



Ordinary Meeting of Council Minutes

Monday 24 September 2012

The meeting commenced at 7.01pm

in the

Council Chamber

1230 Nepean Highway, Cheltenham

Present: Cr John Ronke (Mayor)
Cr Arthur Athanasopoulos
Cr Ron Brownlees OAM
Cr Lewis Dundas
Cr Paul Peulich
Cr Trevor Shewan
Cr Steve Staikos
Cr Rosemary West OAM

In Attendance: John Nevins - Chief Executive Officer
Rob Crispin – Acting General Manager
Community Sustainability
Rachel Hornsby - General Manager
Environmental Sustainability
Paul Franklin – General Manager Corporate
Services
Francesca Trimboli – Program Leader
Communications and Public Affairs
Phil DeLosa – Program Leader Governance
Stephanie O’Gorman – Governance Officer

Cr Peulich left the Council Chamber at 7.03pm.

1. Apologies:

Moved: Cr Staikos

Seconded: Cr Brownlees

That the apology from Cr Moloney be accepted and leave of absence granted.

CARRIED

2. Confirmation of the Minutes of Previous Meeting

Moved: Cr Staikos

Seconded: Cr Dundas

That the Minutes of the Ordinary Meeting of Council held on 27 August 2012 be confirmed.

CARRIED

3. Foreshadowed Disclosure/s by Councillors, Officers or Contractors of any Conflict of Interest:

John Nevins, Chief Executive Officer, disclosed a direct interest in Item O 186 as he is the subject of the CEO Performance Review.

4. Petitions

Aboriginal Culture Educational and Resource Centre

Moved: Cr West

Seconded: Cr Brownlees

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

CARRIED

Madden Road Construction Scheme

Moved: Cr Brownlees

Seconded: Cr Staikos

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

CARRIED

5. Presentation of Awards

Presentation to Retired Village Committee Members

The Mayor, Cr John Ronke, advised that Council has nine Village Committees throughout the municipality comprising over 100 members. The Village Committee program has been and continues to provide feedback to Council on service delivery and policy, and the individual needs of specific local areas. Each year various members of the Council's nine Village Committees retire either for their own personal reasons or in some cases to make way for new blood. The Mayor presented certificates of appreciation to retiring Village Committee members who were in attendance:

- Glenn Winstanley
- Judith Beazley
- Wayne Pollard
- Allan Locke

ADM Systems Pty Ltd

The Mayor acknowledged local Kingston business ADM Systems, an industrial and electrical equipment and process solutions business who are based in Dingley, for being awarded the Small Employer Of The Year at the 2012 Victorian Training Awards. The Mayor congratulated Glenn Bates, who was in attendance with his daughter Kristen Brown. Glenn has owned and run ADM Systems for 26 years and on behalf of Council, the Mayor wished Glenn and Kristen well in their future business success.

2012 Stormwater Victoria Excellence Award – Stormwater Harvesting and Treatment Project

2012 Stormwater Victoria Excellence Award – Integrated Water Cycle Strategy

The Mayor advised Council has recently been the recipient of two Environmental Sustainability awards won by Council officers and congratulated the relevant areas of Council and acknowledged the outstanding work being achieved with the following two awards:

- 2012 Stormwater Victoria Excellence Award In The Asset Management Category
- 2012 Stormwater Victoria Excellence Award In The Strategic Or Master Planning Category

Cr Peulich returned to the Council Chamber at 7.13pm.

6. Reports from Village Committees

Cheltenham Village Committee

Village Committee Motion

The Village Committee recommends that Council endorse an exceptional all Village Committee member meeting to be held late in 2012 to discuss issues of common interest.

Moved: Cr Brownlees

Seconded: Cr Peulich

That the Village Committee be advised that the timing of such a meeting is not appropriate given the election of a new Council in October 2012, and that this request be referred to the next Council.

CARRIED

Mordialloc Village Committee

Village Committee Motion

Proposed District Playground at George Woods Reserve Mordialloc

The Village Committee requests a formal response from the Parks department to gain a clearer picture of the proposed playground and surrounding area in Albert/Park Street Mordialloc.

