

Minutes

Ordinary Meeting of Council

Monday, 22nd October 2018

**City of Kingston
Ordinary Meeting of Council**

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The meeting commenced at 7.00pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

Present: Cr Steve Staikos (Mayor)
Cr Tamsin Bearsley
Cr Ron Brownlees OAM
Cr David Eden
Cr Georgina Oxley
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 Guttmann, General Manager Planning and Development
Tony Ljaskevic, Acting General Manager Corporate Services
Natasha Corponi, Communications and Media Advisor
Phil De Losa, Manager Governance
Stephanie O’Gorman, Governance Officer
Gabrielle Pattenden, Governance Officer

1. Apologies

Apologies from Cr Gledhill, Cr Barth and Cr Hua were submitted to the meeting.

Moved: Cr Oxley

Seconded: Cr Brownlees

That the apologies from Cr Gledhill, Cr Barth and Cr Hua be received.

CARRIED

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Oxley

Seconded: Cr West

That the Minutes of the Ordinary Meeting of Council held on 24 September 2018 and the Special Meeting of Council held on 17 October 2018 be confirmed.

CARRIED

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

John Nevins, Chief Executive Officer foreshadowed a declaration of a conflict of interest in Item 14.1.

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4. Petitions

Mordialloc Car Park

Moved: Cr Brownlees

Seconded: Cr Bearsley

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 reports from delegates.

7. Question Time

Question Time was held at 8.45pm. Refer to page 21 of the Minutes.

Block Resolution

Moved: Cr Oxley

Seconded: Cr Brownlees

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

- 8.3 Housing Strategy & Neighbourhood Character Study Community Panel Findings
- 10.1 Applications under the Commercial Use of Council Land Policy
- 10.2 Response to Notice of Motion 26/2017 - Cr West - Trees for Nepean Highway
- 10.3 The Grange Reserve Development Plan - Update
- 10.5 Chelsea SES
- 10.7 Update on review of the Lease and Licence Policy
- 11.1 Assembly of Councillors Record Report
- 11.2 Investment Portfolio Report - September 2018
- 11.4 Early Repayment of Commonwealth Bank Loan re 1230 Nepean Highway
- 11.5 Response to Notice of Motion 21/2018 - Privacy Processes
- 11.6 Annual Report 2017/18

CARRIED

8. Planning and Development Reports

8.1 KP18/415 - 1408-1418 Centre Road, Clayton South

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

Moved: Cr Brownlees

Seconded: Cr Bearsley

That Council determine to support the proposal and issue a Notice of Decision to Grant a Permit to Develop the land for the construction of a seven (7) storey building and a nine (9) storey building, comprising one hundred and sixty three (163) dwellings and two (2) townhouses, to Alter Access to a Road Zone Category 1 and associated car parking reduction at No. 1408 – 1418 Centre Road, Clayton South, subject to the following conditions:

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the advertised plans prepared by Plans prepared by DKO Architecture Pty Ltd; Landscape Concept Plan prepared by MDG Landscape Architects; Traffic Impact Assessment prepared by Cardno (May 2018); Noise and Vibration Impact Report and letter of advice prepared by Watson Moss Growcott; Reviewed the Pedestrian Level Wind Tunnel Survey prepared by GWTS; Reviewed the Certificate of Environmental Audit prepared by Senversa; Waste Management Plan prepared by Leigh Design Pty. Ltd; and Sustainable Management Plan prepared by Lucid Consulting Australia, date stamped 30 July 2018, but modified to show:
 - a. all requirements of VicRoads in accordance with Conditions 4, 5 and 6 of this permit;
 - b. vehicle crossings must constructed at a 90 degree alignment with the kerb on Centre Road and all internal driveways must align with the existing / proposed vehicle crossing.
 - c. detailed engineering design of roads to the satisfaction of Council's Roads and Drains Department;
 - d. the provision of a landscape plan substantially in accordance with the submitted Landscape Plans prepared by MDG Landscape Architects (22/05/2018, Rev. C), with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
 - i) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - ii) The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
 - iii) Cross-section diagrams for all planter boxes detailing the drainage, depth and substrate type;
 - iv) Details for all vertical plantings (green walls, green facades);
 - v) All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot

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- size of 200mm;
- vi) Additional mature vegetation to grow a minimum height of 3 metres is required at the upper level communal areas to the satisfaction of the Responsible Authority;
 - e. all relevant commitments identified within the Sustainable Management Plan, required under condition 15 of this permit, shown on plans;
 - f. the intersection of Centre Road and the future road is to be constructed with a vehicle crossing to the satisfaction of the Responsible Authority;
 - g. give-way sign and marking to be removed from Centre Road to the Satisfaction of the Responsible Authority;
 - h. future road to show pram crossing to satisfaction of the responsible authority;
 - i. uniformity with the commitments and any changes identified within the Waste Management Plan, required under condition 13 of this permit, shown on the plans;
 - j. uniformity with the commitments and any changes identified within the Acoustic Report, required under condition 17 of this permit, shown on the plans ;and
 - k. uniformity with the commitments and any changes identified within the Pedestrian Level Wind Tunnel Survey, required under condition 18 of this permit, shown on the plans.

Endorsed Plans

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

Landscaping

- 3. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

VicRoads

- 4. Before the development starts, a Functional Layout Plan (FLP) must be submitted to and approved by the Roads Corporation (VicRoads). When approved by VicRoads, the FLP may be endorsed by the Responsible Authority and will then form part of the permit. The FLP must be drawn to scale with dimensions and show:
 - a. Signage, linemarking and kerbing as appropriate to reinforce the left-out only operation of the Centre Road access point;
 - b. Details of any existing, required or relocated services/road furniture etc.;
 - c. Swept paths that show a B99 vehicle making the left turn wholly within the kerbside lane; and
 - d. Swept paths for a MRV making the left turn with minimal impact on the outside lane.
- 5. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access crossover and associated works must be completed in accordance with the approved Functional Layout Plan and be available for use to the satisfaction the Responsible Authority and at no cost to

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VicRoads or the Responsible Authority.

6. Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority and at no cost to VicRoads or the Responsible Authority.

Drainage and Water Sensitive Urban Design

7. Before the development starts amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council, but modified to show:
 - a) the provision of a longitudinal section of the basement ramp showing gradients, levels, distances, with headroom clearances complying with AS2890.1:2004 and the flood proof apex (ridge level) of minimum 300mm above the proposed adjacent kerb and channel invert levels;
 - b) the required apex of minimum 300mm above the proposed kerb and channel invert levels must be provided along the entire road frontage of the site.
8. Unless with prior written consent of the Responsible Authority, before the development commences the following Integrated Stormwater Management (drainage) documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority:
 - a) Stormwater Management (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details.
 - b) Prior to submitting detailed plans, a comprehensive stormwater management (drainage) strategy for the site must be prepared that addresses the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management" and must be in line with the overall Stormwater Management (drainage) strategy for the whole site accepted by Council under KP846/2014.
 - c) The stormwater management (drainage) strategy must include a report with music modelling results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
 - d) The water sensitive urban design treatments as per conditions 8a, 8b, & 8c above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
9. Stormwater (drainage) works must be implemented in accordance with the approved stormwater management (drainage) plan and to the satisfaction of the Responsible Authority including the following:

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- a. All stormwater (drainage) works must be provided onsite so as to prevent overflows onto adjacent properties.
 - b. The implementation of stormwater (drainage) detention system which restricts stormwater discharge to the maximum allowable flowrate in line with accepted overall stormwater management (drainage) strategy under KP846/2014 and must be to Council satisfaction.
 - c. All stormwater (drainage) works must be maintained to the satisfaction of the Responsible authority.
10. A groundwater assessment report (GAR) must be prepared by a qualified hydro-geologist to assess any possible impacts the proposed development has on the ground water table, surrounding land and buildings to the satisfaction of the Responsible Authority. Should the findings of the submitted GAR demonstrate that the site is likely to experience issues associated with ground water management, a ground water management plan (GMP) must be submitted to and approved by the responsible authority.
11. The basement structure must be designed to respond to the findings of the GAR and GMP required under condition 3 and constructed to the satisfaction of the Responsible Authority.
12. A flood proof apex (ie ridge level) protecting the property from any overland flows must be provided in accordance with Council's 'Basement Policy Guidelines'. The apex must be at minimum 300mm mm above the proposed adjacent kerb and channel invert levels. This apex is to continue through any driveways or pathways that may cross it. The apex is to be a permanent structure (eg. rise in concrete driveway/pathway, sleeper retaining wall, solid brick fence/wall). Low mounded soil on its own is unlikely to be acceptable due to the likelihood of future disturbance.

