

Minutes

Ordinary Meeting of Council

Monday, 22nd February 2016

**City of Kingston
Ordinary Meeting of Council**

Minutes

22 February 2016

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The meeting commenced at 7.02pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

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

In Attendance: John Nevins, Chief Executive Officer
Mauro Bolin, General Manager Community Sustainability
Paul Franklin, General Manager Corporate Services
Daniel Freer, General Manager City Assets and Environment
Jonathan Guttmann, General Manager Planning and Development
Ian Nice, Manager City Development
Tracey Cheeseman, Media Advisor Communications & Community Relations
Phil De Losa, Program Leader Governance
Stephanie O’Gorman, Governance Officer
Joanne Creedon, Governance Officer

1. Apologies

An apology from Cr Ronke was submitted to the meeting.

Moved: Cr Gledhill

Seconded: Cr Brownlees

That the apology from Cr Ronke be received.

CARRIED

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Staikos

Seconded: Cr Gledhill

That the Minutes of the Ordinary Meeting of Council held on 14 December 2015 and the Special Meeting of Council held on 23 December 2015 be confirmed.

CARRIED

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

There were no Conflicts of Interest submitted to the meeting.

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4. Petitions

Speed Humps and Solar Signage in French Avenue Edithvale

Moved: Cr Eden

Seconded: Cr Staikos

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

CARRIED

Request for Council representation to Victorian State Government and VicRoads for the construction of a Northern Extension to Mornington Peninsula

Moved: Cr Gledhill

Seconded: Cr Brownlees

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

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Barth

That the motion now be put.

CARRIED

The Substantive Motion was put and CARRIED

5. Presentation of Awards

There were no awards presented.

6. Reports from Delegates Appointed by Council to Various Organisations

The following delegates reports were presented:

- Cr Brownlees reported on having attended a meeting of the MAV Metropolitan South East Region.
- Cr West reported on having attended meetings of the:
 - Inter- Council Aboriginal Reference Group
 - MAV Planning Advisory Group

Moved: Cr Gledhill

Seconded: Cr Brownlees

That the delegates' reports be received.

CARRIED

7. Question Time

Question Time was held at 8.18pm. Refer to page 23 of the Minutes.

Block Resolution

Moved: Cr Gledhill

Seconded: Cr West

That the following items be block resolved and that the recommendations in each item be adopted:

- 8.1 Town Planning Application Decision – January 2016
- 10.1 Kingston Flood Management Plan
- 10.2 Declaration of Load Limit Restriction for Wells Road Bridge at Patterson River
- 10.5 Edithvale Golf Course to Main Drain Outlet – Drainage Construction Stage 3
- 11.2 Investment Policy Report
- 11.3 Quarterly Performance Report Quarterly Financial Statements to 31 December 2015
- 11.4 Quick Response Grants
- 11.5 Election Period Policy
- 11.6 Assembly of Councillors Record Report

CARRIED

8. Planning and Development Reports

8.1 Town Planning Application Decision - January 2016

RECOMMENDATION

That the report be noted.

Note: Refer to page 5 of the Minutes where this item was block resolved.

8.2 KP15/406 - 104 Elsie Grove Chelsea

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

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

Moved: Cr Brownlees

Seconded: Cr Eden

That Council determine to support the proposal and issue a Notice of Decision to Grant a Permit to develop the land for the construction of three (3) dwellings at No. 104 Elsie Grove, Chelsea, 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

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substantially in accordance with the plans submitted to Council on the 2nd September, 2015, 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 provided at adequate planting densities (e.g. plants with a mature width of 1 metre, planted at 1 metre intervals);
 - v. the provision of two (2) suitable medium sized (at maturity) canopy trees 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;
 - vi. all trees provided at a minimum of two (2) metres in height at time of planting and medium to large shrubs to be provided at a minimum pot size of 200mm; and
 - vii. 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. the provision of a wing wall or “blade” feature adjacent to the southern side of the north-east (side) facing Bedroom 3 window of Dwelling 1, so as to limit any direct views into the secluded private open space area of Dwelling 2;
- c. the minimum sill height associated with the south-west (side) facing kitchen window of Dwelling 1 nominated as a maximum of 1.4 metres above the natural ground level;
- d. the internal ground floor family room wall associated with dwelling 2 to be deleted to provide an open entry/meals and family room;

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- e. a note on the site plan to state “vehicle crossings constructed at a 90 degree alignment with the kerb on Elsie Grove and all internal driveways must align with the existing/proposed vehicle crossings to the satisfaction of the Responsible Authority.”
- f. the proposed double vehicle crossings provided with a common layback with a triangle of grass between the infill sections of the vehicle crossings and must be constructed to the satisfaction of the Responsible Authority;
- g. the provision of a 5.4 metre wide standard on-street car parking space between the vehicle crossings;
- h. the provision of a minimum 2000 litre rainwater tank clearly nominated for each dwelling with water re-used for toilet flushing;
- i. the surface material of all driveways/accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar. This is not applicable to any proposed permeable paving;
- j. the location of all external heating and/or cooling units for each dwelling; and
- k. the provision of a full colour palette, finishes and building materials schedule for all external elevations and driveway/s of the development.

Endorsed Plans

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Street Trees / Parks Department

- 3. Prior to the commencement of any works on the site including demolition, a tree protection barrier must be installed at three (3) metres from the base of the *Callistemon viminalis* (Weeping Bottlebrush) street tree located on the Elsie Grove nature strip.

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. The satisfactory options to achieve these desired outcomes may include the use of an infiltration or bioretention system, rainwater tanks connected for reuse and a detention system. The overall outflow of the site to Council drainage system must be limited to 7.6 L/s.
- 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

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details 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.). The Stormwater Management Plan must be prepared as per Council's "Civil Design Requirements for Developers – Part A – Integrated Stormwater Management".

6. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.

Roads and Drain

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

Parking and Traffic Management

12. Prior to the occupation of each dwelling hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, be:
 - a) Constructed to the satisfaction of the Responsible Authority.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Surfaced in accordance with the endorsed plans under this permit or in an all-weather coloured concrete seal-coat, to the satisfaction of the Responsible Authority.
 - d) Drained and maintained to the satisfaction of the Responsible Authority.
 - e) Clearly signposted/marked as resident, employee, disabled or visitor parking.

Infrastructure and Road Works

13. Any redundant vehicular crossing must be removed and the nature strip, kerb and channel, and footpath must be reinstated to the Responsible Authority's standard specifications and to the satisfaction of the Responsible Authority.
14. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.

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General amenity conditions

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.
16. 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.
17. Service units, including air conditioning/heating units, where incorporated, must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority and if located on the roof of a building, suitable screening and baffling must be provided to the satisfaction of the Responsible Authority.

Completion of Works

18. Prior to the occupation of each dwelling 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.
19. Prior to the occupation of each dwelling 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.
20. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Time Limits

21. 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.

Note: It is noted that the development includes a garage to be built over the rear easement. Separate consent from Council and the relevant service authority is

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required to build over the easement and will need to be obtained prior to the issue of a Building Permit.

Note: The owner(s), occupiers and visitors of the development allowed by this permit will not be eligible for Council resident or visitor parking permits.

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

Note: Council's Rates Department is responsible for determining and assigning property address details, which include dwelling/unit/apartment and street numbers and/or street names. The onus is on the Permit Applicant/Land Owner to contact Council's Rates Department to determine dwelling/unit/apartment and street numbers, and street name details for the approved development. Any reference to dwelling numbers on endorsed plans is indicative and should not be relied upon for dwelling/unit/apartment and street numbers and/or street name purposes.

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 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*).

Cr Barth left the meeting at 7:29 pm.

Cr Barth returned to the meeting at 7:31 pm.

CARRIED

8.3 KP14/739 - 17 Taylor Street Moorabbin

It is recorded that Tania McNeill spoke on behalf of the objectors in relation to this matter.