Moved: Cr West

Seconded: Cr Brownlees

That the Village Committee be thanked for its query and advised that Steve Perumal will attend their December meeting.

CARRIED

**Village Committee Motion
Parkdale Station Landscaping Plan**

The Village Committee recommends:

- 1) That Council review the Parkdale Station Landscaping plan in line with Council's Native Tree Planting Policy, and considers altering the planting stock to indigenous plant species, which are more suitable to the local conditions and environment.
- 2) That Council provide an explanation why the native plants were deemed unsuitable.
- 3) That Council provide an explanation on the Parks Team consultation process.

Moved: Cr West

Seconded: Cr Dundas

That the Village Committee be thanked for its query and be provided with the officer comments and that the project proceed with the changes outlined in the officer comments above.

CARRIED

7. Reports from Delegates Appointed by Council to Various Organisations

There were no reports from delegates submitted to the meeting.

9. Environmental Sustainability Reports

O 161 Energy Efficient Street Lighting Changeover

Moved: Cr Brownlees

Seconded: Cr West

That Council:

1. Receive the information and
2. Endorse Council joining the MAV procurement process for the 'Street Lighting Bulk Replacement'

CARRIED

**O 162 11 Centreway (Former Clarkes Glass Factory)
Demolition and Temporary Car Park Construction**

Moved: Cr Brownlees

Seconded: Cr Dundas

That Council proceed with the demolition of the building at 11 Centreway, Mordialloc at an estimated cost of \$86K and the establishment of the carpark be deferred to a later date.

CARRIED

**O 163 Declaration to Levy a Special Charge Scheme for the
Construction of Lilliputian Lane, Edithvale Between Nepean
Highway and the Foreshore**

Moved: Cr Shewan

Seconded: Cr Brownlees

That Council:

1. Receive the information; and
2. Approve Option 1 in accordance with Section 163 of the Local Government Act 1989 ("the Act") and every other power thereunto enabling, the Council:
 - (a) Confirms its Resolution made on 28th November 2011, which Declares a Special Charge for the purpose of defraying the expenses in relation to the construction of Lilliput Lane, Edithvale road pavement and associated drainage works between Nepean Highway and the foreshore, in the manner detailed in the Resolution.
 - (b) Specifies that the cost that the owners of the lands described in Appendix 1 to the Declaration will be liable for are the respective amounts set out in Apportioned Cost column. The manner of payment may be made either in full or if elected by the person liable, by twenty (20) equal quarterly instalments.
 - (c) Authorises that notice be sent to the persons who are the owners of the lands referred to in Appendix 1 to the Declaration advising of Council's confirmation of the Declaration and levy a special charge for the description of the property being charged, the amount for which the owner will be liable, the basis of assessment, the penalties for failing to pay, the manner in which the charges can be paid and the rights of a person to object to a charge.

CARRIED

**O 164 Foreshore Sub Committee Recommendations -
Antibes Street Foreshore Precinct**

Moved: Cr Dundas

Seconded: Cr Peulich

That Council resolve to consider each of the issues presented in Clause 3.3 of the officer report individually.

CARRIED

Moved: Cr West

Seconded: Cr Brownlees

That Council, in reference to dot point 1 in Clause 3.3 of the officer report, approve the removal of existing unsafe stairs and the installing of an accessible ramp subject to further officer advice.

CARRIED

Moved: Cr Dundas

Seconded: Cr Peulich

That Council, in reference to dot point 2 in Clause 3.3 of the officer report, resolve that the toilet block be demolished and reproduced with the same facilities as it now offers.

CARRIED

Moved: Cr Dundas

Seconded: Cr Brownlees

That Council, In reference to dot point 3 in Clause 3.3 of the officer report, resolve that there be a report submitted with regard to global warming and the officer's position in relation to how high it will be raised.

CARRIED

Moved: Cr Dundas

Seconded: Cr Brownlees

That Council, In reference to dot point 4 in Clause 3.3 of the officer report, resolve the improvements be done together with the toilet block and access ramp.

CARRIED

O 165 Madden Road Construction Scheme**Moved: Cr Peulich****Seconded: Cr Brownlees**

That Council resolve to proceed with development of a "Special Charge" scheme for the construction of Madden Road.