Waste Management Plan

13. Concurrent with the endorsement of plans, a Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit. The plan must include, but is not limited to, the following:
- a. The manner in which waste will be stored and collected including: type, size and number of containers.
 - b. Spatial provision for on-site storage.
 - c. Details whether waste collection is to be performed by Council's services or privately contracted.
 - d. The size of the collection vehicle and the frequency, time and point of collection.
14. The WMP must be implemented to the satisfaction of the Responsible Authority. The WMP must not be modified unless without the written consent of the Responsible Authority.

Sustainable Management Plan

15. Prior to the endorsement of plans required by Condition 1 of this permit, a Sustainable Management Plan (SMP) that outlines proposed sustainable design initiatives must be submitted to and approved by the Responsible Authority. The SMP must incorporate consideration of the following sustainable design criteria:

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- Indoor environment
 - Energy efficiency
 - Water resources
 - Stormwater management
 - Building materials
 - Bicycle parking
 - Waste Management
 - Urban Ecology
 - Innovation
 - Ongoing building and site management
16. Prior to the occupation of any building approved under this permit, written confirmation from the author of the endorsed SMP is to be submitted to and approved by the Responsible Authority detailing that all of the required measures specified in the SMP have been implemented, to the satisfaction of the Responsible Authority.

Acoustic Treatments

17. Concurrent with the endorsement of plans required under Condition 1 of this permit, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Report must be prepared by a suitably qualified acoustic engineer to the satisfaction of the Responsible Authority and show how the requirements of State Environment Protection Policy N-1 and relevant Australian Standards will be met. The report must, to the satisfaction of the Responsible Authority, prescribe:
- a. The form of acoustic treatment to dwellings to protect occupants from external noise sources; and
 - b. the mechanical plant equipment installed or constructed as part of the development.

The plans submitted to the Responsible Authority for endorsement pursuant to this condition must be updated to incorporate the acoustic engineer's recommendations to the satisfaction of the Responsible Authority and where there are recommendations of an ongoing nature, must be implemented to the satisfaction of the Responsible Authority.

Pedestrian Level Wind Tunnel Survey

18. Before the commencement of construction of dwellings, a Pedestrian Level Wind Tunnel Survey prepared by a suitably qualified professional, must be submitted to and approved by the Responsible Authority. The report must include recommendations for wind tunnel reduction measures.

Construction Management

19. Prior to the commencement of any buildings and works on the land (including demolition), a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Management Guidelines. The CMP must specify and deal with, but is not limited to, the following elements:
- a. Public Safety, Amenity and Site Security
 - b. Traffic Management
 - c. Stakeholder Management

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- d. Operating Hours, Noise and Vibration Controls
- e. Air Quality and Dust Management
- f. Stormwater and Sediment Control
- g. Waste and Materials Re-use

When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

Infrastructure and Road Works

- 20. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.
- 21. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
- 22. Any reinstatements and vehicle crossings are to be constructed to the satisfaction of the Responsible Authority.
- 23. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
- 24. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
- 25. Prior to the occupation of any part of the development approved under this Planning Permit, or prior to the issue of a Statement of Compliance for the subject site, the applicant / owner of the land must either, construct all footpaths and garden beds located along the subject site boundaries in accordance with the DKO Architecture Pty Ltd plans date stamped 30 July 2018] to the Responsible Authority's satisfaction and at the developer's cost (including paving), or pay an amount to the Responsible Authority towards the construction of all footpaths and garden beds located along the subject sites boundaries. The amount payable towards this construction is to be determined in consultation with the Responsible Authority.
- 26. The developer/owner must contact the Responsible Authority and VicRoads and arrange traffic management plans and WORKS ZONE for any works that may affect traffic (both vehicular and pedestrian) or parking or any of the surrounding streets. Works vehicles will not be able to stop in the street fronting the property if they cannot provide at least 3 metres clearance for other vehicles to pass or if parking restrictions already apply. The developer will be responsible for the costs of arranging a WORKS ZONE and reinstatement of parking restriction signs, to the satisfaction of the Responsible Authority.

Lighting

- 27. Exterior lighting must be installed in such positions as to effectively illuminate all shared areas. Such lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.

General amenity conditions

- 28. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
- 29. All externally-located heating and cooling units, exhaust fans and the like must

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not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.

