Roads and Minor Reserves Policy	FY26/27
Develop procedures, checklists and template documents to provide guidance to Council Officers on Discontinuance activities	FY26/27
Develop a proactive approach to identify and prioritise opportunities to discontinue and sell Roads and Minor Reserves that are no longer required	FY27/28



Boatsheds and Bathing Boxes



Bathing Boxes are iconic features of the Mornington Peninsula foreshore, valued for their historical and cultural significance. They have historical and cultural value and serve the functional purpose of the storage of boats and beach equipment.

Council, as CoM, currently manages 819 of the 1,300 Bathing Boxes within the Shire. The remainder are managed by community CoMs.

What is Council role in managing Bathing Boxes?

In conjunction with DEECA, Council oversees the use, occupancy and management of Bathing Boxes. This includes licensing, transfers, and regular inspections to ensure compliance with the *Marine and Coastal Act 2018, Crown Land (Reserves) Act 1978* and DEECA guidelines.

The existing Boatshed and Bathing Box Policy was adopted by Council in 2000 and does not adequately address current legislative requirements, operational practices, or evolving community expectations. A new Bathing Box and Boatshed Policy will provide guiding principles for the management of Bathing Boxes, while recognising their sensitive coastal location and Council's obligations as CoM.

Legislation

Council manages Bathing Boxes in accordance with *Crown Land (Reserves) Act 1978* and the *Coastal Management Act 1995*. Bathing Boxes must be:

- constructed in accordance with DEECA Construction Guidelines 2015
- managed in accordance with DEECA Guidelines for the Management of Existing Bathing Boxes and Boatsheds on Marine and Coastal Crown Land March 2022

Implementation Plan – Boatsheds and Bathing Boxes

Actions	Timeframe
Develop and adopt the Boatshed and Bathing Box Policy	FY26/27
Strengthen collaboration with the Mornington Peninsula Beach Box Association and community foreshore CoM's that manage Bathing Boxes to support the ongoing management of Bathing Boxes in the Shire	FY26/27
Continue to strengthen the partnership with DEECA in relation to the management of Bathing Boxes in the Shire	FY26/27

Actions	Timeframe
Develop procedures and checklist to provide guidance to Council officers regarding Bathing Box management, including inspections, approval and compliance associated with repairs and maintenance, sand removal and transfer processes	FY27/28
Develop Licence templates for the use and occupation of Bathing Boxes	FY26/27
Develop and implement project plan for the roll out of Licence agreements to all Bathing Box owners	FY26/27



Strategic Property Advice

The Property Team acts as custodian of Council Property, managing both freehold land and Crown land, and acting as landlord for the Shire. The Property Team plays a critical role in ensuring Council Property is managed strategically and responsibly. The Team provides expert advice to mitigate risk and ensure that property decisions comply with Council policies, statutory frameworks, governance requirements and best practice. This approach ensures Council Property is managed as a key strategic asset that underpins sustainable service delivery, rather than simply an operational resource.

The Property Team conducts research and investigations to ensure informed decisions on Council property matters. This includes advising on suitable tenure agreements, land ownership, land status, identifying encumbrances and other legal restrictions that affect Council Property. These due diligence checks mitigate risk and provide clear, accurate advice to support leasing, acquisitions, disposals, and ongoing management of Council's Property.

The Property Team focuses on aligning Council Property decisions with Council's long term objectives and the current and future demand of community needs as identified in Council's Strategies and Plans, including (but not limited to):

- Council Plan
- Community Facilities Infrastructure Strategy
- Open Space Strategy
- Sustainable Transport Strategy
- Council's Triple A Housing Plan and Social and Affordable Housing Policy

Early involvement of the Property Team in property projects ensures decisions are based on a clear understanding of legal, planning, and financial implications. This includes advising on approval pathways and appropriate legal frameworks. This proactive approach helps Council avoid compliance issues, poor investment decisions, and choices that could restrict future options and lead to better project delivery and outcomes for the community.

Education

The Property Team plays a key role in educating officers, management and Councillors by building organisational understanding of best practice in local government property.

The Property Team will promote awareness of property processes, responsibilities and learnings, strengthening capability across the organisation. A proactive education approach will build capability, reduce organisational risk and will ensure that property decisions at all levels are transparent, consistent and aligned with strategic objectives.

> "... promote awareness of property processes, responsibilities and learnings, strengthening capability across the organisation."

