



# **Ordinary Meeting of Council Minutes**

**Monday 27 August 2012**

**The meeting commenced at 7.02pm**

**in the**

**Council Chamber**

**1230 Nepean Highway, Cheltenham**

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

**In Attendance:** John Nevins - Chief Executive Officer  
Mauro Bolin - General Manager Community  
Sustainability  
Rachel Hornsby - General Manager Environmental  
Sustainability  
Bernard Byrden – Acting General Manager  
Corporate Services  
Jonathan Guttman - Manager City Strategy  
Phil DeLosa - Program Leader Governance  
Stephanie O’Gorman - Governance Officer  
Kirsten Leiminger - Media Officer Communications  
and Public Affairs  
Peter Soding - Tixxis

**Moved: Cr Staikos  
Brownlees**

**Seconded: Cr**

That Council resolve to permit filming of the Ordinary Meeting of Council.

**CARRIED**

**1. Apologies:**

There were no apologies submitted.

## 2. Confirmation of the Minutes of Previous Meeting

**Moved: Cr Peulich**

**Seconded: Cr Shewan**

That the Minutes of the Ordinary Meeting of Council held on 23 July 2012 and Special Meetings of Council held on 13 August 2012 and 22 August 2012 be confirmed.

**CARRIED**

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

- Cr Brownlees disclosed a direct interest in relation to Item O 153 – Moorabbin Reserve
- Cr Athanasopoulos disclosed a direct interest in relation to Item O 153 – Moorabbin Reserve
- Cr Dundas disclosed a direct interest in relation to Item 4 – Petitions – Southern Road, Mentone.

## 4. Petitions

### Dingley Farmers Market

Cr Peulich tabled a petition from the Traders from the Dingley Village Shopping Centre seeking to prevent the issuing of weekly permits for a Farmers Market in Marcus Road, Dingley Village.

**Moved: Cr Peulich  
Staikos**

**Seconded: Cr**

That the petition relating to the Dingley Farmers Market be referred to the Chief Executive Officer for response.

**CARRIED**

### Parking Issues – TAFE Redevelopment

Cr Peulich tabled a petition from Asoka Rodrigo with approximately 24 signatures seeking to have Council address parking issues due to the Holmesglen TAFE College redevelopment.

**Moved: Cr Peulich**

**Seconded: Cr Athanasopoulos**

That the petition relating to parking issues due to TAFE redevelopment be referred to the Chief Executive Officer for response.

**CARRIED**

**Southern Road, Mentone**

Cr Dundas disclosed a direct interest by virtue of owning a property in Southern Road, Mentone.

Cr Dundas left the Council Chamber at 7.13pm.

Cr West tabled a petition from Jean M Roffe with approximately 12 signatures objecting to the rezoning, as residential, of the northern end of Southern road, Mentone.

**Moved: Cr West**

**Seconded: Cr Brownlees**

That the petition relating to rezoning of the Northern end of Southern Road, Mentone be referred to the Chief Executive Officer for response.

**CARRIED**

Cr Dundas returned to the Council Chamber at 7.16pm.

**Parkdale Café/Kiosk**

Cr Brownlees tabled a petition from Parkdale residents with approximately 16 signatures indicating their support for the application by the proprietors of the Parkdale Café/Kiosk to be granted an extension of their lease.

**Moved: Cr Brownlees**

**Seconded: Cr Dundas**

That the petition relating to the Parkdale Café be referred to the Chief Executive Officer for response in accordance with the decision on Item O 151.

**CARRIED**

## 5. Presentation of Awards

### Council Awards:

#### ***Awards for Victory Park***

The Mayor, Cr Ronke, advised that Council has received very positive feedback to date about the major works at Victory Park that residents are proud to call Chelsea home and proud to have such a welcoming place to come to.

The final \$500,000 stage of works at Victory Park was funded by Council with an \$82,000 grant from the State Government and assistance from the Chelsea Community Renewal Project.

These works were finished recently, but already the park has received acclaim from the wider community, with Victory Park taking out two awards at the Keep Australia Beautiful Victoria's 2012 Clean Beaches Awards for accessibility and environmental sustainability.

