

Minutes

Ordinary Meeting of Council

Monday, 23rd May 2016

**City of Kingston
Ordinary Meeting of Council**

Minutes

23 May 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 Ron Brownlees OAM
Cr Geoff Gledhill
Cr Paul Peulich
Cr John Ronke
Cr Steve Staikos

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
Tracey Cheeseman, Media Advisor Communications & Community Relations
Bridget Draper, Team Leader Corporate Performance
Phil De Losa, Manager Governance
Stephanie O’Gorman, Governance Officer
Gabrielle Pattenden, Governance Administration Officer

1. Apologies

Apologies from Cr West, Cr Barth and Cr Eden were submitted to the meeting.

Moved: Cr Brownlees

Seconded: Cr Gledhill

That the apologies from Cr West, Cr Barth and Cr Eden be received.

CARRIED

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Gledhill

Seconded: Cr Peulich

That the Minutes of the Ordinary Meeting of Council held on 26 April 2016 be confirmed.

CARRIED

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

John Nevins, Chief Executive Officer declared a direct interest in Item 11.3 Notice of Special Meeting - 14 June 2016.

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4. Petitions

Fighting to Save the Mentone Hotel

Moved: Cr Peulich

Seconded: Cr Brownlees

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

CARRIED

5. Presentation of Awards

There were no awards presented.

6. Reports from Delegates Appointed by Council to Various Organisations

There were no delegate's reports.

7. Question Time

Question Time was held at 8.11pm. Refer to page 13 of the Minutes.

John Nevins, Chief Executive Officer declared a direct interest in Item 11.3 as he owns banks shares and left the meeting at 7.07pm prior to any discussion on the matter.

Moved: Cr Gledhill

Seconded: Cr Brownlees

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

- Item 8.1: Domestic Animal Management Plan 2016-2021
- Item 9.2: Establishment of Architectural Services Panel - CON 15-138
- Item 9.3: Mordialloc Men's Shed Redevelopment Proposal
- Item 9.4: Statement of Commitment - Prevention of Violence Against Women and Their Children
- Item 10.2: Policy Review - Maintenance of Private Roads
- Item 10.3: Main Road, Clayton South - Roundabout and Road Reconstruction (from Oakes Ave to McMillan St)
- Item 10.5: 2017/18 Sport and Recreation Victoria - Community Sports Infrastructure Fund applications
- Item 10.6: Land Adjacent to 9-21 Station Road, Cheltenham
- Item 11.1: Quarterly Performance Report and Quarterly Financial Statements to 31 March 2016
- Item 11.3: Notice of Special Meeting - 14 June 2016
- Item 11.7: Response to Notice of Motion No. 50/2015 - Assessment of Council Grants Eligibility Criteria
- Item 11.8: Award of Contract TC4322-20135 for the Supply of Fixed Voice and Unified Communications Services

CARRIED

John Nevins, Chief Executive Officer, returned to the meeting at 7.08pm.

8. Planning and Development Reports

8.1 Domestic Animal Management Plan 2016-2021

RECOMMENDATION

That Council receive the information and commence the final round of public consultation on the draft 2016-2021 Domestic Animal Management Plan.

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

8.2 Response to Notice of Motion No: 48/2015 - Cr Peulich - Streetscape Works - Moorabbin Activity Centre

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council note the current and proposed streetscape upgrades within Moorabbin Activity Area to be implemented in 2016.

CARRIED

8.3 Combined Amendment (C147) and Planning Permit (KP15/480) - Lot 1, Sixth Avenue, Aspendale (Rossdale Golf Course)

Moved: Cr Ronke

Seconded: Cr Brownlees

That Council:

1. Subject to final officer review and refinement of the submitted amendment documentation, that Council request authorisation from the Minister for Planning to prepare combined Amendment C147 to the Kingston Planning Scheme and Planning Permit KP15/480 under section 96A of the *Planning and Environment Act 1987* to:
 - 1.1 Rezone part of the land forming Lot 1, Sixth Avenue, Aspendale (Rossdale Golf Course) from Special Use Zone - Schedule 1 to General Residential Zone - Schedule 3, apply an Environmental Audit Overlay and make consequential changes to Clause 21.04 and 21.05.
 - 1.2 Subdivide the subject land into two residential allotments and undertake removal of native vegetation.
2. Exhibit combined Amendment C147 to the Kingston Planning Scheme and Planning Permit KP15/480 in accordance with the *Planning and Environment Act 1987* should authorisation be granted by the Minister for Planning to prepare the amendment.

