



City of
KINGSTON

Ordinary Meeting of Council Minutes

Monday, 26th May 2014

(Adjourned to Monday 2 June 2014)
(Adjourned to Wednesday 4 June 2014)
(Adjourned to Tuesday 10 June 2014)

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

Table of Contents

1.	Apologies	3
2.	Confirmation of Minutes of Previous Meetings	3
3.	Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest	3
	<i>[Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.]</i>	
4.	Petitions	4
5.	Presentation of Awards	4
6.	Reports from Village Committees	5
7.	Reports from Delegates Appointed by Council to Various Organisations.....	9
8.	Question Time.....	9
9.	Environmental Sustainability Reports	13
10.	Community Sustainability Reports.....	17
11.	Organisational Development & Governance Reports	21
12.	Corporate Services Reports	24
13.	Notices of Motion	25
14.	Urgent Business.....	32
15.	Confidential Items	33

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

The meeting commenced at 7.00pm in the Council Chamber, 1230 Nepean Highway, Cheltenham and was adjourned to 7.30pm Monday 2 June 2014 and further adjourned to 5.00pm Wednesday 4 June 2014 and further adjourned to 7.00pm Tuesday 10 June 2014.

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
Phil DeLosa – Program Leader Governance
Joanne Cronin – Governance Officer
Kirsten Norton – Media Officer
Ian Nice – Manager City Development
Jonathan Guttmann – Manager City Strategy

1. Apologies

There were no apologies submitted to the meeting.

Note: There were apologies for the meeting when adjourned to 2 June 2014 (refer to page 29 of the minutes) and the meeting when adjourned to 4 June 2014 (refer to Confidential Minutes).

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Gledhill

Seconded: Cr Brownlees

That the Minutes of the Ordinary Meeting of Council held on 28 April 2014 be confirmed.

CARRIED

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

Cr Staikos disclosed a conflict of interest in Item 10.2

Cr Peulich disclosed a conflict of interest in Item 13.6

Cr Gledhill disclosed a conflict of interest in Item 15.3

Note: Cr Gledhill advised that he no longer considered that he had a conflict of interest in Item 15.3 at the adjourned part of the meeting on 10 June 2014.

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

4. Petitions

4.1 KP750-2012 46 Bear Street, Mordialloc

Moved: Cr Gledhill

Seconded: Cr Brownlees

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

CARRIED

4.2 Request for Parking Signs - Rosebank Avenue, Clayton South

4.3 Parking - 358A South Road Moorabbin

4.4 KP158/2014 - Establish Use of Supermarket with Liquor Store - 1/39 Bernard Street Cheltenham

Moved: Cr Staikos

Seconded: Cr Barth

That the petitions 4.2, 4.3 and 4.4 be referred to the Acting Chief Executive Officer.

CARRIED

4.5 KP-95/2014 - 40 Ella Grove, Chelsea

Moved: Cr Eden

Seconded: Cr Bearsley

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

CARRIED

4.6 Road Crossing Safety - McLeod Road Patterson Lakes

Moved: Cr Bearsley

Seconded: Cr Ronke

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

CARRIED

5. Presentation of Awards

Mr Ray Jasper, Regional Manager VICSES Central Region, presented Council with a certificate that recognised the City of Kingston's commitment to emergency management. Council's Municipal Emergency Management Plan was recently audited following a major rewrite of the Plan which implemented findings of the Royal Commission and the Floods Inquiry.

The Mayor, Cr Peulich accepted the Certificate on behalf of Council.

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

6. Reports from Village Committees

6.1 Recommendations and Highlights from Village Committees

Aspendale/Edithvale/Aspendale Gardens Village Committee

Report of Meeting held 8 May 2014

Village Committee Motion

The Aspendale/Edithvale Aspendale Gardens/Waterways Village Committee is concerned about the lack of information available about the review of the Village Committees. It was noted that the March council meeting moved the review 'in camera'. We ask that this decision be reversed so that the wider community is aware of the reasons behind any proposed changes that may be planned. We would also like a more active involvement in the review.

Officer Comments: This matter will be considered by Council at its Ordinary Meeting on 26 May and all Village Committees will be advised of the outcomes of the review.

Moved: Cr Bearsley

Seconded: Cr Ronke

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

CARRIED

A Division was Called:

DIVISION:

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

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

CARRIED

Cheltenham Village Committee

Report of Meeting held 6 May 2014

Village Committee Motion

The Cheltenham Village Committee requests an update from Council regarding the review of the Kingston Village Committees.

Officer Comments: This matter will be considered by Council at its Ordinary Meeting on 26 May and all Village Committees will be advised of the outcomes of the review.

Moved: Cr West

Seconded: Cr Brownlees

That the village committee be asked to note tonight's officer's report at item 11.1.

CARRIED

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

Mentone/Parkdale Village Committee

Report of Meeting held 6 May 2014

Village Committee Motion

The Mentone/Parkdale Village Committee requests an on-site meeting at Dolamore Oval for the chairperson and Mark Juler to meet with a representative of the Athletics Club to clarify that all stakeholders are satisfied with the location of the proposed fence.

Officer Comments: Public consultation has taken place with the broader community as well as key stakeholders including Mentone Track & Field Committee in relation to the redevelopment of Dolamore Reserve. The Mentone Track & Field Committee represents the three principal clubs who utilise the reserve. The Committee have been consulted specifically in relation to the new alignment of the fence and are supportive of the realignment of the fence. Contractors have been engaged and construction on the reserve is due to begin in late May 2014.

Moved: Cr West

Seconded: Cr Eden

That Council agrees to an onsite meeting at Dolamore Reserve with the chairperson of Mentone/Parkdale Village Committee, Mark Juler or another Council Officer and interested Ward Councillor to clarify that all stakeholders are satisfied with the location of the proposed fence.