#### ***Australasian Reporting Awards***

The Mayor, Cr Ronke, presented Council with its fifth successive Gold Award in the Australasian Reporting Awards (ARA) for Kingston Council's 2010-2011 Annual Report.

The Mayor thanked and acknowledged the departments involved for their outstanding work in winning this award and that this success demonstrates Council's commitment to reporting, transparency and accountability to the community.

## 6. Reports from Village Committees

### Cheltenham Village Committee

#### **Village Committee Motion**

The Village Committee recommends that the parking signs on Albert and Lewis St in Mordialloc be changed from 3 to 4 hours to accommodate attendance at functions in Allan McLean Hall.

**Moved: Cr Brownlees**

**Seconded: Cr Dundas**

That Council conduct a community consultation (including consultation with the Mordialloc Village Committee) to determine the level of support for the parking restrictions to be changed from 3 hours to 4 hours.

**CARRIED**

### **Mentone/Parkdale Village Committee**

#### **Village Committee Motion**

That Council approach Victorian State Government with a view to changing the Local Government Act to limit terms of Councillors to two consecutive terms.

That the Village Committee be thanked for its interest in Councillor representation and advised that Council believes the number of terms a Councillor serves is best determined by the electorate through Council elections

**Note:** The Village Committee motion was withdrawn on advice from the Chairperson of the Village Committee as it was not intended to be a recommendation to Council.

### **7. Reports from Delegates Appointed by Council to Various Organisations**

Cr West reported having attended a meeting of the Inter-Aboriginal Consultative Advisory Committee.

Cr West reported having attended a meeting of the Municipal Association of Victoria Planning Advisory Committee.

**Moved: Cr Shewan**

**Seconded: Cr Staikos**

That the reports be received and Cr West thanked for the reports.

**CARRIED**

### **8. Question Time**

#### **Melinda Brack and Ian Clark of Parkdale asked, Question 1**

“We are in the process of planning works adjacent to the Council land in front of 46 Parkers Road, Parkdale, which includes removing the current stairs and repositioning them on the boundary of our land as directed by Council. Could Council please substantiate the process we have to follow to determine who is responsible for which parts of the works and how we go about synchronising our works with the works Council are responsible for as part of this directive BEFORE we submit our plans to Council?”



**Response:**

The CEO provided the following response:

This question is taken on notice, with officers to provide a written response to Melinda and Ian.

**Question 2**

Recently, during the works performed on the Council's retaining wall at the front on 46 Parkers Road, Parkdale, the contractors found that the remaining piece of the retaining wall had an insufficient amount of mortar in the brickwork. Could Council please confirm that the modified wall meets all current safety and structural standards required for its intended purpose as a retaining wall?

**Response**

The CEO provided the following response:

This question is taken on notice, with officers to provide a written response to Melinda and Ian.

**Carolyn Briggs of Mordialloc asked,**

"Do you know what your Kingston Council assets are with the Boonwurring history and foreshore walking trail?"

**Response**

The CEO provided the following response:

"Yes, Council does know what the assets are and this information has been documented and Council recognises the Boonwurring history."

**Ken Liddcoat of Langwarrin asked,**

"Are you aware that Gathering Places have been fully supported by the Victorian Government and Federal Governments? They have endorsed and funded a National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes of which one area of focus is the Gathering Places.

Are you also aware of the significant positive impact that these Gathering Places will have on the:

- General community by providing the opportunity to further advance and improve the health outcomes for their people of all ages. "

**Response**

The CEO provided the following response:

"Thank you for your question. Council is aware of the National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes."

**Peter Williams of Heatherton asked,**

“The Green Wedge Management Plan prepared by Planisphere reflects State Policy in 2009. Council is now about to vote on the management plan even though State planning policy has evolved to consider reviews of the Urban Growth Boundary. Is Agenda Item O 137 being considered in light of the anomalies process set up by the State Planning Minister, Mr Matthew Guy?”

**Response**

The CEO provided the following response:

The Planisphere report was prepared in response to a previous Council resolution appointing Planisphere as consultants. Council is also aware of and responded to the Minister for Planning’s Green Wedges Anomalies review.