CARRIED**8. Question Time****Geoff Gledhill of Parkdale asked,**

"Can the CEO or Mayor confirm the rumour that up to three Councillors are the subject of bullying allegations involving a Council officer? Are WorkSafe and the Municipal Inspectorate involved? Who are the Councillors involved if it is true? If the CEO or Mayor are unable to identify those people can each Councillor declare he or she is not the subject of the investigation?"

The CEO provided the following response:

"It is not Council policy to comment publicly on whether it is investigating bullying. Therefore I can neither confirm or deny."

Nola Baker of Parkdale asked,

"Why did Councillors Brownlees, Peulich, Ronke, Dundas and Moloney ask the Planning Minister to introduce a variety of urban uses such as service stations, schools, medical centres etc into the Green Wedge when two weeks prior to the last planning meeting, they voted to adopt the Green Wedge Plan, which did not include these uses at the Ordinary Council Meeting?"

The CEO provided the following response:

"This decision was the subject of a Council resolution and as such, is the position of Council and individual Councillors are not required to justify it."

10. Community Sustainability Reports

O 166 Contract 12/73 Evesham Kindergarten – Alterations and Additions – Tender Acceptance

Moved: Cr Brownlees

Seconded: Cr West

That Council:

1. Award Contract 12/73 Evesham Kindergarten Alterations & Additions Project for the fixed lump sum of **\$696,404.00** (exclusive of GST) to Ausbuild Constructions Pty Ltd. and to fund this work from within the approved 2012/13 Capital Program.

CARRIED

O 167 Contract 12/77 Edithvale Reserve Sporting Pavillion Renewal Project -Tender Acceptance

Moved: Cr Shewan

Seconded: Cr Peulich

That Council

1. Award Contract 12/77 Edithvale Reserve Sporting Pavilion Renewal Project for the fixed lump sum of **\$3,210,256** (exclusive of GST) to Ducon Construction Pty Ltd.
and
2. Authorises additional project expenditure of \$358,000 to cover contract management fees, permits inclusive of a contingency allowance of \$100,000 to address unforeseen construction issues.
and
3. Approves the bringing forward of \$264,000 from the notional allocation within the 2014/15 Pavilion Development Program into 2012/2013 to address funding shortfall.

CARRIED

**O 168 Kingston Family and Children's Strategy
(Incorporating the Municipal Early Years Plan) 2013 – 2017**

Moved: Cr Brownlees

Seconded: Cr Peulich

That Council:

1. Adopt the Kingston Family and Children's Strategy 2013-2017 and the accompanying Background Information and Data document and that officers be thanked for the compilation and presentation of the report.

Cr Peulich left the Council Chamber at 8.08pm.

CARRIED

Cr Peulich returned to the Council Chamber at 8.09pm.

**O 169 2012/13 Capital Program – Proposed Project
Adjustments**

Moved: Cr Brownlees

Seconded: Cr Peulich

That Council:

1. Approve the reallocation of the available \$220,000 in capital funding to support the following projects:-
 - (i) Asset renewal works, incorporated with grant funded refurbishment works Marcus Road Kindergarten, Dingley - \$90,000
 - (ii) Provision of accessible toilet and kitchenette for use by facility users at Laura & Charles Ferguson Museum Mentone - \$90,000
 - (iii) Development of schematic design work for early years facilities projects, which have been identified for implementation during 2013/14 - \$40,000 and will support applications for children's capital grants of \$2.4m

CARRIED

O 170 Occasional Child Care – Service Viability and Equitable Pricing

Moved: Cr West

Seconded: Cr Shewan

That Council adopts option 4 in the officer report that Council establish a hybrid model comprised of a targeted subsidy and a generic operational grant that would cost a total of \$40K per annum for 2 years.

Amendment

Moved: Cr Peulich

Seconded: Cr Brownlees

That Council:

1. Adopts option 4 that Council establish a hybrid model comprised of a targeted subsidy and a generic operational grant that would cost a total of \$40K per annum for 2 years.

2. Welcomes the reinstatement of funding by the Federal Government for Occasional Care through its Federal Minister for Child Care, Kate Ellis, which saw 300 organisations receive funding in the first round of grants; and

CARRIED

3. Writes to the local Federal MPs calling on their support for Kingston’s application for occasional care funding when Kingston next makes application.