30. All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.

Completion of Works

31. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
32. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained (except where that landscaping is on public land) to the satisfaction of the Responsible Authority.

Time Limits

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

In accordance with section 69 of the Act, the responsible authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six (6) months after the permit expiry date, where the development allowed by the permit has not yet started; or
- within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

Note: Prior to the commencement of the development you are required to obtain the necessary Building Permit.

Note: The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

Note: The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.

Note: Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.

Note: The allocation of street numbering and addressing of properties is vested in

Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011).

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

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

Note: Please note for more information on how City of Kingston approaches the construction of building and other structures with below ground elements for the benefit of the whole community please refer to City of Kingston 'Basements and Deep Building Construction Policy' and 'Basements and Deep Building Construction Guidelines'. <http://www.kingston.vic.gov.au/Property-and-Development/Engineering-Assessments>

Note: Please note that during basement construction Council does not permit the discharge of surface water or ground water into the Council drainage system unless a Temporary Discharge Permit (TDP) has been obtained. Application form and other construction related permits can be obtained from the following link:-

<http://www.kingston.vic.gov.au/Property-and-Development/Construction>

CARRIED

8.2 Proposed Edithvale 24 Hour Dog Off Leash Consultation Feedback

Moved: Cr Oxley

Seconded: Cr Bearsley

1. That Council note the submissions received and all submitters be thanked for their responses and feedback.
2. That Council not proceed with a 24 hour off-leash area at Edithvale Beach.
3. That officers provide a report no later than February 2019 - on the implementation of off-leash fenced areas at non-foreshore reserves within the South Ward of the City of Kingston.
4. That officers provide a report for the implementation of bio-degradable dog poo bag dispensers along the foreshore reserve.

Amendment

Moved: Cr West

Seconded: Cr Brownlees

That the motion be adopted subject to the inclusion of point 5, which reads:

That a report be provided to Council on the feasibility, cost and timelines of a trial of increased patrolling of the Kingston Foreshore during summer to ensure compliance.

The Amendment was accepted by the Mover and Seconder

The Motion reads as follows:

Moved: Cr Oxley

Seconded: Cr Bearsley

1. That Council note the submissions received and all submitters be thanked for their responses and feedback.
2. That Council not proceed with a 24 hour off-leash area at Edithvale Beach.
3. That officers provide a report no later than February 2019 - on the implementation of off-leash fenced areas at non-foreshore reserves within the South Ward of the City of Kingston.

CARRIED

4. That officers provide a report for the implementation of bio-degradable dog poo bag dispensers along the foreshore reserve.

CARRIED

5. That a report be provided to Council on the feasibility, cost and timelines of a trial of increased patrolling of the Kingston Foreshore during summer to ensure compliance.

CARRIED

Note: It was requested by Cr Brownlees and agreed to by the Chairperson that parts 1-3, part 4 and part 5 of the Motion be put to the vote separately.

8.3 Housing Strategy & Neighbourhood Character Study Community Panel Findings

RECOMMENDATION

That Council:

1. Note the Community Principles, key messages and communique developed by the Housing Strategy and Neighbourhood Character Study Community Panel, contained in the attached report at Appendix 1.
2. Note the summary findings of the Housing Strategy and Neighbourhood Character Study Community Panel contained in the attached report at Appendix 1, prepared by Capire Consultants.

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

8.4 Response to Notice of Motion 2/2017 - Declaration of Termite Prone Areas

Moved: Cr Bearsley

Seconded: Cr Brownlees

That Council note the further advice provided in relation to Notice of Motion 2/17 and designate the whole of the City of Kingston a termite prone area.

CARRIED

9. Community Sustainability Reports

9.1 Prevention of Family Violence Action Plan

Moved: Cr Oxley

Seconded: Cr Bearsley

That Council adopt the *Prevention of Family Violence Action Plan 2019-2021* – for implementation.

CARRIED

9.2 Appointment of Members to the Youth Advisory Committee

Moved: Cr Oxley

Seconded: Cr Eden

1. That in addition to existing members, Council appoint the following members to the committee
 - Aditri Vemula
 - Zachary Heal
 - Galen Sullivan
 - Aaryan Kulkarni
 - Hana Northey
 - Molly McLeod
 - Ayda Guclu
 - Max Timuska-Carr
 - Charan Naidoo
 - Gowri Rajaram
 - Todd Cracknell
 - Rachel Costello
2. That Council require all members over the age of 18 to get a working with children check; if there is any cost to this check, that cost is to be covered by Council.
3. That officers bring back a further report to explore the feasibility of running two youth advisory committee meetings. One committee for those between the age of 12 - 17 and another between the ages of 18 - 25.
4. That committee meetings be held as two separate committees as outlined in point 3 whilst the report is being prepared.

