



*City of*  
**KINGSTON**

# **Ordinary Meeting of Council Minutes**

Monday, 28th April 2014

**City of Kingston  
Ordinary Meeting of Council**

**Minutes**

**28 April 2014**

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The meeting commenced at 7.00pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

**Present:** Cr Paul Peulich (Mayor)  
Cr Tamara Barth  
Cr Tamsin Bearsley  
Cr Ron Brownlees OAM  
Cr David Eden  
Cr Geoff Gledhill  
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 – General Manager Organisational Development and Governance  
Julian Harvey – Acting General Manager Corporate Services  
Jonathan Guttmann – Manager City Strategy  
Ian Nice – Manager City Development  
Phil DeLosa – Program Leader Governance  
Kirsten Norton – Media Officer Communications and Community Relations  
Stephanie O’Gorman – Governance Officer  
Joanne Cronin – Governance Officer

**1. Apologies**

There were no apologies submitted to the meeting.

**2. Confirmation of Minutes of Previous Meetings**

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

That the Minutes of the Ordinary Meeting of Council held on 24 March 2014 and the Special Meeting of Council held on 7 April 2014 be confirmed.

**CARRIED**

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

Cr Eden disclosed a conflict of interest in Item 4 Petitions, Item 6.1 Recommendations and Highlights from Village Committees and Item 12.2 Mordialloc Creek Licences.

A written disclosure was also provided to the Acting Chief Executive Officer in accordance with section 79(2)(a)(ii) of the Local Government Act 1989 (Vic).

**4. Petitions**

Cr Eden declared an indirect conflict of interest in this item and left the meeting at 7.02pm.

**Foy Avenue – Chelsea Beach Access Improvements**

**Moved: Cr Bearsley**

**Seconded: Cr Ronke**

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

**CARRIED**

**Proposed New Residential Zones**

**Moved: Cr West**

**Seconded: Cr Staikos**

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

**CARRIED**

Cr Eden returned to the meeting at 7.07pm.

**5. Presentation of Awards**

Past Junior Mayor - Daniel Passante  
New Junior Mayor - Naveen Satish Kumar

The Mayor presented the past Junior Mayor, Daniel Passante with a Certificate of Appreciation to commemorate his time as Junior Mayor and acknowledged his contribution to the City of Kingston in this role.

The Mayor formally congratulated the new Junior Mayor Naveen Satish Kumar on his election and presented him with the Junior Mayoral robes for the 2014/15 year.

**6. Reports from Village Committees**

**6.1 Recommendations and Highlights from Village Committees**

Cr Eden declared an indirect conflict of interest in this item and left the meeting at 7:20pm.

**Mordialloc Village Committee**

*Report of Meeting held 2 April 2014*

***Village Committee Motion***

*The Mordialloc Village Committee seek assurances that offsets planting associated by the Bay Trail construction will comprise locally indigenous vegetation at the site of the removal, not other locations throughout Kingston.*

**Officer Comments:** As a result of recent changes in state guidelines for vegetation

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offset requirements, the Department of Environment and Primary Industries (DEPI) have advised Council that vegetation offset works cannot be undertaken on Crown Land e.g. the foreshore reserve. DEPI are hoping to provide a framework which enables plantings on Crown land to be used as offsets by the end of the year.

Therefore for this section of the Bay Trail Council will be required to purchase offset credits via a DEPI approved offset broker. These offsets credits are as a result of vegetation plantings that may have occurred anywhere within the Port Phillip and Westernport Catchment.

Council recognises the importance of replacing vegetation in the immediate vicinity of any vegetation removal. Therefore Council will not only purchase the required offsets via a third party offset broker but will go above and beyond the State requirements and undertake offset restoration works in the area between Mundy Street Car Park and the Mentone Life Saving Club. While these additional works are not required under State guidelines and will not be formally recognised as offset works, it will ensure the on-going sustainability of the Mentone Foreshore.

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That the Village Committee be thanked for its motion and be provided with the officer comments regarding the DEPI advice regarding offset planting on Crown land and also confirm Council's previous position on the Bay Trail. Further, that the Village Committee be advised that Council shares the Village Committee's concern about the offset plantings.

**CARRIED**

**Village Committee Motion**

*The Mordialloc Village Committee ask Council be mindful of the heritage value of Pompei's presence on Mordialloc Creek and consider potential heritage listing.*

**Officer Comments:** The adopted Mordialloc Structure Plan considered the Mordialloc Activity Centre, foreshore, creek and its environs. It has regard to the presence of the Pompei's and the boating history of Mordialloc. This is evidenced through a number of initiatives included in the structure such as:

- Creating a living and working history – comprising a maritime village fostering the boating history of Mordialloc. This would involve:
  - An open working timber wharf deck
  - Upgrade of buildings to become bait/boating/fishing stores and repair sheds
  - Repaired moorings
  - Plan for a living history museum capturing Mordialloc's history, the people who have shaped it, and its rich boat building history.

In the development of the Mordialloc Structure Plan, regard was given to the heritage status of identified places. The property at 557-561 Main Street Mordialloc is not listed in the Schedule to the Heritage Overlay in the Planning Scheme as having heritage value due to the building's relatively recent construction. This does not mean that the

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contribution of the Pompei family is not recognised. Their recognition is given in the above listed projects that Council is to undertake in accordance with Council's adopted Structure Plan.

**Moved: Cr West**

**Seconded: Cr Gledhill**

That the Village Committee be advised that Council will be mindful of the heritage value of Pompei's presence on Mordialloc Creek and consider potential heritage listing at least of the fisherman's cottage.