Encroachments

Over time, numerous Encroachments on Council Property have occurred without remedial action, resulting in widespread issues. Addressing these Encroachments is essential to protect Council and community interests, uphold legislative obligations and ensure Council Property is managed in accordance with strategic objectives.

Council's enforcement powers regarding Encroachments vary depending on land ownership. Officers will use a range of approaches to address Encroachments, depending on the circumstances. For Encroachments located on Council owned or managed land, the Property Team will carry out preliminary investigations to understand the status of the land and the form of the Encroachment and determine an appropriate resolution that balances the interests of both the community and Council.

The Property Team will take carriage of matters where the encroached land could be considered suitable for a Discontinuance and/or sale.

Implementation Plan – Property Advice

Actions	Timeframe
Property Team to present at Unit and Directorate meetings to promote Property Team and learnings	FY26/27
Update Knowledge Base	FY26/27
Investigate developing property management learning module and Crown land	FY27/28
Create a welcome pack for new starters (induction)	FY27/28
Update the Property Team SharePoint page	FY26/27
Create opportunities for knowledge transfer across Council Teams	FY27/28
Undertake 'Lessons Learned' sessions	FY27/28
Attend and participate in nominated Project Working Group and Steering Committee meetings as required to inform and support the achievement of strategic property outcomes for the organisation	Ongoing
Investigate inclusion of Property requirements in each Unit business plans	FY27/28
Establish a project specific compliance roadmap (Local Government Act, Crown Land (Reserves) Act, Marine and Coastal Act), etc	FY27/28

Monitoring and Evaluation

The implementation of the Strategy will be monitored and evaluated against the recommended actions in the Consolidation Action Plan (Attachment 1). The Strategy will be reviewed after 5 years to ensure that implementation priorities reflect current needs and expectations.

Attachment 1 - Consolidated Implementation Action Plan by Timeframe

Work Stream	Action	Timeframe
Acquisition of Land	Develop and adopt a Sale and Acquisition of Land Policy	FY26/27
Acquisition of Land	Establish a comprehensive acquisition of land procedure and checklist to provide clear, consistent guidance to Council officers in applying the acquisition matrix and acquiring land in accordance with the Sale and Acquisition of Land Policy	FY26/27
Boatsheds and Bathing Boxes	Develop and adopt the Boatshed and Bathing Box Policy	FY26/27
Boatsheds and Bathing Boxes	Strengthen collaboration with the Mornington Peninsula Beach Box Association and community foreshore CoM's that manage Bathing Boxes to support the ongoing management of Bathing Boxes in the Shire	FY26/27
Boatsheds and Bathing Boxes	Continue to strengthen the partnership with DEECA in relation to the management of Bathing Boxes in the Shire	FY26/27
Boatsheds and Bathing Boxes	Develop Licence templates for the use and occupation of Bathing Boxes	FY26/27
Boatsheds and Bathing Boxes	Develop and implement project plan for the roll out of Licence agreements to all Bathing Box owners	FY26/27
Discontinuances	Develop and adopt a Discontinuance of Roads and Minor Reserves Policy	FY26/27
Discontinuances	Develop procedures, checklists and template documents to provide guidance to Council Officers on Discontinuance activities	FY26/27

Work Stream	Action	Timeframe
Leases and Licences	Adopt a Lease and Licence Policy	FY26/27
Leases and Licences	Update an Instrument of Delegation to delegate to authorised officers the powers, duties and functions to enter into, vary, review and terminate Leases and Licences prepared in accordance with the Lease and Licence Policy	FY26/27
Leases and Licences	Establish a comprehensive leasing procedure to provide clear, consistent guidance to Council officers for managing Leases and Licences in compliance with legislative requirements, the Lease and Licence Policy and delegated authority	FY26/27
Leases and Licences	Develop standard Lease and Licence templates for all Tenants, including maintenance schedules in accordance with the Lease and Licence Policy and regularly review the documentation to maintain best practice	FY26/27
Leases and Licences	Develop expression of interest templates and procedures for the Lease of Council Property, where appropriate	FY26/27
Leases and Licences	Develop a project plan that ensures all Tenants occupying Council Property have a current Lease or Licence, in compliance with the Lease and Licence Policy	FY26/27
Leases and Licences	Undertake a review and audit of Council's Lease and Licence data to ensure accuracy of information and establish one source of truth	FY26/27
Sale of Surplus Council Land	Develop an accurate land holdings register (Land Holdings Register) of all Council owned land to ensure accuracy and establish single source of truth	FY26/27
Sale of Surplus Council Land	Develop and adopt the Sale and Acquisition of Land Policy including retention of land principles and sale of land criteria	FY26/27