CARRIED

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9. Community Sustainability Reports

9.1 Response to Notice of Motion 5/2016 - Mordialloc Masonic Hall

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council:

1. Receive and note the report, which has been prepared in response to Notice of Motion 5/2016; and
2. Initiate option 3.2.2 of this report.

CARRIED

A Division was Called:

DIVISION:

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

AGAINST: Crs Peulich and Staikos (2)

CARRIED

9.2 Establishment of Architectural Services Panel - CON 15-138

RECOMMENDATION

That Council:

1. Appoint the following six (6) architectural practices as Council's appointed consultants for the delivery of architectural design services for projects with an estimated value of less than \$1 million (excl. GST), for an initial period of three years commencing on 1 July 2016:
 - Hede Architects Pty Ltd
 - I : I Architects Pty Ltd
 - Etch Architects Pty Ltd
 - Dale Cohen Architects Pty Ltd
 - James Millar Architects Pty Ltd
 - Loft Architecture Pty Ltd
2. Appoint the following five (5) architectural practices as Council's appointed consultants for the delivery of architectural design services for projects with an estimated value in excess of \$1 million (excl. GST), for an initial period of three years commencing on 1 July 2016:
 - Haskell Architects Pty Ltd
 - Hede Architects Pty Ltd
 - K20 Architects Pty Ltd
 - NBRS + Partners Pty Ltd
 - dwp suters Pty Ltd
3. Delegate authority to the Chief Executive to extend the operation of Contract 15/138 beyond the Initial Contract Term for a further two (2) periods of two (2) years, i.e. up to a maximum Contract Term of seven (7) years from the contract

commencement date, subject to satisfactory ongoing performance of the appointed consultant panel; and

4. Note the confidential tender evaluation matrices for CON 15/138 attached to this report for Council's information (Appendix 1 – Category 1 and Appendix 3 – Category 2).

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

9.3 Mordialloc Men's Shed Redevelopment Proposal

RECOMMENDATION

That Council endorse the submission of an application for funding to DHHS for the refurbishment of 1 McDonald Street Mordialloc for the purposes of Men's Shed activities.

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

9.4 Statement of Commitment - Prevention of Violence Against Women and Their Children

RECOMMENDATION

That Council supports and signs up to Southern Melbourne Primary Care Partnership's 'Statement of Commitment' - Prevention of violence against women and their children.

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

Moved: Cr Gledhill

Seconded: Cr Brownlees

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

CARRIED

10.2 Policy Review - Maintenance of Private Roads

RECOMMENDATION

That Council adopt the revised version of the Maintenance of Private Roads Policy.

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

10.3 Main Road, Clayton South - Roundabout and Road Reconstruction (from Oakes Ave to McMillan St)

RECOMMENDATION

That Council:

1. Award Contract No. 16/9 – Main Road, (Oakes Ave to McMillan St) Clayton South Roundabout and Road Reconstruction, on a lump sum basis to Parkinson Group (Vic) Pty Ltd for the tendered price of \$922,930.45 ex GST from the 2016/17 civil infrastructure capital allocation; and
2. Approve a Contingency Allowance of \$92,293.05 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 Netball Delivery within the Municipality/Provision within Regents Park

Moved: Cr Ronke

Seconded: Cr Gledhill

That Council:

1. Authorise officers to undertake detailed investigation into the feasibility, design and cost for construction of netball facilities at the following sites:
 - 1.1. Regents Park, Aspendale, as part of a Concept Plan for this precinct;
 - 1.2. Bonbeach Recreation Reserve, Bonbeach; and
 - 1.3. Chelsea Recreation Reserve, Chelsea or Bicentennial Park, Chelsea.
2. Receive a further report detailing the specific site location and cost for each of the above locations.
3. Authorise officers to submit an application to the Country Football Netball funding program for the development of additional netball courts at the above sites.
4. Officers to also undertake a feasibility study into the establishment of a four court indoor facility at Mordialloc Secondary College that would provide for both basketball and netball in addition to other indoor sports.