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council determine to support the proposal and issue a Notice of Decision to Grant a Permit to Develop the land for the construction of buildings and works comprising a seven storey mixed use development with roof terrace, use the land for retail premises, reduce the car parking requirements and waive the loading bay requirements at No. 17 Taylor Street Moorabbin subject to the following conditions:

1. Before the use and 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 5 November 2015, but modified to show:
 - a. allocation of the car parking spaces with one space provided to each dwelling and to the retail premises
 - b. the provision of a notation stating: “the existing laneway on the north (ROW) and west (Mac’s Lane) of the property from Taylor Street to the southern boundary of the subject site, including drainage works, must be designed with colour concrete and exposed aggregate feature bands in accordance with the Activity Centre Streetscape Suite; drained and constructed at the full cost of the owner/developer as per engineering plans approved by the Council”
 - c. 25% of the car stacker spaces to have a headroom clearance of 1.8m in accordance with Clause 52.06
 - d. the provision of a longitudinal section of the accesses to carparks from the laneway showing gradients, levels, distances and headroom clearances complying with AS2890.1:2004 and the flood proof apex
 - e. the provision of alternative visibility / warning system to alert laneway and ramps users of potential conflict
 - f. the provision of an updated Sustainable Management Plan (SMP), generally in accordance with that prepared by MEFL Pty Ltd and updated to reflect the current design
 - g. the recommendations within the SMP as required within the condition above to be nominated on the development plans
 - h. the provision of a full colour, finishes and building materials schedule, including samples (illustrated on an A4 or A3 sheet), for all external elevations and surfaces of the development
 - i. noise attenuation measures to be provided to the first floor car park
 - j. a sign at the base of the ramp directing ‘right turn only’ when egressing from the site

- k. each of the dwellings on level 1 of the building to be provided with 6m³ storage
- l. the location of all externally-located heating and cooling units, exhaust fans and the like, clearly shown
- m. a notation on the floor plans stating: "all guttering must be contained wholly within the title property boundaries of the subject land"
- n. the provision of a landscape plan for the roof terrace, 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 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.
- o. the provision of an additional ten (10) fully functional and workable on-site car parking spaces in a location and form that is to the satisfaction of the Responsible Authority, or the development reduced in size and scale so as to not require a car parking reduction pursuant to the Kingston Planning Scheme, to the satisfaction of the Responsible Authority.

Endorsed Plans

- 2. The development and use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Urban Art Treatment

- 3. Prior to the commencement of works, plans must be submitted to the Responsible Authority for approval detailing the integrated urban artwork treatment of the wall along the ROW and the southern wall of the building. Once approved, the plans must be implemented to the satisfaction of the Responsible Authority. The urban art must not be altered without the prior written consent of the Responsible Authority.

Street Tree Removal

- 4. Prior to the removal of street tree from the Taylor Street nature strip, payment must be made to Kingston City Council's customer service in accordance with Council's Street Tree Removal Procedures. The removal of these trees must be undertaken by Council at the expense of the Developer/Owner.

Drainage Engineering and Water Sensitive Urban Design

- 5. A flood proof apex (ie ridge level) protecting the property from any overland flows must be provided along the site's laneway frontage. This apex is to be at minimum 200mm above the existing invert of the laneway. This apex is to continue through any driveways or pathways that may cross it. The apex is to be a permanent structure (eg. rise in concrete driveway/pathway, sleeper retaining wall, solid brick fence/wall). Low mounded soil on its own is unlikely to be acceptable due to the likelihood of future disturbance.
- 6. 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 above the permissible site discharge as a result of the approved development. The system must be maintained to the satisfaction of the Responsible Authority. The satisfactory options to achieve these desired outcomes may include the use of an infiltration or bioretention system, rainwater tanks connected for reuse and a detention system. The overall outflow of the site to Council drainage system must be limited to 5.6 L/s.

7. Before the development commences, prior to submission of detailed Stormwater Management Plan of the development as per the condition below, a comprehensive stormwater management (drainage) strategy of the site including a report with MUSIC model output or equivalent and Stormwater (drainage) concept plan incorporating Rainwater Tanks for water reuse and other Water Sensitive Urban Design Treatments to achieve best practice objectives must be prepared as per Council's "Civil Design Requirements for Developers – Part A – Integrated Stormwater Management" to the satisfaction of the Council;
8. Before the development commences, a Stormwater Management (drainage) Plan showing the stormwater works to the nominated point of discharge must be prepared to the satisfaction of the Responsible Authority. The Stormwater Management (drainage) Plan must be prepared by a qualified person and show all details 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.). The Stormwater Management Plan must be prepared as per Council's "Civil Design Requirements for Developers – Part A – Integrated Stormwater Management".
9. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
10. The proposed car stacker pits must be designed as a fully-tanked/sealed dry structure.

Roads Infrastructure

11. Property boundary and footpath levels must not be altered without the prior written consent form the Responsible Authority.
12. Any ramps or changes in grade at pedestrian and vehicle access areas must be ramped within the property boundaries.
13. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
14. Vehicle crossings and other reinstatements must be constructed to council's industrial strength specifications.
15. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
16. All front and side fences must be contained wholly within the title property boundaries of the subject land.

Construction Management

17. Before the commencement of any buildings and works, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed as evidence of its approval and will then form part of the permit and shall thereafter be complied with. The CMP must specify and deal with, but is not limited to, the following:
- a. the staging of the development
 - b. a detailed schedule of works, including the demolition of structures and a full project timing
 - c. a fully detailed plan indicating where construction hoardings would be located
 - d. a waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing
 - e. containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site
 - f. business operations on the site during construction
 - g. site security
 - h. public safety measures
 - i. construction times, noise and vibration controls
 - j. restoration of any Council assets removed and/or damaged during construction
 - k. protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
 - l. remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site)
 - m. an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced
 - n. the CMP must identify all relevant permits required for works/occupation outside the property boundary (ie. Hoarding, Asset Protection, Occupation of Public Land)
 - o. all contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.

Traffic Management

18. Before the commencement of any buildings and works, a Traffic Management Plan (TMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The TMP must specify and deal with, but is not limited to, the following:

- a. when or whether any access points would be required to be blocked; an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and preferred routes for trucks delivering to the site
- b. the location for the parking of all construction vehicles and construction worker vehicles during construction
- c. delivery of materials including times for loading/unloading and unloading points
- d. expected frequency; and details of where materials will be stored and how concrete pours would be managed
- e. proposed traffic management signage indicating any inconvenience generated by construction, and
- f. traffic management measures to comply with provisions of AS 1742.3–2002 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads.

Sustainability Management Plan

19. Prior to the endorsement of plans required by Condition 1, an amended Sustainability Management Plan (SMP) must be submitted to the satisfaction of the Responsible Authority for endorsement. The amended SMP must be generally in accordance with the SMP prepared by MEFL Pty LTD and updated to reflect the current design and layout of the development.

Waste Management Plan

20. The waste management plan must be implemented to the satisfaction of the Responsible Authority. The waste management plan must not be modified unless without the written consent of the Responsible Authority.

Public Works

21. Prior to the occupation of any dwelling or commencement of use, the laneway as described in Condition 1b) must be designed and constructed at the full cost of the owner/developer and maintained in accordance with the plans approved by the Council. Discussion with Council's Development Engineer is recommended prior to submission of a design. The level of the proposed laneway is to be set as per design brief prepared by Council's Strategic Planning Department. A priced schedule of works within the laneway and the payment of Council's engineering fees of 3.25% of the cost of the works are required to be submitted prior to approval.
22. Prior to the occupation of the development hereby permitted, or by such later date as is approved by the Responsible Authority in writing, the kerb and channel, footpath and nature strip must be reinstated to the satisfaction of the Responsible Authority and in accordance with the Activity Centre Streetscape Suite (June 2013).
23. Prior to the occupation of any dwelling or commencement of use, the construction of the footpath

Signage

24. No signage may be displayed on the land unless approved by the Responsible Authority.

Completion of Development

25. Prior to the occupation of the development 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.
26. Prior to the occupation of the development hereby permitted, the landscaping works as shown on the endorsed plans for that stage must be completed to the satisfaction of the responsible authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.
27. Prior to the occupation of the development hereby permitted, or by such later date as is approved by the responsible authority in writing, the nature strip, kerb and channel, vehicle crossover and footpath must be reinstated to the satisfaction of the Responsible Authority.
28. Prior to the occupation of the development hereby permitted, areas set aside for parking vehicles, access lanes and paths for that stage as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, be:
 - a. Constructed to the satisfaction of the responsible authority.
 - b. Properly formed to such levels that they can be used in accordance with the plans.
 - c. Surfaced in accordance with the endorsed plans under this permit or in an all-weather coloured concrete seal-coat, to the satisfaction of the responsible authority.
 - d. Drained and maintained to the satisfaction of the responsible authority.
 - e. Line-marked to indicate each car space, allocation of on-street car spaces, access lanes and road markings.

