

Minutes

Ordinary Meeting of Council

Monday, 27th June 2016



**City of Kingston
Ordinary Meeting of Council**

Minutes

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The meeting commenced at 7.01pm 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 John Ronke
Cr Steve Staikos
Cr Rosemary West OAM (arrived at 7.05pm)

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 Guttman, General Manager Planning and Development
Paul Marsden, Manager City Strategy
Ian Nice, Manager City Development
Megan O'Halloran, Manager Communications & Community Relations
Bridget Draper, Acting Manager Governance
Stephanie O'Gorman, Governance Officer
Gabrielle Pattenden, Governance Administration Officer

1. Apologies

There were no apologies submitted to the meeting.

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Ronke

Seconded: Cr Gledhill

That the Minutes of the Ordinary Meeting of Council held on 23 May 2016, the Special Meeting of Council held on 6 June 2016, the Special Meeting of Council held on 6 June 2016 (at 6.00pm), the Special Meeting of Council held on 6 June 2016 (at 6.15pm) and the Special Meeting of Council held on 14 June 2016 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.

4. Petitions

KP15/68 - 1090-1098 Nepean Highway & 1 Edwin Parade Highett

Moved: Cr Barth

Seconded: Cr Staikos

That the petition be referred to the CEO for response.

CARRIED

5. Presentation of Awards

There were no awards presented.

Cr West arrived at 7.05pm.

6. Reports from Delegates Appointed by Council to Various Organisations

Cr Staikos reported on the Victorian Local Governance Association Meeting.

Moved: Cr Staikos

Seconded: Cr West

That the delegate's report be received.

CARRIED

7. Question Time

Question Time was held at 8.18pm. Refer to page 14 of the Minutes.

Block Resolution

Moved: Cr Gledhill

Seconded: Cr Brownlees

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

- 8.1 Clayton Business Park - Process Update
- 8.2 Kingston Stormwater Quality In-Lieu Contributions Scheme
- 8.3 Amendment C152 Stormwater Management
- 8.5 Proposed Planning and Environment (Fee) Regulations 2016 (Review of Planning and Subdivision Fees)
- 9.1 Response to Notice of Motion 9/2016 - Update on Public Toilet at Chelsea Station
- 9.2 Storage Options for Community Groups
- 9.3 Development of Public Toilet Strategy
- 10.2 Fraser Avenue, Edithvale - Outfall Drainage and Road Reconstruction - Stage 4, Hughes Avenue to Munro Avenue

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- 10.3 Cannes Avenue, Patterson Street, Monaco Avenue, Toulon Court, Bonbeach - Road Reconstructions
- 10.6 Contract 16/11 - Hard Garbage Collection Services
- 11.2 September Ordinary Meeting of Council
- 11.3 Assembly of Councillors Record Report
- 11.6 Quick Response Grants
- 11.7 2015/16 Annual Report of the Chairman of the Audit Committee

CARRIED

8. Planning and Development Reports

8.1 Clayton Business Park - Process Update

RECOMMENDATION

That Council:

1. Respond to the correspondence from the Metropolitan Planning Authority providing its agreement to work with Goodman Australia and the Metropolitan Planning Authority to undertake the required strategic planning to inform a possible future Planning Scheme Amendment request to Council regarding the Clayton Business Park.

Note: Refer to page 4 of the Minutes where this item was block resolved

8.2 Kingston Stormwater Quality In-Lieu Contributions Scheme

RECOMMENDATION

That Council:

1. Initiate a two year pilot of the Kingston *Stormwater Quality In-Lieu Contributions Scheme*; and
2. Adopt the Kingston *Stormwater Quality In-Lieu Contributions Policy* 2016.

Note: Refer to page 4 of the Minutes where this item was block resolved

8.3 Amendment C152 Stormwater Management

RECOMMENDATION

That Council:

1. Request the Minister for Planning to authorise the preparation and exhibition of Planning Scheme Amendment C152 to the Kingston Planning Scheme to:
 - 1.1 Introduce a new local planning policy 'Stormwater Management' into the Local Planning Policy of the Kingston Planning Scheme at Clause 22.19.
 - 1.2 Modify Clause 21.09 'Environment, Wetlands and Waterways' of the Municipal Strategic Statement to further introduce objectives and strategies

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- in relation to water management.
2. Exhibit Planning Scheme Amendment C152 in accordance with the requirements of the Planning and Environment Act 1987 subject to Authorisation being granted.
 3. Adopt the engineering guidelines entitled 'Civil Design Requirements for Developers Part A: Integrated Stormwater Management, May 2016'.