LOST

A Division was called

DIVISION

FOR: Crs Peulich and Brownlees (2)

AGAINST: Crs Staikos, Athanasopoulos, Dundas, West, Shewan and Ronke (6)

LOST

Amendment

Moved: Cr West

Seconded: Cr Shewan

3. That towards the end of the two year funded period, Council approach both the State Government and the opposition to ask whether they would commit to resuming funding for occasional child care.

CARRIED

A Division was called

DIVISION

FOR: Crs Staikos, Athanasopoulos, West, Shewan and Brownlees (5)

AGAINST: Crs Peulich, Dundas and Ronke (3)

CARRIED

Amendment

Moved: Cr Peulich

Seconded: Cr Dundas

That towards the end of the two year funded period, Council approach both Federal and State Governments and Oppositions to ask whether they would commit to resuming funding for occasional child care.

LOST

A Division was called

DIVISION

FOR: Crs Peulich and Dundas (2)

AGAINST: Crs Staikos, Athanasopoulos, West, Shewan, Brownlees and Ronke (6)

LOST

The Substantive Motion now reads as follows:

Moved: Cr West

Seconded: Cr Shewan

That Council:

1. Adopts option 4 that Council establish a hybrid model comprised of a targeted subsidy and a generic operational grant that would cost a total of \$40K per annum for 2 years.

2. Welcomes the reinstatement of funding by the Federal Government for Occasional Care through its Federal Minister for Child Care, Kate Ellis, which saw 300 organisations receive funding in the first round of grants; and

3. That towards the end of the two year funded period, Council approach both the State Government and the opposition to ask whether they would commit to resuming funding for occasional child care.

The Substantive Motion was put and **CARRIED**
A Division was called

DIVISION

FOR: Crs Staikos, Athanasopoulos, Dundas, West, Shewn,
Brownlees and Ronke (7)

AGAINST: Cr Peulich (1)

CARRIED

O 171 Carrum Lifesaving Club Café

Moved: Cr Shewan

Seconded: Cr Staikos

That Council:

1. Tenders for a cafe to be constructed on the space currently set aside for a public deck by converting and extending the existing kiosk to provide some glassed in cafe space on the existing deck, including a kitchen and a kiosk servery to be funded from the Foreshore Reserve Fund.
2. Invites a public expression of interest from the Carrum Surf Lifesaving Club and any interested parties who may be interested in entering into such an arrangement with Council to advance the cafe project.

Cr Peulich left the Council Chamber at 9.14pm before the vote.

CARRIED

11. Organisational Development & Governance Reports

O 172 Assembly of Councillors Record

Moved: Cr Staikos

Seconded: Cr West

That Council note the contents of this report for the public record.

Cr Peulich returned to the Council Chamber at 9.17pm.

CARRIED

O 173 Expenditure of Ward Funds Schedule

Cr Athanasopoulos disclosed a direct interest in Item O 173 in relation to the Kingston City Soccer Club and he left the Council Chamber at 9.17pm before any discussion or voting on the matter.

Cr Staikos disclosed an indirect interest in Item O 173 by virtue of his position with the Community Housing Federation of Victoria and the allocation of ward funds to Abbeyfield House and he left the Council Chamber at 9.17pm before any discussion or voting on the matter.

Moved: Cr Brownlees

Seconded: Cr Peulich

That Council:

Approve the expenditure of ward funds in accordance with the table of Councillor requests and include the following additional allocations:

Cr Brownlees

Moorabbin SES	\$400
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Cr Peulich:

Springvale CFA	\$500
Moorabbin Dog Obedience Club	\$1000
Moorabbin Senior Citizens	\$1000
Dingley Village/Heatherton Progress Association	\$500
Three Tier Hierachs Greek Orthodox Church	\$500
Hellenic Community	\$1000
Moorabbin Chamber of Commerce	\$500
Kingswood Primary School	\$300
St Marks Primary School	\$300
St Catherines Primary School	\$300
Dingley Village Primary School	\$300
Moorabbin Brass Band	\$100
Dingley Village Scouts	\$800
Dingley Dingos Football Club	\$500
Dingley Cricket Club	\$500
Clarinda Greek Seniors	\$300
Dingley Village Rotary	\$228
Bentleigh Greens	\$300
Kingston City Soccer Club	\$300
Eisteddfod by the Bay	\$200
Heatherton Tonners Football Club	\$200
	\$9628