LOST

A Division was Called:

DIVISION:

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

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

LOST

Moved: Cr Brownlees

Seconded: Cr Gledhill

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

CARRIED

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

Moorabbin/Highett Village Committee

Village Committee Motion

The Moorabbin/Highett Village Committee ask that the support letter written by the chairs of the village committees be supported by Council

Officer Comments: At this stage the letter has not been provided to Council.

Moved: Cr Staikos

Seconded: Cr Brownlees

That the village committee be thanked and advised of the Council decision on item 11.1.

CARRIED

Mordialloc Village Committee

Report of Meeting held 7 May 2014

Village Committee Motion

The Mordialloc Village Committee request any proposed changes or options regarding Village Committees be made public and be subject to community consultation before Council makes any decisions.

Officer Comments: This matter will be considered by Council at its Ordinary Meeting on 26 May and all Village Committees will be advised of the outcomes of the review.

Moved: Cr West

Seconded: Cr Eden

That any proposed changes or options regarding Village Committees be made public and be subject to community consultation before Council makes any decisions.

LOST

A Division was Called:

DIVISION:

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

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

LOST

Moved: Cr Brownlees

Seconded: Cr Gledhill

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

CARRIED

A Division was Called:

DIVISION:

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

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

CARRIED

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

Patterson Lakes/Carrum Village Committee

Report of Meeting held 7 May 2014

Village Committee Motion

That the Village Committee Chairperson will present letters provided in relation to the KP228/2013 - Valetta Street and C140 Zoning proposal to council.

Officer Comments: The letters provided to officers will be presented to Councillors prior to the Ordinary Meeting of Council on Monday May 26.

Moved: Cr Bearsley

Seconded: Cr Ronke

That the Village Committee be thanked for its motion and be provided with the officer comments. Further that the letters presented by the Village Committee Chair be passed to the relevant officer so that concerns expressed by the Village Committee be noted in the officer's report.

CARRIED

A Division was Called:

DIVISION:

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

AGAINST: Nil (0)

CARRIED

Village Committee Motion

That the council support another round of advertising for community groups to apply for the remaining funds. Until new applications are received and allocated, the money is to stay with the Patterson Lakes/Carrum Village Committee.

Officer Comments: The management of expenditure of grants money is provided for under Section 4 of the Village Committees Policy (Policy No: 08/98048). Recommendations received from Village Committees will be considered at the July Ordinary Meeting of Council. Once Council resolves on the recommendations the grants will be distributed to the successful applicants in August.

Remaining funds in individual Village Committee grant budgets after Council approval stay with the Village Committees until 01 May of the financial year the grants are issued, which will be 01 May 2015 for this current round. Under the Village Committees Policy any unexpended funds remaining after this date will be reallocated to capital works within Council.

Following the July Ordinary Meeting of Council the request for an additional round of advertising for the allocation of unexpended Village Committee grant funds will be considered.

Moved: Cr Bearsley

Seconded: Cr Brownlees

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

CARRIED

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

Cr Steve Staikos left the meeting, the time being 7:58 PM
Cr John Ronke left the meeting, the time being 7:58 PM
Cr Steve Staikos returned to the meeting, the time being 7:59 PM
Cr John Ronke returned to the meeting, the time being 7:59 PM

7. Reports from Delegates Appointed by Council to Various Organisations

Cr West reported on a meeting of the Association of Bayside Municipalities.
Cr Brownlees reported on a meeting of the South East Region MAV Representatives.
Cr Gledhill reported on a meeting of the Inter-council Aboriginal Consultative Committee.

Moved: Cr Brownlees

Seconded: Cr Bearsley

That the delegates' reports be received and Councillors thanked for their reports.

CARRIED

8. Question Time

Question time took place at 8.00pm. Refer to page 10 of the minutes.

The Chairperson adjourned the meeting for five minutes in accordance with Clause 37 (6) of the Meeting Procedures Local Law.

The meeting resumed at 8.17pm

Question 1.

Timothy Holden of Cheltenham asked,

"Why does Kingston City Council believe that the development at 13 Wedd Street Cheltenham requires a planning permit?"

The Acting CEO provided the following response,

"A planning permit is only required for the buildings and works. This has been confirmed by Council's Legal Representative."

Question 2.

Timothy Holden of Cheltenham asked,

"Why would a development consisting of nine self-contained units on a single residential block not require nine car parks on the block?"

The Acting CEO provided the following response,

"The proposal does not constitute nine self-contained units under planning legislation. A shared kitchen and laundry facility on the site defines the development as not being self-contained units and therefore the car parking requirements suggested above cannot be applied."

Question 3.

Timothy Holden of Cheltenham asked,

“What are the criteria that define a single ‘dwelling’ as opposed to those that define ‘multiple dwellings’ on a single block.”

The Acting CEO provided the following response,

A dwelling is defined as being wholly self-contained ie. it includes a kitchen, laundry, toilet and shower/washing facilities.

Question 4.

Shirley Hughes of Cheltenham asks,

“Why isn’t there specific guidelines for building permits for boarding houses in residential areas and if a permit is required why don’t you have all information on hand for the residents to view regarding 12 Wedd Street.”

The Acting CEO provided the following response,

“Boarding houses are required to meet Health Regulations to enable their establishment and operation. Once these regulations are satisfied the use is permitted to commence.

Letters have been sent out to residents outlining the process, As we have not yet received an application we are unable to make the application available to interested parties.’

Question 5.

Justin Conasere asks,

“Can you please provide an update regarding the development at 13 Wedd Street?”

The Acting CEO provided the following response,

“We have contacted the owner and explained that they are required to apply for a planning permit for the development (not the use of the site). As far as officers know, an application has not been made.”