Note: Refer to page 4 of the Minutes where this item was block resolved

8.4 Level Crossing Removal Authority - Urban Design Advisory & Community Open Space Expert Panels

Procedural Motion

Moved: Cr Gledhill

Seconded: Cr Brownlees

That consideration of this item be deferred to the next Ordinary Meeting of Council.

CARRIED

8.5 Proposed Planning and Environment (Fee) Regulations 2016 (Review of Planning and Subdivision Fees)

RECOMMENDATION

That Council:

1. Submit the attached submission to the State Government in response to its review of Planning and Environment (Fees) Regulations and the Subdivision (Fees) Regulations.
2. Request Officers provide information to customers of its Planning and Subdivision services once a decision is made by the State Government on this review.

Note: Refer to page 4 of the Minutes where this item was block resolved

9. Community Sustainability Reports

9.1 Response to Notice of Motion 9/2016 - Update on Public Toilet at Chelsea Station

RECOMMENDATION

That Council:

1. Note the current status of the proposed public toilet adjacent to the Chelsea station.

Note: Refer to page 4 of the Minutes where this item was block resolved

9.2 Storage Options for Community Groups

RECOMMENDATION

That Council:

1. Receive the information;
2. Continue to work with community groups to maximise on site storage at existing facilities;
3. Endorse the proposed hierarchy of groups in terms of accommodating unmet storage needs at an off-site location;
4. May, where demand for storage remains unmet and all other options have been exhausted, consider providing temporary financial support to groups to allow them to access commercial storage. Such arrangements, should they be required, will need to be formally considered on a case by case basis by Council, in the context of Council's finite resources and with reference to the priorities outlined within the hierarchy of groups identified in s.3.3.4 of this report; and
5. Consider the potential future use of the Council owned site at 55 Industrial Drive, Braeside for community storage following the anticipated consolidation of Parks/Depot operations at the Mills Road site in 2017/18.

Note: Refer to page 4 of the Minutes where this item was block resolved

9.3 Development of Public Toilet Strategy

RECOMMENDATION

That Council:

1. Note the outcome of the public consultation in relation to the Public Toilet Strategy; and
2. Adopt the Public Toilet Strategy as detailed in this report.

Note: Refer to page 4 of the Minutes where this item was block resolved

10. City Assets and Environment Reports

10.1 Consultation Report on Draft Guidelines for Advertising and Promotional Signs on Council Sporting Reserves

Procedural Motion

Moved: Cr West

Seconded: Cr Gledhill

Cr Barth left the meeting at 7:19 pm.

That consideration of this item be deferred to the next Ordinary Meeting of Council.

CARRIED

10.2 Fraser Avenue, Edithvale - Outfall Drainage and Road Reconstruction - Stage 4, Hughes Avenue to Munro Avenue

RECOMMENDATION

That Council:

1. Award Contract No. 16/3 – Fraser Avenue Edithvale Outfall Drainage and Road Reconstruction – Stage 4, Hughes Avenue to Munro Avenue on a lump sum basis to Entracon Civil Pty Ltd for the tendered price of \$2,124,761.61 ex GST from the 2016/17 civil infrastructure capital allocation; and
2. Approve a Contingency Allowance of \$212,476.16 ex GST (10% of contract sum) from within the 2016/17 civil infrastructure capital allocation to cover unexpected financial variations.

Note: Refer to page 4 of the Minutes where this item was block resolved

10.3 Cannes Avenue, Patterson Street, Monaco Avenue, Toulon Court, Bonbeach - Road Reconstructions

RECOMMENDATION

That Council:

1. Award Contract No. 16/4 – Cannes Avenue, Patterson Street, Monaco Avenue, Toulon Court, Bonbeach – Road Reconstructions on a lump sum basis to Delfino Paving Co Pty Ltd for the tendered price of \$1,264,411.50 ex GST from the 2016/17 civil infrastructure capital allocation; and
2. Approve a Contingency Allowance of \$126,441.15 ex GST (10% of contract sum) from within the 2016/17 civil infrastructure capital allocation to cover unexpected financial variations.

Note: Refer to page 4 of the Minutes where this item was block resolved

10.4 Response to Councillor Request - Evaluation Report Outlining Performance of Maintenance Against Schedule for Quiet Lakes/Waterways - Patterson Lakes

Procedural Motion

Moved: Cr Eden

Seconded: Cr Brownlees

That consideration of this item be deferred to the next Ordinary Meeting of Council.

