

# Minutes

## Ordinary Meeting of Council

**Monday, 19th September 2016**

(Adjourned to Monday 3 October 2016)

**City of Kingston  
Ordinary Meeting of Council**

**Minutes**

**19 September 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 John Ronke  
Cr Steve Staikos  
Cr Rosemary West OAM

**In Attendance:** John Nevins, Chief Executive Officer  
Mauro Bolin, General Manager Community Sustainability  
Daniel Freer, General Manager City Assets and Environment  
Jonathan Guttman, General Manager Planning and Development  
Tracey Cheeseman, Media Advisor Communications & Community Relations  
Phil De Losa, Manager Governance  
Stephanie O’Gorman, Governance Officer  
Gabrielle Pattenden, Governance Administration Officer

**1. Apologies**

There were no apologies submitted to the meeting.

Note: There was an apology for the meeting when adjourned to 3 October 2016 (refer to page 22 of the minutes).

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

**Moved: Cr Gledhill**

**Seconded: Cr Staikos**

That the Minutes of the Ordinary Meeting of Council held on 22 August 2016 and the Special Meeting of Council held on 12 September 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.

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**4. Petitions**

**Station Street Aspendale - Parking**

**Moved: Cr Eden**

**Seconded: Cr Ronke**

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

**CARRIED**

**Amendment to State Planning Scheme re: Car Parking for Residential Developments**

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That the petition be referred to the Chief Executive Officer and relevant officers for comment.

**CARRIED**

**5. Presentation of Awards**

There were no presentations.

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

There were no reports.

**7. Question Time**

Question Time was held at 8.08pm. Refer to page 9 of the Minutes.

**Block Resolution**

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

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

- 8.2 Combined Amendment C147 and Planning Permit Application KP15/480 - Lot 1, Sixth Avenue, Aspendale (Rossdale Golf Course)
- 9.1 Response to Notice of Motion No. 17/2016 - Community Garden on Land Adjacent to Bonbeach Primary School
- 10.3 Westall Hub Public Art Project - Recommended Artist
- 10.5 Wilson Street, Cheltenham - Evaluation of Trial Traffic Treatments
- 11.1 Assembly of Councillors Record Report
- 11.2 2016/17 Capital Program - Revised Budget
- 11.3 Community (Amendment) Local Law No. 1
- 11.5 Response to Notice of Motion No. 32/2016 - Cr Gledhill Use of Keith Styles Reserve

**CARRIED**

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**8. Planning and Development Reports**

**8.1 Waterways Maintenance Agreement**

**Moved: Cr Ronke**

**Seconded: Cr Eden**

That Council:

1. As of the 19<sup>th</sup> September 2016, Kingston City Council ends the Waterways Body Corporate Maintenance Agreement as it relates to Council land and accepts nor requires any further payments from this date.
2. Kingston City Council assumes responsibility for the Maintenance and Improvements of Council Land at a standard commensurate with other suburbs in Kingston. This includes the fountain and all entrance landscaping.
3. Instruct Council Officers to prepare a report which comprehensively outlines the associated costs for Council and savings for Waterways residents in ending the Maintenance Agreement.
4. Once Council has received and considered the report, forward the report to the Owners Corporation.
5. Write to Waterways Owners Corporation to inform them of Councils decision and arrange a meeting between Council Officers and the Owners Corporation to formalise the transition.
6. Requests the Waterways Owners Corporation advise its members of Council's decision.

**CARRIED**

**8.2 Combined Amendment C147 and Planning Permit Application KP15/480 - Lot 1, Sixth Avenue, Aspendale (Rosssdale Golf Course)**

**RECOMMENDATION**

That Council:

1. Adopt combined Planning Scheme Amendment C147 (Rosssdale Golf Course) and Planning Permit Application KP15/480 and submit it to the Minister for Planning for approval.

**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 No. 17/2016 - Community Garden on Land Adjacent to Bonbeach Primary School**

**RECOMMENDATION**

That Council:

1. Approve the development of a community garden as detailed in the report, on the plot of land adjacent to Bonbeach Primary School on Cirrus Street subject to the community representatives forming an incorporated community group and the development of a lease/licence relating to the site; and
2. Note the approach to promoting Kingston's Sport and Recreation Strategy, Kingston's Got Talent, Public Spaces and Environment Advisory Committee and engagement with business as part of the Business and Economic Development Advisory Committee.