CARRIED

**10.5 2017/18 Sport and Recreation Victoria - Community Sports Infrastructure
Fund applications**

RECOMMENDATION

That Council endorse the submission of the following four projects to the 2017/18 Community Sports Infrastructure Program:

- Major Facilities - Redevelopment of the Gerry Green Reserve Pavilion (Cliff Sambell Pavilion);
- Cricket Infrastructure - Development of two extra practice cricket lanes at Chelsea Recreation Reserve;
- Cricket Infrastructure - Development of one extra practice cricket lane at Gerry Green Reserve; and
- Minor Facilities - Installation of multisport training facility at Ben Kavanagh Reserve (Cricket and netball).

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

10.6 Land Adjacent to 9-21 Station Road, Cheltenham

RECOMMENDATION

That Council:

1. As landowner, authorises Bowden Planning to amend Planning Application KP-254/2016 to incorporate land at 7 Station Street, Cheltenham for the purposes of exploring additional basement car parking and open space enhancements;
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; and
3. Receive a report canvassing possible land transaction options available to Council.

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

10.7 Response to Notice of Motion 46/2015 - Dingley Village Gateway Planting

Moved: Cr Peulich

Seconded: Cr Staikos

That Council:

1. Notes the report;
2. Retain the grassed and paved medians to comply with VicRoads guidelines and ensure safety standards for maintenance crews;
3. Approve tree planting on nature strips approaching the roundabout to improve amenity; and

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4. Determine that beautification works and small plantings be undertaken on medians approaching the Dingley Village roundabout.

CARRIED

11. Corporate Services Reports

11.1 Quarterly Performance Report and Quarterly Financial Statements to 31 March 2016

RECOMMENDATION

That Council:

1. Receive the Quarterly Financial Statements as at March 2016.
2. Receive the Quarterly Performance Report as at March 2016.

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

11.2 Email, SMS and Internet Policy

Moved: Cr Peulich

Seconded: Cr Staikos

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

Cr Ronke left the meeting at 7:44 pm.

CARRIED

11.3 Notice of Special Meeting - 14 June 2016

RECOMMENDATION

That Council:

1. Add the "Award of Loan Finance – Con 16/59" to the 14 June 2016 Special Council meeting agenda; and
2. Give public notice of the Special Council Meeting required pursuant to Section 89 (4).

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

11.4 Quick Response Grants

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council approve the following grant applications:

1. Kingston Residents' Association - \$200.00
2. Grieffline Family and Community Services Inc - \$500.00
3. St Andrews Calisthenics - \$500.00
4. Aspect (Autism Spectrum Australia) - \$500.00

CARRIED

11.5 Amended Recording of Public Council Meetings Policy

Moved: Cr Staikos

Seconded: Cr Brownlees

That consideration of the matter be deferred to the June Ordinary Meeting of Council.

Cr Ronke returned to the meeting at 7:50 pm.

CARRIED

11.6 Council Plan 2013-2017 and Strategic Resource Plan Update 2016

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council:

1. Receive the information;
2. Maintain 'One Vision', Council Plan 2013-2017 without inclusion of an additional strategy and in its place add specific actions relating to the enhancement of streetscapes and amenity in activity centres to be reported against in the Quarterly Performance Report under existing strategy 4.1.2.
3. Adopt the Strategic Resource Plan 2016 update, subject to any changes in Council's adopted 2016/17 budget being reflected in a revised Strategic Resource Plan.

CARRIED

11.7 Response to Notice of Motion No. 50/2015 - Assessment of Council Grants Eligibility Criteria

RECOMMENDATION

That Council adopt the revised Quick Response Grants Program Guidelines (Appendix 1) and the Community Grants Program Policy (Appendix 2).

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

11.8 Award of Contract TC4322-20135 for the Supply of Fixed Voice and Unified Communications Services

RECOMMENDATION

That Council:

1. Award Contract TC4322-20134 for the Supply of Fixed Voice and Unified Communications services, to Telstra for two years commencing July 2016 until June 2018 at an estimated contract sum of \$1,300,000; and
2. Authorise the CEO or delegate to exercise the two, one year extensions for the continuation of the contract subject to satisfactory performance.