Cr Barth returned to the meeting at 7:22 pm.

CARRIED

10.5 Parkdale Local Area Traffic Management Study

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council:

1. Receive the information and adopt the findings of the Parkdale Local Area Traffic Management study;
2. Implement actions subject to budget provision and in consultation with the community;
3. Receive a further report on the feasibility of introducing residential and trader parking protections within approximately 400m from the Parkdale Station; and
4. Continue to work with Public Transport Victoria and VicTrack to develop sufficient new parking infrastructure to manage parking demand associated with the Parkdale Station.

Cr Peulich left the meeting at 7:24 pm.

CARRIED

10.6 Contract 16/11 - Hard Garbage Collection Services

RECOMMENDATION

That Council:

1. Receive the information;
2. Award Contract 16/11 for Hard Waste Collection Services as a Schedule of Rates Contract to WM Waste Management Services Pty Ltd at their tendered rates based upon Council's estimated work quantities for a total estimated price of \$4,671,522.00 incl. GST (first year \$1,557,174.00) subject to annual rise and fall for the contract term of three years from 1st July 2016 to 30 June 2019 with two two-year optional extensions; and
3. Authorise the Chief Executive Officer, or delegate their delegate, to execute the

two two-year optional contract extensions subject to satisfactory performance.

Note: Refer to page 4 of the Minutes where this item was block resolved

10.7 Exposure Draft Emergency Management Bill

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council:

1. Note the key recommendations in this report in response to the Draft Emergency Management Legislation Amendment (Planning) Bill 2016.
2. Provide a submission to the State Government outlining Council's position on the Draft Emergency Management Legislation Amendment (Planning) Bill 2016.
3. Amend dot point 1 of part 3.4.4 of the report to read: That compensation be given to individual Councils involved at a regional level to offset the cost of support during planning and during and after events.

CARRIED

10.8 Statement of Support for VicSES

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council:

1. Supersede the Support for SES Policy (1996) and remove it from the policy list; and
2. Adopt the "Statement of Support for VICSES" as below:

Council acknowledges the significant specialist emergency services that the Victorian State Emergency Service volunteer units provide to the community of Kingston and acknowledge and thank the members for their dedication and commitment.

Council will continue to provide operational support where required and will continue to maintain current accommodation support arrangements until such time as VICSES can secure permanent accommodation for the units. Council will work with VICSES to support this outcome. So long as the units continue to provide this significant service to the community, Council will continue to include the Chelsea and Moorabbin units in the triennial partnership grant funding agreements.
3. Council thanks and recognises the valuable contribution of both Moorabbin and Chelsea SES units , together with all other volunteer agencies, to the ongoing safety and wellbeing of the Kingston community.

CARRIED

11. Corporate Services Reports

11.1 Cr West Leave Request

This item was withdrawn.

11.2 September Ordinary Meeting of Council

RECOMMENDATION

That Council change the September Ordinary Meeting of Council date to 19 September 2016.

Note: Refer to page 4 of the Minutes where this item was block resolved

11.3 Assembly of Councillors Record Report

RECOMMENDATION

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

Note: Refer to page 4 of the Minutes where this item was block resolved

11.4 Email, SMS and Internet Policy

Moved: Cr Gledhill

Seconded: Cr Staikos

That Council adopts the attached Email, SMS and Internet Policy.

Procedural Motion

Moved: Cr Brownlees

That consideration of this item be deferred to the next Ordinary Meeting of Council.

The Motion LAPSED for want of a Secunder.

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

The Substantive Motion was put and CARRIED

Cr Brownlees and Cr Peulich requested it be recorded that they voted AGAINST the
Substantive Motion

11.5 Amended Recording of Public Council Meetings Policy

Moved: Cr Eden

Seconded: Cr Staikos

That Council adopt the attached amended Recording of Council Meetings Policy as contained in Appendix 1, to now record meetings closed to the public.

Procedural Motion

Moved: Cr Staikos

Seconded: Cr West

That this item be deferred to the next Ordinary Meeting of Council pending an amendment to the report addressing personal privacy and officer recommendations on each agenda item contained in the confidential section of the agenda.