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

**10. City Assets and Environment Reports**

**10.1 Parkdale Tennis Club Court Resurfacing Project**

**Moved: Cr Gledhill**

**Seconded: Cr Brownlees**

That Council:

1. Receive the information;
2. Accept the tender from Contek Constructions Pty Ltd. for Contract 16/88 Parkdale Tennis Club Court Resurfacing Project for the lump sum amount of \$675,973.85 (ex GST);
3. Refer an additional allocation of \$397,000 (ex GST) to the mid- year budget review to fund the associated works, including a contract contingency of 10%; and
4. Accept Parkdale Tennis Club's additional funding contribution of \$20,000 (total contribution of \$50,000) towards the project.

**CARRIED**

**10.2 Proposed Dingley Village Urban Design Framework - Community Needs**

**Moved: Cr Staikos**

**Seconded: Cr Barth**

That Council:

1. Notes this report;
2. Refers and prioritises the long term needs as expressed by the Dingley Village sporting and community groups to the planned Urban Design Framework for Dingley Village; and
3. Invites the Dingley Village sporting and community groups to participate with the process to prepare an Urban Design Framework for Dingley Village.

Cr West left the meeting at 7:47 pm.

Cr West returned to the meeting at 7:51 pm.

**CARRIED**

**10.3 Westall Hub Public Art Project - Recommended Artist**

**RECOMMENDATION**

That Council:

1. Receive the information; and
2. Support the Arts and Cultural Advisory Committee's recommendation and commission Ian Bracegirdle to install a public artwork as part of the Westall Hub Public Art Project as outlined in Attachment 1 to this report..

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

**10.4 Bay Trail Alignment - Mentone to Mordialloc**

**Moved: Cr Gledhill**

**Seconded: Cr Brownlees**

That Council:

1. Receive the information and note the extensive community consultation undertaken to guide a preferred Bay Trail Alignment;
2. Direct officers to seek relevant statutory approvals and undertake detailed design for a back of kerb alignment for the yet to be constructed sections of the Bay Trail between Charman Road and Peter Scullin Reserve; and
3. Receive a further report back to Council on the impact of the Bay Trail on Beach Road Vehicle Parking and mitigation options following a response from and discussions with Vic Roads.
4. Consider the impact of parking prior to final endorsement of a preferred Bay Trail Alignment.

Cr Peulich left the meeting at 8:03 pm.

Cr Peulich returned to the meeting at 8:03 pm.

Cr Staikos left the meeting at 8:06 pm.

**CARRIED**

**10.5 Wilson Street, Cheltenham - Evaluation of Trial Traffic Treatments**

**RECOMMENDATION**

That Council:

1. Receive the information; and
2. Direct officers to undertake further consultation with residents surrounding Wilson St Cheltenham on the proposed local area traffic management treatments in November 2016.

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



**Question Time**

Question Time was held at 8.08pm.

**Question 1**

**Penny McGuire White of Mentone asked**

*“Would it be possible to start notices concerning the dogs area on the Mentone Beach with the words “North of Plummer Road” or “Cliff end of Mentone Beach”? By starting the notices “Mentone Beach” people who are not familiar with the area allow dogs to run off leash at the Lifesaving club. It is upsetting to see dogs weeing on sand castles etc that children are making and the owners just walking away. It is like letting children play in a cat’s litter tray. I cannot go down to the beach in summer because of watching this happening.”*

**The CEO provided the following response:**

*“We have discussed this internally to better demarcate the off leash area. Not sure yet what the solution is but we would like to look at some aesthetically pleasing signage that could be placed on the foreshore. We will increase patrols over summer as our Foreshore Local Laws officer is about to commence more regular summer patrols.”*

**Question 2**

**Lewis Dundas of Mentone asked:**

*“What avenue of protest or enquiry is available from the Council to an owner of a property who seeks to retain a large tree in the nature strip of the property that:*

- The next door neighbour seeks removal and is agitating for*
- The Council tree maintenance supervisor proposes removal*
- The Infrastructure Council department cannot understand why such a specimen would be subject to removal*

*This lemon scented gum is without doubt the best tree in Glenelg Drive. Protects pedestrians at the curve in roadway. Due to its white trunk shows oncoming vehicles this curve. It is healthy. It is a magnificent specimen and becoming an icon tree.*