**CARRIED**

**Patterson Lakes/Carrum Village Committee**

*Report of Meeting held 2 April 2014*

***Village Committee Motion***

*The Patterson Lakes/Carrum Village Committee encourages Council to work more collaboratively with participating groups, for example, Parks Victoria and Melbourne Water in the Patterson Lakes Independent Review Process and advocate for all residents on this and other issues.*

**Officer Comments:** Council officers have attended all of the meetings of the Steering Committee that was established following the Independent Review. Those meetings were also attended by Melbourne Water, resident representatives and the facilitator. In addition to those meetings Council staff has met with Melbourne Water staff and residents on site and in the office to discuss assets and maintenance responsibilities.

Discussions are ongoing and Council will be undertaking further consultation to gain a better understanding of Patterson Lakes residents' and land owners' views on public use of the beaches and the level of service that they want in relation to beach cleaning of the Quiet Lakes and Tidal Lakes beaches.

**Moved: Cr Bearsley**

**Seconded: Cr Ronke**

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

**CARRIED**

***Village Committee Motion***

*The Village Committee thanks Council for running the trial of animal waste bags and looks forward to participating in the review. The results of the Village Committee survey, prepared by Robyn McRae will be provided for the review.*

**Moved: Cr Bearsley**

**Seconded: Cr Ronke**

That the Village Committee be advised that Council will take into account the Village Committee's survey results as part of the review of the trial of animal waste bags and report back to the Village Committee with the outcomes of the review.

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**CARRIED**

***Village Committee Motion***

*The Patterson Lakes/Carrum Village Committee recommends that all Chairpersons of Village Committees meet on a regular basis to discuss common issues.*

**Moved: Cr Ronke**

**Seconded: Cr Bearsley**

That the Village Committee be thanked for its suggestion and advised that this will be considered as part of the current Village Committees Review by Council.

**CARRIED**

Cr Eden returned to the meeting at 7:40pm.

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

There were no delegates' reports.

Cr Ronke left the meeting at 7:42pm.

Cr Gledhill left the meeting at 7:42pm.

Cr Barth left the meeting at 7:42pm.

Cr Barth returned to the meeting at 7:43pm.

Cr Gledhill returned to the meeting at 7:44pm.

Cr Ronke returned to the meeting at 7:44pm.

**8. Question Time**

Question Time took place at 8.00pm. Refer to page 9 of the minutes.

**Block Resolution**

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That the recommendations for Items 9.1, 9.6, 9.8, 10.2, 10.3, 10.4, 11.1, 11.2 and 12.1 be adopted.

**CARRIED**

**9. Environmental Sustainability Reports**

**9.1 Town Planning Application Decisions - March 2014**

**RECOMMENDATION**

That the report be noted.

**Note:** Refer to page 7 of the minutes where this item was block resolved.

**9.2 KP13/595 - 18 Edsall Street Highett**

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

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

**Moved: Cr Barth**

**Seconded: Cr Staikos**

That Council refuse the application to Develop the Land for the Construction of Three (3) Dwellings at No. 18 Edsall Street, Highett on the following grounds:

1. The proposal would detrimentally affect the amenity of the Neighbourhood.
2. The proposal would detract from the visual amenity of the locality and the streetscape.
3. The proposal would result in increased traffic movements and unreasonable internal manoeuvrability for future residents/visitors.
4. The proposal is likely to have an adverse impact on adjoining mature vegetation.

**Amendment**

**Moved: Cr West**

That Council refuse the application to Develop the Land for the Construction of Three (3) Dwellings at No. 18 Edsall Street, Highett on the following grounds:

1. The proposal would detrimentally affect the amenity of the Neighbourhood.
2. The proposal would detract from the visual amenity of the locality and the streetscape.
3. The proposal would result in increased traffic movements and unreasonable internal manoeuvrability for future residents/visitors.
4. The proposal is likely to have an adverse impact on adjoining mature vegetation.
5. The development is contrary to Clause 15 of the State Planning Policy Framework in that:
  - It does not make a positive contribution to urban character and sense of place,



does not reflect the characteristics of the community and would have a detrimental impact on neighbourhood properties particularly in terms of bulk and scale.

6. The development is contrary to the Local Planning Policy Framework in that
  - It is contrary to Clause 21.05 as it does not respond to neighbourhood character. In particular it responds to neither the established or evolving urban character and fails to demonstrate design sensitivity to the existing residential context.
  - It is contrary to Clause 22.11-3 in that it does not concentrate two storey development towards the front of the site, would have adverse amenity outcomes for adjoining properties (in particular visual amenity) and is of visually bulky appearance.
7. The development is contrary to the Particular Provisions in that:
  - The stacked car parking would not enable easy and efficient use, as required by Clause 52.06.
  - The development is contrary to or only partially achieves Standards B1, B2, B20 and B29.

The Amendment was accepted by the Mover and the Seconder

The Amendment became the Motion

The Motion was put and **CARRIED**

Cr Staikos left the meeting at 8:01pm.  
Cr Staikos returned to the meeting at 8:03pm.