Question 6.

Tim Hickling of Mordialloc asks,

“The current parking situation in Bear Street is a major concern, cars are parking on both sides of the road and causing congestion and dangerous situations. Parking Inspectors have made visits but the issue hasn’t gone away, it needs resolving. A street light in Bear Street by the cricket lights is also needed.”

The Acting CEO provided the following response,

“Thank you, comments will be passed on to officers”

Question 7.

Tim Sanford of Cheltenham asks,

“How will valuations work when property price decreases in a street.”

The Acting CEO provided the following response,

“Council values properties once every two years. The most recent general evaluation has recently been undertaken and will be returned to Council from the Valuer General shortly. In the event that values change the Valuer will determine this as part of the General Valuation and return the valuations to Council.”

Question 8.

David Van Pelt of Mordialloc asks,

“There are various village sub-committees who have spent much time and energy on suggestions to allocate grants to many organisations. These grants are then approved/rejected by the village committee before being formally approved by Council. Will this procedure still be honoured.”

The Acting CEO provided the following response,

“This matter will be subject to Council deliberation following consideration of item 11.1”

Question 9.

Tasos Dimitriu of Clayton South asks,

“Does the Village Committee have to decide on grants following tonight’s discussion in Council. We do not wish to waste any of our time on this if Council will ignore our recommendation.”

The Acting CEO provided the following response,

“This matter will be subject to Council deliberation following consideration of item 11.1”

Question 10.

Tasos Dimitriu of Clayton South asks,

1. *“Why is the Council being so secret about the Committees Review – result, secret discussion in camera.”*
2. *“What is the Council doing about the seagulls that are making a lot of noise on the roofs of factories in Whiteside Road?”*
3. *“How long should someone wait to get a response to questions raised to Council and Council staff. (I am waiting more than two months on some issues)?”*

The Acting CEO provided the following response,

1. *“This matter will be subject to Council deliberation following consideration of item 11.1”*
2. *Council Officers have contacted and met with the Department of Primary Industry officers to discuss the issue. Responsibility for native animals is with the DEPI and Council cannot undertake seagull control. In the meantime Council staff have met with local landfill operators to ensure their practices are not increasing the number of seagulls in the area.”*

3. *Depending on the matters being raised in a letter it would be usual for a response to be sent within 10 working days. Some matters will take longer to resolve, in those cases a holding letter should be sent."*

Question 11.

Stuart Petchey of Aspendale asks,

1. *I put in a question to the Council meeting on 24 March 2014, to which I received a reply but not an answer, I put the same question to the next Council meeting on April 28 2014, I again received a reply but not an answer.*

As a result I am going to ask the same question again in optimistic expectation that I will receive a full and proper answer this time. Unless of course, Council has some reason why this simple piece of information cannot be divulged to a concerned rate payer. In this case I would like to know why it cannot be divulged. So here's hoping.

There are many occasions where the contractors who are engaged by Council to carry our beach cleaning duties are required to carry out minor repairs to areas of the beach and sand dune which are usually as a result of wave, water or storm action. On the assumption that the aforementioned contractors are not carrying out these extra works free of charge to Council, it must be concluded that there is a charge to Council for this work. For the third and hopefully the last time I would like a proper and complete answer to my question: Can I have a precise and definite dollar figure of the cost to Council of these repair works.

The Acting CEO provided the following response,

Unless there is significant storm/damage the costs are absorbed as part of regular beach raking/cleaning contract .

2. *In answer to one of my questions on April 28 2014 I was told that two quad bikes that were purchased by Council for Beach Patrol works exclusively have ceased to be used because of 'response to Occupational Health and Safety data showing that they pose a high risk of serious injury/death', and that a 'side-by-side' vehicle was being trialled. I would therefore ask that the following information be provided:*

- a) *The purchase price of the two original quad bikes.*
- b) *Have they been disposed of.*
- c) *To whom.*
- d) *How much they were sold for*
- e) *What process the Council to dispose of them (tender etc)*
- f) *When did Council become aware of the OH&S data*

The Acting CEO provided the following response,

"This question is taken on notice and officers will respond directly to the resident."

3. *On 28 April I asked for some data regarding beach patrols which has been refused. Why is this impersonal, anonymous and non-security risk information not available? I will ask again:*

- a) *Can I get a log of 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 patrols, which parts of the foreshore, which days, and the regularity of these patrols be provided.*

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

I am not expecting personal details of the patrol officers, or for any explanations of what duties are carried out in the course of these patrols, I just want the statistical information.

The Acting CEO provided the following response,

“The information requested is of an operational nature and held in officer diaries, not consolidated ‘log of data’ exists and would need to be collated.”

4. On April 28, I asked why Council had made no contact with South East Water regarding an illegal discharge of stormwater onto the beach at Bona Vista Avenue, Aspendale. Again, I received a reply but no answer. I therefore represent the same question:

At last month’s (March) Council meeting a report was delivered on the issue of illegal discharge onto the beach at bona Vista Avenue, Aspendale. It was stated by the report’s writer 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 (April 28) has not contacted South East Water to confirm that the developer’s claims are valid and true?”

The Acting CEO provided the following response,

“Officers have contacted South East Water and asked them to work directly with the developer.”

Block Resolution

Moved: Cr Gledhill

Seconded: Cr Brownlees

That the recommendations for Items 9.1, 9.5, 9.8, 10.3, 10.4, 10.5, 10.6, 10.7, 11.3, 11.4, 12.1, 12.2, 12.3 be adopted.

CARRIED

9. Environmental Sustainability Reports

9.1 Town Planning Application Decisions - April 2014

RECOMMENDATION

That the report be noted.