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr West

That consideration of this item be deferred to allow discussion in the part of the meeting closed to the public.

CARRIED

A Division was Called:

DIVISION:

FOR: Crs Brownlees, Staikos and West (3)

AGAINST: Crs Bearsley, Eden and Oxley (3)

The Procedural Motion was CARRIED on the Casting Vote of the Chairperson

10. City Assets and Environment Reports

10.1 Applications under the Commercial Use of Council Land Policy

RECOMMENDATION

That Council approve the Commercial Use of Council Land applications received from Melbourne Street Eatz to hold two events at:

Chelsea Bicentennial Park 24 January to 29 January 2019

Kingston Heath Reserve 24 April 2019 to 28 April 2019

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

10.2 Response to Notice of Motion 26/2017 - Cr West - Trees for Nepean Highway

That Council engage a landscape design consultant to develop plans and implementation costings that respond to the Resolution of Council on 25 June 2018 and the Notice of Motion 26/2017 on 24 July, 2017 for landscaping the Nepean Highway outer separators, centre median and nature strips on the following basis:

Stage 1 spans from north of Mc Donald Street, Mordialloc to South Road Moorabbin.
Stage 2 spans from South of McDonald Street to Osprey Lane, Carrum.

The objectives of the landscape design are to be:

- compliant with the design requirements of Vic Roads and Vic Track when undertaking landscape improvements along the Nepean Highway
- maintaining and enhancing the existing native trees along the Highway with further complementary native and indigenous planting
- maintaining and enhancing plantings through activity centres and adjacent to

parks; including Australian Native Pines (Hoop & Norfolk Island Pines)

- maintaining and enhancing existing plantings and fill gaps with plantings as seen through Parkdale
- inform LXRA landscape treatment south of Mordialloc Creek

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

10.3 The Grange Reserve Development Plan - Update

RECOMMENDATION

That Council note progress on The Grange Reserve Development Plan and:

1. Refer the funding to purchase relocatable change room and spectator facilities for use at the Grange Reserve, Clayton South to Council's 2018/19 mid-year budget review process;
2. Acknowledge and support the Kingston City Football Club's need for in-season and out of season access to sporting facilities within the City; and
3. Continue to support the Kingston City Football Club within the long term planning of the facility improvements at the Grange Reserve, Keeley Park or a suitable alternative location.

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

10.4 Synthetic Sports Surfaces Policy - Proposed Future Framework

Moved: Cr Brownlees

Seconded: Cr West

Cr Oxley left the meeting at 8:02pm.

That Council:

1. Endorse the draft Synthetic Sports Surface Policy at Attachment 1 for the purposes of community consultation; and
2. Receive a further report outlining community and Council's Sport and Recreation Advisory Committees feedback and analysis by Dr Greg Moore of the economic costs and benefits of synthetic versus natural surfaces for review and consideration for adoption.

Cr Oxley returned to the meeting at 8:04pm.

CARRIED

10.5 Chelsea SES

RECOMMENDATION

That Council advise the Emergency Services Infrastructure Authority that it does not support the establishment of the Chelsea SES at the George Woods Reserve.

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

10.6 State Government Contribution to Outdoor Netball Facilities at Ben Kavanagh Reserve

Moved: Cr West

Seconded: Cr Oxley

1. That Council note the State Government 2018/19 Budget Commitment of \$500,000 and endorse the development of two outdoor netball courts with sports lighting at Ben Kavanagh Reserve, Mordialloc;
2. That Council approve officers to execute the funding agreement for the project; and
3. That Council implement the installations of two outdoor netball courts with sports lighting at Ben Kavanagh Reserve, Mordialloc, subject to consultation with user groups and surrounding local residents and relevant approvals.
4. That a master plan advisory group meeting be held with residents and the club to discuss the matter.

Procedural Motion

Moved: Cr Bearsley

Seconded: Cr Brownlees

That this item be deferred until a master plan advisory group meeting is held with residents, user groups and the club to discuss the matter.