## **8. Question Time**

### **Question 1.**

**Andrew Bonwick of Heatherton asked,**

*“What is Council’s understanding of the lack of communication regarding the lighting situation at Le Page Park for the Cheltenham Panthers Junior Football Club? Is Council prepared to give us a commitment to work with the committee in finding a solution quickly to as issue that impacts approximately 300 kids in the district?”*

**The Acting CEO provided the following response,**

*“Officers have been working to identify alternative training venues with lights to accommodate the club’s needs. Subject to approval by Council there are funds allocated in the 2014/15 capital works program. Once the budget is adopted officers can continue the planning works for that financial year. I note the comments about communication. Officers were under the impression that the position of Council was communicated to the Club President on 19 February 2014. Until the budget is decided there is no update on the capital works and as noted, officers are continuing to identify alternative training venues. Council will also consider whether hiring of lights may provide an interim solution.”*

**Question 2.**

**Cliff Hughes of Cheltenham asked,**

*“What action is being taken as to proposed boarding house at Wedd Street?”*

**The Acting CEO provided the following response,**

*“Council’s lawyers have written to the builder and landowner putting them on notice that the works were occurring without the required planning permit and they should cease works immediately. Note that the boarding house does not require a planning permit for the use only for the construction.”*

**Question 3.**

**Melinda Brack of Parkdale asked,**

*“In October 2012, Council replaced the retaining wall with a battering on the Council Land at the front of 46 Parkers Road, Parkdale. Since this time, every time it rains and especially when there has been a downpour, the soil washes over footpath from the battering. As a consequence, a length of 35cm and total the diameter of the water pipe running up the slope of the battering, which the Council replaced at part of these works, is now completely exposed due to the amount of soil that has been washed away.*

*I lodged this issue on the 17 March 2014 and after waiting 3 weeks to investigate the problem, Council called me late Friday afternoon on 4 April and said they had been to the property and looked at the problem. They then started talking about how there was nothing wrong with the water meter after which I told them there were supposed to be looking at the exposed pipe on the opposite side of the property. To which they replied they didn’t realise that was what they were supposed to be looking at and that the Council was allowed to have their water pipes completely exposed and they were not obliged to follow the water pipe installation standard set out in the Australian Standard AS/NZS 3500.1.2003 Clause 510 (5.10?) Table 5.3 and declared that the state of the pipe was acceptable even though they did not look at it or the surrounding area. They also said that the plantings on the battering had stabilised the soil when they have not and soil is still washing onto the footpath every time it rains.*

*As a result of this response, we performed our own investigation of the depth of the installation of the surrounding pipe and determined that the rest of the pipe further up and down the slope appears to be installed to the standard depth of 30cm. Therefore, if the exposed area of pipe was also buried to the standard depth, then 30cm of soil has been washed from the top of the battering into the street of the past 18 months. In addition, the plantings they were talking about were planted in July 2013 – 9 months and half the amount time the battering has been implemented. We have photographs of the battering when the battering was first completed, when the plantings were installed and the pipe was completely covered at that time. Therefore in the 9 month period after the plantings and in spite of the plantings so much soil has been washed onto the footpath from the battering that a 35cm length of pipe is now completely exposed and Council would have us believe that no more soil will be washed into the street from now on after not inspecting the pipe or the conditions around the exposed area.*

*Given that we are responsible for paying for any water leakage from that pipe caused by any environmental or malicious damage and not the Council, first thing on the morning Monday 7 April I rang the Council to let them know that this was unacceptable. At this time the receptionist spoke to a Council employee who visited*

*our property on Friday 4 April and relayed to me that now they had changed their story and told her that they did investigate the condition of the pipe and the surrounding area before making their determination.*

*When is Council going to come and re-bury the exposed length of pipe to the standard depth or put in writing they will assume all financial responsibility for any water leakage that comes about from any damage to the length pipe on their land.*

**The Acting CEO provided the following response,**

*“This question is taken on notice and officers will respond directly to the resident.”*

**Question 4.**

**Tim Stone of Parkdale asked,**

*“The copies of certificate of Title 3525 Vol 898 and Volume 3832 Folio 397 seem to indicate that this ownership of the private street known as Dover Place remains in the original subdividers. Would it not be more prudent for the officers to confirm this status and if proven to be correct for Council to work with the lot owners who are the beneficiaries of this subdivision in ensuring that the area marked as road that is Dover Park be retained ‘as is’ without going through rezoning which may have detrimental implications for those beneficiaries in the future. Dover Place is a unique street that is cherished by all those who live adjacent and by many residents who enjoy its charm when out walking. I am absolutely sure that Council and its officers can work together with the residents to ensure that the street retains its charm and meets any requirements that may be required without the need for rezoning. Dover Park, all will agree, must remain a park for all to use and enjoy, not a road or potential future development.”*

**The Acting CEO provided the following response,**

*“An officer report, if Council so resolves on Item 13.3, will be prepared canvassing the zoning of the existing road and the potential for the road to be discontinued and preserved as parkland/open space. Should Council resolve to further consider the discontinuance of the road, a public process will commence and individuals may make a submission.”*

**Question 5.**

**Roger Bergen of Parkdale asked,**

*“With reference to Notice of Motion No. 9.2014 in Section 13 of tonight’s Council agenda, I ask has Council received any development and/or redevelopment applications in regard to the unpaved section of Dover Place in Parkdale and/or the grassed section of the said street between the properties of 9A and 11 The Corso and if so by whom and for what purpose?”*

**The Acting CEO provided the following response,**

*“No applications for development have been received.”*

**Question 6.**

**Wandzia French of Parkdale asked,**

*“Are you and Councillors aware that a proposal is being put tonight re Item 9/2014 section 13 (page 413) regarding Dover Place, which is not instigated by residents but a Village Committee? Dover Place is a right of way which is L shaped and includes the unmade road portion. Is council aware Dover Place is a private right of way whose use and jurisdiction is vested in the abutting owners? Is Council aware that it has never*

*maintained it? It is maintained by residents. Why is a proposal being put, which will mean Council monies and rates will be expended on this when no one is all of Dover Place wants Council involvement? Is Council creating a problem where none exists?"*

**The Acting CEO provided the following response,**

*"If resolved by Council, a report will be prepared canvassing the matters raised in the question."*

**Question 7.**

**Luke Bedwell of Chelsea asked,**

*"How is planting more trees effective as a means of combating skin cancer, when the core matter is the population's vanity driving them towards a potential diagnosis of skin cancer? Instead of planting more trees to provide shade wouldn't targeted advertising specifically at vanity be more effective than wasting money on planting more trees?"*