Parking areas and access lanes must be kept available for these purposes at all times to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority.

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

Amenity Conditions

30. The amenity of the area must not be detrimentally affected by the development or use, through the:
 - a. Transport of materials, goods or commodities to or from the land.
 - b. Appearance of any building, works or materials.
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

- d. Presence of vermin.
 - e. Any other way.
31. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.
 32. The maintenance of the car stackers shall be the responsibility of the Body Corporate, owner or agent and must be serviced at such frequency as will render the stackers functional, to the satisfaction of the Responsible Authority.
 33. Service units, including air conditioning/heating units, where incorporated, must not be located where they will be highly visible from any public area to the satisfaction of the responsible authority, and if located on the roof of a building, suitable screening and baffling must be provided to the satisfaction of the Responsible Authority.
 34. All piping, 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.
 35. 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, to the satisfaction of the Responsible Authority.

Expiry of Permit

36. In accordance with section 68 of the *Planning and Environment Act 1987 (Act)*, this permit will expire if one of the following circumstances applies:
 - The development is not started before within (2) years from the date of this permit.
 - The development is not completed within four (4) years from the date of permit issue.
 - The use is not commenced within two (2) years of the completion of the development.

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.

Note: Council does not accept any Subsurface/groundwater (including AG drain) into the stormwater system. Sub-surface water (groundwater) is the responsibility of the property owner to dispose of on site or reach an agreement with the local sewer authority

Note: The fee for removal of the street tree(s) from the nature strip is **\$1222.50** including GST), payable to Kingston City Council's Customer Service Department -

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refer to cashier code "STRE". Customer Service will confirm payment to the Parks Department. The removal of the tree requires a minimum of 2 weeks notice from the Developer/Owner.

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

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 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*).

Note: The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.

CARRIED

8.4 KP14/1039 - 15 Smith Street Carrum

Moved: Cr Eden

Seconded: Cr Gledhill

That a Planning Permit be issued to Develop the land for the construction of six (6) dwellings at 15 Smith Street Carrum, 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 14 July and 16 July 2015, 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. all existing trees on the site and close 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, species must comprise a minimum of 80% indigenous coastal species;
 - v. adequate planting densities (e.g.: plants with a mature width of 1 metre, planted at 1 metre intervals);
 - vi. the provision of three (3) suitable medium sized (at maturity) canopy trees 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. the provision of six (6) suitable small canopy trees along the driveways southern landscape buffer, with species chosen to be approved by the Responsible Authority;
 - viii. all trees provided at a minimum of 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 regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
- b) north-point;
 - c) reduction to the width of the common driveway to 2.6 metres where possible and the additional land nominated for landscaping;
 - d) proposed crossover shown to be 3 metres in width;
 - e) Dwelling 6's bedroom window to have a sill height of 1.5 metres;
 - f) internal elevations of the development with windows shown to meet Standard B23 of Clause 55 of the Kingston Planning Scheme;
 - g) adequate lighting provided at garage entrances and in the driveways;
 - h) provision of a wheel stop complying with AS2890.1:2004 2.4.5.4 and Figure 2.6 in the visitor parking space adjacent to the paling fence;
 - i) the provision of a minimum 2000 litre rainwater tank clearly nominated for each dwelling with water re-use for toilet flushing; and
 - j) the provision of a full colour palette, finishes and building materials

schedule that provides non-reflective, natural and muted colours for all external elevations and driveways of the development.

Endorsed Plans

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Street Trees

3. Prior to the removal of the *Agonis flexuosa* (Willow Myrtle) street tree from the Smith Street nature strip, payment must be made to Kingston City Council's customer service in accordance with Council's Street Tree Removal Procedures. The removal of these trees must be undertaken by Council at the expense of the Developer/Owner.

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. The satisfactory options to achieve these desired outcomes may include the use of an infiltration or bioretention system, rainwater tanks connected for reuse and a detention system. The overall outflow of the site to Council drainage system must be limited to 9.5 L/s.
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 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.). The Stormwater Management System must be prepared as per Council's "Civil Design Requirements for Developers – Part A: Integrated Stormwater Management".
6. A STORM report demonstrating water sensitive urban design treatments and achieving Victorian best practice objectives must be provided as part of the Stormwater Management Plan to the satisfaction of the Responsible Authority.
7. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.

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.

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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.

Cultural Heritage Management Plan

16. All buildings and works must be carried out in accordance with the approved Cultural Heritage Management Plan No. 13904 prepared by Jem Archaeology and approved by the Department of Aboriginal Affairs Victoria on the 8 January 2016. A copy of the approved CHMP must be held on site during the construction activity.

Completion of Works

17. Prior to the occupation of each dwelling, all common property works, any crossovers and accessways, all works associated with that particular dwelling, and any works related to the provision of drainage, sewer, power and water supply are completed for each dwelling, to the satisfaction of the Responsible Authority.
18. Prior to the occupation of each dwelling, all landscaping works shown on endorsed plans for that dwelling must be completed, along with all common property landscaping works, to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
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.

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: 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 fee for removal of the street tree(s) from the nature strip is **\$711.00** including GST), payable to Kingston City Council's Customer Service Department - refer to cashier code "STRE". Customer Service will confirm payment to the Parks Department. The removal of the tree requires a minimum of 2 weeks notice from the Developer/Owner.

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 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

8.5 Amendment C144 - 41-47 Melrose Street Parkdale

Cr Staikos left the meeting at 7:54 pm.

Cr Staikos returned to the meeting at 7:56 pm.

It is recorded that Gary Ashcroft spoke in relation to this item.

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Undertake further consultation with the owner of 47 Melrose Street, Parkdale to determine whether it is appropriate or desirable to leave their property in the current Commercial 2 Zone.
2. Adopt Amendment C144 as exhibited subject to any changes required as a result of consultation undertaken with the owner of 47 Melrose Street, Parkdale as per Item 1.
3. Submit Amendment C144 to the Minister for Planning for approval.
4. Advise all submitters to Amendment C144 and the owners/occupiers of land at 41-47 Melrose Street, Parkdale in writing of the above resolution.

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council defers any decision on Amendment C144 and undertake further consultation with the owner of 47 Melrose Street, Parkdale to determine whether it is appropriate or desirable to leave their property in the current Commercial 2 Zone.

Cr Peulich left the meeting at 8:12 pm.

Cr Peulich returned to the meeting at 8:13 pm.

CARRIED

Question Time was held at 8.18pm.

Bruce Duffy of Chelsea asked the following questions:

Question 1.

Until such time that Kingston's more favourable planning laws are put in place and in light of the present rash of inappropriate residential developments, could you encourage the other Councillors to join together to not approve any developments that greatly exceed the NRZ planning laws?

The CEO provided the following response,

Council needs to assess planning applications on the basis of the Planning Scheme applicable at the time.

Question 2.

Who was responsible for the unfavourable residential planning laws that we now have in place in Kingston. Was it the fault of the then State Government Planning Minister, or was it, as rumour has it, the fault of Kingston Council for not having their submission ready in time?