Work Stream	Action	Timeframe
Sale of Surplus Council Land	Establish a comprehensive sale of land procedure to provide clear, consistent guidance to Council officers in applying the Sale of Land Assessment and implementing land sales in accordance with the Sale and Acquisition of Land Policy.	FY26/27
Sale of Surplus Council Land	Evaluate the land holdings register against the two stage Sale of Land Assessment: a) the retention of land principles in accordance with the Sale and Acquisition of Land Policy b) sale of land criteria in accordance with the Sale and Acquisition of Land Policy	FY26/27 & FY27/28
Sale of Surplus Council Land	Develop a prioritised list of Council owned properties for potential disposal (Disposal Property Plan), to be categorised by Western Port, Northern and Southern region. and assessed at local area level within each region.	FY26/27 & FY27/28
Property Advice	Property Team to present at Unit and Directorate meetings to promote Property Team and learnings	FY26/27
Property Advice	Update Knowledge Base	FY26/27
Property Advice	Update the Property Team SharePoint page	FY26/27
Boatsheds and Bathing Boxes	Develop procedures and checklist to provide guidance to Council officers regarding Bathing Box management, including inspections, approval and compliance associated with repairs and maintenance, sand removal and transfer processes	FY27/28
Discontinuances	Develop a proactive approach to identify and prioritise opportunities to discontinue and sell Roads and Minor Reserves that are no longer required	FY27/28
Leases and Licences	Create a roles and responsibility matrix, in collaboration with service teams, to strengthen governance and management of Council's Lease portfolio and Tenant relationships	FY27/28

Work Stream	Action	Timeframe
Leases and Licences	Investigate options for automated debtor invoicing and financial reporting requirements	FY27/28
Leases and Licences	Develop and implement a robust reporting framework to monitor Tenant compliance in accordance with the Lease	FY27/28
Property Advice	Investigate developing property management learning module and Crown land	FY27/28
Property Advice	Create a welcome pack for new starters (induction)	FY27/28
Property Advice	Create opportunities for knowledge transfer across Council Teams	FY27/28
Property Advice	Undertake 'Lessons Learned' sessions	FY27/28
Property Advice	Investigate inclusion of Property requirements in each Unit business plans	FY27/28
Property Advice	Establish a project specific compliance roadmap (Local Government Act, Crown Land (Reserves) Act, Marine and Coastal Act), etc	FY27/28
Leases and Licences	Rationalise permissive occupancy agreements	FY28/29
Acquisition of Land	Evaluation potential acquisition against the Acquisition Matrix	Ongoing
Sale of Surplus Council Land	Sell land in accordance with the Disposal Plan	Ongoing
Property Advice	Attend and participate in nominated Project Working Group and Steering Committee meetings as required to inform and support the achievement of strategic property outcomes for the organisation	Ongoing

Contact Mornington Peninsula Shire

Phone: 1300 850 600 (24 hours)

