



City of
KINGSTON

Ordinary Meeting of Council

Minutes

Monday 27 May 2013

The meeting commenced at 7.01pm

in the

Council Chamber

1230 Nepean Highway, Cheltenham

**City of Kingston
Ordinary Council Meeting**

Minutes

27 May 2013

Present: Cr Ron Brownlees OAM (Mayor)
Cr Tamara Barth
Cr Tamsin Bearsley
Cr David Eden
Cr Geoff Gledhill
Cr Paul Peulich
Cr John Ronke
Cr Steve Staikos
Cr Rosemary West OAM

In Attendance: Paul Franklin – Acting Chief Executive Officer
Mauro Bolin –General Manager Community Sustainability
Rachel Hornsby - General Manager Environmental Sustainability
Anthony Basford – Acting General Manager Organisational
Development & Governance
Ian Nice – Manager City Development
Jonathan Guttmann – Manager City Strategy
Sarah Bishop – Manager Communications and Public Affairs
Phil DeLosa – Program Leader Governance
Stephanie O’Gorman – Governance Officer

1. Apologies:

There were no apologies submitted to the meeting.

2. Confirmation of the Minutes of Previous Meetings

Moved: Cr Staikos

Seconded: Cr Ronke

That the Minutes of Ordinary Council Meeting of 22 April 2013, Minutes of Special Council Meeting of 29 April 2013, Minutes of Special Council Meeting of 13 May 2013 and Minutes of Special Council Meeting of 20 May 2013 be confirmed.

CARRIED

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

Cr Barth foreshadowed an indirect interest in relation to Item P81 Ward Funds Expenditure Allocation.

Cr Brownlees foreshadowed an indirect interest in relation to Item P81 Ward Funds Expenditure Allocation.

Cr Bearsley foreshadowed an indirect interest in relation to Item P81 Ward Funds Expenditure Allocation.

4. Petitions

Speed Limit on Old Dandenong Road, Oakleigh South

Moved: Cr Barth **Seconded: Cr Peulich**

That the petition be referred to the CEO for response.

CARRIED

Collins Street Council Depot Site

Moved: Cr West **Seconded: Cr Gledhill**

That the letter and petition be referred to the CEO for response.

CARRIED

5. Presentation of Awards

The Mayor presented a Certificate of Appreciation to the 2012/13 Junior Mayor Matthew Bergen, in recognition of his achievements and dedication during his term.

The Mayor and former Junior Mayor Matthew Bergen, then presented the new Junior Mayor for 2013/14, Daniel Passante with the Junior Mayor robes and chains.

6. Reports from Village Committees

Aspendale/Edithvale/Aspendale Gardens/Waterways Village Committee

Village Committee Motion

That Council consider funding the upgrade of the walking trails as previously recommended, with highest priority given to the section between Nurten Parade and the Long Beach Trail – as seen in the attached document. The remaining path between Nurten Parade and Kearney is sought as the second tier priority.

The Village Committee recognises that a portion of the paths are on Melbourne Water land, but feel that Council should consider funding the upgrades as the paths are well utilised, provide an important link to the Wetlands, the Wetlands Education Centre, the sportsground, the planned Edithvale Children's Hub and the Longbeach Trail. The drain bridge on this path system is also the primary crossing point in the area. The paths promote health and wellbeing, and are a potential site for a fitness trail. In their current state, the paths are inaccessible for many, and as such carry potential risk for users. The highest priority path has been created solely through informal use, which demonstrates community need and usage. Upgrading the paths

will increase safety for users, improve accessibility, attract wider patronage and support Kingston's promotion of community health and wellbeing.

Moved: Cr Bearsley

Seconded: Cr Ronke

That the Village Committee be thanked for its motion and be provided with the officer comments.

CARRIED

Mordialloc Village Committee

Village Committee Motion

Council Officers to report on the following:

- That the bed licenses will stay within Kingston
- Feedback on the mechanisms to allow the above to happen
- Discuss and clarify the sites that are available for an Aged Care Facility
- Further investigate Remo Street Mentone as the preferred site for bed licences.