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

12. Notices of Motion

12.1 Notice of Motion No. 14/2016 - Cr Gledhill - Warren Road Mordialloc Pedestrian Crossing

Moved: Cr Gledhill

Seconded: Cr Brownlees

That officers provide a report on the feasibility of replacing the existing school crossing located in Warren Road Mordialloc, adjacent to Parkdale Secondary College, with a crossing that affords users improved safety both during and outside school hours. Further, that consideration be given, but not limited to, a zebra crossing or pedestrian operated traffic lights.

CARRIED

12.2 Notice of Motion No. 15/2016 - Cr Brownlees - Planning Policy

Moved: Cr Brownlees

Seconded: Cr Gledhill

1. That as a result of discussion at the recent briefing on Neighbourhood Character, officers prepare a report that details the processes and mechanism whereby council can review and amend its Planning policy , particularly section 22.11.03 , with regard to **built form, siting, and scale of development**, whereby multi- unit developments that extend to the rear of properties, will only be permitted when they are setback a minimum of ten (10) metres from the rear boundary so that there is no unreasonable or adverse impact on neighbours.
2. That the report also include an option for consideration that requires provision of at least one car space for each bedroom in developments that have two or more bedrooms.

CARRIED

Question Time

Question 1.

Lina Pistone of Mordialloc asked the following question:

I would like to know what is being done about White Street. The traffic is horrendous. Why are all these townhouses allowed to be built on White Street and no infrastructure?

The CEO provided the following response:

White Street is a VicRoads road, it is not a Council controlled road. It is certainly a road that carries an enormous volume of traffic. Council has invested significantly in assisting pedestrian movement from the North to the South and the South to the North sides of White Street and will be continuing to make those investments. It is a road that is subject to discussions with VicRoads about what can be done to improve East West movements. It had been hoped that the opening of the Dingley Bypass might do something to reduce the traffic volumes but that doesn't appear to be the case at this stage. In terms of townhouses and development, each planning application is dealt with on its own merits in accordance with the Planning and Environment Act 1987 (Vic) and determined accordingly.

Question 2.

Anthony Falkingham of Mentone asked the following question:

Given Council's new found keenness for multi-storey development in beachside Mentone, what does Council propose to address the current congestion, traffic and vehicle parking – which already is a major concern for ratepayers and residents? How does Council propose to protect Mentone's unique character?

The CEO provided the following response:

Increasing population densities and increasing traffic volumes are a matter of fact for inner metropolitan Councils, such as Kingston. It is a constant challenge for this Council and one in which this Council invests significant resources in Mentone to assist the increased traffic population density there. In relation to traffic volumes Council has invested \$4 million this financial year and next financial year improving traffic movements. We are undertaking local area traffic management strategies across areas within the city and we have employed additional resources in our Traffic Department. But it is certainly a significant challenge and one with no easy solution but one that the Council is committed to addressing.

Question 3.

Bruce Duffy of Chelsea asked the following question:

On page 7 of the Council's draft budget for 2016-17 there is \$200,000 set aside for a Neighbourhood Character study.

- *Is this the study that Residential Development Advisory Committee wants the Council to complete before they will grant us our new residential planning zones?*
- *If so when will the study commence? And when do you think we will be granted our permanent new residential zones?*

The CEO provided the following response:

Yes it is the study that is referred to in the Residential Development Advisory Committee report to Council. Council has set aside \$200,000 in its 2016-17 Budget

and on the basis of expert advice from Planisphere who assisted the Council in developing the strategy, Council will be awaiting the results of the Residential Zones Standing Advisory Committee. That report is expected around the middle of the year and it is expected to guide the direction and structure of Council's Neighbourhood Character study. Therefore, we need to wait until we get the determination from that Advisory Committee before committing to that study.

Question 4.

Bruce Duffy of Chelsea asked the following question:

Why did Kingston, unlike Bayside and Glen Eira, not have a Neighbourhood Character study complete before lodging its submission for new zones in 2014?

Was it because, unlike Bayside and Glen Eira, we did not receive prior warning that we needed to lodge such a study with our submission?

The CEO provided the following response:

Council put in its submission and was very optimistic. Council was told it needed to accommodate somewhere in the order of 14,500 additional properties in Kingston to accommodate its share of projected population growth by 2030. Council developed that strategy and submitted it. But it was very disappointing to have that proposal not accepted and Kingston Council was very confident that it could accommodate all of those new buildings, whilst maintaining and protecting the residential amenity of the city. We continue to have that debate and will continue to pursue that outcome.