**Tony Leech of Moorabbin asked,**

“I would like to ask whether you are going to release the letter from the Municipal Inspectorate where a Councillor was alleged to have received money to attend an overseas conference without declaring this to Council. Was this judged to be a conflict of interest and what is the outcome of this regarding Green Wedge representation?”

**Response**

The CEO provided the following response:

Officers are responding to a Council resolution of Wednesday 22 August, 2012 calling for an investigation and advice to Council. Officers are currently working through issues such as Privacy Legislation with Council’s legal advisor.

**BLOCK AGENDA ITEMS****Moved: Cr Brownlees****Seconded: Cr Peulich**

That Council adopt the recommendations for the following Items:

**Environmental Sustainability Reports**

- O 139 Submission to Parliamentary Enquiry into Local Economic Development Initiatives in Victoria
- O 142 Capital Works Monthly Report – End 2011/12 Financial Year

**Community Sustainability Reports**

- O 144 Kingston Family and Children’s Strategy (Incorporating the Municipal Early Years Plan) 2013-17
- O 145 Individual Development Grant

**Organisational Development & Governance Reports**

- O 146 Assembly of Councillors Record
- O 147 Expenditure of Ward Funds Schedule
- O 148 Confidential Information Register
- O 149 Victorian Local Governance Association (VLGA) 2011-12 Annual Plan: Report to Members
- O 150 Contract CON-11/45 – Supply, Implementation and Maintenance of a Human Resources Information System

**Corporate Services Reports**

- O 152 81 Albert Street, Mordialloc – Appointment of Reference Panel
- O 154 Adoption of 2011/12 Financial Statements to 30 June 2012
- O 155 2012 General Valuation Report
- O 156 Approval Charity Collection / Appeals

**CARRIED**

**9. Environmental Sustainability Reports**

**O 138 Sport and Recreation Victoria - Community Facility Funding Program 2013/14**

**Moved: Cr Brownlees**

**Seconded: Peulich**

That Council:

1. Approve the submission of applications to the Community Facility Funding Program 2013/2014 as per Option 1.

**Amendment**

**Moved: Cr West**

**Seconded: Cr Shewan**

That Council:

1. Approve the submission of applications to the Community Facility Funding Program 2013/2014 as per Option 1 subject to the following changes:
  - Delete Edithvale Aspendale Junior Football Club and Aspendale Sporting Club.
  - Include the Chelsea Bowling Club and Springvale Lions Baseball Club.

The Amendment was put and **LOST**



The Substantive Motion was put and **CARRIED**

**A Division was called**

**DIVISION**

**For:** Crs Staikos, Peulich, Athanasopoulos, West, Shewan,  
Moloney, Brownlees and Ronke (8)

**Against:** Cr Dundas(1)

**CARRIED**

**Motion No. 2**

(Refer to Recommendation 5.2 of the Green Wedge Plan report)

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

That Council officers review the Action Plan at Section 9.2 of the GWP to allocate responsibilities financial requirements and timing. In reviewing the action plan consideration be given to the implementation of the Green Wedge Plan by precincts.

**Amendment**

**Moved: Cr West**

**Seconded: Cr Shewan**

That Council officers review the Action Plan at Section 9.2 of the GWP to allocate responsibilities financial requirements and timing. In reviewing the action plan consideration be given to the implementation of the Green Wedge Plan by precincts starting with the chain of parks.

The Amendment was put and **LOST**

**Procedural Motion**

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

That the Motion now be put.

**CARRIED**

The Substantive Motion was put and **CARRIED**

**A Division was called**

**DIVISION**

**For:** Crs Staikos, Peulich, Athanasopoulos, Dundas, West,  
Shewan Moloney, Brownlees and Ronke (9)

**Against:** Nil

**CARRIED**

**Motion No. 3**

(Refer to Recommendation 5.3 of the Green Wedge Plan Report)

**Moved: Cr Staikos**

**Seconded: Cr Athanasopoulos**

That Council commence the preparation of the documentation to amend the Kingston Planning Scheme to give effect to the adopted GWP including:

- 3.1. The rezoning of land from Green Wedge Zone and Special Use 2 Zone to Green Wedge A.
- 3.2. Should the Minister not support such request then Council should request that the Minister authorise the preparation of a specific Kingston Green Wedge Zone.
- 3.3 That Council introduce a Schedule to the Green Wedge A Zone that would provide for:
  - 3.3.1 Land that was Green Wedge Zone have a minimum subdivision area requirement of 4 hectares
  - 3.3.2 Land that was Special Use 2 Zone have a minimum subdivision area requirement of 40 hectares.(as this does not require the consent of Parliament)
- 3.4 The introduction of Design Development Overlay as recommended.
- 3.5 The introduction of a Design Development Overlay and a Vegetation Protection Overlay on land in Pietro Road as recommended following agreement with the owners of land in respect to a potential linkage to Farm Road

**Amendment****Moved: Cr West****Seconded: Cr Shewan**

Should the Minister not support such request then Council should request that this land to be rezoned to GWZ or an appropriate Kingston specific Green Wedge B zone.

The Amendment was put and **LOST**

**Amendment****Moved: Cr Peulich****Seconded: Cr Moloney**

That Council commence the preparation of the documentation to amend the Kingston Planning Scheme to give effect to the adopted GWP including:

- 3.1. The rezoning of land from Green Wedge Zone and Special Use 2 Zone to Green Wedge A.
- 3.2. Should the Minister not support such request then Council should request that the Minister authorise the preparation of a specific Kingston Green Wedge Zone.
- 3.3 That Council introduce a Schedule to the Green Wedge A Zone that would provide for:
  - 3.3.1 Land that was Green Wedge Zone have a minimum subdivision area requirement of 4 hectares
  - 3.3.2 Land that was Special Use 2 Zone have a minimum subdivision area requirement of 40 hectares.(as this does not require the consent of Parliament)
- 3.4 The introduction of Design Development Overlay as recommended.
- 3.5 The introduction of a Design Development Overlay and a Vegetation Protection Overlay on land in Pietro Road as recommended following agreement with the owners of land in respect to a potential linkage to Farm Road
- 3.6 That Council adopts officer recommendations 1-7 of the Kingston Green Wedge 18 July 2012 Officer Report being Appendix 1 to the report for Item O137.

**Note:** Councillors agreed to vote on each of the recommendations 1-7 separately.

1. Pursue Option 4 in Section 8.5 of the Planisphere Report and seek to create a Kingston specific Green Wedge zone.

**LOST**

2. Support the recommendations made by Planisphere in relation to the small component of proposed subdivision at the southern end of Pietro Road.

**LOST**

3. Introduce a minimum subdivision size of 40ha to be applied to all land presently located in Schedule 2 to the Special Use Zone.

**CARRIED**

4. Introduce a Planning Policy discouraging any subdivision of land located in areas covered by a Public Acquisition Overlay.

**CARRIED**

5. Support the introduction of a Kingston specific Green Wedge Zone that includes Animal Keeping (horse stabling) as a Section 1 use (no permit required) to further encourage this activity in the Kingston Green Wedge.

**LOST**

6. Identify the following location as suitable for treating with a similar solution to that proposed by Planisphere for the Springvale Road frontage (i.e. removal from the Green Wedge):
  - Land on the west side of Clayton Road between Victory and Heatherton Road

**LOST**

7. Undertake further investigation of the land between Leslie and Tully Road, Clayton South to determine an appropriate planning response for the land.



**LOST**

The Amendment was put and **CARRIED**

The Amendment became the Motion

The Motion was put and **CARRIED**

**Motion No. 4**

(Refer to Recommendation 5.4 of the Green Wedge Plan Report)

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

That Council request the Minister for Planning to authorise an amendment to be prepared to give effect to recommendation 3 above.

**Amendment**

**Moved: Cr West**

**Seconded: Cr Shewan**

That Council request the Minister for Planning to authorise an amendment to be prepared to give effect to recommendation 3 above. Once the New Green Wedge Zones are in place so that the implications of any proposed rezoning can be accurately assessed.

The Amendment was put and **LOST**

**Moved: Cr Athanasopoulos**

**Seconded: Cr Moloney**

That the Motion now be put.