Note: Refer to page 13 of the minutes where this item was block resolved.

9.2 KP13/577 - 4 Reeve Court Cheltenham

It is recorded that Barry Oakes spoke on behalf of the objectors in relation to this item.
It is recorded that Ben Rossi spoke on behalf of the applicant in relation to this item.

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council determine to support the proposal and issue a Planning Permit to develop the land for the Construction of two (2) dwellings at 4 Reeve Court Cheltenham, subject to the conditions contained within the report and with the addition of a further condition that all upstairs bedroom windows of dwelling one be appropriately screened to the satisfaction of the responsible authority and in accordance with the provisions of the Kingston Planning Scheme.

CARRIED

9.3 KP12/750- 46 Bear Street Mordialloc

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

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

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council refuse the application to develop the land for the construction of three (3) dwellings at 46 Bear Street Mordialloc 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 constitutes an over-development of the site.
4. The proposal would cause traffic congestion in a residential street.
5. That the development is not compliant with the Neighbourhood Character Guidelines of the Kingston Planning Scheme (Clause 22.11)

CARRIED

9.4 KP13/675 - 3 Canberra Street, Patterson Lakes

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

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

Moved: Cr Bearsley

Seconded: Cr Ronke

That Council refuse the application to develop the land for the construction of eight (8) dwellings and associated car parking reduction at 3 Canberra Street, Patterson Lakes, 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 constitutes an over-development of the site.
4. The proposal would cause traffic congestion in a residential street.

CARRIED

A Division was Called:

DIVISION:

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

AGAINST: Nil (0)

CARRIED

9.5 Draft Mentone Coastal Precinct Plan

RECOMMENDATION

That Council:

1. Agree for the Draft Mentone Coastal Precinct Plan to be released for public consultation.

Note: Refer to page 13 of the minutes where this item was block resolved.

9.6 Costco Preliminary Draft MDP

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council defer consideration of the matter to the next Ordinary Meeting of Council and that the Dingley, Clarinda, Mentone and Aspendale Gardens businesses be notified of this decision and the outcome of the vote.

CARRIED/

A Division was Called:

DIVISION:

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

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

CARRIED

9.7 Patterson Lakes Independent Review

Moved: Cr Bearsley

Seconded: Cr Ronke

That Council

1. Undertake a responsible dog ownership information campaign to Quiet Lakes residents and install some dog on leash signage around the Quiet Lakes;
2. Update its Open Space Strategy to recognise the water-based recreational opportunity that the Tidal Waterways provide;
3. Accept responsibility in principle, for the maintenance and ultimately replacement of the spoon drain and lake side pits in Tidal Waterways and Quiet Lakes subject to further survey work to confirm the local drainage function and identify any assets that may need to remain the responsibility of Melbourne Water; and
4. Continue a 'reactive' approach to the maintenance of the lake side pits and spoon drain and ask Melbourne Water to forward any customer requests for maintenance of these assets to Council.
5. Defers its decision on the Patterson Lakes management of beaches so that councillors can meet with members of the steering committee including residents reps and Melbourne water reps to gain a more thorough understanding of the issue and possible solutions.

CARRIED

9.8 Review of the State Planning Policy Framework

RECOMMENDATION

That Council:

1. Resolve to make the submission provided as Appendix 1 to the SPPF Review Minsiterial Advisory Committee in response to its draft Planning Policy Framework for Victoria.

Note: Refer to page 13 of the minutes where this item was block resolved.

10. Community Sustainability Reports

10.1 Kingston Aboriginal Policy and Action Plan 2014-2019

Moved: Cr Gledhill

Seconded: Cr Bearsley

That Council:

1. Adopt the *Aboriginal Policy and Action Plan 2014-2019* (Appendix 1).

CARRIED

10.2 Gambling Policy and Action Plan 2014-2019

Cr Staikos declared an indirect financial interest in this item by virtue of owning shares in Woolworths and left the meeting at 9.28pm prior to any discussion and voting on the matter.

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council:

1. Endorse and formally adopt the *Gambling Policy and Action Plan 2014-2019* as presented in Appendix 1 to this report.

CARRIED

Cr Staikos returned to the meeting at 9.37pm.

10.3 Award of Contract - CON 13/123: AccessCare Southern Home and Community Care - Domestic, Personal and Respite Care Services

RECOMMENDATION

That Council:

1. Award Contract 13/123: AccessCare Southern Home and Community Care – Domestic, Personal and Respite Care Services for the Schedules of Rates submitted commencing on 1 July 2014 for the initial term of twelve (12) months with two (2) extensions, each of three (3) years to the following panel of tenderers:

Services subsidised at Home and Community Care (HACC) rates

- MECWA trading as mecwacare.

Services at Full Cost

- MECWA trading as mecwacare;
- Disability Attendant Support Services Inc;
- Prestige Inhome Care Pty Ltd trading as Prestige Inhome Care ;
- Anglican Aged Care Solutions trading as Benetas;
- Just Better Care Australia Pty Ltd;
- Mercy Health and Aged Care Inc;
- Argent Nominees Pty Ltd as Trustee for the Argent Family Trust and trading as Home Care Relief;
- KinCare Health Services Pty Ltd trading as KinCare Health Services;
- Southern Cross Care (Vic); and
- Seniors Community Care Pty Ltd trading as Seniors Community Care.

2. Authorises the Chief Executive Officer to execute the Contract and associated Contract extension options, subject to satisfactory performance.

Note: Refer to page 13 of the minutes where this item was block resolved.