Moved: Cr Staikos

Seconded: Cr Gledhill

That the Village Committee be advised that this matter has been considered at length by Council and has been formally determined by Council. To give effect to this Motion would be to arguably challenge the validity and appropriateness of Council's decision.

Amendment

Moved: Cr West

Seconded:

1. Undertake a strategic assessment and analysis of Kingston's present and future aged care needs, including:
 - Whether there are sufficient aged care beds in Kingston to meet foreseeable needs;
 - The impact of aged care places to be provided in approved developments yet to be completed, e.g. Cheltenham Manor;
 - Appropriate sites and locations for a new or renovated aged care facility to accommodate the Northcliffe Lodge residents and to meet future needs;
 - The need for an ageing in place network to include MCNH, Corben House and Nixon Hostel;
 - whether Council should retain and redevelop our aged care facilities or divest them to a not-for-profit or commercial provider;

- Amenity and conditions required by Kingston residents, including proximity to parks and gardens, single storey accommodation, access for pensioners, ageing in place.

That this process includes community consultation.

The Amendment **LAPSED** as there was no Seconder

The Substantive Motion was put and **CARRIED**

7. Reports from Delegates Appointed by Council to Various Organisations

Cr Gledhill reported on the recent meeting of Association of Bayside Municipalities.

Moved: Cr Staikos

Seconded: Cr Eden

That the report be received.

CARRIED

8. Question Time

The Mayor announced that Question Time would be held at 8.00pm, refer to page 9 of the minutes.

9. Environmental Sustainability Reports

P 70 Town Planning Application Decisions – April 2013

Moved: Cr Staikos

Seconded: Cr Ronke

That the report be noted.

CARRIED

P 71 KP861/2009/A – 1322-1328 Nepean Highway, Cheltenham

It is recorded that Helen Oates spoke on behalf of the objectors in relation to this item.

It is recorded that Robert Pellicano spoke on behalf of the applicant in relation to this item.

Moved: Cr Gledhill

Seconded: Cr West

That the matter be deferred and the applicant be requested to provide updated plans that indicate the proposed location of the additional exit into the Nepean Highway service road, together with any reduction in number of apartments, so that these plans may be submitted to VicRoads and Council's traffic engineers for comment.

CARRIED

P 72 Amendment C124 – Mentone Activity Centre Zone

Moved: Cr Gledhill

Seconded: Cr Bearsley

That Council resolves to:

1. Modify the Amendment to provide for changes to building heights and setbacks for land at 41-45 Florence Street, Mentone (Precincts 2C & 2D); to provide for greater clarity for the implementation of traffic and transport issues as requested by VicRoads; and re-exhibit the modified Amendment C124.

Amendment

Moved: Cr West

Seconded: Cr Barth

That Council re-exhibit the Planning Scheme Amendment to:

1. revise the uses recommended for precinct 3 to include Public Open Space/parkland.
2. set a mandatory height limit of 9m (three storeys) for area 3
3. set a mandatory height limit of 8.5m (two storeys) for areas 3 and 4
4. alter the land bounded by Balcombe Road, Collins Streets & the east side of Swanston Street from 2A to 4

Procedural Motion

Moved: Cr West

Seconded: Cr Ronke

That the matter be deferred.

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Ronke

That the motion (moved by Cr West and Seconded by Cr Ronke to defer the matter) now be put.

CARRIED

The Motion was put and **CARRIED**

A Division was called

DIVISION

FOR: Cr Staikos, Eden, Ronke, Peulich, Barth and West (6)

AGAINST: Crs Bearsley, Gledhill and Brownlees (3)

CARRIED

P 73 Proposed Planning Scheme Amendment C133 – 1 The Fairway, Bonbeach

Moved: Cr Ronke

Seconded: Cr Bearsley

That Council:

Resolve to request authorisation for Amendment C133, and once authorisation is granted exhibit the Amendment and Draft Planning Permit KP12/555.