TTY: 133 677 then request 1300 850 600

TIS: 131 450

NRS: Connect to NRS on accesshub.gov.au then request 1300 850 600

Email: customerservice@mornpen.vic.gov.au

Mail: Private Bag 1000, Rosebud, Victoria, 3939

Website: mornpen.vic.gov.au

facebook.com/mornpenshire

instagram.com/ourpeninsula

youtube.com/MornPenShire

Mornington Peninsula Shire Service Centres

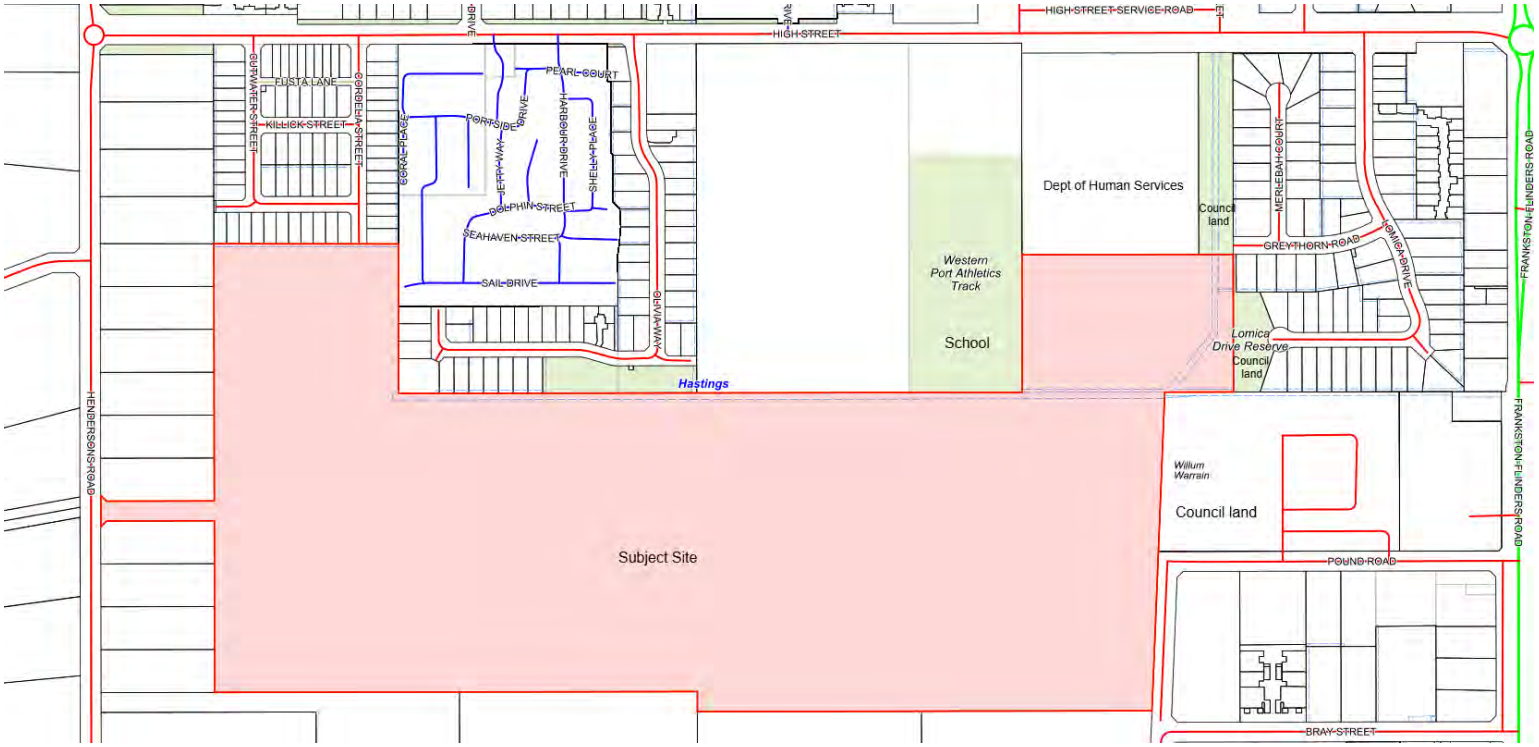
Rosebud Office
90 Besgrove Street, Rosebud

Mornington Office
2 Queen Street, Mornington

Hastings Office
21 Marine Parade, Hastings

Respondent	Document for Feedback	Comment	Response	Outcome
Respondent 1	Draft Property Strategy	It would be great to have a map with all Council owned sites shown so residents can understand the scope of these frameworks.	The draft Property Strategy includes a map of Council owned and managed land (Page 6).	Officers to explore the feasibility of incorporating an interactive map on Council's website to further enhance accessibility and transparency.
Respondent 2	Draft Sale and Acquisition of Land Policy	Transparency is the key. Community needs to know what is consided "small" and not used as this may be quite different from Council's view and may simply provide Council with a means to buy or sell property when it suits them rather. Each property should be put to community for comnsulation before each decison is made.	The draft Sale and Acquisition of Land Policy is designed to provide clarity and transparency in Council's land transacations.It has been drafted in accordance with its obligations pursuant to the Local Government Act 2020. Should Council resolve to sell Council land, or acquire additional land it must comply with all legislative requirements, with the process guided by the draft Policy. These obligations ensure that any sale and acquisition of land is lawful, transparent and delivers the best outcomes for the community and that Council also meets it's obligations under the Community Engagement Policy to undertake community engagement on any proposed sale.	No change to the draft Sale and Acquisition of Council Land Policy
Respondent 3	Draft Discontinuance of Roads and Minor Reserves Policy	Why do you need to do this?	Council must strategically manage the discontinuance and sale of roads or minor reserves for the long term best interests of the community whilst ensuring decisions relating to the process are soundly based, transparent and legally compliant. The draft Discontinuance of Roads and Minor Reserves Policy introduces a comprehensive framework for the discontinuance of both roads and minor reserves, including clear principles and criteria, to guide decision making in a consistent, equitable and transparent manner.	No change to the Discontinunace or Roads and Minor Reserves Policy.
Respondent 4	Draft Discontinuance of Roads and Minor Reserves Policy	What is stated is clear, but there is no qualification on the agreed set of principles that is proposed.	The draft Discontinunace or Roads and Minor Reserves Policy sets out the Rentention Principles in Section 5.2, particularly that all Roads and Minor Reserves are to be retained unless one of the seven listed exceptions can be established.	Ensure that principles for Policy positions are articulated and accessible to the community through Shire website and future communications.
Respondent 5	Draft Sale and Acquisition of Land Policy	Be clear and transparent.	The draft Sale and Acquisition of Land Policy is designed to provide clarity and transparency in Council's land transacations.It has been drafted in accordance with its obligations pursuant to the Local Government Act 2020. Should Council resolve to sell Council land, or acquire additional land it must comply with all legislative requirements, with the process guided by the draft Policy. These obligations ensure that any sale and acquisition of land is lawful, transparent and delivers the best outcomes for the community and that Council also meets it's obligations under the Community Engagement Policy to undertake community engagement on any proposed sale.	No change to the draft Sale and Acquisition of Council Land Policy