10.4 Award of Contract - CON 13/124: AccessCare Southern Home and Community Care - Nursing Services

RECOMMENDATION

That Council:

1. Award Contract 13/124: AccessCare Southern Home and Community Care – Nursing Services for the schedule of rates submitted commencing on 1 July 2014 for the initial term of twelve (12) months with two (2) extensions, each of three (3) years to the following panel of tenderers:
 - Services subsidised at Home and Community Care (HACC) rates
 - MECWA trading as mecwacare.
 - Services at Full Cost
 - Prestige Inhome Care Pty Ltd trading as Prestige Inhome Care;
 - MECWA trading as mecwacare; and
 - Seniors Community Care Pty Ltd trading as Seniors Community Care.
2. Authorises the Chief Executive Officer to execute the Contract and associated Contract extension options, subject to satisfactory performance.

Note: Refer to page 13 of the minutes where this item was block resolved.

10.5 Award of Contract - CON13/125: AccessCare Southern Home and Community Care - Allied Health Services

RECOMMENDATION

That Council:

1. Award Contract 13/125: AccessCare Southern Home and Community Care – Allied Health Services for the schedule of rates submitted commencing on 1 July 2014 for the initial term of twelve (12) months with two (2) extensions, each of three (3) years to the following panel of tenderers:
 - Physiotherapy
 - Aged Care Health Services Pty Ltd trading as Revita;
 - Transform Care Pty Ltd trading as Transform Aged Physiocare; and
 - Mobilise Pty Ltd trading as Physiotherapy on the Move.
 - Occupational Therapy
 - Accommodation and Care Solutions Pty Ltd;
 - Anita Mumme Occupational Therapy Services; and
 - Occupational Therapy and Driver Assessment Group.
 - Podiatry Services
 - Podiatry HealthCare Group Pty Ltd.
 - Massage Therapy
 - Aged Care Health Services Pty Ltd trading as Revita.

2. Authorises the Chief Executive officer to execute the Contract and associated Contract extension options, subject to satisfactory performance.
3. Note that further procurement in accordance with Council's Procurement Policy and Procedures will need to be undertaken in order to provide the full range of Allied Health Services required by AccessCare Southern Consumers.

Note: Refer to page 13 of the minutes where this item was block resolved.

10.6 Award of Contract - CON13/126: AccessCare Southern Home and Community Care - Property, Gardening and Cleaning Services

RECOMMENDATION

That Council:

1. Award Contract 13/126: AccessCare Southern Home and Community Care – Property, Gardening and Cleaning Services for the schedule of rates submitted commencing on 1 July 2014 for the initial term of twelve (12) months with two (2) extensions, each of three (3) years to the following panel of tenderers:
 - Prestige Inhome Care Pty Ltd trading as Prestige Inhome Care;
 - Kan Klean Pty Ltd; and
 - Seniors Community Care Pty Ltd trading as Seniors Community Care.
2. Authorises the Chief Executive Officer to execute the Contract and associated Contract extension options, subject to satisfactory performance.

Note: Refer to page 13 of the minutes where this item was block resolved.

10.7 Award of Contract - CON 13/134: AccessCare Southern Home and Community Care - Delivered Meals

RECOMMENDATION

That Council:

1. Award Contract 13/134: AccessCare Southern Home and Community Care – Delivered Meals for the schedule of rates submitted commencing on 1 July 2014 for the initial term of twelve (12) months with two (2) extensions, each of three (3) years to Choice Fresh Pty Ltd as trustee for Cuisine Fresh Family Trust.
2. Authorises the Chief Executive Officer to execute the Contract and associated Contract extension options, subject to satisfactory performance.
3. Note that further procurement in accordance with Council's Procurement Policy and Procedures will need to be undertaken in order to provide the full range of delivered meals services required by AccessCare Southern Consumers.

Note: Refer to page 13 of the minutes where this item was block resolved.

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

11. Organisational Development & Governance Reports

11.1 Outcome of Committees Review - Revised Community Consultation Structure

Moved: Cr Brownlees

Seconded: Cr Gledhill

1. That Council adopt option 2 in the report i.e. to adopt in-principle and consult on the revised community consultation structure and that Village Committees be placed in recess from 30 June and until Council has determined its position.
2. That officers organise community consultation outlined in option 2 and include the village committee members.
3. That a report be presented to Council on 25 August 2014 (or earlier) that presents the feedback from the consultation and identifies new project/theme based committees for consideration.
4. That all Village Committee members be advised of this resolution.
5. That as part of the process, officers also investigate the development of a 'guiding principle / terms of reference' that could be introduced should the changes, as suggested, be implemented.

Amendment

Moved: Cr West

Seconded: Cr Eden

1. That Council adopt option 2 in the report i.e. to adopt in-principle and consult on the revised community consultation structure.
2. That officers organise community consultation outlined in option 2 and include the village committee members.
3. That a report be presented to Council on 25 August 2014 (or earlier) that presents the feedback from the consultation; and identifies new project/theme based committees for consideration.
4. That all Village Committee members be advised of this resolution.
5. That as part of the process, officers also investigate the development of a 'guiding principle / terms of reference' that could be introduced should the changes, as suggested, be implemented.

Cr Geoff Gledhill left the meeting, the time being 9:56 PM

Cr Geoff Gledhill returned to the meeting, the time being 9:59 PM

LOST

A Division was Called:

DIVISION:

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

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

LOST

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

Amendment

Moved: Cr Eden

That the following point be included in the motion

- That the Councillor Information Session reports that were made confidential by the Acting CEO presented to the meetings on the 17 March and 22 April not be confidential.

The Amendment was accepted by the Mover and the Seconder and included in the Motion.