Procedural Motion

Moved: Cr West

Seconded:

That the matter be deferred.

The Motion **LAPSED** as there was no Seconder.

The Substantive Motion was put and **CARRIED**

8. Question Time

Cr Bearsley left the Council Chamber at 8.20pm.

Cr Staikos left the Council Chamber at 8.20pm.

Cr Eden left the Council Chamber at 8.21pm.

Cr Staikos returned to the Council Chamber at 8.21pm.

Cr Bearsley returned to the Council Chamber at 8.22pm.

Cr Eden returned to the Council Chamber at 8.24pm.

Question 1

Martha Baptist of Mentone asked,

“Why was the depot site not considered for open space prior to the decision to sell the land?”

The Acting CEO, Paul Franklin provided the following response,

“Council has approved in principle the sale of its Collins Street land subject to the relevant statutory provisions being completed before resolving to sell. The potential use for all land in and near the Mentone Activity Centre was considered as part of the Structure Planning process. In addition, Council was aware of the location of the depot site and the recommendations of the Structure Plan and the Open Space Strategy when the decision was made about Northcliffe Lodge.”

Question 2

Paul Adams of Mentone asked,

“Given that the Mentone Bowling Club is not for sale, why is the club site included in the Mentone Structure Plan?”

The Acting CEO, Paul Franklin provided the following response,

“The Structure Plan identifies potential future land uses on all land, not just Council-owned land. The Structure Plan identifies uses that will help deliver on the strategic priorities of the Council recognizing that not all locations are the best locations for open space (or other uses).”

Paul Adams of Mentone asked,

“Given that the Mentone Bowling Club is not for sale and that the Kingston city Council Depot site may be lost to open space, what other areas have Council identified for potential open space within the near area of the Council Depot site?”

The Acting CEO, Paul Franklin provided the following response,

“The Council looks for opportunities to deliver good quality open space throughout the municipality including in Mentone. Other land in Mentone identified for open space includes Remo Street (between Brindisi Street and Venice Street).”

Maureen Lim of Bonbeach asked,

“South Ward residents were prepared to accept the closure of Northcliffe Lodge when it seemed that Council had contracted to provide a new facility in a very scenic South Ward location. How will you respond to concerns from Northcliffe Lodge residents and other older South Ward residents when they lose this valued South ward aged care facility?”

The Acting CEO, Paul Franklin provided the following response,

“Consultation with Northcliffe residents and families have indicated support for Council’s actions and the goal of providing the best care and accommodation facilities for the Northcliffe residents.”

Bob Tyler of Mentone asked,

“What is happening with the Senior Citizens’ Club building in Venice Street and what is it being used for at the moment?”

The Acting CEO, Paul Franklin provided the following response,

“The building is currently being used for seniors groups and this use is to continue.”

Trevor Day of Mentone asked,

“Due to lack of open space and many new developments in the Mentone Railway Station area: -
I ask can this proposed aged facility be elsewhere in Kingston or incorporated into the current aged care facilities in the Mentone area?”

The Acting CEO, Paul Franklin provided the following response,

“This matter has been the subject of significant and considered deliberations. Council’s resolutions propose a way forward that offers an achievable and sustainable solution for current and future uses for the Northcliffe Aged Care Facility.”

Ryan Jansz of Mentone asked,

“How much money is in the open space fund for the Central Ward?”

The Acting CEO, Paul Franklin provided the following response,

“Open Space Reserve is based on 10 planning precincts and these boundaries do not align with the current ward boundaries. The sum in planning precincts 4,6 and 7 is approximately 3 million dollars, though some of area 4 is in the North Ward.”

Ryan Jansz of Mentone asked,

“Is it not the mandate of Council to serve its constituents and if so why is the community interest in this street not being heeded? (After all is not aged care best served at MCNH?)

The Acting CEO, Paul Franklin provided the following response,

“This matter has been the subject of significant and considered deliberations. The consideration of the needs of the community have been a part of Council’s deliberations.”