Cr Athanasopoulos:

Lemnian Community of Victoria	\$500
Dingley Senior Citizens	\$600
The Benevolent Assoc of Nafpaktians	\$600
Kingston city Soccer Club	\$5000

Pilipino Elderly Assoc of the SE Region	\$600
Cosenza Senior Citz of Kingston	\$600
Moorabbin Senior Citz	\$600
Greek Orthodox Parish	\$600
the Three Hierarchies of Clayton & districts	
Greek Seniors & Pensioners Assoc	
Of Clayton and districts	\$600
The Italian Pensioners Assoc of Clayton	\$600
Tran Van Khac Rover Crew	\$500
Multicultural Seniors Gp Inc of Kingston	
& Surrounds	\$600
Italian Senior Citz Group of Moorabbin	\$600
Greek Senior Citz of Moorabbin	\$600
Greek Senior Citz of SE District and Regions	\$600
	\$13,200

Cr Dundas:

Cheltenham Church of Christ	\$750
Parkdale Church of Christ	\$750
St Augustine's	\$750
Matt's Kitchen	\$750
Mordialloc & District Historical Society	\$500
Mentone Lending Library	\$750
Graham Whitehead – City Historian	\$1500
Mordialloc Community Nursing Home	\$800
Kingston University 3 rd Age	\$1161
Mentone Scouts	\$750
4 th Mordialloc Scouts	\$750
Friends Mentone Station Gardens	\$600
Mentone SLSC	\$600
Mordialloc SLSC	\$600
Parkdale Yacht Club	\$600
Parkdale Tennis Club	\$600
Mentone Tennis Club	\$600
Mentone & Parkdale Village Committee	\$500
Cheltenham Bowling Club	\$750
Mentone Bowling Club	\$750
Parkdale Bowling Club	\$750
Mordialloc Bowling Club	\$750
Mentone Tigers / St Bede's Football Club	\$750
	\$17,061

CARRIED

Crs Staikos and Athanasopoulos returned to the Council Chamber at 9.23pm.

Cr West left the Council Chamber at 9.23pm.

O 174 Councillors' Gift and Hospitality Policy

Moved: Cr Brownlees

Seconded: Cr Peulich

That Council adopt the Councillors Gift and Hospitality Policy shown as Appendix 1 to this report.

CARRIED

O 175 Caretaker Policy

Moved: Cr Peulich

Seconded: Cr Staikos

That Council adopt the attached revised Caretaker Policy contained in Appendix 1.

CARRIED

O 176 Local Government Investigations and Compliance Inspectorate Letter of 1 July 2012

Moved: Cr Peulich

Seconded: Cr Brownlees

That Council:

1. Receive the information

CARRIED

Cr West returned to the Council Chamber at 9.24pm.

O 177 Workplace Advice

Moved: Cr Peulich

Seconded: Cr Brownlees

That Council:

1. Adopt the Councillor and Senior Officer Agreed Meeting Practice attached (*Appendix 2*)
2. Adopt the Councillor and Staff Interaction Protocols attached (*Appendix 3*)
3. Adopt the Preliminary Conference, Advisory Committees and Community Forum Protocols attached (*Appendix 4*)
4. Refer the review of the Councillor Code of Conduct and OHS training to the new Council as part of the commencement program as per the legal advice

Amendment

Moved: Cr West

Seconded: Cr Shewan

That Council resolve to:

1. Adopt the Councillor and Senior Officer Agreed Meeting Practice attached (*Appendix 2*)
2. Adopt the Councillor and Staff Interaction Protocols attached (*Appendix 3*)
3. Adopt the Preliminary Conference, Advisory Committees and Community Forum Protocols attached (*Appendix 4*)
4. Refer the review of the Councillor Code of Conduct and OHS training to the new Council as part of the commencement program as per the legal advice
5. Further that Council resolve to obtain legal advice on the following amendments to the Appendices:
 - a. P.215, para 6: replace the words: “when the request is made.” With the words: “prior to disclosure.”
 - b. P. 215, second last paragraph: After the words: “.....their attention”
Add the words: in which case the Councillor will be informed.”
 - c. P. 216: After the first paragraph, add a new paragraph: “If the councillor feels the information is inadequate or inappropriate, they should take this up with the CEO or relevant GM.”
 - d. After the second paragraph, Point 2, add the words: “Who must inform the councillor of the nature of the complaint and advise the councillor how they need to amend their behaviour in order to avoid a formal complaint.”