The Motion was put and **CARRIED**

A Division was Called:

DIVISION:

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

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

CARRIED

The substantive Motion now reads as follows

Moved: Cr Brownlees

Seconded: Cr Gledhill

1. That Council adopt option 2 in the report i.e. to adopt in-principle and consult on the revised community consultation structure and that Village Committees be placed in recess from 30 June and until Council has determined its position.
2. That officers organise community consultation outlined in option 2 and include the village committee members.
3. That a report be presented to Council on 25 August 2014 (or earlier) that presents the feedback from the consultation; and identifies new project/theme based committees for consideration.
4. That all Village Committee members be advised of this resolution.
5. That as part of the process, officers also investigate the development of a 'guiding principle / terms of reference' that could be introduced should the changes, as suggested, be implemented.
6. That the Councillor Information Session reports that were made confidential by the Acting CEO presented to the meetings on the 17 March and 22 April not be confidential.

Cr Tamara Barth left the meeting, the time being 10:07 PM

Cr Tamara Barth returned to the meeting, the time being 10:12 PM

11.2 Council Process for Confidential Documents

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Councillors receive the information and confirm their satisfaction with the current processes adopted by Council in relation to determining that an item be made confidential and note that the process is in accordance with both the Local Government Act and the Council Plan.

CARRIED

A Division was Called:

DIVISION:

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

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

CARRIED

11.3 Year to Date Quarterly Performance Report as at March 2014

RECOMMENDATION

That Council receive the year to date Quarterly Performance Report against the 2013-2017 Council Plan for the period to 31 March 2014.

Note: Refer to page 13 of the minutes where this item was block resolved.

11.4 Assembly of Councillors Record Report

RECOMMENDATION

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

Note: Refer to page 13 of the minutes where this item was block resolved.

11.5 Council Ward Grants

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council approve the recommended Council Ward Grants in accordance with the table of Councillor recommendations in Appendix 1. Further that the following Ward Grants be approved:

- Macabbi Snooker Club \$1500.00 – Cr Peulich
- Bentleigh Greens Soccer Club \$2000.00 – Cr Peulich
- Bruthen Street Kindergarten - \$500.00 – Cr Barth

CARRIED

12. Corporate Services Reports

12.1 Formation of a Section 223 Committee meeting for the proposed discontinuance and possible sale of road abutting land rear of 6 Kipling 5-9 Valetta and side of 2/7 Kipling

RECOMMENDATION

That Council resolves:

1. To appoint a committee in accordance with Section 223 of the Act to hear submissions on 16 June 2014.
2. That the committee comprises Julian Harvey, Acting General Manager Corporate Services, Newton Gatoff, Acting Manager Property, Arts and Leisure Services and South Ward Councillors, Cr Tamsin Bearsley Cr David Eden and Cr John Ronke.
3. That the Section 223 Committee, upon hearing and considering submissions, prepares a report for Council.

Note: Refer to page 13 of the minutes where this item was block resolved.

12.2 Commercial Use of Council Land

RECOMMENDATION

That Council endorses the proposed Commercial Use of Council Land draft policy and releases the document for public consultation, following which Officers should present a report to Council to include a summary of the outcomes of the consultation.

Note: Refer to page 13 of the minutes where this item was block resolved.

12.3 Mentone Foreshore 24 Hour Dog Off Leash Trial

RECOMMENDATION

That Council:

Commence the statutory advertising for the consideration of the trial of a 24 hour dog off leash area on the Mentone foreshore.

Note: Refer to page 13 of the minutes where this item was block resolved.

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

13. Notices of Motion

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

Moved: Cr Eden

Seconded: Cr West

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. This is to extend to documents dealt with 'In Camera' since 2000.
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.

Cr Ron Brownlees left the meeting, the time being 10:55 PM

Cr Ron Brownlees returned to the meeting, the time being 10:57 PM

CARRIED

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr Bearsley

That the meeting be extended for one hour to 12 midnight.

CARRIED

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

Moved: Cr West

Seconded: Cr Eden

That Council reconsider modifying the route of the Bay Trail to minimise the removal of native vegetation and request an officer report to include:

- the pros and cons of both options including the amount of vegetation to be removed for each option, as calculated for the Biosis report ; and
- details of the parking spaces to be provided by each option;
- the possibility of modifying the currently preferred option to minimise the loss of vegetation by utilising the graveled verge for the Bay Trail and shifting the parking across to the left traffic lane, as occurs in virtually every other part of Beach Road north of Kingston where parking is permitted.

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

Procedural Motion

Moved: Cr Bearsley

Seconded: Cr Ronke

That the motion now be put

LOST

The Substantive Motion was **LOST**

A Division was Called:

DIVISION:

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

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

LOST

13.3 Notice of Motion No. 14/2014 - Cr Eden - Live Streaming of Council Meetings

Moved: Cr Eden

Seconded: Cr West

1. That Council officers prepare a report in relation to the ability to record the 'in camera' part of the Council meeting, so that if & when the item(s) are later made public the debate / discussion accompanying the confidential item will also be available to the public.

CARRIED

A Division was Called:

DIVISION:

FOR: Crs Ronke, Staikos, West, Gledhill, Eden and Barth (6)

AGAINST: Cr Peulich (1)

ABSTAINED: Crs Brownlees and Bearsley (2)

CARRIED

2. That officers report to Council on the reasons for 'glitches / errors' in the live recording and streaming of council meetings, and possible actions to rectify these problems:

CARRIED

- a) That officers explore alternative mechanisms for recording the sound generated at meetings to ensure that regardless of whether the person speaking has their microphone on, their comments will be recorded – this will ensure if there is debate / discussions around the room that such comments are captured.

CARRIED

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

A Division was Called:

DIVISION:

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

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

ABSTAINED: Cr Brownlees (1)

LOST

- b) That Officers implement a system to ensure that the live recording / streaming is working during meetings, and that Councillors are immediately notified if there are 'technical issues'.