Question 5.

Nola Baker of Parkdale asked the following question:

I would like to know why the grant recommended for Kingston Residents' Association has been reduced from \$2000 to \$200? May I also ask what Aspendale Gardens Residents' Association receives? Is it the same as KRA's grant? Why or why not?

The CEO provided the following response:

This was dealt with previously tonight when Council resolved to allocate \$200. A reading of that report indicates that all grant applicants received a lesser amount than requested. Council has a budget of \$55,000 annually. Grant amounts have been reduced to allow this amount to stretch as far as possible and allow opportunities for other individuals/groups to access funds. Further, it is not Council's main grant program. Council operates a \$1.2 million Community Grants Program, which has applications open each year and grants are allocated to a range of community groups.

Question 6.

Alex Wood of Mentone asked the following question:

Would you be willing to review the current 'no net' policy for your basketball facilities to find a safer, more durable, long term solution that improves basketball facilities, increase enjoyment of the game AND increase recreation in ALL parks in the City of Kingston.

The CEO provided the following response:

Council is very pleased to hear that our park facilities are being used. We will provide nets for our basketball and recreational facilities. If there is no net, it's very likely been the result of vandalism or repeated incidents of vandalism. However, if Mr Wood is aware of a particular location where you believe there is no net that's not due to vandalism, please let us know and we can revisit that with you.

Question 7.

Anthony Falkingham of Mentone asked the following question:

A Councillor claimed Federal and State members had "hijacked" the matter of the Mentone Hotel, however don't our local members, as do Councillors, have an obligation to their constituents to represent their interests in such an important local and state matter, particularly given there has been a request for an exception to the Planning Scheme which is long standing and this affects one of the few local assets on the Victorian Heritage register?

The CEO provided the following response:

Elected members of State and Federal Parliament and Councillors all have a role and a right to advocate on issues that concern their constituents.

Question 8.

Chris Hill of Cheltenham asked the following question:

Councillors noted that one option open to the Minister for Planning is to reject the Council's request regarding the Mentone Hotel immediately, however is there any precedent either relating to Kingston Council, or any other Victorian Council, whereby the Minister has acted in this manner?

The CEO provided the following response:

I am unable to answer this question this evening on whether the Minister has acted in such a manner, however, what I can advise is that the Council is obliged under the Planning and Environment Act 1987 (Vic) and under Victorian case law that they must consider a planning matter on its merits in accordance with the Planning and Environment Act 1987 (Vic).

Question 9.

Clarke Martin of Beaumaris asked the following question:

At the Planning meeting last Wednesday a Councillor requested a petition of over 600 people to be formally tabled to Council at tonight's meeting. A vote was conducted and it was approved. The signatories on the petition were collected on Saturday 14 May 2016 in only three hours at Mentone, Mordialloc and Parkdale shopping centres with the majority being local residents. Why is the petition not on tonight's agenda now? When will it be?

The CEO provided the following response:

The petition was presented by Cr Peulich to the meeting this evening. The procedure followed was in accordance with Council's Meeting Procedures Local Law.

Question 10.

Heather Para of Beaumaris asked the following question:

Residents who had requested updates on developments regarding the Mentone Hotel, either by email or in person, seem not to have been receiving any communication leading up to last Wednesday night's Planning Committee meeting. Is there any reason why this hasn't been happening?

The CEO provided the following response:

A position of the Council had not yet been determined, but this has happened now. Officers will now be writing to everyone who has registered an interest at strategic.planning@kingston.vic.gov.au and advising them of the outcome of last Wednesday night's Planning Committee decision regarding the Mentone Hotel.

Question 11.

Clarke Martin of Beaumaris asked the following question:

Come 2016 it will be 2 years since Mentone Hotel ceased trading and given planning and licensing laws relating to prior use, does this mean the license will in effect lapse in November this year? If so, what is involved in either extending the term, or issuing a new license with similar conditions (i.e. general liquor license for up to 701 patrons?)

The CEO provided the following response:

Officers are currently investigating this matter and will provide a written response to Mr Martin.