CARRIED

11.6 Quick Response Grants

RECOMMENDATION

1. That Council approve the following grant applications:
 - Julianne Vermeend - \$700.00
 - Kingswood Primary School - \$500.00
 - Anastasia Giggins - \$500.00
 - Russian United Television Accord Inc - \$200.00
 - Bonbeach Primary School - \$750.00
 - Parkrun - \$2000.00
 - Mentone Pony Club - \$2000.00
 - Royal Victorian Aero Club - \$779.00
2. That Council approve the repurposing of the grant of \$500 for St Andrews Calisthenics approved in May 2016.
3. That Council not approve the following grant application:
 - Eileen Curd
 - Italian Pensioners Club of Kingston Inc
4. That a donation of \$1000.00 be made to the Monash Children's Hospital in lieu of a grant to Vanessa Miranda.

Note: Refer to page 4 of the Minutes where this item was block resolved

11.7 2015/16 Annual Report of the Chairman of the Audit Committee

RECOMMENDATION

That Council:

1. Notes the 2015/16 report of the Chair of the Audit Committee

Note: Refer to page 4 of the Minutes where this item was block resolved

11.8 Amendment to Resolution and Minutes - Planning Committee 18 May 2016

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council:

In relation to the Planning Committee Meeting of 18 May 2016, agenda item 4.7 C148 95-97 Beach Road, Mentone Hotel resolve that:

- the reference in the resolution to Amendment C161 be taken to refer to Amendment C148 in both items 1 and 2; and
- the resolution and the minutes be amended to reflect this

Procedural Motion

Moved: Cr West

Seconded: Cr Eden

That this item be deferred to the next Ordinary Meeting of Council.

LOST

A Division was Called:

DIVISION:

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

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

LOST

Procedural Motion

Moved: Cr Peulich

Seconded: Cr Gledhill

That the motion be put.

CARRIED

The Substantive Motion was put and CARRIED

A Division was Called:

DIVISION:

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

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

CARRIED

Question Time

Question Time was held at 8.18pm.

John Giannikopoulos of Clarinda asked:

“When will the toilet cubicle at Bald Hill Park/Inverness Street Clarinda be updated or restored as it is in very poor condition and very unhealthy and has become a very high drug use area where unwanted people hang out?”

The CEO provided the following response:

“The Bald Hill Park toilet in Clarinda is amongst the highest priority toilets to be renovated and is expected to be progressed in the 2016/17 Financial Year, so Council is upgrading that toilet block.”

Athanasios Giannikopoulos of Clarinda asked:

“Why hasn’t Clayton Train Station been put underground as it’s a problem for paramedics and elderly people like myself to get to Monash Medical Centre?”

The CEO provided the following response:

“Clayton Train Station is in the City of Monash, it is not in the City of Kingston and it was a decision made by the State Government and not by the City of Kingston.”

Renee (no surname provided) of Dingley asked,

“Have there been any changes to the amendment for the ‘Beach Road Mentone Hotel’ application? If so, can the public have fourteen days to review the amended document?”

Note: *In accordance with clause 18(4) of the Meeting Procedures Local Law, as Renee was not present in the gallery, this question was not answered at the meeting and a written response will be provided to Renee instead.*

Trevor Shewan of Carrum asked:

“Kingston Residents Association applied for \$2,000 from their Quick Response Grant application to help towards the cost of printing and distribution for a newsletter. Why did Councillors’ at the May open Council Meeting vote to grant only \$200 to Kinston Residents Association from their \$2,000 Quick Response Grants application?”

The CEO provided the following response:

“I believe this question has previously been asked and responded to in writing. In essence, Council exercises discretion in allocating at a Council meeting amounts to ensure that it has funds available to respond at least in part to the many requests Council receives.”

Antony Falkingham of Mentone asked:

“Councillors made mention at the Planning Meeting on 18 May that Heritage Victoria granted a permit for a four storey level apartment townhouse development on the site of the Mentone Hotel and this could easily be misconstrued that Heritage Victoria have approved four storeys on the site, however, in discussions with the permit department at Heritage Victoria, they made it clear the four storey buildings falls outside of the extent of registration of the Mentone Hotel and whether or not to permit four storeys is therefore a matter for Council and the Minister for Planning. Can you please clarify that Heritage Victoria have not in fact approved a four storey development on the site of the Mentone Hotel?”

The CEO provided the following response:

“Heritage Victoria have granted a Heritage Permit P23692 under section 74 of the Heritage Act 1995. The Permit granted by Heritage Victoria in part states ‘The attention of the owner and/or applicant is drawn to the need to obtain all relevant permits prior to the commencement of works.’ It is necessary for a Planning Scheme Amendment to be processed and successful approved by the Planning Minister for the Heritage Victoria Permit to be operative. So, you have to have planning permits and the Planning Scheme Amendment in place for the Heritage Victoria approval to have any relevance.”