**CARRIED**

The Substantive Motion was put and **CARRIED**

**Motion No. 5**

(Refer to Recommendation 5.5 of the Green Wedge Plan report)

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

That Council commence negotiations with the Minister of Planning in respect to amending the Schedule to the Kingston Planning Scheme viz:

5.1 Pietro Rd lots sizes at the southern end and amending the schedule to the Green Wedge Zone accordingly.

**CARRIED**

**Procedural Motion**

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

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

**CARRIED**

**Motion No. 6**

(Refer to Recommendation 5.6 of the Green Wedge Plan Report)

**Moved: Cr Brownlees  
Athanasopoulos**

**Seconded:**

**Cr**

6 That Council commence negotiations with the Minister for Planning requesting that consideration be given to amending the Urban Growth Boundary to include the following land within the Urban Area, viz

6.1 Land identified within the GWP fronting Springvale Road Braeside.

**CARRIED**

**A Division was called**

**DIVISION**

**For:** Crs Peulich, Athanasopoulos, Moloney, Brownlees and Ronke (5)

**Against:** Crs Staikos, Dundas, Shewan and West (4)

**CARRIED**

**Motion No. 7**

(New Motion)

**Moved: Cr Brownlees  
Moloney**

**Seconded: Cr**

That Council resolve to include the southern portion of the land which comprises the total area of land parcels at 370 – 440 Old Dandenong Road , Dingley Lot 1, Grange Road ,Dingley, and 52 Tootal Road Dingley, with part to be considered as a potential sports

oval to be used by local clubs, on the basis that the balance of the land remain outside the Urban Growth Boundary and that the land owner(s) are agreeable to entering into an appropriate agreement with council to transfer a portion of the total parcel(s) to be determined, to council in a form suitable for use for public open space purposes.

**LOST**

**Motion No. 8**

(New Motion)

**Moved: Cr Brownlees**

**Seconded: Cr Peulich**

That subject to receiving confirmation from Parks Victoria that they do not wish to purchase the land at 327 Governor Road, Braeside that this land be considered for inclusion inside the Urban Growth Boundary in a zone consistent with that to be applied to the land referred to in resolution 6.1

**Procedural Motion**

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

That the Motion now be put.

**CARRIED**

The Motion was put and **LOST**

**Motion No. 9**

(New Motion)

**Moved: Cr Peulich**

**Seconded: Cr Moloney**

That Council acknowledges the need for a second football/cricket oval in Dingley Village and support in principle a second sports field on the Din San site and progresses a further investigation of this proposal.

**CARRIED**

**Motion No. 10**

(Refer to Recommendations 5.7 – 5.12 of the Green Wedge Plan report)

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

7 That Council commence negotiations with the Minister for Planning requesting that consideration be given to amending the Urban Growth Boundary to include the following land outside the Urban Area, viz;

7.1 Land at Braeside generally described as Woodlands environmental wetlands owned by Melbourne Water and

7.2 Land at Waterways Estate generally described as the waterways adjacent to the estate.

8 That Council write to Melbourne Water in respect to the future use of land at Lot 1 & 2 Springvale Rd Aspendale Gardens and should they determine they have no requirement for river health or other purposes that the GWP be amended to designate the land as low intensive green wedge and be zoned accordingly.

9 That Council commence negotiations with the Minister for Planning and affected owners to resolve the zoning anomaly in respect to land in Tootal Rd Dingley Village that is outside the Urban Growth Boundary and zoned Residential 1.

10 That Council write to all local members of Parliament advising them of the adoption of the GWP and requesting their support in requesting the Minister for Planning to make changes to the Urban Growth Boundary as set out in the GWMP

11 That Council write to the Minister for Planning requesting that the time for expiry of the policy introduced at Clause 22.18 Materials Recycling in the Green Wedge (amendment C115 dated 18/11/2010) be extended for a further 2 years

12 That Council write to the members of the Stakeholders Reference Group thanking them for their input into the plan

**CARRIED**

**O 139 Submission to Parliamentary Enquiry into Local Economic Development Initiatives in Victoria**

That Council endorses the attached submission to the Parliamentary Inquiry into local economic development initiatives in Victoria.