*Why remove, to the detriment of the community?*

**The CEO provided the following response:**

*“Trees are assessed in accordance with Council’s policies and consider a range of perspectives. Officers will investigate the detail of the specific item provided as background to this question and provide a response.”*

**Question 3**

**Tony Falkingham of Mentone asked the following question:**

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*“What is Council doing to ensure the state government provides real consultation about the two level crossing options at both Charman Road and Balcombe Road? As what is being offered by the LXRA to date is disingenuous and slanted towards ‘Skyrail’, which is not what local residents want.”*

**The CEO provided the following response:**

*“The LXRA have announced their consultation plan for the treatments on the Frankston line. For many months Council has advocated for a detailed consultation plan to the Minister for Transport as well as the CEO of the LXRA. The election period commences at midnight on 20 September 2016 and as such Council is unable to make a submission to the Level Crossing Removal Authority.*

*A report is listed on tonight’s agenda at item 10.6 regarding Kingston’s Frankston line grade separations.”*

Cr Ronke left the meeting at 8:08 pm.

Cr Staikos returned to the meeting at 8:09 pm.

Cr Ronke returned to the meeting at 8:09 pm.

**10.6 Level Crossing Removal Update**

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

That Council:

1. Acknowledge the release of the material for public consultation from the Level Crossing Removal Authority for the Frankston Line crossings (Charman Rd, Balcombe Rd, Edithvale Rd, Bondi Rd, Station St and Eel Race Rd) and that submissions close on the 30 October 2016.
2. Note the commencement of the election period at midnight on 20 September 2016 for Local Government elections on 22 October 2016 and that in accordance with Section 93A of the Local Government Act 1989 Council is unable to make a submission to the Level Crossing Removal Authority.
3. Write to the Minister for Public Transport requesting that an extension of time for submissions to the public consultation period for the Frankston Line crossings be granted to Tuesday, 20 December 2016 to allow the next Council to engage with the Kingston community and provide a submission on the level crossing removal options.
4. Request detailed information on each option being considered including detailed costings.
5. Request the Level Crossing Removal Authority consider tunnels as a further option.

Cr Barth left the meeting at 8:33 pm.

**CARRIED**

**Note:** Item 10.7 was considered after Item 11.4.

## **11. Corporate Services Reports**

### **11.1 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

### **11.2 2016/17 Capital Program - Revised Budget**

#### **RECOMMENDATION**

That Council:

1. Confirm a Revised Budget for the 2016/17 Capital Works Program of \$57,423,954 as detailed in Appendix 1 and 2 of this report;
2. Note carry overs listed in Section 3.3 of this report for addition to year one (2017/18) of the capital works forward plan; and
3. Approve budget adjustments identified in Section 3.4 of this report.

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

### **11.3 Community (Amendment) Local Law No. 1**

#### **RECOMMENDATION**

That, having completed the procedure referred to in subsection 119(2) of the *Local Government Act 1989* and noting that no submissions were received in response to the public notice indicating that Council proposed to make Community (Amendment) Local Law No. 1, Council:

1. Make the Community (Amendment) Local Law No. 1 as attached in Appendix 1 (the Local Law) with a commencement date of 20 September 2016;
2. Authorise the affixing of the common seal to the Local Law; and
3. Authorise the Chief Executive Officer to:
  - a. Give public notice of the making of the Local Law; and
  - b. Send a copy of the Local Law to the Minister for Local Government.

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

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**11.4 Quick Response Grants**

**Moved: Cr Staikos**

**Seconded: Cr West**

That Council approve the following grant applications:

- Vital Volunteers Committee - \$500.00
- Australian National Aviation Museum - \$500.00
- Ms Emma Gierschick - \$2,000.00
- Cheltenham Secondary College (Cyber Safety Session) - \$500.00
- Parkrun - \$2,000.00
- Days for Girls Bayside Melbourne - \$140.00
- Cheltenham Secondary College (Recording Studio) - \$500.00
- Cheltenham Youth Club Inc - \$500.00
- Westall Primary School - \$500.00
- Cheltenham Bowls Club Inc. - \$500.00
- Mordialloc Rotary - \$500.00

Cr Gledhill left the meeting at 8:35 pm.

Cr Eden left the meeting at 8:36 pm.

Cr Gledhill returned to the meeting at 8:40 pm.

Cr Barth returned to the meeting at 8:40 pm.