James Shannon of Mentone asked:

“Have Council officers or Councillors received any advice of a legal nature relating to the prior use rights of the Mentone Hotel and if so, specifically what is the advice and how can this potentially impact on the Mentone Hotel’s ability to trade as a hotel again in future. Is there any reason this advice cannot be shared with the community?”

The CEO provided the following response:

“The Mentone Hotel at present, I believe until mid-November has existing use rights as a hotel. However, if those existing use rights were to lapse, the Mentone Hotel is located in a General Residential Zone and the use of the land as a Hotel is a section 2 permit approved use. Therefore, even if it lapsed it could apply for another permit for further planning approval to use it as a hotel.”

Lori Turner of Clarinda asked:

“Bald Hill Park at Inverness Street, Clarinda does not have enough lighting as all barbeque areas have no lights.”

Note: *In accordance with clause 18(4) of the Meeting Procedures Local Law, as Ms Turner was not present in the gallery, this question was not answered at the meeting and a written response will be provided to Ms Turner instead.*

Simon Johnson of Parkdale asked the following questions:

Question 1.

“What is the cost of graffiti and clean up along the Frankston Rail Line? In the event a Skyrail is built on the Frankston Line, does Council have the resources to accommodate an increase in such crime?”

The CEO provided the following response:

“VicTrack and the approved operator of the suburban train service undertake graffiti removal within the rail reserve, not Council. We don’t know what their costs of graffiti removal are within the rail reserve or at train stations. In terms of if the Skyrail was built on the Frankston Line; I am aware that on the Dandenong Line the State Government where they are building a Skyrail have committed to funding at least for an initial period the removal of graffiti and maintenance of those areas. The Kingston Council does not have a budget allocation for graffiti removal on the Skyrail in the event that one was built.”

Question 2.

“Is Council aware of Aboriginal sites (registered or not) in proximity to the Frankston Rail Line? If such sites exist, or are discovered, what would Council do to preserve such sites? Should Council investigate this now, given the Labor Government’s Skyrail proposal?”

The CEO provided the following response:

“If there are aboriginal sites, there is State Legislation protecting those sites. It is not a Kingston Council project on grade separations. The legislative responsibility resides with the Level Crossing Removal Authority and the State Government as the owner of that land and they would be obliged to comply with State Legislation if in the course of doing their due diligence or their actual physical works. If they were to discover an aboriginal site they would need to have an assessment done under the relevant legislation.”

Cr Brownlees left the meeting at 8:25 pm.

12. Notices of Motion

12.1 Notice of Motion No. 17/2016 - Cr Eden - Community Gardens

Moved: Cr Eden

Seconded: Cr West

Cr Brownlees returned to the meeting at 8:30 pm.

That officers prepare a report detailing the considerations of developing community gardens in conjunction with local schools and interested residents at suitable locations

Consideration is to be given to areas adjacent to Bonbeach Primary School to start with. The officer report is to involve community consultation, including promotion via KYC, Facebook, the Council website and other mediums recommended by Council’s communications department.

Amendment

Moved: Cr Peulich

Seconded: Cr Brownlees

That officers prepare a report detailing the considerations of developing community gardens in conjunction with local schools and interested residents at suitable locations

Consideration is to be given to areas adjacent to Bonbeach Primary School to start with. The officer report is to involve community consultation, including promotion via KYC, Facebook, the Council website and other mediums recommended by Council’s communications department.

That the promotion of this and other initiatives be brought to CIS for discussion including the Kingston Sport and Recreation Strategy, Kingston’s Got Talent and engagement with business as part of the Business and Economic Development Advisory Committee and the Public Spaces and Environment Advisory Committee.

The Amendment was accepted by the Mover and Seconder of the Substantive Motion

The Amendment became the Substantive Motion

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The Substantive Motion was put and CARRIED

The resolution reads as follows:

Moved: Cr Eden

Seconded: Cr West

That officers prepare a report detailing the considerations of developing community gardens in conjunction with local schools and interested residents at suitable locations

Consideration is to be given to areas adjacent to Bonbeach Primary School to start with. The officer report is to involve community consultation, including promotion via KYC, Facebook, the Council website and other mediums recommended by Council's communications department.