**Note:** The resolution for O139 was moved in a block earlier in the meeting (Refer to page 10 of the Minutes)

**O 140 Energy Efficient Street Lighting Changeover**

**Moved: Cr Peulich**

**Seconded: Cr Moloney**

That the matter be deferred until the next Ordinary Meeting of Council.

**CARRIED**

**O 141 Kingston Energy Efficiency Strategy Adoption**

**Moved: Cr Staikos**

**Seconded: Cr Shewan**

That Council adopt the Kingston Energy Efficiency Strategy detailed in Appendix 1.

**Amendment**

**Moved: Cr Peulich**

**Seconded: Cr Dundas**

That Council write to the Federal Government to seek compensation for the carbon tax impost.

The Amendment was put and **LOST**

**A Division was called**

**DIVISION**

**For:** Crs Peulich, Dundas, Moloney and Ronke (4)

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

**LOST**

The Substantive Motion was put and **CARRIED**

**O 142 Capital Works Monthly Report – End 2011/12 Financial Year**

That Council:

1. Receive the information
2. Note financial outcomes from this report will be included in End of Year Financial Statements to be audited by Auditor Generals agent.

**Note:** The resolution for O142 was moved in a block earlier in the meeting (Refer to page 10 of the Minutes)

**O 143 Foreshore Subcommittee Recommendations**

**Moved: Cr Dundas**

**Seconded: Cr Peulich**

That the matter be deferred for further consideration at CIS.

**Amendment:**

**Moved: Cr West**

**Seconded: Cr Brownlees**

That Council:

1. Resolve to expend the Foreshore Reserve Fund up to \$170 000 for
  - Naples Road, Mentone Beach Shelter Replacement (\$30,000)
  - Parkdale War Memorial (\$40,000)
  - Mentone Coastal Precinct Plan (\$100,000)

2. Further that the project regarding Antibes Street Foreshore Precinct (\$800,000) be deferred for further consideration at CIS.

The Amendment was put and **CARRIED**

The Amendment became the **Motion**

The Motion was put and **CARRIED**

**10. Community Sustainability Reports**

**O 144 Kingston Family and Children's Strategy (Incorporating the Municipal Early Years Plan) 2013-17**

That Council:

1. Endorse the DRAFT Kingston Family and Children's Strategy 2012-2016 for release for public consultation.

**Note:** The resolution for O144 was moved in a block earlier in the meeting (refer to page 10 of the Minutes)

**O 145 Individual Development Grant**

That Council Endorse the Individual Development Grant application from Jacqueline Lemieux for \$250 to compete in the Australian National Schools Soccer Championships.

**Note:** The resolution for O145 was moved in a block earlier in the meeting (refer to page 10 of the Minutes)

**11. Organisational Development & Governance Reports**

**O 146 Assembly of Councillors Record**

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

**Note:** The resolution for O146 was moved in a block earlier in the meeting (refer to page 10 of the Minutes)

**O 147 Expenditure of Ward Funds Schedule**

That Council approve the expenditure of ward funds in accordance with the table of Councillor requests.

**Note:** The resolution for O147 was moved in a block earlier in the meeting (refer to page 10 of the Minutes)

**O 148 Confidential Information Register**

That Council in accordance with section 77(2) (b) of the Local Government Act 1989:

1. Declare the information referred to in Confidential Appendix A as confidential information on the grounds as specified in the attachment; and
2. Declare Confidential Appendix A as confidential information in accordance with section 89(2)(h) of the Local Government Act 1989, as a matter which the Council considers would prejudice the Council or any person.

**Note:** The resolution for O148 was moved in a block earlier in the meeting (refer to page 10 of the Minutes)

**O 149 Victorian Local Governance Association (VLGA) 2011-12 Annual Plan: Report to Members**

That Council note the contents of the VLGA 2011/12 Annual Plan – Report to Members and thank the VLGA for the report.