*The Acting CEO provided the following response,*

*"Council actively supports and promotes sun protective behaviours and programs as they are important in the primary prevention of skin cancer. Staying out of the sun in them idle of the day, use of shade (trees and other structures) and wearing protecting clothing are especially important along with consumer education campaigns."*

**Question 8.**

**Luke Bedwell of Chelsea asked,**

*"If this Council is dedicated to sustainable development standards set by the United Nations, how is it sustainable to set a precedent to incrementally destroy vegetation (specifically the Green Wedge) that could be used for sustainable development initiatives such as creating and maintaining gardens for the poverty stricken residents of Kingston, who may be unable to feed themselves? Or to use the land to create nature reserves for the same purpose outlined previously."*

**Question 9.**

**Luke Bedwell of Chelsea asked,**

*"In regards to the gaming machines initiative titled KP13/605, 2 Thames Promenade Chelsea. How can the Council pretend to be a moral institution based on safeguarding the community. When the economic climate is bankrupting thousands of Australians on a weekly basis and a plan has been drawn to install more gaming machines into public venues, that exists solely to feed off vulnerable Australians, bringing them closer to bankruptcy and dependency? Surely it would be more effective to keep that money for other, more worthwhile causes."*

**Note:** The questioner was not present in the gallery during question time so questions 7-9 were not read out during the meeting. Mr Bedwell will be provided with written responses to his questions.

**Question 10.**

**Stephen Calvert-Smith of Mentone asked,**

*"Given that the chairs in the public gallery with their truncated stumps posing as 'arm rests' make them the most uncomfortable chairs ever designated in world furniture*

*history, will the Council sell/donate/dump etc. all offending chairs and buy something at least remotely comfortable?"*

**Note:** The questioner was not present in the gallery during question time so question 10 was not read out during the meeting. Mr Calvert-Smith will be provided with a written response to his questions.

**Question 11.**

**Stuart Petchey of Aspendale asked,**

*"At last month's Council meeting I asked some questions to which I have received written answers (see attached questions and answers). The answers provided by council have prompted some further questions which are:*

- 1. It is obvious from the answer provided to Question 1 of 24/3/2014 that Council's contractors do level a charge for the repair works they carry out to storm water damaged areas of the beach and, even though these costs are 'part of the beach cleaning contract', they must be calculable or a defined part of the contract submissions to Council prior to letting the contract. Could I therefore get an answer to my original question which was to have a definitive cost amount paid by Council to its contractors for these works?*
- 2. In relation to the answer given to Question 2 of 24/3/2014 I would further ask for Council to provide the following proof of claims made in that answer:*
  - a. Can I get a log of the times the 'dedicated full time Foreshore Enforcement Officer' has patrolled the foreshore 'on a daily basis'?"*
  - b. If, as stated 'regular patrols of the foreshore have not ceased', can a log of the patrols, which parts of the foreshore, which days and the regularity of these patrols be provided?*
  - c. Can you give a number to the increase in temporary staff engaged to carry out the stated 'extra patrols'?*
  - d. Can you please explain how a beach can be patrolled by a person on a bicycle?*
  - e. Can you give a fuller and more accurate explanation as to why both of the Council's Side by Side units have been out of action? And for how long have they been out of action?*
- 3. In relation to the answer provided to Question 3, can you please explain why your inspector has delivered a report that the foreshore beach access paths were 'found to be in reasonable condition'? Can you further state categorically that this inspector has personally visited the sites I listed in my questions to Council on 24/3/2014 and can, as a result of that inspection still claim that they are in a reasonable condition?*
- 4. At last month's Council meeting a report was delivered on the issue of the illegal discharge of stormwater onto the beach at Bona Vista Avenue, Aspendale. It was stated by the report's author that the developer of the property had successfully applied to South East Water for a Trade Waste Permit for the discharge. Why is it that Council, as of 11.30am this morning has not contacted South East Water to confirm that the developer's claims are valid and true?*

5. *Is this state of affairs going to continue in relation to illegal development issues? And what sort of message is that neglectful behaviour going to send to unscrupulous developers?"*

**The Acting CEO provided the following response,**

*"This question is taken on notice and a written response will be provided."*

**9.3 KP81/2014 - 11 Centreway Mordialloc**

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That Council determine to support the proposal and issue a Planning Permit to Use the land for the purpose of a twenty (20) space car park at No. 11 Centreway, MORDIALLOC, subject to the following conditions:

1. Before the use starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on 7 February 2014, but modified to show:
  - a. the provision of a landscape plan in accordance with the submitted development plan and the City of Kingston Landscape Plan Checklist, with such plans to be prepared by a suitably qualified landscape professional and incorporating:
    - i) an associated planting schedule showing the proposed location, species type, mature height and width, pot sizes and number of species to be planted on the site;
    - ii) the delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works including areas of cut and fill throughout the development;
    - iii) a range of plant types and species must comprise a minimum of 80% indigenous coastal species, whilst ensuring that low mature plant heights are utilised throughout;
    - iv) adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals); and
    - v) the provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
  - b. the provision of a turning area at the rear of the car park by the deletion of spaces numbered 11 and 22, with these to be marked as 'no standing' areas and car space line marking removed from plans;
  - c. a fully dimensioned plan, including setbacks of car spaces from all boundaries, levels to Australian Height Datum (AHD) and showing details of reduced levels between the frontage and the road;
  - d. the cross section updated with levels to AHD, demonstrating a gradient