**CARRIED**

**10.7 Moorabbin Local Area Traffic Management Study - Final Adoption**

**Moved: Cr Staikos**

**Seconded: Cr Barth**

That Council:

1. Adopt the Moorabbin Local Area Traffic Management Study.
2. Note that detailed community consultation will be conducted on individual parking and traffic changes recommended in the study prior to implementation; and
3. Note that upon review of the Kingston Planning Scheme, consideration be given to modifying Schedule 3 to the Activity Centre zone and making necessary changes to the Moorabbin Structure Plan to accord with the findings of the Moorabbin Local Area Traffic Management Study to not to proceed with one-way road treatments on Station Street and Central Avenue.

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**Amendment**

**Moved: Cr Peulich**

That Council:

1. Note the Moorabbin Local Area Traffic Management Study
2. Note that detailed community consultation will be conducted on individual parking and traffic changes recommended in the study prior to implementation; and
3. Note that upon review of the Kingston Planning Scheme, consideration be given to modifying Schedule 3 to the Activity Centre zone and making necessary changes to the Moorabbin Structure Plan to accord with the findings of the Moorabbin Local Area Traffic Management Study to not to proceed with one-way road treatments on Station Street and Central Avenue.

Cr Barth left the meeting at 8:51 pm.

Cr Barth returned to the meeting at 8:52 pm.

Cr Eden returned to the meeting at 8:55 pm.

**The Amendment LAPSED for want of a Seconder**

**The Substantive Motion was put.**

**Moved: Cr Staikos**

**Seconded: Cr Barth**

That Council:

1. Adopt the Moorabbin Local Area Traffic Management Study. **CARRIED**
2. Note that detailed community consultation will be conducted on individual parking and traffic changes recommended in the study prior to implementation; and **CARRIED**
3. Note that upon review of the Kingston Planning Scheme, consideration be given to modifying Schedule 3 to the Activity Centre zone and making necessary changes to the Moorabbin Structure Plan to accord with the findings of the Moorabbin Local Area Traffic Management Study to not to proceed with one-way road treatments on Station Street and Central Avenue. **CARRIED**

**A Division was Called:**

**DIVISION:**

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

**AGAINST:** Nil (0)

**ABSTAINED:** Cr Peulich (1)

**CARRIED**

**Note:** It was requested by Cr Peulich and agreed to by the Chairperson that each part of the Substantive Motion be put to the vote separately.

**11.5 Response to Notice of Motion No. 32/2016 - Cr Gledhill Use of Keith Styles Reserve**

**RECOMMENDATION**

That Council undertake a communications campaign to promote the range of Kingston locations that may be suitable for more use.

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

**12. Notices of Motion**

**12.1 Notice of Motion No. 36/2016 - Cr Peulich - Dingley Village Sports Ovals**

**Moved: Cr Peulich**

That Kingston Council commits to the building of a pavilion to service the two new Dingley Village Sports Ovals.

Cr Barth left the meeting at 8:57 pm.

Cr Barth returned to the meeting at 8:58 pm.

**The Motion LAPSED for want of a Seconder**

**12.2 Notice of Motion No. 37/2016 - Cr Peulich - Response to Notices of Motion 43/2015 and 34/2015**

**Moved: Cr Peulich**

That Kingston Council, approves the Council Officer Report titled: Response to Notices of Motion No. 43/2015 and 34/2015.

**The Motion LAPSED for want of a Seconder**

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**12.3 Notice of Motion No. 38/2016 - Cr Peulich - G.R. Bricker Reserve**

**Moved: Cr Peulich**

**Seconded: Cr Brownlees**

1. That Kingston Council commits to undertaking a masterplan of the G.R. Bricker Reserve allowing for the improved provision of all user groups currently housed there including:
  - Football Umpiring
  - Meals on Wheels
  - Cricket
  - Track and Field (Athletics)
  - The Moorabbin Obedience Dog Club
2. That a masterplan should take into consideration all works currently planned for and/or underway.
3. That the masterplan should also guide the redevelopment of the G.R. Bricker Reserve Pavilion.
4. That improved lighting and toilet / bathroom access for user groups should also be incorporated into the masterplan.
5. That Officers must, no later than February 2017, provide a briefing to council on proposed timelines, modes of consultation and advice of the process to be implemented in order to undertake the MasterPlan.