**Note:** The resolution for O149 was moved in a block earlier in the meeting (refer to page 10 of the Minutes)

**O 150 Contract CON-11/45 – Supply, Implementation and Maintenance of a Human Resources Information System**

That Council:

1. Award contract (CON-11/45) for the supply, implementation and maintenance of a fully integrated Human Resources Information System to Aurion Corporation Pty Ltd; for a year one capital purchase and implementation cost of \$447,260 (Inc. GST), and system maintenance cost over ten years of \$419,993 (Inc. GST), being a total contract sum of \$867,253.
2. Authorise the CEO to execute contract (CON-11/45) to the satisfaction of Council's legal advisors for the supply, implementation and maintenance of a fully integrated Human Resources Information System following a successful scoping study.
3. Authorise the CEO to notify Aurion Corporation Pty Ltd that they have been accorded "preferred supplier" status to enable the Council Project Team to continue the preparatory and planning



work associated with the implementation of the Human Resources Information System.

4. Provide delegated authority to the CEO to exercise the Council option to extend the contract for two, 2 year periods at the completion of the initial six year contract, on the basis of satisfactory performance.

**Note:** The resolution for O150 was moved in a block earlier in the meeting (refer to page 10 of the Minutes)

## 11. Corporate Services Reports

### O 151 Lease of Vacant Room Adjoining Parkdale Kiosk

**Moved: Cr Brownlees**

**Seconded: Cr Peulich**

That the matter be deferred for further discussion at a Councillor Information Session and a further Council Meeting in light of residents' petition received tonight and allow for deliberation of concerns.

### **Procedural Motion**

**Moved: Cr Peulich**

**Seconded: Cr Staikos**

That the meeting be extended for one hour to 12.00am.

**CARRIED**

The Substantive Motion was **CARRIED**

### O 152 81 Albert Street, Mordialloc – Appointment of Reference Panel

That Council:

Appoints the following persons to be members of the 81 Albert Street reference panel: Nina Earl, Colin Duggan, Maryanne Jakovac, Neil Fletcher and Gillian Phillips

**Note:** The resolution for O152 was moved in a block earlier in the meeting (refer to page 10 of the Minutes)

**O 153 Moorabbin Reserve**

Cr Athanasopoulos disclosed a direct interest in Item O153 by virtue of having a business relationship with the President of the St Kilda Football Club and he left the Council Chamber before any discussion or voting on the matter.

Cr Brownlees disclosed an indirect interest in Item O153 as his son in law works with the St Kilda Football Club and he left the Council Chamber before any discussion or voting on the matter.

Cr Brownlees left the Council Chamber at 11.28pm.

Cr Athanasopoulos left the Council Chamber at 11.28pm.

**Moved: Cr Peulich**

**Seconded: Cr Staikos**

That Council:

1. Provide a letter of support to St Kilda Football Club to formally seek third party funding to implement the redevelopment of the Moorabbin Reserve and authorise Officers to support St Kilda in seeking 3<sup>rd</sup> party funding for the project.

**CARRIED**

Cr Brownlees returned to the Council Chamber at 11.35pm.

Cr Athanasopoulos returned to the Council Chamber at 11.35pm.

**O 154 Adoption of 2011/12 Financial Statements to 30 June 2012**

That Council:

1. Note the recommendation from Council's Audit Committee;
2. Adopt the 2011/12 Annual Statements as Council's "in principle" statements for 2011/12 and that these statements be forwarded to the Victorian Auditor-General; and
3. Authorise Cr Ronke, Cr Peulich and the Chief Executive Officer to formally sign off the 2011/12 Annual Statements following clearance from the Auditor-General.

**Note:** The resolution for O154 was moved in a block earlier in the meeting (Refer to page 10 of the Minutes)

**O 155 2012 General Valuation Report**

That Council:

Note the return of the 2012 General Valuation

Formally adopt the 2012 General Valuation made and prepared by Mr Brett Reed of K A Reed (Group) Pty Ltd with the following total values:

Site Value	\$25,970,897,601
Capital Improved Value	\$40,299,965,501
Net Annual Value	\$2,209,861,628

**Note:** The resolution for O155 was moved in a block earlier in the meeting (Refer to page 11 of the Minutes)

**O 156 Approval Charity Collection / Appeals**

That Council approve the application for the **Peter MacCallum Cancer Centre** to undertake:

1. A doorknock in the Patterson Lakes area of the municipality in the month of September

**Note:** The resolution for O156 was moved in a block earlier in the meeting (refer to page 11 of the Minutes)

Cr Peulich left the Council Chamber at 11.03pm.