P 74 Road Management Plan Review

Moved: Cr Staikos

Seconded: Cr Ronke

That Council:

1. Adopt the updated version of the Kingston Road Management Plan (Version 3.0);
2. Approve the gazettal of version 3.0 of the Road Management Plan; and
3. Approve the public display of the revised plan in accordance with the Road Management Act 2004.

CARRIED

P 75 Open Space Mowing Services Contract No. 12/69

Moved: Cr Ronke

Seconded: Cr Staikos

That Council resolves:

1. To award Contract 12/69, Open Space Mowing Services, to Citywide Service Solutions Pty Ltd, as a lump sum contract for a four (4) year period, commencing on 1 July 2013 for an initial price of \$2,290,600.00p.a.
2. That the CEO or his delegated staff have the authority to exercise the option to extend Contract 12/69 for two periods of two (2) years each, subject to satisfactory performance of the contract.

CARRIED

10. Community Sustainability Reports

P 76 Community Grants Program 2013-14 – Perceived Conflict of Interest for Individual Development Grant

Moved: Cr Staikos

Seconded: Cr Gledhill

That Council:

1. Endorse the Individual Development Grant application from Danielle Taylor for \$250 to compete in the 2013 Australian Lifeguarding Championship.

CARRIED

P 77 Contract 12/35 – Provision of Cleaning Services at 1230 Nepean Highway, Mentone

Moved: Cr Staikos

Seconded: Cr Gledhill

That Council:

1. Award Contract 12/35 – Provision of Cleaning Services at 1230 Nepean Highway Cheltenham to Shining Knight Facility Services Pty. Ltd. for an initial contract period of three (3) years at the fixed annual lump sum cost of \$152,300.00 (ex GST), with additional CPI increases in accordance with the annual rate as defined by the Australian Bureau of Statistics to be applied during year 2 and year 3 of the contract period.
2. Notes that additional ad-hoc cleaning and purchase of consumables will be undertaken on an “as and when” required basis using a Schedule of Rates included within Contract 12/35 – Provision of Cleaning Services at 1230 Nepean Highway Cheltenham and that these costs will be in addition to the lump sum contract sum.
3. That the Chief Executive or delegate be delegated authority to exercise the options within the contract to extend the contract for up to an additional two extension periods of 2 years each (i.e. for a maximum of seven years), subject to satisfactory ongoing performance of the contractor.

CARRIED

11. **Organisational Development & Governance Reports**

P 78 Kingston Charitable Fund Grant Assessment Panel – Council Appointment Community Representatives

Moved: Cr Staikos

Seconded: Cr Gledhill

That Council:

Formally appoint Paul Phillips and Lesley McGurgan to the Kingston Charitable Fund's Grant Assessment Panel, as outlined in Appendix 1 (confidential).

CARRIED

P 79 March 2013 Quarterly Report on Council Plan Progress

Moved: Cr Ronke

Seconded: Cr Staikos

That Council note the 2009/13 Council Plan year to date Quarterly Performance Report as at March 2013.

CARRIED

P 80 Assembly of Councillors Record

Moved: Cr Staikos

Seconded: Cr Bearsley

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

CARRIED

P 81 Ward Funds Expenditure Allocation

Cr Bearsley declared an indirect conflict of interest by close association as her spouse is an office bearer of the Aspendale Gardens Residents Association and left the Council Chamber at 8.31pm prior to discussion and the voting on the matter.

Cr Barth declared an indirect conflict of interest by close association as her son attends the Marcus Road and Jacks Avenue kindergarten and left the Council Chamber at 8.31pm prior to discussion and the voting on the matter.

Cr Brownlees declared an indirect conflict of interest by close association as his son is a committee member of the Cheltenham Football Club and left the Council Chamber at 8.31pm prior to discussion and the voting on the matter.

Cr Peulich left the Council Chamber at 8.31pm.

Procedural Motion

Moved: Cr Ronke

Seconded: Cr Gledhill

That Cr Staikos be appointed Chairperson for this item.