- e. P. 217, Fourth paragraph, after the words “.....to enable”
Add the words: “submitters and applicants to better understand their respective positions and concerns with a view to encouraging mediation and compromise.
“Councillors and officers may encourage and assist this mediation process by providing information and asking questions of officers to ensure that residents understand the process.

CARRIED

12. Corporate Services Reports

O 178 State Superannuation Defined Benefits Fund Shortfall

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council:

1. Note the report;
2. Approve the early payment of \$7,400,000, noting an early payment allowance of \$411,303.82
3. Refer the balance remaining of \$2,603,229.37 to the 2013/14 Long Term Financial Plan and Annual Budget considerations.

CARRIED

A Division was called

DIVISION

FOR: Crs Staikos, Athanasopoulos, West, Shewan, Brownlees and Ronke (6)

AGAINST: Crs Peulich and Dundas (2)

CARRIED

Procedural Motion

Moved: Cr West

Seconded: Cr Staikos

That the meeting be extended for one hour to 11.00pm.

CARRIED

O 179 Hazel Avenue Rooming House Application

Moved: Cr Brownlees

Seconded: Cr Shewan

1. That the application for registration at 4 Hazel Avenue, Edithvale be refused as there would be an adverse impact on the amenity of the community and an inappropriate use of the site.
2. That Council receives legal advice on how to prevent the ongoing use of the property as a rooming house/boarded house registered or otherwise.

Cr Staikos left the Council Chamber at 10.12pm.

Cr Staikos returned to the Council Chamber at 10.14pm.

CARRIED

O 180 Approval Charity Collections/Appeals

Moved: Cr Staikos

Seconded: Cr Peulich

That Council approve the application for the **Chelsea SES** to undertake:

1. An intersection collection on Saturday 10 November 2012 at the intersection of Station St and Edithvale Road, Edithvale.
2. An intersection collection on Saturday 2 March 2013 at the intersection of Warrigal Rd and Centre Dandenong Road, Cheltenham

CARRIED

O 181 48 Como Parade West, Mentone – Consent to Use Council Land for Application for Planning Permit

Moved: Cr Brownlees

Seconded: Cr Dundas

That Council not consent to its land immediately adjacent to 48 Como Parade West being included in an application for a planning permit.

CARRIED

13. Notices of Motion

O 182 Notice of Motion No. 28/2012 – Cr West

Moved:

Seconded:

That Council request the CEO to appoint an environmental planner to work across the Strategic and Statutory Planning departments as soon as possible.

The Motion was **WITHDRAWN**

O 183 Notice of Motion No. 29/2012 – Cr Shewan

Moved:

Seconded:

I move that Council tenders for a café to be constructed on the existing footprint by converting and extending the existing kiosk to provide some glassed in café space on the existing deck, including a kitchen and a kiosk servery.

And secondly, that Council also contacts the proprietor of the Mordialloc Café Blah Blah to see whether they are still interested in partnering with Council in this project involving contributing funds toward it in return for a leasehold arrangement. Or if probity requires – invites an expression of interest from proprietors who may be interested in entering into such an arrangement with Council to advance the café project.