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- no greater than 1:20 when measured parallel to the angle of parking;
- e. the crossover reduced to 6 metres width;
  - f. the nomination of a sealed surface treatment to the car park; and
  - g. kerb heights around car parking spaces nominated as being no higher than 150mm.
2. The use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
  3. Prior to the commencement of the use, information must be submitted to the Responsible Authority, demonstrating to the satisfaction of the Responsible Authority, that adequate lighting of the site is available from existing street and adjoining car park lighting. If
    4. adequate lighting is not available, the car park must be provided with lighting and all lights
    5. must be designed, fitted with suitable baffles and located to prevent any adverse effect on adjoining land, to the satisfaction of the Responsible Authority.
    6. The use hereby approved must not commence and the subject site must not be occupied for that use until all conditions of this permit have been complied with, unless with the written consent of the Responsible Authority.
    7. The site shall be ordered and maintained so that it will not prejudicially affect the appearance or amenity of the locality.
  8. In accordance with section 68 of the *Planning and Environment Act 1987 (The Act)*, this permit will expire if one of the following circumstances applies:
    - The use is not started within two (2) years from the date of permit issue.
    - The use is discontinued for a period of two (2) years.
- In accordance with Section 69 of The Act, the responsible authority may extend the periods referred to if a request is made in writing:
- before the permit expires; or
  - within six (6) months after the permit expiry date, where the use allowed by the permit has not yet started.

**CARRIED**

**9.4 KP585/2013 - 37 McKay Street Mordialloc**

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

**Moved: Cr West**

**Seconded: Cr Eden**

That Council refuse the application to Develop the land for the construction of one (1) dwelling to the rear of the existing dwelling in a Special Building Overlay, subject to the following grounds:

1. The proposed double storey dwelling at the rear of the property is inconsistent with the prevailing neighbourhood character and the objectives of Clause 22.11 of the Kingston Planning Scheme.
2. The proposed car parking in the front setback is inconsistent with Clause 22.11 and Clause 52.06 of the Kingston Planning Scheme.
3. The double storey component of Dwelling 2 will adversely impact upon the existing amenity of the adjoining properties due to excessive visual massing, not in accordance with the requirements of Clause 55.04-1 (Side and Rear Setbacks) and Clause 55.06-1 (Design Detail) of the Kingston Planning Scheme.

**LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Staikos, West, Eden and Barth (4)

**AGAINST:** Crs Ronke, Brownlees, Bearsley, Gledhill and Peulich (5)

**LOST**

**Moved: Cr Brownlees**

**Seconded: Cr Bearsley**

That a Notice of Decision be issued to Develop the land for the construction of one (1) dwelling to the rear of the existing dwelling in a Special Building Overlay, subject to the following conditions:

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on 9<sup>th</sup> April 2014, but modified to show:
  - a. the provision of a landscape plan in accordance with the submitted development plan and the City of Kingston Landscape Plan Checklist, with such plans to be prepared by a suitably qualified landscape professional



and incorporating:

- i. an associated planting schedule showing the proposed location, species type, mature height and width, pot sizes and number of species to be planted on the site. The schedule must be shown on the plan;
  - ii. the delineation of all garden beds, paving, grassed areas, retaining walls, fences and other landscape works including areas of cut and fill throughout the development;
  - iii. all existing trees on the site and within three (3) metres to the boundary of the site on adjoining properties, accurately illustrated to represent actual canopy width and labelled with botanical name, height and whether the tree is proposed to be retained or removed;
  - iv. a range of plant types from ground covers to large shrubs and trees;
  - v. adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);
  - vi. the provision of one (1) suitable medium sized (at maturity) canopy tree within the front setback of the property and one (1) small (at maturity) tree within the private open space area of each dwelling, with species chosen to be approved by the Responsible Authority;
  - vii. sustainable lawn areas and plant species taking current water restrictions into consideration;
  - viii. all trees provided at a minimum of two (2) metres in height at time of planting;
  - ix. medium to large shrubs to be provided at a minimum pot size of 200mm; and
  - x. the provision of notes on the landscape plan regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
- b. north-facing windows of Bedroom 1 of Dwelling 2 fitted with a fixed opening device to satisfy Standard B22 of Clause 55;
  - c. a reduction in driveway width to 2.6 metres where possible with the additional area created to be used for landscaping along the eastern side of the driveway;
  - d. the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar;
  - e. the guttering pertaining to the wall on property boundaries to Dwelling 2 nominated as being contained wholly within the title boundaries of the subject land;
  - f. mail box locations to be nominated for each dwelling;
  - g. provision of 6m<sup>3</sup> of externally accessible, secure storage for Dwelling 1;
  - h. the provision of minimum 2000 litre rainwater tank clearly nominated for the new dwelling with water re-used for toilet flushing;
  - i. the provision of a full colour palette, finishes and building materials schedule for all external elevations and driveways of the development; and

- j. conversion of the garage of Dwelling 2 into a carport, and all requirements of Melbourne Water, in accordance with Condition 3 of this permit.

**Endorsed Plans**

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. Melbourne Water conditions:
  - a. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
  - b. Finished floor levels of the dwelling must be constructed no lower than 4.88 metres to Australian Height Datum (AHD).
  - c. The garage of the second dwelling must be converted to a carport. The carport must be constructed with finished surface levels set at natural surface level and must be constructed with 2 or more sides open to allow for sufficient overland flows through the property.
  - d. Imported fill must be kept to a minimum on the property and must only be used for the sub floor areas of the new dwelling.
  - e. The open space areas within the property must be constructed at natural surface levels and no fill or retaining walls should be used in the development of this land.
  - f. Any new fencing must be of an open style of construction to allow for the passage of overland flow.
  - g. Any new or modified stormwater connection to Melbourne Water's drainage system must obtain separate approval from Melbourne Water's Asset Services Team.
  - h. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
  - i. Prior to development, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with ground and floor levels to Australian Height Datum (AHD).