Question 12.

Jodie Hickey of Sandringham asked the following question:

Many people who could not make it to Wednesday night's Planning Committee meeting for legitimate reasons were planning to stay informed on the item relating to the Mentone Hotel were planning to stay informed on the item relating to the Mentone Hotel by watching the stream of the meeting live, however as we found out afterwards this dropped out early in the evening. How is it that this happened and can you please let us know whether this has ever occurred previously?

The CEO provided the following response

The live broadcasting did drop out and this was due to technical issues. This has happened on a previous occasion. When the broadcast dropped out, officers requested the supplier attend the meeting to address the matter. A technician is in attendance tonight and is monitoring tonight's stream to ensure the same thing doesn't occur again. The meeting was recorded and is now available on Kingston's website. Council apologises for any inconvenience caused.

Note: The CEO advised that there were a further four questions submitted, three of which were from Clarke Martin of Beaumaris and one from Chris Hill of Cheltenham which concerned specific statements made by Councillors at the Planning Committee Meeting held on 18 May 2016. The questions included the following references to comments made during the debate at the Planning Committee Meeting:

- *"That the pub went broke because 'pulling pots' doesn't make money";*
- *"A Councillor made mention that some residents who live nearby Mentone Hotel don't want the premises to reopen; and*
- *"A Councillor described Facebook as Farcebook".*

The CEO provided the following response to these questions:

Councillors engaging in debate in a Council meeting do not have parliamentary privilege when participating in Council and Planning Committee Meetings and have to comply with the law of the land in any comments they make. Councillors must act in accordance with Council's Meeting Procedures Local Law at Council and Planning

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Committee Meetings. Other than that, the Councillor is at liberty to bring to bear their arguments in a manner they see fit.

12.3 Notice of Motion No. 16/2016 - Cr Gledhill - Level Crossing Removal

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council write to The Hon Jacinta Allen, Victorian Minister for Public Transport advising her that as a result of an extraordinary level of public disquiet and concern, together with an untimely and unsatisfactory response to earlier Council requests for action and information, we are unable to support an elevated rail line as an option to be considered in the removal of level crossings along the Frankston line, where it is within the City of Kingston municipal boundaries.

The City of Kingston will continue to work cooperatively with the LXRA in determining which of the remaining options should be selected in order to fulfil the Andrews Government election commitments in relation to level crossing removal.

Cr Staikos left the meeting at 8:26 pm.

Cr Staikos returned to the meeting at 8:33 pm.

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr Ronke

That Cr Staikos be granted an extension of time to speak on the matter.

CARRIED

Amendment

Moved: Cr Peulich

- That the Council notes that the preliminary Noise report specifically that there will be a noise increase for freight trains mounting the Skyrail.
- On this basis oppose Skyrail and up-down ramps for the purpose of building Skyrail on both the Frankston Line and the Dandenong Line within Kingston's municipal boundaries.
- Note that the numerous up down ramps in various sections appear to be unfeasible due to requirements of freight trains.
- Formulate a lobby group of concerned councils against Skyrail inviting those Councils impacted to campaign against the Skyrail.
- Write to all local MPs both State and Federal, calling on them to oppose Skyrail and to state their position publicly and on the record.

The Amendment LAPSED for want of a Seconder

Procedural Motion

Moved: Cr Peulich

That consideration of this item be deferred due to a complete lack of regard by this Council for the residents of the North Ward.

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The Procedural Motion LAPSED for want of a Seconder

Cr Peulich left the meeting at 8:56 pm.

The Substantive Motion was put and CARRIED

A Division was Called:

DIVISION:

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

AGAINST: Cr Staikos (1)

CARRIED

Cr Peulich returned to the meeting at 9:00 pm.

Note: The CEO advised that he had been provided with a further six questions submitted by Trevor Shewan, President of the Kingston Residents Association, which were not addressed during Question Time.