CARRIED

Moved: Cr Ronke

Seconded: Cr Gledhill

That Council:

1. Approve the expenditure of ward funds in accordance with the table of Councillor requests and including the following allocations:

- Cr Bearsley - \$1,000.00 to Chelsea Heights Community Centre
- Cr Ronke - \$500.00 to Chelsea Heights Community Centre and \$1,000.00 to the Aspendale Gardens Residents Association (AGRA)
- Cr Eden - \$500.00 to Chelsea Heights Community Centre

CARRIED

Cr Barth returned to the Council Chamber at 8.32pm.

Cr Bearsley returned to the Council Chamber at 8.32pm.

Cr Brownlees returned to the Council Chamber at 8.32pm.

P 82 Councillor Support and Reimbursement of Expenses Policy

Moved: Cr Staikos

Seconded: Cr Eden

That Council:

1. Adopt the Councillor Support and Reimbursement of Expenses Policy at Appendix 1 with effect from 1 July 2013.

Amendment

Moved: Cr Barth

That Council:

1. Adopt the Councillor Support and Reimbursement of Expenses Policy at Appendix 1 with effect from 1 July 2013 subject to the following additional dot point to clause 10.3.2.:
 - Other Professional Development Courses that have relevance to leadership/local government/organisational development.

The Mover and Seconder agreed to the inclusion of the amendment in the Motion.

The Motion was put and **CARRIED**

P 83 Recording of Council Meetings

Moved: Cr Eden

Seconded: Cr Gledhill

That Council:

1. Authorise the Chief Executive Officer to implement the live streaming of Ordinary, Special and Planning Committee Meetings of Council on the internet, including archiving as presented in option 1(a).

CARRIED

A Division was called

DIVISION

FOR: Crs Staikos, Eden, Ronke, Bearsley, Barth, West, Gledhill and Brownlees (8)

AGAINST: Nil

CARRIED

Cr Peulich returned to the Council Chamber at 8.39pm.

P 84 Ward Councillor Meeting Policy

Moved: Cr Gledhill

Seconded: Cr Ronke

That Council:

1. Adopt the Ward Councillor Meeting Policy as presented in appendix one.

Amendment

Moved: Cr West

Seconded: Cr Staikos

That the Ward Councillor Meeting Policy as presented in Appendix 1 to this report be adopted subject to the following changes:

- Clause 3: Definitions: amend the definition of Ward Councillor Meeting to read,
“A meeting of Ward Councillor(s) with constituents of their ward.”
- Clause 8: Policy Statement: amend to replace the last sentence with,
“A Ward Councillor Meeting may be held by one, two or three Ward Councillors.”

CARRIED

A Division was called

DIVISION

FOR: Crs Staikos, Eden, Barth and West (4)
AGAINST: Cr Ronke, Bearsley, Gledhill and Brownlees (4)
ABSTAINED: Cr Peulich (1)

The Amendment was **LOST**

Amendment

Moved: Cr Peulich

Seconded: Cr Ronke

That the Ward Councillor Meeting Policy as presented in Appendix 1 to this report be adopted subject to the following change in Clause 9.6 Promotion:

- That dot point 5 be amended to read – “Specific agenda items prohibiting personal Councillor opinion.”

The Amendment was put and **CARRIED**

The Amendment became the Motion

The Motion was put and **CARRIED**

P 85 Naming Request for the Regents Park Clubrooms at Aspendale

Moved: Cr Bearsley

Seconded: Cr Ronke

That Council:

1. Commence the naming proposal process including the consultation process with the public and emergency response and other service providers and in doing so adhere to the Guidelines for Geographic Names 2010 - Version 2.

CARRIED

12. Corporate Services Reports

P 86 Amendment to Council Policy 1.01 Charity Collections/Appeals

Moved: Cr Staikos

Seconded: Cr Peulich

That Council:

1. Adopt the revised Policy for Approval of Charity Collections/Appeals

CARRIED

P 87 Mordialloc Creek Mooring Pile Replacement and Renewal of Blueys Jetty

Moved: Cr Gledhill

Seconded: Cr Staikos

That Council note the information contained in this report and confirm the recommended works package developed in consultation with the Mordialloc Creek Users.