**Drainage and Water Sensitive Urban Design**

- 4. The development of the site must be provided with stormwater works which incorporates the use of water sensitive urban design principles to improve stormwater runoff quality and which also retains on site any increase in runoff as a result of the approved development. The system must be maintained to the satisfaction of the Responsible Authority. Council's Development Engineer can advise on satisfactory options to achieve these desired outcomes which may include the use of an infiltration or bioretention system, rainwater tanks connected for reuse and a detention system.
- 5. Before the development commences, a Stormwater Management Plan showing the stormwater works to the nominated point of discharge must be prepared to the satisfaction of the Responsible Authority. The Stormwater Management Plan must be prepared by a qualified person and show all details

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of the proposed stormwater works including all existing and proposed features that may have impact (e.g. trees to be retained, crossings, services, fences, abutting buildings, existing boundary surface levels, etc.).

6. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
7. Stormwater outflow from the development to the Council drainage system must be limited to the predevelopment level of outflow of the site.

**Road and Drains Engineering**

8. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
9. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
10. Any reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
11. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
12. All front and side fences must be contained wholly within the title property boundaries of the subject land.

**General amenity conditions**

13. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
14. All piping and ducting above the ground floor storey of the development (other than rainwater guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.
15. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must be concealed from the street, unless with the further written consent of the Responsible Authority.

**Completion of Works**

16. Prior to the occupation of Dwelling 2 hereby permitted, all privacy screening devices must be installed to the satisfaction of the Responsible Authority.
17. Prior to the occupation of Dwelling 2 hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
18. Prior to the occupation of Dwelling 2 hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.

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19. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

**Time Limits**

20. In accordance with section 68 of the Planning and Environment Act 1987 (The Act), this permit will expire if one of the following circumstances applies:

- The development is not started within two (2) years from the date of permit issue.
- The development is not completed within four (4) years from the date of permit issue.

In accordance with section 69 of The Act, the responsible authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six (6) months after the permit expiry date, where the development allowed by the permit has not yet started; or
- within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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**Note:** Dwelling 1 and 2 have been assessed and approved as two bedroom dwellings. Any proposal to renovate internally to achieve a third bedroom without consent from the Responsible Authority may be subject to potential enforcement action.

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

**Note:** Prior to the commencement of the development you are required to obtain the necessary Building Permit.

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

**Note:** The applicable flood level is 4.58 metres to Australian Height Datum (AHD). If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on telephone 9679 7517, quoting Melbourne Water's reference 134487

**Note:** Before removing / pruning any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's Vegetation Management Officer to verify if a Local Laws Permits is required for the removal of such vegetation.

**Note:** The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data

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Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (*Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011*).

**CARRIED**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Ronke, Brownlees, Bearsley, Gledhill and Peulich (5)

**AGAINST:** Crs Staikos, West, Eden and Barth (4)

**CARRIED**

**9.5 KP12/750- 46 Bear Street Mordialloc**

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

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That consideration of this item be deferred until the next Planning Committee Meeting or Ordinary Meeting of Council.

**CARRIED**

**9.6 Request for Public Toilets**

**RECOMMENDATION**

That Council:

1. Reallocate the \$220,000 of capital funding (13/14 year) from the C0228 Mentone Shops Public Toilet funding line to fund a new public toilet in the Chelsea Shopping Centre
2. Submit a new funding bid to pursue the construction of new public toilet facilities in the Mentone Major Activity Centre in the 2015/16 financial year upon completion of the Activity Centre Infrastructure Planning work.

**Note:** Refer to page 7 of the minutes where this item was block resolved.

**9.7 New Residential Zones**

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That Council:

1. Receive the information
2. Recommend to the Residential Zones Standing Advisory Committee that the Planning Scheme Amendment C140 documentation be modified to delete the permit requirement to construct or extend a front fence within 3 metres of a street on a lot in the schedule(s) to the Neighbourhood Residential Zone.
3. Recommend to the Residential Zones Standing Advisory Committee that the Planning Scheme Amendment C140 documentation be modified to include only one schedule to the Neighbourhood Residential Zone on the basis that the schedule can be drafted as it relates to the number of dwelling(s) on a lot on a based on the revised drafting in Appendix 2 to this report.
4. Recommend to the Residential Zones Standing Advisory Committee that the Planning Scheme Amendment C140 documentation be modified in accordance with the Officer responses provided to submissions as outlined in Appendix 1.
5. Notify the Residential Zones Standing Advisory Committee of the outcomes of this resolution.

**Amendment**

**Moved: Cr West**

**Seconded: Cr Staikos**

That the following amendment be made to the plans and associated text of the Planning Scheme Amendment to implement the new residential zones for which we are seeking Ministerial permission to put out for exhibition:

1. Designate the land between Southland and the Cheltenham Activity Centre including May, Sinclair, Jean and Garfield Streets as General Residential Zone Schedule 2 (increased Housing diversity, two storey) instead of GRZ3 (increased Housing Diversity – three storeys).

**LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Staikos, West, Eden and Barth (4)

**AGAINST:** Crs Ronke, Brownlees, Bearsley, Gledhill and Peulich (5)

**LOST**

2. Designate the land in Mordialloc bounded by both sides of Barkly Street and the proposed Neighbourhood Residential Zone as Neighbourhood Residential Zone instead of General Residential Zone.

**LOST**

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**A Division was Called:**

**DIVISION:**

**FOR:** Crs Staikos, West, Eden and Barth (4)

**AGAINST:** Crs Ronke, Brownlees, Bearsley, Gledhill and Peulich (5)

**LOST**

3. Reduce mandatory height limit to the default options provided by the State Government: 8m for two storeys and 9m for three storeys, with provision for these limits to be raised accordingly by any flood overlay requirements.

**LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Staikos, West, Eden and Barth (4)

**AGAINST:** Crs Ronke, Brownlees, Bearsley, Gledhill and Peulich (5)

**LOST**

4. Retain a separate NRZ1 for areas where we want one house to a lot in accordance with the plans adopted by Council in September 2013 but not including single lots.

**LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Cr West (1)

**AGAINST:** Crs Ronke, Brownlees, Bearsley, Gledhill and Peulich (5)

**ABSTAINED:** Crs Staikos, Eden and Barth (3)

**Note:** It was requested that each part of the Amendment be put to the vote separately.

**LOST**

The Substantive Motion was put and **CARRIED**

**9.8 Renewal of Mordialloc Special Charge**

**RECOMMENDATION**

That Council:

1. Receive and note the request from the Mordialloc Traders Association for the declaration of a Special Charge to provide finance for a Marketing and Business Development Fund for the Mordialloc Shopping Precinct.
2. Pursuant to Section 163 and 223 of the Local Government Act 1989, resolve to implement the processes and procedures as outlined in section 3.4 of this report.

**Note:** Refer to page 7 of the Minutes where this item was block resolved.

**10. Community Sustainability Reports**

**10.1 Individual Development Grant Application - Potential Conflict of Interest**

**Moved: Cr Staikos**

**Seconded: Cr Gledhill**

That Council:

1. Approve an Individual Development Grant of \$250 to Emily Robinson.

**CARRIED**

**10.2 Award of Contract 13/131 - Delivered Meals Program**

**RECOMMENDATION**

That Council:

1. Award Contract No.13/131 for the delivery of the Delivered Meals supply to I.Cook Catering Aged Care Services Pty Ltd for a period of three years with a two year extension at the discretion of Council, at an estimated overall cost to Council of \$785,650 for the first year according to the Schedule of Rates.
2. The Chief Executive Officer or delegate be authorised to execute the contract and to exercise the option for a two year extension when available, subject to satisfactory performance.

**Note:** Refer to page 7 of the minutes where this item was block resolved.



**10.3 Draft Disability Action Plan**

**RECOMMENDATION**

That Council:

1. Approve the draft Disability Action Plan 2014-2018 (Appendix 1 to this report) for public consultation for a period of four weeks.
2. That a further report be presented to Council following the completion of this consultation.

**Note:** Refer to page 7 of the minutes where this item was block resolved.

**10.4 Fee Revision and Future Operating Considerations for St Patrick's After School Care Program**

**RECOMMENDATION**

That Council:

1. Receive the information and continue to operate the St Patrick's ASC program from the current venue until the end of the licensed period issued by St Patrick's Primary School.  
  
If an alternative hall is made available by the School on acceptable terms, Council transfer the ASC program operations to this facility and continue its on-going service provision beyond that date.
2. That the costs for the additional supervision associated with the interim operation of the ASC program at the St Patrick's Tennis Club be added to the program fees to be paid by families.

**Note:** Refer to page 7 of the minutes where this item was block resolved.

**10.5 Kingston Aboriginal Policy and Action Plan 2014-2019**

**Procedural Motion**

**Moved: Cr Brownlees**

**Seconded: Cr Ronke**

That this item be deferred to the next Strategic Councillor Information Session.

**CARRIED**

**10.6 Request for Sponsorship - Australian Youth Representative to the United Nations**

**Moved: Cr West**

**Seconded: Cr Eden**

That Council allocate a \$2,000 contribution consistent with Option 3.

**CARRIED**

**11. Organisational Development & Governance Reports**

**11.1 Recording of Public Council Meetings Policy**

**RECOMMENDATION**

That Council:

1. Adopt the Recording of Public Council Meetings Policy at Appendix 1.

**Note:** Refer to page 7 of the minutes where this item was block resolved.

**11.2 Assembly of Councillors Record Report**

**RECOMMENDATION**

That Council:

1. Note the contents of this report for the public record.

**Note:** Refer to page 7 of the minutes where this item was block resolved.

**11.3 Council Ward Grants**

**Moved: Cr Brownlees**

**Seconded: Cr Staikos**

**RECOMMENDATION**

That Council:

1. Approve the recommended Council Ward Grants in accordance with the table of Councillor recommendations in Appendix 1.

**CARRIED**

**12. Corporate Services Reports**

**12.1 Investment Policy Report - March 2014 Quarter**

**RECOMMENDATION**

That Council:

Note that its funds as at 31 March 2014 are invested in line with the risk management profile prescribed in Council's Investment policy.

**Note:** Refer to page 7 of the minutes where this item was block resolved.

**12.2 Mordialloc Creek Licences**

Cr Eden declared an indirect conflict of interest in this item and left the meeting at 9:17pm.

**Moved: Cr Brownlees**

**Seconded: Cr Ronke**

That Council:

1. Undertake a public expression of interest (EOI) campaign for the use, occupation and development of the land currently licensed to the Estate of the late Gwen Pompei being the area known as Pompei's Landing to realise Council's vision for the site.

**CARRIED**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Ronke, Brownlees, Bearsley, Gledhill and Peulich (5)

**AGAINST:** Crs Staikos, West and Barth (3)

**CARRIED**

Cr Eden returned to the meeting at 9:37 PM.

**13. Notices of Motion**

**13.1 Notice of Motion No. 6/2014 - Cr Gledhill - Amendment to Council Ward Grants Policy**

The Notice of Motion was withdrawn by Cr Gledhill.

**13.2 Notice of Motion No. 7/2014 - Cr West - Council Ward Grants Policy**

The Notice of Motion was withdrawn by Cr West.