Mr Shewan of the Kingston Residents Association asked the following questions:

1. *What other applicants for the Quick Response Grants were asked to provide further guarantees to Council before receiving the funds?*
2. *Why has Kingston Residents Association being asked to provide further guarantees above the Quick Response Grants Criteria?*
3. *Why have Council officers recommended only \$200 out of a pool of \$50,000 to Kingston Residents Association?*
4. *What advice can Council officers provide to Kingston Residents Association about how they can stretch the \$200 recommended towards the printing and mail out to the 140,000 residents of Kingston?*
5. *How much has Council allocated out of the \$50,000 pool to the successful applicants of the Quick Response Grants?*
6. *Council purchased the Mordialloc Masonic Hall over 4 years ago, to provide a facility for community groups to use when the refurbishments were completed. Why has the refurbishment not taken priority for the benefit of the community providers?*

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

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

Moved: Cr Brownlees

Seconded: Cr Gledhill

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

CARRIED

12.5 Notice of Motion No. 18/2016 - Cr Peulich - Dingley Village Roundabout Artwork

Moved: Cr Peulich

Seconded: Cr Gledhill

That Kingston Council relocates the Dingley Village Roundabout Artwork to a more suitable location possibly as part of the Chain of Parks.

LOST

A Division was Called:

DIVISION:

FOR: Cr Peulich (1)

AGAINST: Crs Brownlees, Staikos and Bearsley (3)

ABSTAINED: Crs Ronke and Gledhill (2)

LOST

12.6 Notice of Motion No. 19/2016 - Cr Peulich - Centre Dandenong Road, Boundary Road Slip Lane

Moved: Cr Peulich

Seconded: Cr Brownlees

That Kingston Council write to VicRoads and local MPs lobbying for funding for the Centre Dandenong Road, Boundary Road slip lane which is currently unmade.

CARRIED

12.7 Notice of Motion No. 20/2016 - Cr Peulich - Dingley Village Precinct Structure Plan

Moved: Cr Peulich

Seconded: Cr Gledhill

That Kingston Council prepare a precinct structure plan for Dingley Village, incorporating strategic planning for the following but not limited to:

- Dingley Village shopping centre
- Traffic
- Open Space
- Sport and Recreation
- Passive and Active Recreation
- Street Tree Plantings
- Residential Amenity
- Economic Development

Procedural Motion

Moved: Cr Ronke

Seconded: Cr Staikos

That consideration of this item be deferred pending a further report from Council officers outlining associated costs.

CARRIED

A Division was Called:

DIVISION:

FOR: Crs Ronke, Staikos, Bearsley and Gledhill (4)

AGAINST: Cr Peulich (1)

ABSTAINED: Crs Brownlees (1)

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 Notice of Motion No. 43/2015 Green Wedge Land Purchase and Notice of Motion No. 34/2015 Dingley Village Green

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

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14.2 KP114/15 - 40-80 Canterbury Road Braeside - Position for Potential Settlement of VCAT Proceeding by Consent and Delegation to Enter into a Section 173 Agreement Required

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

**9.2 Establishment of Architectural Services Panel - CON 15-138
Appendix 1, Attachment 1 - CON 15-138 - Architectural Services Panel - Tender Evaluation Matrix for Category 1 Panel 2015-16 - March 2016**

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

**9.2 Establishment of Architectural Services Panel - CON 15-138
Appendix 2, Attachment 2 - CON 15-138 - Architectural Services Panel - Tender Evaluation Matrix for Category 1 Panel 2015-16 Fee Review - March 2016**

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

**9.2 Establishment of Architectural Services Panel - CON 15-138
Appendix 3, Attachment 3 - Tender Evaluation Matrix - Category 2 Panel - March 2016**

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

**9.2 Establishment of Architectural Services Panel - CON 15-138
Appendix 4, Attachment 4 - Tender Evaluation Matrix - Category 2 Panel Fee Review - March 2016**

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

**10.3 Main Road, Clayton South - Roundabout and Road Reconstruction (from Oakes Ave to McMillan St)
Appendix 1, CON-16/9 Main Road Clayton South Tender Evaluation Matrix**

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

**11.8 Award of Contract TC4322-20135 for the Supply of Fixed Voice and Unified Communications Services
Appendix 1, Confidential Report on Projected Telecommunications Costs**

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

CARRIED

The meeting was closed to members of the public at 9.34pm.

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Moved: Cr Gledhill

Seconded: Cr Staikos

That the meeting be opened to members of the public.

CARRIED

The meeting was opened to members of the public at 9.45pm.

The meeting closed at 9.45pm.

Confirmed.....

The Mayor 27 June 2016