LOST

Amendment

Moved: Cr Oxley

Seconded: Cr Brownlees

1. That Council note the State Government 2018/19 budget commitment of \$500,000 and investigate the development of two outdoor netball courts with sports lighting at Ben Kavanagh Reserve, Mordialloc;
2. That Council approve officers to provide a letter of intent to the relevant state government department to accept the funding agreement subject to community consultation and assessment of community feedback;
3. That Council, subject to point 2, implement the installation of two outdoor netball courts with sports lighting at Ben Kavanagh Reserve, Mordialloc, subject to consultation with user groups and surrounding local residents and relevant approvals; and
4. That a master plan advisory group meeting be held with residents and the club to discuss the matter.

The Amendment was put and CARRIED

The Amendment became the Motion

The Motion was put and CARRIED

10.7 Update on review of the Lease and Licence Policy

RECOMMENDATION

That Council:

1. Receive a report at the November Ordinary Meeting summarising the outcome of the community consultation; and
2. Consider a revised Lease and Licence Policy for adoption at the November Ordinary Meeting of Council.

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

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 Investment Portfolio Report - September 2018

RECOMMENDATION

That Council note that its funds as at 30 September 2018 are invested in line with the risk management profile prescribed in Council's Investment policy.

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

11.3 Quick Response Grants

Moved: Cr West

Seconded: Cr Bearsley

That Council approve the following grant applications:

- Chelsea Lawn Tennis Club - \$1000.00
- Elonera Preschool - \$1305.00
- Colman Education Foundation - \$1000.00
- Chelsea Occasional Child Care Centre - \$1000.00
- Neighbourhood Watch Inc Kingston - \$500.00
- The Indonesian Muslim Community of Victoria - \$500.00
- Patterson River Golf Club - \$500.00

CARRIED

11.4 Early Repayment of Commonwealth Bank Loan re 1230 Nepean Highway

RECOMMENDATION

That Council bring forward to 19 December 2018, the lump sum payment of \$2,000,000 originally scheduled for December 2019 in the long term financial plan.

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

11.5 Response to Notice of Motion 21/2018 - Privacy Processes

RECOMMENDATION

That Council receive the report.

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

11.6 Annual Report 2017/18

RECOMMENDATION

That Council, having considered the 2017/18 Annual Report, determine that it be adopted pursuant to S134 of the Local Government Act and Regulation 22 of the Local Government (Planning and Reporting) Regulations 2014.

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

12. Notices of Motion

12.1 Notice of Motion No. 29/2018 - Cr Hua - Kingswood Golf Course

- That Council abandon Planning Scheme Amendment C151 - Kingswood Golf Course;
- That Council, in accordance with Section 28 of the Planning and Environment Act, inform the Minister in writing of its decision to abandon Planning Scheme Amendment C151;
- That Council inform the proponent of the above resolution and encourages the proponent to consider using the golf course land consistent with the Kingston Golf Course Policy.

The Notice of Motion was WITHDRAWN

12.2 Notice of Motion No. 33/2018 - Cr West - Planning, Development and Parking Advisory Committee

Moved: Cr West

1. That Council appoint a new Strategic Advisory Committee to deal with planning, development and parking matters, subject to an officer report to be provided to the November Council Meeting.
2. That members of the Neighbourhood Character Advisory Panel and nominated members of the independent Neighbourhood Character Advisory group, be invited to apply for membership of the new committee.

The Motion LAPSED for want of a Seconder

Question Time was held at 8.45pm.

Sharon Wyatt of Edithvale asked the following questions:

Question 1.

"If Council continues to pursue a 24 hour off leash beach will they start consultation again in regard to location ,as there were three original locations of which Edithvale was reported by officers to be the least suitable yet this have been the only location targeted."

Question 2.

"Is the Council aware that in the Herald Sun today it was report that there has been a 48% increase in dog attach injuries at hospital A & E's in the last three years? This is another indication that an increase in off leash dogs on a busy beach is likely to result in altercations between dogs and people."

Note: In accordance with clause 18(4) of the Meeting Procedures Local Law, the questions will be responded to in writing as the questioner was not present in the gallery.

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Bruce Duffy of Chelsea asked,

“Could the Council have an easy to access, possibly abbreviated agenda that person can simply view online, that is not having to download such a large file?”