Property Framework Feedback


HIGH STREET SERVICE ROAD
HIGH STREET
PEARL COURT
FUSTA LANE
KILLICK STREET
GURWATER STREET
GORGELLA STREET
PORTSIDE DRIVE
HARBOR DRIVE
SHELLY PLACE
DOLPHIN STREET
SEAHAVEN STREET
SAIL DRIVE
Western Port Athletics Track
School
Dept of Human Services
Council land
MEREBAH COURT
GREYTHORN ROAD
HOMAGA DRIVE
Lomica Drive Reserve
Council land
Hastings
HENDERSONS ROAD
FRANKSTON-FLINDERS ROAD
Willum Warrain
Council land
Subject Site
POUND ROAD
BRAY STREET


Potential Residential (Dispose)
Options
A. Sell to DET
B. Potential Residential
C. Bushland Reserve
DH (Transfer)
Management vehicle & pedestrian access
Management vehicle & pedestrian access
Management vehicle & pedestrian access, potential carparking
Potential Bushland Reserve (Crown with Council as CoM)
Management vehicle & pedestrian access
Potential Low Density Residential (Dispose)
Management vehicle & pedestrian access
197a Hendersons Road, Hastings: Draft Land Disposal Strategy
Potential Access





Henderson Road Subject Land - View looking south and west along northern boundary



Henderson Road Subject Land - View looking east along northern boundary



Henderson Road Subject Land – Interior looking south


Subject Land
BULLECOURT ROAD
BAPAUME AVENUE
HAMILTON STREET
Bapaume
Avenuee
Bushland
Reserve