The CEO provided the following response,

Council made a submission to the Residential Zones Advisory Committee process seeking to have its proposed residential zones included in a Neighbourhood Residential Zone. This request was made as part of Planning Scheme Amendment C140, which was subsequently not approved by the Minister for Planning. Council was not late in making its submission. Part of Item 8.8. on tonight's agenda, provides recommendations to the Council to continue to pursue its previously submitted residential zones.

Question 3.

Did the Council publish any notification in local newspapers etc informing residents that Kingston now has, dating from 2014, planning laws in place that have 94% GRZ instead of the 74% NRZ that we asked for? Is there any reason why the Council's official journal of the City of Kingston could not also be used to inform residents of important changes, like the change that happened to our planning laws back in 2014?

The CEO provided the following response,

Council has routinely used 'Kingston Your City' to inform residents of proposed and actual changes to planning laws. The most practical recent example is the changes proposed to the planning laws in the Kingston Green Wedge through Amendment C143.

Tony Falkingham of Mentone asked the following questions

Question 1.

In regards to the 4 storey overlay in the Mentone Activity Centre, did the Planning Minister consult with the City of Kingston prior to his decision to remove mandatory height controls and replace them with discretionary controls. This decision reverses the previous Minister's decision and blatantly ignores the community's views and the Planning Panel's recommendations, again this decision was made without any community consultation. What can Council do further.

The CEO provided the following response,

It is correct the mandatory height controls were replaced with discretionary height controls by the Planning Minister without any consultation with the community or Council. The mandatory controls had previously been a Panel recommendation.

Council can continue to advocate for its adopted position but it cannot change the Minister for planning's decision or appeal.

Question 2.

Has Council been consulted about the proposed 'Skyrail' option of removing level crossings on the Frankston line? The community are deeply concerned about Skyrail, (which in fact would be 4 rail tracks wide) as it will completely destroy the ambience of Kingston's beachside communities. Will Council seek and urgent update from the Transport Minister?

The CEO provided the following response,

Council has not received any briefings nor is it aware of any pre-determined treatment proposal for the Frankston line crossings in Kingston. Council is advocating to the LXRA for any and all options to be provided to the community for consideration before tendering for works. On tonight's agenda Council will consider a report with recommendations on how community consultation should be undertaken and used regarding grade separations on the Frankston line in Kingston.

8.6 Deciding Planning Applications

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council resolve to:

1. Adopt a revised Planning Delegation Policy that:
 - a) Amends the first dot point at section 8 (Policy Details) to read as follows:
'applications for five (5) or more dwellings that incorporate one or more double storey dwellings to the rear of the site, with 3 or more objections'
2. That Council's Instrument of Delegation "Council to staff" be updated to include the policy position (if the policy is adopted by Council).

Amendment

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Adopt a revised Planning Delegation Policy that:
 - a) Amends the first dot point at section 8 (Policy Details) to read as follows:
'applications for five (5) or more dwellings that incorporate one or more double storey dwellings to the rear of the site, with 3 or more objections'
 - b) require all applications for 2-storeys in the backyard with at least one objection in the General Residential 3 Zone to be listed and provided to Councillors with the Planning CIS agenda.
2. That Council's Instrument of Delegation "Council to staff" be updated to include the policy position (if the policy is adopted by Council).

Procedural Motion

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Moved: Cr West

Seconded: Cr Staikos

That debate on this matter be deferred to the part of the meeting closed to the public.

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, Gledhill and Bearsley (4)

LOST on the casting vote of the Chairperson

The Amendment was put and CARRIED

The Amendment became the Motion

The Motion was put and CARRIED

A Division was Called:

DIVISION:

FOR: Crs Brownlees, Staikos, West, Gledhill, Barth and Bearsley (6)

AGAINST: Cr Peulich (1)

CARRIED

Cr Eden left the meeting at 9:08 pm.

**8.7 Appointment of Members to Business and Economic Development
Advisory Committee**

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council:

1. Receive the information
2. Appoint the eight members listed in this report to the Business and Economic Development Advisory Committee for a period of two years.

Cr West left the meeting at 9:15 pm.

Cr West returned to the meeting at 9:17 pm.

Cr Eden returned to the meeting at 9:18 pm.

CARRIED

**8.8 Response to Managing Residential Development Advisory Committee and
Notice of Motion 45/2014 - Neighbourhood Character**

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council:

1. Receive the information in response to Notice of Motion 45/2014 and Council's resolution as per item 4 of 23 February 2015 Ordinary Council Meeting.
2. Lodge the submission at Appendix 1 as its response to the Managing Residential Development Advisory Committee.
3. Defer finalising the methodology and procuring support services required to update Council's Neighbourhood Character Study and Housing Strategy until it has received and considered the Managing Residential Development Advisory Committee's report and findings.
4. Undertake the background work as outlined in Table 1 of Section 3.5 of this report in parallel with the Managing Residential Development Advisory Committee process.

Cr Peulich left the meeting at 9:25 pm.

Cr Peulich returned to the meeting at 9:26 pm.

Amendment

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Receive the information in response to Notice of Motion 45/2014 and Council's resolution as per item 4 of 23 February 2015 Ordinary Council Meeting.
2. Lodge the submission at Appendix 1 as its response to the Managing Residential Development Advisory Committee.
3. Defer finalising the methodology and procuring support services required to update Council's Neighbourhood Character Study and Housing Strategy until it has received and considered the Managing Residential Development Advisory Committee's report and findings.
4. Undertake the background work as outlined in Table 1 and dot points of Section 3.5 of this report in parallel with the Managing Residential Development Advisory Committee process. Further, that a dot point be added to the list in section 3.5 of the report as follows: to arrange as soon as possible a briefing for councillors and officers from Council's consultant to advise on how best to proceed as per their report provided to a previous CIS meeting.

CARRIED

The Amendment became the Motion

Amendment

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Moved: Cr West

Seconded:

That Council:

1. Receive the information in response to Notice of Motion 45/2014 and Council's resolution as per item 4 of 23 February 2015 Ordinary Council Meeting.
2. Lodge the submission at Appendix 1 as its response to the Managing Residential Development Advisory Committee and to preface the submission with a statement along the lines of:
 - a. We are asked to comment on how the new zones are working and we need to make the point that they are not working for the City of Kingston because we are the only municipality to have had our New Residential Zones submission rejected in its entirety. We now have:
 - virtually no Neighbourhood Residential Zone despite the fact that we previously had 76% of our residential housing areas zoned Residential 3 - and
 - none of the certainty that would have been provided by the mandatory height limits proposed for the General Residential Zones.
 - This has left some of our most highly valued and significant residential areas without any of the protection from inappropriate over-development that was promised as part of the residential zones review.
 - b. We have been advised by RZSAC to review our residential housing and neighbourhood character studies, and have resolved to undertake at least the latter, but this will take another year or so: do we have to stand by and watch the best of the rest of our neighbourhood character destroyed by VCAT fiat while this work is underway?

The Amendment LAPSED for want of a Seconder

Amendment

Moved: Cr West

Seconded: Cr Eden

That Council:

1. Receive the information in response to Notice of Motion 45/2014 and Council's resolution as per item 4 of 23 February 2015 Ordinary Council Meeting.
2. Lodge the submission at Appendix 1 as its response to the Managing Residential Development Advisory Committee and for officers to promptly arrange for Council's legal counsel to brief councillors on these matters before he presents to the MRDAC.
3. Defer finalising the methodology and procuring support services required to update Council's Neighbourhood Character Study and Housing Strategy until it has received and considered the Managing Residential Development Advisory Committee's report and findings.
4. Undertake the background work as outlined in Table 1 and dot points of Section 3.5 of this report in parallel with the Managing Residential Development Advisory Committee process. Further, that a dot point be added to the list in section 3.5 of

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the report as follows: to arrange as soon as possible a briefing for councillors and officers from Council's consultant to advise on how best to proceed as per their report provided to a previous CIS meeting.