**Amendment**

**Moved: Cr Staikos**

**Seconded: Cr Barth**

1. That Kingston Council receives options on the undertaking of the masterplan of the G.R. Bricker Reserve allowing for the improved provision of all user groups currently housed there including:
  - Football Umpiring
  - Meals on Wheels
  - Cricket
  - Track and Field (Athletics)
  - The Moorabbin Obedience Dog Club
2. That such a masterplan should take into consideration all works currently planned for and/or underway.
3. That the masterplan should also guide the redevelopment of the G.R. Bricker Reserve Pavilion.
4. That improved lighting and toilet / bathroom access for user groups should also be incorporated into the masterplan.
5. That officers must, no later than February 2017, provide a briefing to council on proposed timelines, modes of consultation and advice of the process to be implemented in order to undertake the masterplan.

**CARRIED**

**The Amendment became the Motion**

**The Motion was put and CARRIED**

**12.4 Notice of Motion No. 39/2016 - Cr Eden - Waterways Maintenance Agreement**

That Council immediately hold a meeting with Waterway Residents and enter into negotiations with the body corporate to end the maintenance agreement imposed on Waterway residents and property owners and that council assume responsibility for the maintenance of all public assets.

That the CEO is authorised to enter into such negotiations.

**The Notice of Motion was Withdrawn**

**12.5 Notice of Motion No. 40/2016 - Cr Ronke - Roy Dore Reserve, Carrum**

**Moved: Cr Ronke**

**Seconded: Cr Eden**

That:

1. Council officers prepare a pavilion facilities upgrade strategy for sporting ground users at Roy Dore Reserve, Carrum and to consult with those user groups and abutting residents in preparing the strategy.
2. Council officers prepare advice on funding options.
3. Council officers report back to councillors for discussion and consideration when completed.

**CARRIED**

**12.6 Notice of Motion No. 41/2016 - Cr Gledhill - Impact of Property Value Increases**

**Moved: Cr Gledhill**

**Seconded: Cr Brownlees**

That officers investigate and report back to the next Council in early 2017, advising what resources would be required and costs incurred to undertake an analysis on the impact of revaluation of property on rates, considered on a suburb by suburb basis, from both the perspective of Council revenue and ratepayers basket of essential expenditure items.

Cr Peulich left the meeting at 9:38 pm.

**CARRIED**



**12.7 Notice of Motion No. 42/2016 - Cr Gledhill - Australian Air Museum Grant**

**Moved: Cr Gledhill**

**Seconded: Cr Brownlees**

That a grant of \$800.00 be provided to the Australian Air Museum to assist in the provision of a bus service between Mentone Railway Station and Moorabbin Airport supporting the Open Cockpit Day on Sunday October 9<sup>th</sup>.

Cr Peulich returned to the meeting at 9:41 pm.

**CARRIED**

**12.8 Notice of Motion No. 43/2016 - Cr Eden - Patterson River Infrastructure**

**Moved: Cr Eden**

**Seconded: Cr Ronke**

1. That Council Officers write to the Member for Carrum, Sonya Kilkenny and advise that Council will sign the funding agreements in relation to the development of the Patterson Lakes Jetty.
2. That Council authorize the CEO to sign such agreements.
3. Should the funding stream no longer be available, commit to applying at the earliest opportunity again and upon Council being successful execute the agreements.

**CARRIED**

4. That Council officers compile a report identifying ways in which Council can improve infrastructure along Patterson River with the objective of improving amenity and access to be brought to Council at the earliest opportunity.

**CARRIED**

Cr Brownlees left the meeting at 9:45 pm.

Cr Peulich left the meeting at 9:45 pm.

Cr Peulich returned to the meeting at 9:47 pm.

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

**Note:** It was requested by Cr Eden and agreed to by the Chairperson parts 1-3 of the Motion and part 4 of the Motion be put to the vote separately.

**12.9 Notice of Motion No. 44/2016 - Cr Eden - Review of Customer Service Protocols**

**Moved: Cr Eden**

**Seconded: Cr Peulich**

That Council officers undertake a review of customer service protocols, technology and interactions to provide advice on implementing a live tracking capability for all customer service inquiries from any internet enabled device.

Further, that the report consider various methods for allowing residents and ratepayers to lodge an inquiry with Council and then be provided with a tracking number and be able to track:

- Time since lodging the inquiry.
- The staff member/s responsible for the inquiry, i.e. (Tom from Planning).
- Changes to who is responsible for the inquiry.
- Estimated completion date for the inquiry.
- Reminders and alerts for all parties involved should more information be required.