PLAN OF SUBDIVISION OF
CROWN ALLOTMENT 92
PARISH OF BITTERN
COUNTY OF MORNINGTON

Measurements are in Feet & Inches
Conversion Factor
FEET X 0.3048 = METRES

V.3593 F.417
V.3812 F.310

LP 8786
EDITION 6
PLAN MAY BE LODGED 19/4/22

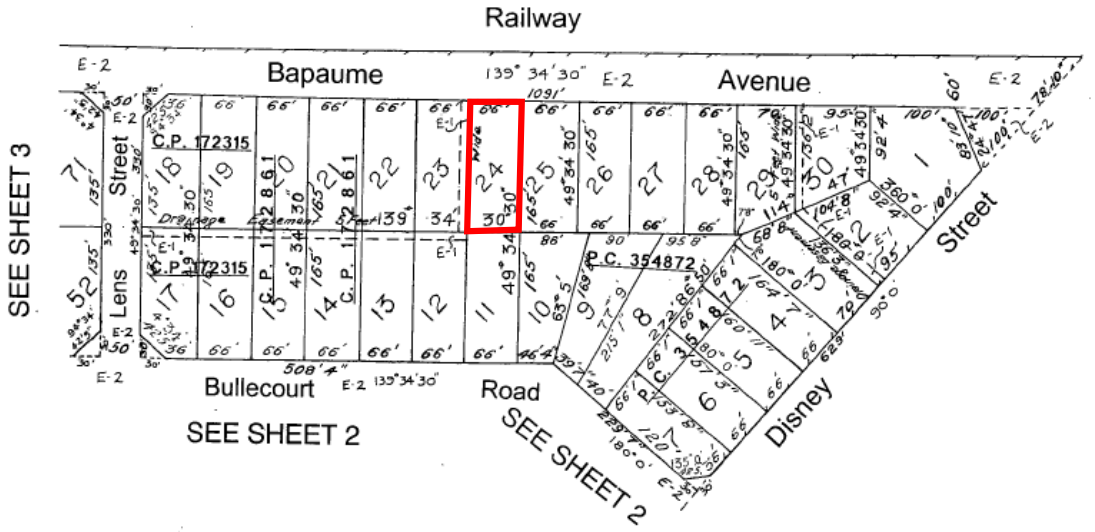
11 SHEETS
SHEET 1

COLOUR CODE
E-1 & E-3 = BLUE
R1 & E-2 = BROWN

ROADS COLOURED BROWN

ENCUMBRANCES

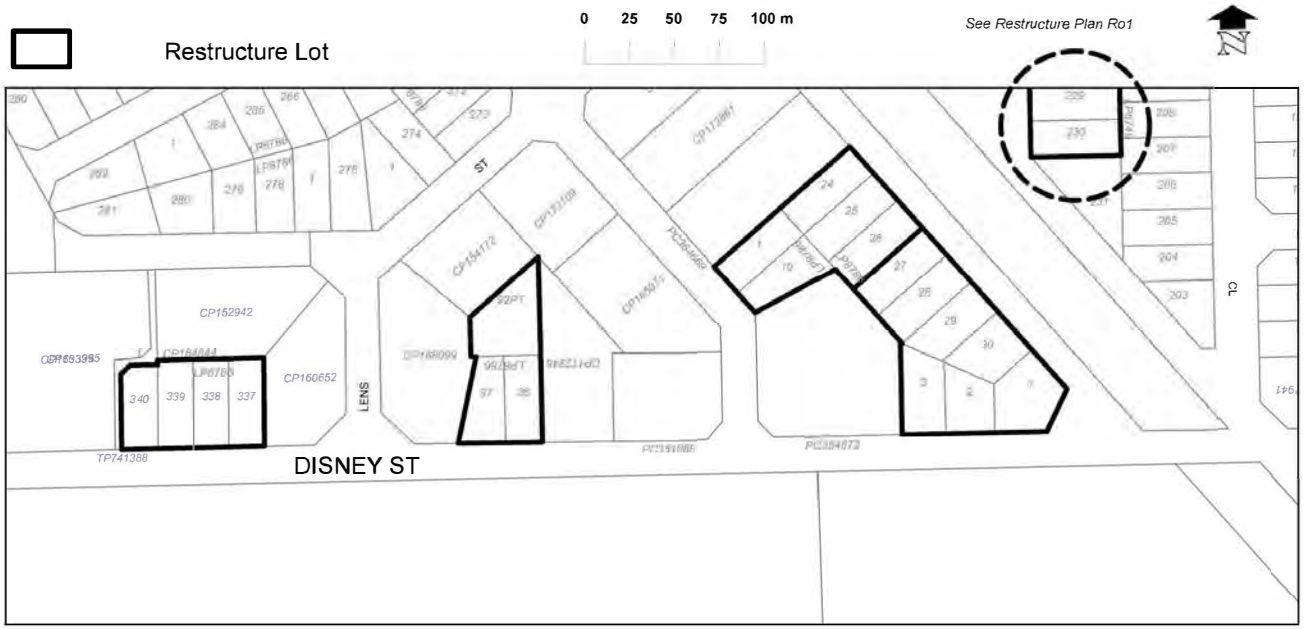
THE LAND MARKED E-3
IS ENCUMBERED BY ANY
EASEMENTS AFFECTING
THE SAME



Sheet 1 of 2

Mornington Peninsula Planning Scheme - Incorporated Document
(refer clause 45.05 Mornington Peninsula Planning Scheme)

Disney Street Industrial Restructure Plan, April 2004
Shown on Planning Scheme Maps as RO3



Mornington Peninsula Planning Scheme – Incorporated Document
(refer clause 45.05 Mornington Peninsula Planning Scheme)

Disney Street Industrial Restructure Plan, April 2004

Shown on Planning Scheme Maps as RO3

The Responsible Authority may deem that the Restructure Plan includes any of the following variations:

- A realignment of boundaries between lots that have been consolidated in accordance with the restructure plan that does not create any additional lot or subdivision potential.
- A consolidation of a restructure lot with a section of closed road or other land not included in a proposed restructure lot.