CARRIED

A Division was Called:

DIVISION:

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

AGAINST: Nil (0)

CARRIED

Note: The Mayor requested that each part of the motion to be put to the vote separately.

13.4 Notice of Motion No. 15/2014 - Cr Brownlees - Kingston City Hall Liquor Licence

Moved: Cr Brownlees

Seconded: Cr Gledhill

That

1. Council cease to operate the 'Pop Up Bar' activities in the car park subject to a review of current practice.
2. Council review the existing Liquor Licence permit.

Cr Tamsin Bearsley left the meeting, the time being 11:21 PM

Cr David Eden left the meeting, the time being 11:22 PM

Cr David Eden returned to the meeting, the time being 11:22 PM

Cr Tamsin Bearsley returned to the meeting, the time being 11:24 PM

Cr Geoff Gledhill left the meeting, the time being 11:29 PM

Cr Geoff Gledhill returned to the meeting, the time being 11:32 PM

Cr Tamsin Bearsley left the meeting, the time being 11:33 PM

Cr Tamsin Bearsley returned to the meeting, the time being 11:34 PM

CARRIED

A Division was Called:

DIVISION:

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

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

CARRIED

13.5 Notice of Motion No. 16/2014 - Cr Bearsley - Planning Permit Breaches

Moved: Cr Bearsley

Seconded: Cr Ronke

That planning officers prepare a report that details all developments, over the past two years, that have significantly breached the approved permit conditions and required amendment/resolution. The report is to indicate the breach, address, owner/applicant and final outcome. The report should include ways Kingston identify and minimise such breaches occurring and be provided by the 30th June.

Amendment

Moved: Cr West

Seconded: Cr Staikos

That planning officers prepare a report that details all developments, over the past two years, that have breached the approved permit conditions and required amendment/resolution. The report is to indicate the breach, address, owner/applicant and final outcome. The report should include ways Kingston identify and minimise such breaches occurring and be provided by the 30 June.

The Amendment was put and **CARRIED**

A Division was Called:

DIVISION:

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

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

LOST

Procedural Motion

Moved: Cr Bearsley

Seconded: Cr West

That the meeting be extended by 30 minutes to 12.30am

LOST

The meeting was adjourned in accordance with Clause 25(2) of the Meeting Procedures Local Law relating to time limits for meetings (as the meeting lapsed).

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

Resumption of Adjourned Meeting

The meeting resumed at 7.35pm on Monday 2 June 2014.

It is noted that Crs Peulich, Barth, Bearsley, Brownlees, Eden, Gledhill, Staikos and West were in attendance.

It is noted that Cr Ronke was an apology for the adjourned meeting on 2 June 2014.

It is noted that the Chief Executive Officer Mr John Nevins was in attendance.

Amendment

Moved: Cr Brownlees

Seconded: Cr Gledhill

That planning officers prepare a report that details the top 20 developments, over the past two years, that have significantly breached the approved permit conditions and required amendment/resolution. The report is to indicate the breach, address, owner/applicant and final outcome. The report should include ways Kingston identify and minimise such breaches occurring and be provided by the 31st July.

LOST

A Division was Called:

DIVISION:

FOR: Crs Brownlees, Bearsley and Gledhill (3)

AGAINST: Crs Peulich, Staikos, West, Eden and Barth (5)

LOST

The Substantive Motion was put and **CARRIED**

A Division was Called:

DIVISION:

FOR: Crs Brownlees, Peulich, Bearsley and Gledhill (4)

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

CARRIED on the casting vote of the Chairperson

Procedural Motion

Moved: Cr Gledhill

Seconded: Cr Bearsley

That Cr Brownlees be appointed Acting Chairperson for Item 13.6.

CARRIED

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

13.6 Notice of Motion No. 18/2014 - Cr Staikos - Kingswood Golf Course

Cr Peulich declared an indirect conflict of interest in this item by virtue of residential amenity as his place of residence abuts the golf course and left the meeting at 7.50pm.

Moved: Cr Staikos

Seconded: Cr Barth

Note: Cr Brownlees requested that each part of the Motion be put to the vote separately.

That:

1. Officers provide a report to Councillors including details of any contact, discussions or negotiations officers may have had with Peninsula or Kingswood Golf Clubs or with the merged club relating to the Kingswood Golf Course site.

CARRIED

2. Council write to the Peninsula Kingswood Golf Club Board and ask them to advise Council how they plan to provide Net Benefit to the residents of Dingley Village and more broadly the City of Kingston by any plans they may have that involve rezoning the Kingswood Golf Course for residential development.

CARRIED

3. Without pre-empting a decision of council on any individual case, officers provide planning and legal advice relating to the ability of Council to deliver certainty for the future of Golf Courses throughout the City of Kingston, and whether planning provisions need improvement.

CARRIED

A Division was Called:

DIVISION:

FOR: Crs Staikos, West, Gledhill, Eden and Barth (5)

AGAINST: Crs Brownlees and Bearsley (2)

CARRIED

4. Council officers prepare an information communique for circulation in Dingley Village explaining the planning process relating to a planning scheme amendment, outlining the roles and responsibility of Council, the State Minister for Planning and include any other relevant information.

CARRIED

Cr Peulich returned to the meeting at 8.15pm.

13.7 Notice of Motion No. 19/2014 - Cr Barth - Racial Discrimination Act

Moved: Cr Barth

Seconded: Cr Staikos

That Kingston Council resolves to write to the Federal Government on our opposition to the proposed changes to Section **18C** of the Racial Discrimination Act. With a view that such changes are likely to threaten social cohesion and further lead to racial vilification of our Aboriginal, multicultural and multi-faith communities. *While we strongly support free speech, it is not unlimited free speech. People aren't free to vilify others on the basis of race or religion.*

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr Bearsley

That the matter be deferred for one month to receive further information on the issue.