Further, that the report consider the technical requirements, financial costs and delivery time.

Cr Barth left the meeting at 10:03 pm and did not return.

Cr Staikos left the meeting at 10:04 pm.

Cr Gledhill left the meeting at 10:05 pm.

Cr Gledhill returned to the meeting at 10:08 pm.

Cr Staikos returned to the meeting at 10:08 pm.

Cr West left the meeting at 10:15 pm.

Cr West returned to the meeting at 10:18 pm.

**CARRIED**

**12.10 Notice of Motion No. 45/2016 - Cr Eden - Employment Portal**

**Moved: Cr Eden**

**Seconded: Cr Gledhill**

1. That officers prepare a report which looks at adding to 'My Community Life' or other relevant channels an employment portal.
2. That the portal exist for the purpose of assisting local people wanting employment to post their availabilities, and for businesses to be able to advertise local vacancies.
3. That officers consider any legal matters which may arise, and detail the operational cost for such a portal. Further, a marketing plan to promote this portal is to be considered and developed.
4. That consultation with relevant committees occur prior to the report being presented to Council in February, 2017.

Cr Ronke left the meeting at 10:25 pm and did not return.

**CARRIED**

**12.11 Notice of Motion No. 46/2016 - Cr Peulich**

**Moved: Cr Peulich**

**Seconded: Cr Gledhill**

1. That Kingston Council invites the No Skyrail Frankston Line Group to present its research and findings in relation to technical solutions and best options for grade separations on the Frankston Line.
2. That pending Council's consideration of these recommendations, Council invites Frankston Council to participate in a joint campaign against Skyrail and to promote viable alternatives to the state government and the community.
3. That the above campaign be forthwith and comprised of letters, online petition, KYC content, ad to be taken out in local papers as well as delegations to relevant stakeholders including the state government and local members of parliament.
4. That Council seek in principle and practical support from the MAV for this campaign.

**Procedural Motion**

**Moved: Cr Staikos**

**Seconded: Cr West**

That this item be deferred to the November cycle.

**CARRIED**

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**A Division was Called:**

**DIVISION:**

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

**AGAINST:** Cr Peulich (1)

**ABSTAINED:** Crs Gledhill (1)

**CARRIED**

**12.12 Notice of Motion No. 47/2016 - Cr Peulich**

**Moved: Cr Peulich**

That the City of Kingston writes to the State Government, the Federal Government and local members of parliament, to express its concern about the content of the Safes Schools program and calls on the state Minister for Education to urgently review the controversial content of the program while retaining its anti-bullying measures.

**The Motion LAPSED for want of a Seconder**

**12.13 Notice of Motion No. 48/2016 - Cr Peulich**

**Moved: Cr Peulich**

**Seconded: Cr Gledhill**

That the City of Kingston undertake further perimeter planting in accordance with the Green Wedge Plan.

**LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Cr Peulich (1)

**AGAINST:** Crs Staikos, West, Bearsley and Gledhill (4)

**ABSTAINED:** Crs Brownlees and Eden (2)

**LOST**

**12.14 Notice of Motion No. 49/2016 - Cr Peulich**

**Moved: Cr Peulich**

**Seconded: Cr Eden**

1. That the City of Kingston writes to the state government and local members of parliament, urging the establishment of a grants program to provide funding for mobile CCTV to enable the policing of road sides where there is a prevalence of graffiti or dumping of litter as is the case along the Kingston leg of the Dingley Bypass, Westall Road and the Frankston Freeway
2. That the City of Kingston expresses its interest in being able to access this funding.

**LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Peulich, Gledhill and Eden (3)

**AGAINST:** Crs Brownlees and Bearsley (2)

**ABSTAINED:** Crs Staikos and West (2)

**LOST**

**Procedural Motion**

**Moved: Cr Peulich**

**Seconded: Cr West**

That the meeting be extended to 11.30pm.

**CARRIED**

**Procedural Motion**

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

That the meeting be adjourned.

**CARRIED**

The meeting was adjourned at 11.03pm.

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**Resumption of Adjourned Meeting.**

The meeting resumed at 6.31pm on Monday 3 October 2016.

It was noted that Crs Bearsley (Mayor), Barth, Brownlees, Gledhill, Staikos and West were in attendance.

It was noted that Cr Eden was an apology for the adjourned meeting on 3 October 2016.