LOST on the casting vote of the Chairperson

The Substantive Motion was put and CARRIED

The Resolution reads as follows:

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Receive the information in response to Notice of Motion 45/2014 and Council's resolution as per item 4 of 23 February 2015 Ordinary Council Meeting.
2. Lodge the submission at Appendix 1 as its response to the Managing Residential Development Advisory Committee.
3. Defer finalising the methodology and procuring support services required to update Council's Neighbourhood Character Study and Housing Strategy until it has received and considered the Managing Residential Development Advisory Committee's report and findings.
4. Undertake the background work as outlined in Table 1 and dot points of Section 3.5 of this report in parallel with the Managing Residential Development Advisory Committee process. Further, that a dot point be added to the list in section 3.5 of the report as follows: to arrange as soon as possible a briefing for councillors and officers from Council's consultant to advise on how best to proceed as per their report provided to a previous CIS meeting.

CARRIED

8.9 Response to Notice of Motion 32/2015 - Enviromix

Moved: Cr Peulich

Seconded: Cr Staikos

That:

1. Council note the status of the Enviromix facility.
2. Further advice be provided to Councillors once the intentions of the company are known.
3. Officers continue to work with the EPA to monitor the Enviromix facility.

Cr Brownlees left the meeting at 9:51 pm.

CARRIED

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9. Community Sustainability Reports

**9.1 Contract 15/89 - Parkdale Hub Phase 2 - Training & Immunisation
Administration Facility**

Moved: Cr Gledhill

Seconded: Cr Peulich

That Council:

1. Receive the information contained in this report;
2. Approve the tender award for Contract 15/89 Parkdale Phase 2 - Training & Immunisation Administration Facility to Ausbuild Constructions Pty Ltd for the lump sum amount of \$1,134,600.00 exclusive of GST;
3. Endorse the allocation of a contingency sum allowance of \$37,000 for use in addressing unforeseen works and delegate authority for expenditure to the Manager Community Buildings;
4. Endorse the proposed funding model to implement the required works; and
5. Endorse the reported project funding shortfall of \$26,000 exclusive of GST to be sourced from projected project cost underspends within the 2015/16 Capital Works program

Cr Brownlees returned to the meeting at 9:57 pm.

Cr Staikos left the meeting at 9:58 pm.

Cr West left the meeting at 9:58 pm.

Cr West returned to the meeting at 9:59 pm.

Cr Staikos returned to the meeting at 9:59 pm.

Procedural Motion

Moved: Cr West

Seconded: Cr Staikos

That Council defer consideration of this item to allow further discussion about possible, less expensive uses for the building.

LOST

Procedural Motion

Moved: Cr Peulich

Seconded: Cr Eden

That the motion now be put.

CARRIED

The Substantive Motion was put and CARRIED

Cr West requested it be noted that she voted in the negative.

10. City Assets and Environment Reports

10.1 Kingston Flood Management Plan

RECOMMENDATION

That Council:

1. Receive the information; and
2. Advise Melbourne Water that the document entitled '*Flood Management Plan for Kingston City Council and Melbourne Water, January 2016*' is supported.

Note: Refer to page 5 of the Minutes where this item was block resolved.

10.2 Declaration of Load Limit Restriction for Wells Road Bridge at Patterson River

RECOMMENDATION

That Council:

1. Pursuant to Schedule 11, Clause 12 of the Local Government Act 1989, resolve to impose a 24 tonne Gross Vehicle Mass Load Limit Restriction on the Wells Road Bridge over the Patterson River at Patterson Lakes (exemptions to be assessed through a permit application with Emergency services vehicles to be exempt).

Note: Refer to page 5 of the Minutes where this item was block resolved

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Brownlees

That the order of business be altered to now consider the confidential items.

CARRIED

A Division was Called:

DIVISION:

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

AGAINST: Crs Peulich, Gledhill and Bearsley (3)

CARRIED

11. Confidential Items

Moved: Cr Staikos

Seconded: Cr West

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

14.1 Sport and Recreation Advisory Committee Member Appointment

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)

14.2 KP112/2015 - 40-70 Canterbury Road, Braeside - Mediation position required for potential VCAT Consent Orders

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to proposed developments (s89 2e)

14.3 No.1-9 Balcombe Road, Mentone - New application, amendment under secondary consent lodged with Council and section 87A application lodged with the VCAT

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to proposed developments (s89 2e)

14.4 KP460/2015 - 22-24 Barker and 15-17 Maude Streets, Cheltenham - VCAT appeal lodged. Position for Compulsory Conference and representation direction required

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to proposed developments (s89 2e)

14.5 KP650/2014 - 165-169 Nepean Highway & 8-10 Lower Dandenong Road, Mentone - VCAT objector (section 82) and conditions (section 80) appeals lodged

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to proposed developments (s89 2e)

14.6 Update on Future Use & Masterplanning of Spring Road Reserve, Dingley Village

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

Confidential Appendices

**8.5 Amendment C144 - 41-47 Melrose Street Parkdale
Appendix 3, Legal advice on Amendment C144 and the recommendations of the Planning Panel**

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

**9.1 Contract 15/89 - Parkdale Hub Phase 2 - Training & Immunisation
Administration Facility
Appendix 1, Contract 15/89 - Parkdale Immunisation Project - Trade
Tender Breakdown**

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

9.1 Contract 15/89 - Parkdale Hub Phase 2 - Training & Immunisation Administration Facility

Appendix 2, Contract 15/89 - Parkdale Immunisation Project - Tender Evaluation Matrix

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

9.1 Contract 15/89 - Parkdale Hub Phase 2 - Training & Immunisation Administration Facility

Appendix 3, Contract 15/89 - Parkdale Immunisation Project - BAFO Outcome Table

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

10.5 Edithvale Golf Course to Main Drain Outlet - Drainage Construction - Stage 3

Appendix 1, 1597 Stage 3 Chelsea Public Golf course to main drain drainage construction Evaluation matrix

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, Staikos, West, Eden, Barth and Bearsley (6)

AGAINST: Crs Peulich and Gledhill (2)

CARRIED

The meeting was closed to members of the public at 10.15pm.

The meeting was opened to members of the public at 10.25pm.

Procedural Motion

Moved: Cr Gledhill

Seconded: Cr Staikos

That the meeting now be opened to the public.

CARRIED

10.3 Policy Review - Vehicle Crossing Policy

Moved: Cr Staikos

Seconded: Cr Eden

That Council:

1. Adopt the Vehicle Crossing Policy 2016 as attached to this report.

CARRIED

10.4 Request for Approval for a Planning Permit Application for Dingley Farmers' Market

Moved: Cr Staikos

Seconded: Cr Eden

That Council;

1. As landowner authorises the Dingley Village Neighbourhood Centre to apply for a planning permit for a Farmers' Market to be located at the Marcus Road entrance to the Dingley Reserve; and
2. Notes that such approval in no way predetermines the outcome of any subsequent planning process by Council as the responsible authority or as land owner.

CARRIED

A Division was Called:

DIVISION:

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

AGAINST: Crs Brownlees and Peulich (2)

CARRIED

10.5 Edithvale Golf Course to Main Drain Outlet - Drainage Construction - Stage 3

RECOMMENDATION

That Council:

1. Receive the information;
2. Award Contract No. 15/97 – Edithvale Golf Course Drainage Works Stage 3 on a Lump Sum basis to Entracon Civil Pty Ltd for the tendered price of \$1,127,389.31 (ex GST); and
3. Approve a Contingency Allowance of \$112,739 (ex GST) (10% of contract sum) from within the allocated 2015/16 budgeted project resources to cover unexpected financial variations.

Note: Refer to page 5 of the Minutes where this item was block resolved.

10.6 Level Crossing Removal Update

Moved: Cr Peulich

Seconded: Cr Gledhill

That Council write to the State Premier and Minister for Transport advising that it is Council's view that:

1. The Level Crossing Removal Authority to undertake extensive community consultation prior to developing the proposed grade separation treatments on the Frankston line in the City of Kingston;
2. That community feedback be used to guide and determine individual grade separation treatments on the Frankston line in the City of Kingston;
3. That the community be fully informed of all grade separation site constraints and opportunities; and
4. That individual site grade separation treatments be determined with the community prior to the Level Crossing Removal Authority proceeding to tender the Frankston line grade separations within the City of Kingston.
5. Kingston Council expresses opposition to the Skyrail proposal for the Frankston Line as well as the Centre Road and Clayton Road Level Crossings.
6. In each instance all possible options for the treatment be presented for a consultation process and that the community consultation include open forum discussion where the pros and cons of the main two options (elevated rail over road, and trenched rail under road) are presented to give residents the opportunity to make informed decisions about their preferred option.