CARRIED

P 88 Proposed Alcohol Free Zone Carrum Foreshore

Moved: Cr Eden

Seconded: Cr Bearsley

That Council:

1. Commences public consultation on a new alcohol free zone as per Option 1 and Option 2 of this report being introduced in the southern area of the Kingston Foreshore.
2. In accordance with Section 223 of the Local Government Act establishes a Committee to consider any written and/or verbal submission on the proposed options.
3. The Committee to consist of Cr Bearsley, Cr Eden, Cr Ronke, Paul Franklin General Manager Corporate Services and Robyn Horner Manager Statutory Education and Compliance.

CARRIED

P 89 Proposed Relocation of Dog Off Leash Park Reg Marlow Reserve

Moved: Cr Gledhill

Seconded: Cr West

That Council:

1. Commence the statutory consultation process inviting public comment on the proposed relocation of the current dog off leash area in Reg Marlow Reserve to the newly acquired extended area south of the existing park as defined in report.
2. In accordance with Section 223 of the Local Government Act establish a Committee to consider any written and/or verbal submissions. The committee to consist of Cr West, Cr Brownlees and Cr Gledhill and Robyn Horner, Manager of Statutory Education and Compliance.

CARRIED

13. Notices of Motion

P 90 Notice of Motion No. 20/2013 – Cr Eden

Cr Ronke left the Council Chamber at 9.03pm.

Moved: Cr Eden

Seconded: Cr Barth

That the ratepayer funded news publication, Kingston Your City (KYC) display, publish, exhibit or print no more than one (1) picture and / or mention of each State and Federal politician per edition, to ensure that:

- Ratepayer funds are not being used to promote Members of Parliament (MPs), and / or;
- KYC does not turn into a mechanism for MPs to advertise themselves or promote their Government's agenda – to ensure that ratepayer funded Council publications are not used as Propaganda by MPs, and / or
- Council resources are not being used as a State / Federal marketing medium.

Cr Ronke returned to the Council Chamber at 9.07pm.

Amendment

Moved: Cr Staikos

Seconded:

That the ratepayer funded news publication, Kingston Your City (KYC) display, publish, exhibit or print no more than one (1) picture and / or mention of each State and Federal politician per edition, to ensure that:

- Ratepayer funds are not being used to promote Members of Parliament (MPs), and / or;
- KYC does not turn into a mechanism for MPs to advertise themselves or promote their Government's agenda – to ensure that ratepayer funded Council publications are not used as Propaganda by MPs, and / or
- Council resources are not being used as a State / Federal marketing medium.
- That a review of KYC be conducted (considering Councillor input) and a report be brought back to Council in the August cycle.

The Mover and Seconder agreed to the inclusion of the amendment in the Motion.

Cr Staikos requested that each part of the Motion be put to the vote separately.

**City of Kingston
Ordinary Council Meeting**

Minutes

27 May 2013

That the ratepayer funded news publication, Kingston Your City (KYC) display, publish, exhibit or print no more than one (1) picture and / or mention of each State and Federal politician per edition, to ensure that:

CARRIED

A Division was called

DIVISION

FOR: Crs Staikos, Eden, Peulich, Barth and West (5)
AGAINST: Crs Bearsley, Gledhill and Brownlees (3)
ABSTAINED: Cr Ronke (1)

CARRIED

- Ratepayer funds are not being used to promote Members of Parliament (MPs), and / or;

LOST

A Division was called

DIVISION

FOR: Crs Staikos, Eden, Barth and West (4)
AGAINST: Crs Ronke, Bearsley, Gledhill and Brownlees (4)
ABSTAINED: Cr Peulich (1)

LOST

- KYC does not turn into a mechanism for MPs to advertise themselves or promote their Government's agenda – to ensure that ratepayer funded Council publications are not used as Propaganda by MPs, and / or

CARRIED

- Council resources are not being used as a State / Federal marketing medium.