The order of business was amended to consider Item 13.6 next.

**13.6 Notice of Motion No. 12/2014 - Cr West - Council Ward Grants Policy**

**Moved: Cr West**

**Seconded: Cr Eden**

That the Council Ward Grants Policy be amended to amend or add the following clauses:

1. Clauses 9.1.5 and 9.1.6 to be amended so that if a conflict of interest exists Councillors may not recommend the allocation of a ward grant.

2. A clause to be added regarding Limitations on Expenditure:

Clause 3.1.4: Applicants that have received funding for the same purpose or initiative from one or other of Council's other grants streams (such as but not limited to City Wide Grants, Village Committee Grants and individual development grants) will not be eligible for ward grants allocations.

**CARRIED**

**13.3 Notice of Motion No. 9/2014 - Cr Brownlees - Unoccupied Land between The Corso and Dover Place Parkdale**

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That officers prepare a report on the current zoning and ownership of the unoccupied land located between properties at 9A and 11 The Corso Parkdale, and Dover Place (believed to be a road) with the report to include investigation of potential re-zoning and discontinuance of the road so that the area is preserved as parkland/open space, to be included as part of Council's Central Ward open space requirements.

Cr Gledhill left the meeting at 9:52pm.

Cr Gledhill returned to the meeting at 9:54pm.

**Amendment**

**Moved: Cr West**

**Seconded: Cr Barth**

That officers prepare a report on the current zoning and ownership of the unoccupied land located between properties at 9A and 11 The Corso Parkdale, and Dover Place (believed to be a road) with the report to include investigation of potential re-zoning and discontinuance of the road so that the area is preserved as parkland/open space, to be included as part of Council's Central Ward open space requirements if it turns out to be publicly owned or if privately owned if that is what the owners want.

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The Amendment was put and **CARRIED**

The Amendment became the Motion

The Motion was put and **CARRIED**

**13.4 Notice of Motion No. 10/2014 - Cr Gledhill - Dog Off Leash Area**

**Moved: Cr Gledhill**

**Seconded: Cr Brownlees**

That officers prepare a report with a view to the establishment of a dog off leash area to be located on the beach area adjacent to Charman Road Mentone and extending south for approximately 200 metres. Given earlier work that has been completed on this matter I would ask that this report be made available to councillors as soon as conveniently possible.

Cr Brownlees left the meeting at 10:03pm.

Cr Brownlees returned to the meeting at 10:04pm.

Cr Rosemary West left the meeting at 10:04pm.

**CARRIED**

Cr Ronke left the meeting at 10:05pm.

Cr Bearsley left the meeting at 10:05pm.

**13.5 Notice of Motion No. 11/2014 - Cr Eden - Confidential Documents**

**Moved: Cr Eden**

**Seconded: Cr Staikos**

That:

1. Council officers prepare a report to bring to Council, that details in a list format\* all the documents which Councillors have voted to be kept secret, and off the public record since the year 2000. This is to extend to documents dealt with 'In Camera'.
2. The report is to be brought to Council within 1 month, and Councillors are to subsequently have the item put on the agenda, and brought to an Ordinary Council meeting so that Councillors can vote to make certain documents public, if appropriate.

\* This is to include, at a minimum: the date of the document, the title of the document, the item it relates to and the reason for keeping it secret. This should, in the event that appropriate document management systems are in place not take a considerable amount of officer time, in the event that officers determine that the preparation of a report is too onerous, Councillors are to be invited to inspect the files officers have containing such documents so that they can compile a list of documents they believe should be made public.

Documents which are strictly legal advice or tender(s) are not required.

Cr West returned to the meeting at 10:06pm.

Cr Ronke returned to the meeting at 10:07pm.

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Cr Bearsley returned to the meeting at 10:11pm.

**Procedural Motion**

**Moved: Cr Brownlees**

**Seconded: Cr Bearsley**

That consideration of this item be deferred pending a report to CIS about the process of documents becoming confidential in response to the submitted Notice of Motion from Cr Eden.

**CARRIED**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Ronke, Brownlees, Bearsley, Gledhill and Peulich (5)

**AGAINST:** Crs Staikos, West, Eden and Barth (4)

**CARRIED**

**13.7 Notice of Motion No. 13/2014 - Cr West - Bay Trail**

**Procedural Motion**

**Moved: Cr Staikos**

**Seconded: Cr Barth**

That consideration of this item be deferred until the next Ordinary Meeting of Council provided the required information is provided.

**CARRIED**

**14. Urgent Business**

There were no items of Urgent Business.

**15. Confidential Items**

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

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:

**15.1 KP79/2011 - 8-18 Bendigo Street and 13-17 Wilson Street, Cheltenham - section 87A application to the VCAT**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to proposed developments (s89 2e) and any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)*

**Confidential Appendices**

**10.2 Award of Contract 13/131 - Delivered Meals Program**

**Appendix 1, Tender Evaluation Report - Production of Meals for Delivered**

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**Meals Service (Contract No.13/131)**

*This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)*

**10.2 Award of Contract 13/131 - Delivered Meals Program  
Appendix 2, Tender Evaluation Report - Qualitative Assessment (Contract 13/131)**

*This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)*

**CARRIED**

**A Division was Called:**

**DIVISION:**

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

**AGAINST:** Cr Eden (1)

**CARRIED**

The meeting was closed to members of the public at 10.35pm.

**Moved: Cr Brownlees**

**Seconded: Cr Ronke**

That the meeting be opened to members of the public

**CARRIED**

The meeting was opened to members of the public at 10.46pm.

The meeting closed at 10.46pm.

**Confirmed.....**

**The Mayor 26 May 2014**