Amendment

Moved: Cr Staikos

Seconded: Cr West

That the motion be adopted subject to the deletion of point 5.

Cr Staikos left the meeting at 10:52 pm.

Cr Staikos returned to the meeting at 10.53 pm.

Procedural Motion

Moved: Cr Gledhill

Seconded: Cr West

That the amendment now be put.

CARRIED

The Amendment was put and CARRIED

A Division was Called:

DIVISION:

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

AGAINST: Crs Peulich and Gledhill (2)

ABSTAINED: Crs Brownlees and Bearsley (2)

CARRIED on the casting vote of the Chairperson

The Amendment became the Motion

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Gledhill

That the motion now be put.

CARRIED

A Division was Called:

DIVISION:

FOR: Crs Brownlees, Staikos, West, Gledhill, Eden, Barth and Bearsley (7)

AGAINST: Cr Peulich (1)

CARRIED

The Substantive Motion was put and CARRIED

A Division was Called:

DIVISION:

FOR: Crs Brownlees, Staikos, West, Gledhill, Eden, Barth and Bearsley (7)

AGAINST: Cr Peulich (1)

CARRIED

The resolution now reads as follows:

Moved: Cr Staikos

Seconded: Cr West

That Council write to the State Premier and Minister for Transport advising that it is Council's view that:

1. The Level Crossing Removal Authority to undertake extensive community consultation prior to developing the proposed grade separation treatments on the Frankston line in the City of Kingston;
2. That community feedback be used to guide and determine individual grade separation treatments on the Frankston line in the City of Kingston;
3. That the community be fully informed of all grade separation site constraints and opportunities; and
4. That individual site grade separation treatments be determined with the community prior to the Level Crossing Removal Authority proceeding to tender the Frankston line grade separations within the City of Kingston.
5. In each instance all possible options for the treatment be presented for a consultation process and that the community consultation include open forum discussion where the pros and cons of the main two options (elevated rail over road, and trenched rail under road) are presented to give residents the opportunity to make informed decisions about their preferred option.

CARRIED

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12. Corporate Services Reports

11.1 Audit Committee Charter

Moved: Cr Peulich

Seconded: Cr Gledhill

That Council adopt the Draft Audit Committee Charter dated February 2016 and include under Purpose “and to monitor review and advise the Council on the standard of financial control, risk management and corporate governance.”

Procedural Motion

Moved: Cr Eden

Seconded: Cr Peulich

That the motion now be put.

CARRIED

The Substantive Motion was put and CARRIED

Cr Bearsley requested that her abstention be noted.

Procedural Motion

Moved: Cr Gledhill

Seconded: Cr Staikos

That consideration of the following items be deferred to a Special Meeting of Council to be held on 7 March 2016:

- Notice of Motion No. 45/2015 - Cr Gledhill - Roles Undertaken by Council on Behalf of State Government
- Notice of Motion No. 46/2015 - Cr Peulich - Beautification of Median Strips - Dingley Village
- Notice of Motion No. 47/2015 - Cr Peulich - Significant Tree Controls for Golf Courses
- Notice of Motion No. 48/2015 - Cr Peulich - Streetscape Works - Moorabbin Activity Area
- Notice of Motion No. 49/2015 - Cr Peulich - Dingley Village Roundabout
- Notice of Motion No. 50/2015 - Cr Peulich - Council Grants
- Notice of Motion No. 51/2015 - Cr West - Open Space Provision in Planning Applications
- Notice of Motion No. 52/2015 - Cr West - Public Meeting on Cemetery Proposal
- Notice of Motion No. 1/2016 - Cr West - Ward Meeting on Neighbourhood Character
- Notice of Motion No. 2/2016 - Cr West - Advisory Committee Restrictions

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Moved: Cr Staikos

Seconded: Cr Eden

That the motion now be put.

CARRIED

Cr Peulich requested it be noted that he voted in the negative.

A Division was Called:

DIVISION:

FOR: Crs Staikos, West, Bearsley, Gledhill, Eden and Barth (7)

AGAINST: Cr Peulich (1)

ABSTAINED: Cr Brownlees (1)

CARRIED

The Substantive Motion was put and CARRIED

A Division was Called:

DIVISION:

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

AGAINST: Crs Brownlees and Peulich (2)

CARRIED

11.2 Investment Policy Report - December 2015

RECOMMENDATION

That Council note that its funds as at 31 December 2015 are invested in line with the risk management profile prescribed in Council's Investment policy.

Note: Refer to page 5 of the Minutes where this item was block resolved.

11.3 Quarterly Performance Report and Quarterly Financial Statements to 31 December 2015

RECOMMENDATION

That Council:

1. Receive the Quarterly Performance Report as at December 2015
2. Receive the Quarterly Financial Statements as at December 2015

Note: Refer to page 5 of the Minutes where this item was block resolved.

11.4 Quick Response Grants

RECOMMENDATION

1. That the Quick Response Grant for Vic SES Chelsea Unit for the amount of \$2000.00 be approved.
2. That the Quick Response Grant for Micheal Su for the amount of \$2,500.00 not be approved.

Note: Refer to page 5 of the Minutes where this item was block resolved.

11.5 Election Period Policy

RECOMMENDATION

That Council:

1. Adopt the Election Period Policy as attached in Appendix 1.

Note: Refer to page 5 of the Minutes where this item was block resolved.

11.6 Assembly of Councillors Record Report

RECOMMENDATION

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

Note: Refer to page 5 of the Minutes where this item was block resolved.

12. Notices of Motion

12.1 Notice of Motion No. 45/2015 - Cr Gledhill - Roles Undertaken by Council on Behalf of State Government

I MOVE :

That Council officers provide a report to Council during February 2016 which lists the roles that Council undertakes on behalf of the State Government, as an example the maintenance of the foreshore and Mordialloc Creek. For each item an annual cost is to be attached.

Note: Refer to page 37 of the Minutes where this item was deferred to 7 March 2016.

12.2 Notice of Motion No. 46/2015 - Cr Peulich - Beautification of Median Strips - Dingley Village

I MOVE :

That Kingston Council make appropriate budget allocation for the beautification of the median strips approaching the Dingley Village roundabout for works to be undertaken in 2016.

Note: Refer to page 37 of the Minutes where this item was deferred to 7 March 2016.

12.3 Notice of Motion No. 47/2015 - Cr Peulich - Significant Tree Controls for Golf Courses

I MOVE :

That Kingston Council urgently review significant tree controls for golf courses.

Note: Refer to page 37 of the Minutes where this item was deferred to 7 March 2016.

12.4 Notice of Motion No. 48/2015 - Cr Peulich - Streetscape Works - Moorabbin Activity Area

I MOVE :

That Kingston Council make appropriate budget allocations for streetscape works in Moorabbin Activity Area to be undertaken by Council in 2016.

Note: Refer to page 37 of the Minutes where this item was deferred to 7 March 2016.

12.5 Notice of Motion No. 49/2015 - Cr Peulich - Dingley Village Roundabout

I MOVE :

That Kingston Council make appropriate budget allocations for the installation of a roundabout at the Centre Dandenong Road entrance for the Dingley Village shopping centre and for officers to prepare designs and seek permission from the appropriate stakeholders to undertake works.

Note: Refer to page 37 of the Minutes where this item was deferred to 7 March 2016.

12.6 Notice of Motion No. 50/2015 - Cr Peulich - Council Grants

I MOVE :

That immediate adjustments to Kingston policies be made to ensure that events and celebrations such as Christmas Carols , Christmas Pageants, multicultural celebrations such as Diwali and the indigenous “Welcome to Country” are not be precluded from Kingston Council support and applications for council grants .