CARRIED

- That a review of KYC be conducted (considering Councillor input) and a report be brought back to Council in the August cycle.

CARRIED

The resolution now reads as follows:

That the ratepayer funded news publication, Kingston Your City (KYC) display, publish, exhibit or print no more than one (1) picture and / or mention of each State and Federal politician per edition, to ensure that:

- KYC does not turn into a mechanism for MPs to advertise themselves or promote their Government's agenda – to ensure that ratepayer funded Council publications are not used as propaganda by MPs, and / or
- Council resources are not being used as a State / Federal marketing medium.
- That a review of KYC be conducted (considering Councillor input) and a report be brought back to Council in the August cycle.

P 91 Notice of Motion No. 21/2013 – Cr Gledhill & Cr Bearsley

Moved: Cr Gledhill

Seconded: Cr Bearsley

1. That officers prepare a report providing advice on the options available for land uses and land controls in the Green Wedge, having regard to the most recent submissions on the Green Wedge Plan.
2. That the report include advice on the potential impacts of different land uses and how those uses align with or differ from existing local, state and federal policy and the adopted version of the Green Wedge Plan.
3. That the report is prepared and considered by Council no later than 31 July 2013.

Amendment

Moved: Cr Peulich

Seconded:

1. That officers prepare a report providing advice on the options available for land uses and land controls in the Green Wedge, having regard to the most recent submissions on the Green Wedge Plan.
2. That the report include advice on the potential impacts of different land uses and how those uses align with or differ from existing local, state and federal policy and the adopted version of the Green Wedge Plan.
3. That a review of probity be undertaken of the rezoning of Archibald Honey and the adjacent retirement Village on Springvale Road into the Green Wedge zone.
4. That the report is prepared and considered by Council no later than 31 July 2013.

The Amendment **LAPSED** as there was no Seconder.

Procedural Motion

Moved: Cr Staikos

Seconded: Cr West

That the Motion now be put.

CARRIED

The Substantive Motion was put and **CARRIED**

A Division was called

DIVISION

FOR: Crs Eden, Ronke, Bearsley, Peulich, Barth, West, Gledhill,
Staikos and Brownlees (9)

AGAINST: Nil

P 92 Notice of Motion No. 22/2013 – Cr Gledhill

Moved: Cr Gledhill

Seconded: Cr Staikos

1. That Kingston City Council includes an addition to its local laws/councillor code of conduct that reads - "If at any time whilst holding the office of Mayor or Deputy Mayor a Councillor is pre-selected as a candidate to contest a seat in either a State or Federal electorate that is wholly or partly located within the municipal boundaries of the City of Kingston, that person will immediately relinquish the role of Mayor or Deputy Mayor."

2. That Council seek legal advice on whether an addition to the local law would be in conflict with State legislation.

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Gledhill

That the meeting be extended to 10.30pm.

CARRIED

The Substantive Motion was put and **CARRIED**

P 93 Notice of Motion No. 23/2013 – Cr West

Moved: Cr West

Seconded: Cr Staikos

I move that Council:

1. Appoints a Foreshore Reference Group made up of community representatives as follows;
 - Invites expressions of interest from representative members of the following community groups with a demonstrated interest in the foreshore; village committees, environment and foreshore resident groups, lifesaving and boating groups and the Boatshed Owners Group.
 - Officers to present draft terms of reference to include councillor and officer representation to a Councillor Information Session in two weeks' time.

LOST

A Division was called

DIVISION

FOR: Crs Staikos, Eden, Barth and West (4)
AGAINST: Crs Ronke, Bearsley, Gledhill and Brownlees (4)
ABSTAINED: Cr Peulich (1)

LOST

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Gledhill

That the order of business be varied to consider Item P95 now.