Note: In accordance with clause 18(4) of the Meeting Procedures Local Law, this question will be responded to in writing as the questioner was not present in the gallery.

13. Urgent Business

There were no items of Urgent Business.

14. Confidential Items

Moved: Cr Brownlees

Seconded: Cr Bearsley

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 CEO Reappointment

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

14.2 Notice of Motion No. 31/2018 - Cr Staikos - CEO Recruitment Process

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

14.3 Notice of Motion No. 32/2018 - Cr Staikos - Public Open Space Investigation in Oakleigh South

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

14.4 Notice of Motion No. 30/2018 - Cr Staikos - Abbeyfield Dingley Village

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 Appointment of Members to the Youth Advisory Committee
Appendix 2, Youth Advisory Committee - Legal Advice - s77 Confidential Information**

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

CARRIED

The meeting was closed to members of the public at 8.46pm.

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Moved: Cr Eden

Seconded: Cr Oxley

That the meeting be opened to members of the public

CARRIED

The meeting was opened to members of the public at 9.37pm.

9.2 Appointment of Members to the Youth Advisory Committee

Note: Following discussion of this item in the meeting closed to the public, the resolution was made in the meeting open to the public.

The Motion reads as follows:

Moved: Cr Oxley

Seconded: Cr Eden

1. That in addition to existing members, Council appoint the following members to the committee
 - Aditri Vemula
 - Zachary Heal
 - Galen Sullivan
 - Aaryan Kulkarni
 - Hana Northey
 - Molly McLeod
 - Ayda Guclu
 - Max Timuska-Carr
 - Charan Naidoo
 - Gowri Rajaram
 - Todd Cracknell
 - Rachel Costello
2. That Council require all members over the age of 18 to get a working with children check; if there is any cost to this check, that cost is to be covered by Council.
3. That officers bring back a further report to explore the feasibility of running 2 youth advisory committee meetings. One committee for those between the age of 12 - 17 and another between the ages of 18 - 25.
4. That Committee meetings be held as two separate committees as outlined in point 3 whilst the report is being prepared.

The Substantive Motion was put and CARRIED

A Division was Called:

DIVISION:

FOR: Crs Bearsley, Eden, Oxley and Staikos (4)

AGAINST: Nil (0)

ABSTAINED: Crs Brownlees and West (2)

CARRIED

Note: It was resolved in the meeting closed to the public that the resolution for Item 14.1 not be designated confidential.

14.1 CEO Reappointment

John Nevins, Chief Executive Officer, declared a direct interest in Item 14.1 as it relates to his reappointment and left the meeting at 8.50pm prior to discussion of the matter.

Moved: Cr Brownlees

Seconded: Cr Bearsley

That Council:

1. Having complied with S94(4) of the Local Government Act 1989, reappoint Mr John Nevins as its Chief Executive Officer under a Deed of Variation to the current Contract of Employment commencing on 9 November 2018 and expiring on 9 August 2019.
2. That Council determine, in accordance with Section 77(2) of the Local Government Act 1989, that the resolution for this item not be designated confidential.

CARRIED

John Nevins, Chief Executive Officer, returned to the meeting at 8.51pm.

Note: It was resolved in the meeting closed to the public that the resolution for Item 14.2 (subject to the names of the three consultants being redacted) not be designated confidential.

14.2 Notice of Motion No. 31/2018 - Cr Staikos - CEO Recruitment Process

Moved: Cr Brownlees

Seconded: Cr West

That:

1. Council requests quotes from [REDACTED] to be considered as the consultant to assist Councillors to develop a position description for the new CEO, and to support the process by which a recruitment agency will be selected.
2. Council appoint a *CEO Recruitment Standing Committee* (the Committee) of three Councillors Brownlees, Oxley and Staikos to oversee the administrative process of CEO recruitment and report back to Council periodically at Ordinary Council Meetings.
3. The Committee be tasked with the responsibility of choosing the successful consultant and then prepare relevant reports for the consideration of Council to facilitate the appointment of a new CEO by August 2019.
4. The Committee be supported by the CEO and the General Manager Corporate Services.
5. The resolution be declared not confidential (with the redaction of the names of the three consultants).

CARRIED

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Expression of Appreciation to outgoing Mayor

Cr Brownlees paid tribute to the efforts of the Mayor Cr Staikos.

The meeting closed at 9.47pm.

Confirmed.....

The Mayor 26 November 2018