Note: Refer to page 37 of the Minutes where this item was deferred to 7 March 2016.

12.7 Notice of Motion No. 51/2015 - Cr West - Open Space Provision in Planning Applications

I MOVE:

Council officers consider public open space needs and availability in assessing multi-unit residential planning applications and include reference to those matters in their reports to Council.

Note: Refer to page 37 of the Minutes where this item was deferred to 7 March 2016.

12.8 Notice of Motion No. 52/2015 - Cr West - Public Meeting on Cemetery Proposal

I MOVE THAT :

Council officers organise a meeting at the Council chambers or a more convenient location early in the New Year to which landholders, interested community groups and members of the public are invited to be addressed by the Southern Metropolitan Cemeteries Trust and also by academic and community representatives in a position to comment on the value of the market gardens to Kingston and to Victoria’s food security

Note: Refer to page 37 of the Minutes where this item was deferred to 7 March 2016.

12.9 Notice of Motion No. 1/2016 - Cr West - Ward Meeting on Neighbourhood Character

I MOVE THAT:

1. Council acknowledges that Neighbourhood Character is an appropriate topic for a Ward Meeting in line with Clauses 3 and 8 of the Councillor Ward Meeting Policy;
2. Officers proceed to arrange and provide normal support for a Central Ward Meeting to be held in April on the topic of Neighbourhood Character inviting residents to comment on what aspects of their neighbourhood character they would like protected,
3. Council clarifies the Ward Meeting Policy Clauses 2 and 8, by reaffirming that one

or more ward councillors can call a ward meeting and are entitled to officer support, provided it complies with the terms of Council's Ward Meeting Policy including Clause 3, that not more than two meetings can be held per ward per year, not less than six months before an election, and that all ward councillor are invited, etc.

Note: Refer to page 37 of the Minutes where this item was deferred to 7 March 2016.

12.10 Notice of Motion No. 2/2016 - Cr West - Advisory Committee Restrictions

I MOVE:

That Council's Advisory Committees may invite experts to inform their deliberations and may request officers to follow up council or other policy matters deemed by the officers to be reasonable, including basic research

Note: Refer to page 37 of the Minutes where this item was deferred to 7 March 2016.

13. Urgent Business

There were no items of urgent business.

The meeting closed at 11.00pm..

Note: In the part of the meeting closed to the public Council resolved to make public the report and consequential resolution for Item 14.6 (report is attached).

14.6 Update on Future Use & Masterplanning of Spring Road Reserve, Dingley Village

RECOMMENDATION

That Council:

1. Receive the information;
2. Make public previous confidential resolution regarding the potential utilisation of Council's Spring Rd site to accommodate the Dingley Football Club (Junior and Senior) and Dingley Cricket Club on 23 November 2015 being:
Determine that Council officers assess the suitability and potential cost of developing Councils Spring Road Land for recreational sports activities including the construction of sports ovals and associated infrastructure;
3. Authorise Officers to undertake direct consultation with the Dingley Football Clubs (Junior and Senior) and Dingley Cricket Club in the consideration of establishing active sporting facilities on the Spring Road Reserve, Dingley Village;
4. Receive a further report detailing a draft Master Plan for the Spring Road Reserve, Dingley Village identifying the range of proposed uses, costs and timelines for implementation for Council's consideration; and
5. Make public this report and the consequential Council resolution.

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Note: Refer to page 3 of the Minutes where this item was block resolved.

Confirmed.....

The Mayor 29 March 2016

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Agenda Item No: 14.6

UPDATE ON FUTURE USE & MASTERPLANNING OF SPRING ROAD RESERVE, DINGLEY VILLAGE

Contact Officer: Julian Harvey, Manager Property, Arts and Leisure Services

Purpose of Report

This report provides an update about the planning process undertaken to enable recreational use of the former landfill site, owned by Council, on Spring Road in Dingley Village. A draft concept plan (with options for short term use of the site) is currently under development in response to community survey results, local open space planning requirements and latent demand identified by officers. This report also seeks approval to undertake focussed consultation with the Dingley Football Clubs (Junior and Senior) and Dingley Cricket Club in considering the establishment of active sporting facilities on the Spring Road Reserve, Dingley Village for Council's further consideration.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That Council:

1. Receive the information;
2. Make public previous confidential resolution regarding the potential utilisation of Council's Spring Rd site to accommodate the Dingley Football Club (Junior and Senior) and Dingley Cricket Club on 23 November 2015 being:
Determine that Council officers assess the suitability and potential cost of developing Councils Spring Road Land for recreational sports activities including the construction of sports ovals and associated infrastructure;
3. Authorise Officers to undertake direct consultation with the Dingley Football Clubs (Junior and Senior) and Dingley Cricket Club in the consideration of establishing active sporting facilities on the Spring Road Reserve, Dingley Village;
4. Receive a further report detailing a draft Master Plan for the Spring Road Reserve, Dingley Village identifying the range of proposed uses, costs and timelines for implementation for Council's consideration; and
5. Make public this report and the consequential Council resolution.

1. Executive Summary

The preparation of a master plan for sport and recreational use of the Spring Road Reserve commenced in early 2015. As part of this project a keen desire has been expressed to gain immediate access to the Reserve which to date, given its former use as a landfill site (and its current use as a gas extraction site), has not been available for community access.

A number of possible activities that could be conducted on the site have been identified which include less structured recreational activities as well as dog exercising and socialising opportunities given there is expressed local demand.

URS Australia now Aecom prepared a development assessment report for Council in 2008 which detailed post closure site remediation as well as recommendations about the sites future use. It is apparent that the site topography (and its former use as an extractive/landfill site) may preclude or restrict particular future sport and recreational uses.

Aecom have been engaged to complete a further assessment of the site (based largely on previously prepared reports and feature/level surveys) to ascertain the probability of successfully accommodating the proposed activities on site. Following completion of this work by Aecom, it is proposed that Officers consult directly with the Dingley Football Clubs (Junior and Senior) and Dingley Cricket Club on the development of active sporting infrastructure (two ovals, pavilion, car parking and associated requirements).

2. Background

Spring Road Reserve is located on Rowan and Spring Roads in Dingley Village on our north eastern municipal boundary (adjacent to the City of Greater Dandenong). At present, the site stands vacant (aside from a Council mulch storage facility) and is largely covered by rough grassland.

The first use of the site was for horticultural smallholdings but it was taken over for sand extraction in the 1950s. Sand production ended in about 1980 and the resulting pits were used for landfill until the site was closed in the mid-1990s. A landfill gas extraction system installed in 1995 is still in use and it is expected that the waste deposited in the site will continue to yield landfill gas for at least ten more years.

The site is approximately 35 hectares in area and is owned by the City of Kingston. Council is currently monitoring methane gas and ground water, and several capture sites and bores are located across the site (installed and owned by Energy Development Limited).

The site is not formally accessible to the public and is currently fenced. The topography of the site is undulating and it comprises steep ridges surrounded by flatter areas on the boundaries and a small water body is present in the northern segment. A small section of the site is currently used by Council's Parks Team as a storage location for mulch. The mowing frequency of the site has been increased in preparation for making the site / or parts of it accessible to the public.

A site feature and level survey has been completed which details ground level, contours, existing structures, services, drains, trees, all of which have a bearing on what is possible in terms of land development and building construction. Additionally, various existing Council documents have relevance to the planning of the site including:

- 2012 Kingston Open Space Strategy Update;
- Kingston Green Wedge Sports Facilities Opportunities Report 2014; and
- Spring Road Landfill – Development Assessment Report prepared for Council by URS Australia Pty Ltd.

A range of potential sport and recreation uses have been identified for the site including those included in the Kingston Green Wedge Sports Facilities Opportunities Report 2014 as well as an expressed demand from local sporting clubs. These usage options are to be considered as part of the overall master plan for the site which is anticipated to be a high level, visionary document given the many variables which have a bearing on the site; including its former use for landfill and extractive purposes; VicRoads transport corridors and initiatives adjacent to the

site; and existing sport and recreation provision at Rowan Road Reserve adjacent to the site as well as local (and metropolitan) open space planning.