CARRIED

P 95 Notice of Motion No. 25/2013 – Cr Eden & Cr West

Moved: Cr Eden

Seconded: Cr West

That Council officers are to provide:

1. A report detailing the timeline that is currently proposed for implementing the new planning zones throughout Kingston; and
 2. A comprehensive list of options detailing where and how time savings could be achieved in their implementation;
 3. A zoning proposal that may be adopted by Council to introduce a mandatory height control of 9m which could be introduced along Station St, between the Business Zones in Aspendale and Edithvale.
- 3(a). This is to include Council officers writing directly to all directly affected parties (residents and property owners) to seek their thoughts on such a proposal.
4. Similar proposals to fast-track transitions to the New Residential Zones to address overdevelopment concerns expressed in requests for rezoning raised by residents in other areas of Kingston directly to Councillors or officers or in submissions to the Municipal Strategic Statement review last year.
 5. All local state Members of Parliament are to be written to by Council, to ask them to make representation to the Minister in respect to approving applications for fast-tracking such areas to the new zones put to the Minister by Council.

Point 3 is to be actioned within 14 days. Points 1 and 2 and 5 are to be actioned on and completed prior to the June Ordinary council meeting

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Eden

That the meeting be extended until 11.00pm.

CARRIED

Cr Peulich left the Council Chamber at 10.37pm.

Cr Staikos left the Council Chamber at 10.37pm.

Cr Staikos returned to the Council Chamber at 10.39pm.

The Substantive Motion was put and **LOST**

A Division was called

DIVISION

FOR: Crs Eden, Barth and West (3)
AGAINST: Crs Bearsley, Gledhill, Ronke and Brownlees (4)
ABSTAINED: Cr Staikos (1)

LOST

14. Urgent Business

There were no items of Urgent Business.

15. Items in Camera – Confidential Items

Moved: Cr Staikos

Seconded: Cr West

That in accordance with the provisions of section 89(2) of the Local Government Act 1989, the meeting be closed to members of the public for the consideration of the following confidential items:

- P 96 Urgent Works as it deals with contractual matters, legal advice and matters affecting the security of Council property.
- P 94 Notice of Motion No. 24/2013 – Cr West as it is a matter that could prejudice Council.

Confidential Attachments

- P 75 Open Space Mowing Services Contract No. 12/69
- P 76 Individual Development Grant – Perceived Conflict of Interest
- P 77 Contract 12/35 – Provision of Cleaning Services at 1230 Nepean Highway, Mentone
- P 78 Kingston Charitable Fund Grant Assessment Panel – Council Appointment Community Representatives
- P 94 Notice of Motion No. 24/2013 – Cr West

CARRIED

The meeting was closed to the public at 10.40pm.

Cr Barth departed from the meeting at 10.40pm.

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Eden

That the meeting be opened to the public.

CARRIED

The meeting was opened to the public at 10.52pm.

P 94 Notice of Motion No. 24/2013 – Cr West

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Undertake a strategic assessment and analysis of Kingston's present and future aged care needs, including:
 - Whether there are sufficient aged care beds in Kingston to meet foreseeable needs;
 - The impact of aged care places to be provided in approved developments yet to be completed, e.g. Cheltenham Manor;
 - Appropriate sites and locations for a new or renovated aged care facility to accommodate the Northcliffe Lodge residents and to meet future needs;
 - The need for an ageing in place network to include MCNH, Corben House and Nixon Hostel;
 - whether Council should retain and redevelop our aged care facilities or divest them to a not-for-profit or commercial provider;
 - Amenity and conditions required by Kingston residents, including proximity to parks and gardens, single storey accommodation, access for pensioners, ageing in place.
2. That this process includes community consultation.

Procedural Motion

Moved: Cr West

Seconded: Cr Peulich

That the meeting be extended to 11.10pm.

LOST

The Substantive Motion was put and **LOST**

A Division was called

DIVISION

FOR: Cr Staikos, Eden, Peulich and West (4)

AGAINST: Crs Ronke, Bearsley, Gledhill and Brownlees (4)

LOST on the casting vote of the Chairperson

The meeting closed at 11.00pm.

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Confirmed
His Worship the Mayor, 24 June 2013