That the promotion of this and other initiatives be brought to CIS for discussion including the Kingston Sport and Recreation Strategy, Kingston's Got Talent and engagement with business as part of the Business and Economic Development Advisory Committee and the Public Spaces and Environment Advisory Committee.

CARRIED

Cr Staikos left the meeting at 8:42 pm.

12.2 Notice of Motion No. 21/2016 - Cr Peulich - Skyrail on Dandenong Line

Moved: Cr Peulich

Seconded: Cr Gledhill

That Kingston opposes Skyrail on the Dandenong Line, especially in areas which impact on Kingston residents and ratepayers.

Cr Staikos returned to the meeting at 8:46 pm.

Procedural Motion

Moved: Cr West

Seconded: Cr Staikos

That this item be deferred pending a briefing to a Councillor Information Session from officers on the Dandenong Line.

LOST

A Division was called:

Division:

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

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

ABSTAINED: Crs Ronke (1)

LOST

The Substantive Motion was put and LOST

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A Division was Called:

DIVISION:

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

AGAINST: Crs Staikos, West and Barth (3)

ABSTAINED: Crs Ronke and Eden (2)

LOST

Cr Barth left the meeting at 9:21 pm and did not return.

Cr Staikos left the meeting at 9:21 pm and did not return.

12.3 Notice of Motion No. 22/2016 - Cr Gledhill - Restoration and Repair of Soppett Pavilion, Brindisi Street

Moved: Cr Gledhill

Seconded: Cr Brownlees

Cr Eden left the meeting at 9:23 pm.

That officers provide a report to Council at the July Ordinary Meeting of Council as to the total cost of:

1. The restoration and repair of the heritage Soppett Pavilion at the Mentone St Bede's Tigers Brindisi Street ground and consideration be given to the possibility of rebuilding the grandstand in a replica structure.
2. The completion of Stage 1 of the facility redevelopment as depicted in the attached plans.

Once the cost is determined, as part of the final report I would ask that officers provide some recommendations in relation to how the total works could be funded with a view to completion being achieved by March 2018.

CARRIED

Cr Eden returned to the meeting at 9:30 pm.

12.4 Notice of Motion No. 23/2016 - Cr Gledhill - Beach Road Truck Curfew

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council once again write to the Minister for Roads, the Hon. Luke Donnellan seeking his support for Council's desire to extend the current truck curfew along Beach Road to include Saturday mornings, which is currently exempt.

Council has written to the Minister previously with the matter being passed on to the relevant authority, VicRoads. Unfortunately despite assurances that the matter would be considered nothing has happened.

Every day we ignore recognised threats to safety we are one day closer to as tragedy.

CARRIED

12.5 Notice of Motion No. 24/2016 - Cr Gledhill - Tree Protection Policy

Moved: Cr Gledhill

Seconded: Cr Brownlees

That officers immediately conduct a review of the KCC Tree Protection Policy and Street Tree Policy in relation to the adequacy of its provisions for public safety and risk of property damage. Naturally this would be considered in conjunction with council's commitment to the retention of appropriate vegetation.

I ask that this information be compiled in a timeframe that would allow Councillors to consider any proposed actions at the July Ordinary Meeting of Council.

CARRIED

13. Urgent Business

There were no items of urgent business.

14. Confidential Items

Moved: Cr Brownlees

Seconded: Cr Gledhill

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

14.1 Response to Notice of Motion No 12/2016 - Kingston Road, Clarinda

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

Confidential Appendices

**10.2 Fraser Avenue, Edithvale - Outfall Drainage and Road Reconstruction - Stage 4, Hughes Avenue to Munro Avenue
Appendix 1, Contract 16-3 Fraser Avenue - Stage 4 Road Reconstruction Evaluation Matrix**

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

**10.3 Cannes Avenue, Patterson Street, Monaco Avenue, Toulon Court, Bonbeach - Road Reconstructions
Appendix 1, Contract 16-4 Cannes Avenue Patterson Street Bonbeach Road Reconstruction Evaluation Matrix**

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

**10.6 Contract 16/11 - Hard Garbage Collection Services
Appendix 1, Hard Garbage - Tender Evaluation Report**

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

CARRIED

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The meeting was closed to members of the public at 9.48pm.

Moved: Cr Ronke

Seconded: Cr Gledhill

That the meeting be opened to members of the public

CARRIED

The meeting was opened to members of the public at 9.53pm.

The meeting closed at 9.53pm.

Confirmed.....

The Mayor 25 July 2016