CARRIED on the casting vote of the Chairperson

A Division was Called:

DIVISION:

FOR: Crs Brownlees, Peulich, Bearsley and Gledhill (4)

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

CARRIED on the casting vote of the Chairperson

13.8 Notice of Motion No. 21/2014 - Cr West - Neighbourhood Character Study

Moved: Cr West

Seconded: Cr Eden

That:

1. Council planning officers give priority to providing a report on undertaking a new neighbourhood character study with a view to considering the need to provide strategic justification for proposals to rezone or provide overlays for certain residential areas where residents contend that current and proposed new residential zone provisions do not adequately protect their amenity and neighbourhood character.
2. That the study include provision for community consultation and also take into account views expressed in submissions to the New Residential Zones.

LOST on the casting vote of the Chairperson

A Division was Called:

DIVISION:

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

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

LOST on the casting vote of the Chairperson

13.9 Notice of Motion No. 22/2014 - Cr Bearsley - Kingston Your City

Moved: Cr Bearsley

Seconded: Cr Brownlees

1. That Officers' provide a report into the cost, scope of frequency of the Council newsletter *Kingston Your City* and the *Your Kingston Update* advertorial specifically noting the impact of increasing the frequency of KYC to 11 editions.
2. That the scope, including format and content, of *Your Kingston Update* advertorial be broadened, at Mayoral discretion, to allow for dedicated coverage to inform the Kingston community on significant Council issues and/or pertinent community news.

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Barth

That the matter be deferred.

CARRIED

13.10 Notice of Motion No. 23/2104 - Cr Bearsley - Kingston Council Review 2014

Moved: Cr Bearsley

Seconded: Cr Brownlees

That Council defer consideration of this matter with the return of the Chief Executive Officer

CARRIED

13.11 Notice of Motion No. 24/2014 - Cr Eden - Oversight of Councillors

Moved: Cr Eden

Seconded: Cr Barth

That Kingston Council appoint an independent observer to explore whether there are acceptable practices amongst Councillors, and to monitor and observe meetings of Councillors (CIS) included.

CARRIED

A Division was Called:

DIVISION:

FOR: Crs Brownlees, Staikos, West, Eden and Barth (5)

AGAINST: Crs Peulich and Gledhill (2)

ABSTAINED: Cr Bearsley (1)

CARRIED

14. Urgent Business

14.1 Donation to the Red Cross of Bosnia and Herzegovina

Moved: Cr Gledhill

Seconded: Cr Bearsley

That an item of urgent business be considered regarding a donation to the Red Cross.

CARRIED

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

Moved: Cr Gledhill

Seconded: Cr Bearsley

That Council donate \$10,000 to the Red Cross of Bosnia and Herzegovina for emergency help to flood affected areas in Bosnia and Herzegovina.

CARRIED

14.2 Village Committee Recommendations

Moved: Cr Gledhill

Seconded: Cr Brownlees

That an item of urgent business be considered regarding Village Committee Recommendations.

CARRIED

A Division was Called:

DIVISION:

FOR: Crs Brownlees, Peulich, Bearsley and Gledhill (4)

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

CARRIED on the casting vote of the Chairperson

The motion was declared out of order by the Chairperson as a majority of members of the whole of the Council was not achieved in voting in favour of the matter being dealt with as urgent business in accordance with Clause 16(1)(b) of the Meeting Procedures Local Law.

14.3 Privacy Breaches

Moved: Cr Brownlees

Seconded: Cr Gledhill

That an item of urgent business be considered regarding apparent breaches of privacy legislation as a confidential item.

CARRIED

15. Confidential Items

Moved: Cr Staikos

Seconded: Cr Brownlees

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:

14.3 Urgent Business – Privacy Breaches

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

15.1 Potential Land Purchase

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to contractual matters (s89 2d)

15.2 Notice of Motion No. 17/2014 - Cr Staikos

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to any other matter which the Council or special committee

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

considers would prejudice the Council or any person (s89 2h)

15.3 Notice of Motion No. 20/2014 - Cr West - Conflict of Interest

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

Confidential Appendices

**10.3 Award of Contract - CON 13/123: AccessCare Southern Home and Community Care – Domestic, Personal and Respite Care Services
Appendix 1, Confidential Tender Evaluation Matrix - Domestic, Personal and Respite Care Services**

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

**10.4 Award of Contract - CON 13/124: AccessCare Southern Home and Community Care - Nursing Services
Appendix 1, Confidential Tender Evaluation Matrix - Nursing**

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

**10.5 Award of Contract - CON13/125: AccessCare Southern Home and Community Care - Allied Health Services
Appendix 1, Confidential Tender Evaluation Matrix - Allied Health**

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

**10.6 Award of Contract - CON13/126: AccessCare Southern Home and Community Care - Property, Gardening and Cleaning Services
Appendix 1, Confidential Tender Evaluation Matrix - Property, Gardening and Cleaning Services**

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

**10.1 Award of Contract - CON 13/134: AccessCare Southern Home and Community Care - Delivered Meals
Appendix 1, Confidential Tender Evaluation Matrix - Delivered Meals**

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 Brownlees, Peulich, Staikos, West, Bearsley, Gledhill, Eden and Barth (8)

AGAINST: Nil (0)

CARRIED

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 May 2014

The meeting was closed to members of the public at 9.15pm on Monday 2 June 2014.

The Mayor adjourned the meeting for 5 minutes.

The meeting was opened to members of the public at 7.47pm on Tuesday 10 June 2014

There being no further business the meeting closed at 7.47pm on Tuesday 10 June 2014.

Confirmed.....

The Mayor 23 June 2014