The Motion was **WITHDRAWN**

O 184 Notice of Motion No. 30/2012 – Cr West

Moved: Cr West

Seconded: Cr Shewan

That Council:

(a) resolves to write to the Premier, Treasurer, Minister for Higher Education and Skills and other relevant ministers, seeking that the State Government reverse its unprecedented decision to cut the training and salary budgets of Technical and Further Education (TAFE) colleges across the state;

LOST on the casting vote of the Chairperson

A Division was called

DIVISION

FOR: Crs Staikos, Athanasopoulos, West and Shewan (4),

AGAINST: Crs Peulich, Dundas, Brownlees and Ronke (4)

LOST on the casting vote of the Chairperson

(b) That Council expresses concern that the cuts will put up to 2000 jobs at risk across Victoria as well as a further 8000 casual and contract jobs (including 65 EFT positions and 25 contract and sessional positions at Holmesglen) appear designed to divert public resources into private for-profit training organizations, leading to fee rises, course closures and the eventual privatisation of TAFE;

LOST on the casting vote of the Chairperson

A Division was called

DIVISION

FOR: Crs Staikos, Athanasopoulos, West and Shewan (4)

AGAINST: Crs Peulich, Dundas, Brownlees and Ronke (4)

LOST on the casting vote of the Chairperson

(c) considers the cuts are particularly ill conceived in a period where there are increasing job losses in other industries and an Australia-wide skills shortage;

LOST on the casting vote of the Chairperson

**A Division was called
DIVISION**

FOR: Crs Staikos, Athanasopoulos, West and Shewan (4)
AGAINST: Crs Peulich, Dundas, Brownlees and Ronke (4)

LOST on the casting vote of the Chairperson

(d) That Council resolve to include an article on the campaign in the Council's newsletter;

LOST on the casting vote of the Chairperson

(e) That Council will put a link to campaign websites such as <http://tafe4all.org.au/> and <http://www.nteu.org.au/tafe/> on the City of Kingston website;

LOST on the casting vote of the Chairperson

(f) That Council will write a letter of support for the campaign to save TAFE funding to the Australian Education Union and the National Tertiary Education Union;

LOST on the casting vote of the Chairperson

**A Division was called
DIVISION**

FOR: Crs Staikos, Athanasopoulos, West, Shewan (4)
AGAINST: Crs Peulich, Dundas, Brownlees and Ronke (4)

LOST on the casting vote of the Chairperson

(g) That Council will endorse any activities by the MAV and VLGA in support of the campaign to save TAFEs.

CARRIED

A Division was called

DIVISION

FOR: Crs Staikos, Athanasopoulos, West, Shewan,
Brownlees and Ronke (6)

AGAINST: Crs Peulich and Dundas (2)

CARRIED

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Brownlees

That the meeting be extended for 15 minutes to 11.15pm.

CARRIED

14. Urgent Business

Moved: Cr West

Seconded: Cr Brownlees

That Council consider an item of urgent business for an application for Barkly Street, Mordialloc that is due to go to VCAT for mediation on 1 October 2012.

CARRIED

Moved: Cr West

Seconded: Cr Shewan

That Council adopt as a position for mediation at VCAT the following:

- Maximum 2 storey height limit
- 6 metre setback from the front
- 5 metre setback from the eastern and southern boundaries

CARRIED

- Replace the aluminium fretwork and fins with conventional or period balconies with appropriate screening to protect the privacy of neighbours.

CARRIED

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Brownlees

That the meeting be extended for 15 minutes to 11.30pm.

CARRIED

15. Items in Camera – Confidential Items

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council, in accordance with Sections 77(2)(b) and 89(2) of the Local Government Act 1989, designate the following items as confidential information on the following grounds:

- O 185 Village Committee Matter as it contains information that would prejudice the persons involved.
- O 186 CEO Performance Review as it is a personnel matter.
- O 187 Workplace Investigation as it contains legal advice.

Confidential Attachments

- O 166 Contract 12/73 Evesham Kindergarten – Alterations and Additions – Tender Acceptance as it is a contractual matter.
- O 167 Tender Acceptance Report for Edithvale Reserve Pavillion as it is a contractual matter.
- O 170 Occasional Child Care – Service Viability and Equitable Pricing as it contains information that would prejudice the persons involved.
- O 177 Workplace Advice as it contains legal advice.

CARRIED

The meeting was closed to members of the public at 11.15pm.

Moved: Cr Peulich

Seconded: Cr Shewan

That the meeting be opened to the public.

CARRIED

The meeting was opened to the public at 11.29pm.

The meeting closed at 11.29pm.

Confirmed.....

His Worship, The Mayor, 22 October 2012