3. Discussion

3.1 Council Plan Alignment

Goal 1 - Facilities and Assets that are Well Used and Effectively Managed

Outcome 1.3 - Parks, playgrounds and reserves that meet community needs

Planning for the Spring Road Reserve will provide Council with a strategic direction for a major parcel of Council owned land in the Kingston Green Wedge, and will establish a vision for the short and long term provision of community sport and recreation facilities to service Dingley Village, and potentially the region.

3.2 Consultation/Internal Review

Extensive consultation with residents and stakeholders has been completed via online and hard copy survey (distributed to all 3951 residential properties in Dingley Village). An adapted survey was also provided to Dingley sporting user groups to verify and update information already provided by these groups via the 2014 preparation of the Kingston Green Wedge Sports Facilities Opportunities Paper as well as subsequent meetings held with Councillors and officers.

Opportunities for residents and stakeholders to participate in the survey were promoted on Council's public website and *Have Your Say* pages, Facebook and via direct mail/email to Dingley Village schools and community organisations. A total of 510 survey responses were received during the three week survey campaign.

Results have provided information about current recreation pursuits Dingley Village residents enjoy, ways which Council might improve its provision of sport and recreation activities in Dingley Village, facilities which residents would like to have access to locally as well as suggestions and feedback about the short term use (0-5 years) of Spring Road Reserve. Information of relevance to the planning for short term use of Spring Road Reserve is included in this report.

In regard to short term use of Spring Road Reserve, respondents identified their preferred activities as walking for exercise; dog walking/exercising; bike riding; playgrounds; football; and picnicking. Of interest was the great number of respondents who undertook these activities with their grandchildren as well as a very clear message that Dingley Village residents enjoy using existing open space to socialise, celebrate and simply enjoy the natural environment.

The community have been clear that they would like to have access to the site as soon as possible and that to support their use of the Reserve survey respondents suggested inclusion of shared paths, a fenced dog off-leash area, bbq/picnic facilities and seating.

A draft concept plan for the short term use of Spring Road Reserve is currently being developed. As part of this concept plan, it is proposed that the short term use of the site will be enacted at the south eastern end of the Reserve largely because of its location adjacent to Rowan Road Reserve and the existing topography and accessibility. Proposed amenities and options for use include:

- Shared paths allow further extension to become part of a larger network of paths across the entire site, if and when suitable (for consideration via the broader master plan process for the entire site);
- A dog off-leash area (fenced and unfenced areas) possibly including agility and exercise equipment, dependant on site suitability;

- Seating and shelter (natural where possible);
- Multi use water dispenser (dogs/human); and
- Consolidation of the existing mulch storage facility.

3.3 Operation and Strategic Issues

3.3.1 Confirmation of the site's suitability for short term recreational use

The site and the cap placed on it at the cessation of landfill activities are generally in good condition, although minor local subsidence has occurred in places. When assessed by URS in their post closure remediation plan in 2008 (Spring Road Landfill – Development Assessment) the site produced no evidence of fugitive gas emissions.

The Development Assessment prepared by URS suggested that whilst there was no evidence of landfill gas or other emissions exiting the site, the site was once a landfill and the waste in it is still degrading and generating landfill gases. There are no risks to public health as the site currently stands as a fenced site however care must be taken not to disturb its sub-surface structure significantly. If it is disturbed, the risks to human health and environment will increase. The report recommended that any structures or features required for sport or recreational purposes must be developed on the surface because excavation or drilling to depths exceeding 100-150mm below the agricultural cap could damage its integrity as a whole and any sub-surface work could affect the gas reticulation system.

Prior to commencing any work to provide community access to the site, Council has engaged the services of Aecom Australia to assess the viability of these short term proposals and determine the extent of short term remediation works to facilitate 'human access' to the site. This work will also guide long term master planning of the site. Aecom have a thorough working knowledge of the site having undertaken and prepared previous assessments and reports relating to the sites former use as an extractive/landfill facility.

This cost can be met from the existing budget allocated to the planning for Spring Road Reserve. The report on this work is expected by the end of February and will thereafter guide Councils immediate works package for the site and determine if the land site can reasonably be opened up to public access.

3.3.2 Preparation of the site for short term recreational use

Assuming that the site is able to be used in the short term for recreational activities, there will be requirements as follows to facilitate this access:

- **Mowing** (currently undertaken by Council's existing contractor CityWide)
 - The current mowing schedule at Spring Road Reserve has been increased from 6 standard cuts to 12 cuts per annum.
- **Removal of obstacles/hazards:** Existing hazards identified include existing perimeter fence, old vehicles, metal, noxious weeds, old building materials (all relating to the sites former landfill use). Officers have removed rubbish from the site and are currently preparing to remove perimeter woody weeds and removal sections of the existing fence which will be implemented following confirmation of the site suitability for public access.
- **Retention of mulch & bulk bin storage:** should it be determined that the mulch and bulk bin storage facility remain on site, it is proposed that it be relocated within the site toward the northern perimeter, enclosed by fencing, screened by suitable vegetation and confined to an area no greater than is determined necessary for mulch loading and unloading activities, vehicle turning circles/accessibility and any risk management/OHS factors.

3.3.3 Completion of a master plan for Spring Road Reserve

Whilst the proposed short term use of Spring Road Reserve addresses activities requiring minimal site disturbance and development, it is known that a range of potential sport and recreation uses and demands also exist (for the site and for Dingley Village) including those included in the Kingston Green Wedge Sports Facilities Opportunities Report 2014, the 2012 Open Space Strategy as well as an expressed demand from local sporting clubs and others expected to be identified during preparation of the Kingston 2016 Sport and Leisure Strategy.

It is proposed at this time to commence consultation directly with the Dingley Football Clubs (Junior and Senior) and Dingley Cricket Club with regard to establishing active sporting infrastructure on the Spring Road Reserve. It is anticipated that this would include two sports ovals, pavilion, carparking and associated requirements such as training lights and match day facilities. Officers have undertaken some research and preliminary planning in consideration of such a facility and would benefit from direct discussions with local sporting clubs.

These more structured and permanent usage options are to be considered as part of an overall master plan for the site. The master plan will be a high level document which will provide a staged planning process for returning the site to public open space from its current condition (former landfill and extractive purposes). Factors that will be given consideration in the master plan include but are not limited to: VicRoads transport corridors and initiatives; existing sport and recreation provision at Rowan Road Reserve; current gas extraction lease options and presence of infrastructure, green wedge sport and recreation planning and provision, as well as local (and metropolitan) open space planning.

A draft master plan will be developed and provided to Council for consideration before circulating to the broader Dingley Village and Kingston communities for consultation purposes.

4. Conclusion

4.1 Environmental Implications

Completion of planning for short term use of Spring Road Reserve will have to address physical environmental implications and the eventual development of the site for sport and recreation would have to consider ESD principles. And should have a positive impact on the local environment by enhancing existing open space.

4.2 Social Implications

Providing residents and stakeholders with opportunities to be involved in the planning and formation of community spaces will likely have positive social implications in terms of their future use of the site for involvement in sport and recreation as well as local 'ownership' and acceptance of the space. The Dingley Village Sport and Recreation Survey is likely to have enabled this involvement for residents.

4.3 Resource Implications

\$50,000 is available in the 15/16 budget for preparation of the Spring Road extractive land site. \$11,000 has been expended on preparation of the feature and level survey. The further work proposed by Aecom is estimated to be \$2,500.

Ongoing annual costs of public access to the site will be approximately be \$55,000p.a. Capital costs of building ovals, a pavilion and associated car parking are yet to be determined and would be subject to the practicalities of the site, feasibility assessment and 'fit for purpose' considerations.

4.4 Legal / Risk Implications

There are no legal risks associated with this report.

Author/s: Julian Harvey, Manager Property, Arts and Leisure Services
Reviewed and Approved By: Daniel Freer, General Manager City Assets and Environment