**O 157 Pompei Licences**

**Moved: Cr West**

**Seconded: Cr Athanasopoulos**

That this matter be deferred until early next year to allow a more collaborative approach to ensuring the future of boat building on Pompei's Landing.

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**CARRIED**

Cr Peulich returned to the Council Chamber at 11.05pm

**13. Notices of Motion**

**O 158 Notice of Motion No 24/2012 – Cr Dundas – Village Committees**

**Moved: Cr Dundas**

**Seconded: Cr Peulich**

That Council:

1. Require an officer report as to the ongoing estimated cost of yearly Village Committee administrative expenses.
2. Require an officer evaluation of ongoing community value with regard to cost/input of ideas of Village Committees.
3. Require officer evaluation as to the ongoing viability of Village Committees.
4. Require the report to be completed within 3 weeks.

**LOST**

**O 159 Notice of Motion No 25/2012 – Cr Brownlees – Bunnings Site, Nepean Highway, Mentone**

**Moved: Cr Brownlees**

**Seconded: Cr Staikos**

That Council request officers, together with the Chair of the Sport and Recreation Reference Group, to meet with Westfarmers and the management of Bunnings to discuss

- a) What, if any, use is planned for the old Bunnings site in Nepean Highway, Mentone.
- b) Would the owners be prepared to enter into discussions with either Council or other peak sporting bodies such as the Victorian Basketball Association, Netball Associations, or other interested parties, that would facilitate the development of an indoor community sporting and recreation facility.

**CARRIED**

**O 160 Notice of Motion No 26/2012 – Cr West – Councillor and Senior Officer Agreed Meeting Practice**

**Preamble**

Considering that:

- Council resolved in 2010 to “note” the attached code of councillor and senior officer agreed meeting practice;
- Council meetings this year have regularly descended into chaos and dysfunction with frequent breaches of this code;
- In April I wrote to ask the CEO to facilitate action as soon as possible towards adopting a Code of Conduct for Kingston Councillors and Village Committee members;
- While the Mayor has made efforts to curb such behaviour, he has stated that he feels unable to implement this agreement as it was merely noted and not adopted by Council in 2010.

**Moved: Cr West**

**Seconded: Cr Shewan**

That Council now formally adopt the attached code for Council and Village Committee meetings as an addition to Kingston’s adopted code of conduct, and that the Mayor, Village Committee support officers and chairs be responsible for its implementation.

**Moved: Cr Athanasopoulos**

**Seconded: Cr Brownlees**

That the Motion now be put.

**CARRIED**

The Motion was put and **LOST**

**A Division was called:**

**DIVISION**

**For:** Crs Staikos, Athanasopoulos, Shewan and West (4)

**Against:** Crs Peulich, Dundas, Brownlees, Moloney and Ronke (5)

**LOST**

**14. Urgent Business**

**Moved: Cr West**

**Seconded: Cr Shewan**

That an item of Urgent Business regarding No 55-57 Barkly Street, Mordialloc be considered.

**CARRIED**

**Moved: Cr West**

**Seconded: Cr Brownlees**

That Council resolve to write to the Minister for Planning and ask him to call in the VCAT proceeding for No 55-57 Barkly Street, Mordialloc and ask him to refuse it.

**CARRIED**

**15. Confidential Items**

**Confidential Attachments**

**Moved: Cr Brownlees**

**Seconded: Cr Staikos**

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

- O 145 Individual Development Grant
  - As it contains information that would prejudice the person involved
- O 148 Confidential Information Register
  - As it contains information that would prejudice Council
- O 150 Contract CON-11/45 – Supply, Implementation and Maintenance of a Human Resources Information System
  - As it is a contractual matter
- O 151 Lease of Vacant Room Adjoining Parkdale Kiosk
  - As it contains information that would prejudice the Council
- O 152 81 Albert Street, Mordialloc – Appointment of Reference Panel

- As it contains information that would prejudice the person involved.
- O 157 Pompei Licences
  - As it contains information that would prejudice the person/s involved.

**CARRIED**

The meeting closed at 12.00am.

**Confirmed.....**

**His Worship, The Mayor, 24 September 2012**