It was noted the following staff were in attendance at the adjourned meeting on 3 October 2016:

John Nevins, Chief Executive Officer

Daniel Freer, General Manager City Assets and Environment

Mauro Bolin, General Manager Community Sustainability

Jonathan Guttman, General Manager Planning and Development

Megan O'Halloran, Manager Communications and Community Relations

Phil De Losa, Manager Governance

Angela Granter, Governance Officer

Nelly Bossick, Governance Officer

**Apologies**

An apology from Cr Eden was submitted to the adjourned meeting on 3 October 2016.

**Moved: Cr Staikos**

**Seconded: Cr Gledhill**

That the apology from Cr Eden be recorded.

**CARRIED**

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

There were no Conflicts of Interest submitted to the adjourned meeting.

**12.15 Notice of Motion No. 50/2016 - Cr West - Need for Enforcement Regarding Unauthorised Activities in the Green Wedge**

**Moved: Cr West**

**Seconded: Cr Staikos**

That:

1. Council gives priority to promptly following up, investigating and where necessary taking enforcement action on these and other unauthorised activities.
2. Council provides a report to councillors on these and other unauthorised activities and on what action has been taken to enforce any rules or planning permit conditions relevant to these matters for the November Ordinary Meeting, followed by quarterly updates, subject to legal advice about how much information it is appropriate to provide publicly.

**CARRIED**

**12.16 Notice of Motion No. 51/2016 - Cr West - Aboriginal Artefacts at First Avenue Development Site**

That Council ask officers to provide a report to the September (or October) Ordinary meeting to answer the following questions:

- Whether it is true as stated in the CHMP that this is a significant heritage site?
- What Council can do to preserve this important heritage site and protect it from the impact of the approved development?
- Why no information about the discovery of these artefacts was provided in the officer report to councillors or in the officer presentation to Planning Panel before Council approved the rezoning and development of this site?
- Whether Council could investigate the possibility of preserving these artefacts for display in the Gathering Place for Elders or at the Council office?

**Procedural Motion**

**Moved: Cr Gledhill**

**Seconded: Cr Brownlees**

That consideration of this matter be deferred to the November 2016 Ordinary Meeting of Council

**CARRIED**

**12.17 Notice of Motion No. 52/2016 - Cr West - Strategic Work to Preserve Diversity in our Shopping Centres**

That Council undertake strategic work to encourage the kind of development and uses our community wants and to discourage what we/they don't want by preserving diversity in our shopping centres.

**Procedural Motion**

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That consideration of this matter be deferred to the November 2016 Ordinary Meeting of Council.

**CARRIED**

**12.18 Notice of Motion No. 53/2016 - Cr West - Eco-crete and Pale Rooves**

**Moved: Cr West**

**Seconded: Cr Staikos**

That Council require the use of eco-crete and light-colored rooves to be added to our list of Environmentally Sustainable Design features with which we encourage developers to consider using, and where possible, for Council buildings.

**CARRIED**

**13. Urgent Business**

There were no items of urgent business.

**14. Confidential Items**

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

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

**14.1 Response to Notice of Motion No. 39/2014 - Legal Liability for Damages Following Approval of Developments on Unstable Land**

*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**

**8.1 Waterways Maintenance Agreement**

**Appendix 3, Documentation for discussion - Waterways Owners Corp**

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

**10.1 Parkdale Tennis Club Court Resurfacing Project**

**Appendix 1, Confidential Tender Assessment Matrix - Option 2**

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

**12.2 Notice of Motion No. 37/2016 - Cr Peulich - Response to Notices of Motion 43/2015 and 34/2015**

**Appendix 1, Officer Comment - Notice of Motion No. 37/2016**

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

**12.2 Notice of Motion No. 37/2016 - Cr Peulich - Response to Notices of Motion 43/2015 and 34/2015**

**Appendix 2, Response to Notices of Motion No. 43/2015 and 34/2015 Report to Council Meeting 22 August 2016**

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

**CARRIED**



**City of Kingston  
Ordinary Meeting of Council**

**Minutes**

**19 September 2016**

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The meeting was closed to members of the public at 6.59pm.

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That the meeting be opened to members of the public

**CARRIED**

The meeting was opened to members of the public at 7.16pm.

The meeting closed at 7.16pm.

**Confirmed.....**

**The Mayor 17 October 2016**