

Minutes

Ordinary Meeting of Council

Tuesday, 23rd April 2019



**City of Kingston
Ordinary Meeting of Council**

Minutes

23 April 2019

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

Present: Cr Georgina Oxley (Mayor)
Cr Tamara Barth
Cr Ron Brownlees OAM
Cr David Eden
Cr Geoff Gledhill
Cr Steve Staikos
Cr Rosemary West OAM

In Attendance: John Nevins, Chief Executive Officer
Mauro Bolin, General Manager Community Sustainability
Rachelle Quattrocchi, Acting General Manager City Assets and Environment
Jonathan Guttmann, General Manager Planning and Development
Natasha Corponi, Communications and Media Advisor
Ian Nice, Manager City Development
Phil De Losa, Manager Governance
Gabrielle Pattenden, Governance Officer
Lindsay Holland, Facilities Officer

1. Apologies

Apologies from Cr Bearsley and Cr Hua were submitted to the meeting.

Moved: Cr Brownlees

Seconded: Cr Gledhill

That the apologies from Cr Bearsley and Cr Hua be received.

CARRIED

Leave of Absence

Cr Hua has made application for Leave of Absence from 17 April to 26 May 2019 in accordance with the Nomination in a State or Federal Election Policy as he has nominated to stand as a candidate in the Federal Election.

Moved: Cr Gledhill

Seconded: Cr West

That the application for Leave of Absence be approved.

CARRIED

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Staikos

Seconded: Cr Barth

That the Minutes of the Ordinary Meeting of Council held on 25 March 2019 be confirmed.

CARRIED

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

There were no Conflicts of Interest submitted to the meeting.

4. Petitions

4.1 Parking Removal – Mentone

Moved: Cr Gledhill

Seconded: Cr Brownlees

That the petition be referred to the CEO for response.

CARRIED

4.2 Drinking Fountain - Walter Galt Reserve

Moved: Cr Gledhill

Seconded: Cr Brownlees

That the petition be referred to the CEO for response.

CARRIED

4.3 Unsightly Land - Clayton South

Moved: Cr Staikos

Seconded: Cr West

That the petition be referred to the CEO for response.

CARRIED

4.4 Traffic Management - Bourke Road, Clarinda

Moved: Cr Staikos

Seconded: Cr Barth

That the petition be referred to the CEO for response.

CARRIED

5. Presentation of Awards

The Mayor acknowledged a plaque of appreciation presented to Council by the Cook Islands Community.

6. Reports from Delegates Appointed by Council to Various Organisations

Crs West and Brownlees reported on having attended a meeting of the Moorabbin Airport Community Committee.

Moved: Cr West

Seconded: Cr Eden

That the delegates' reports be received.

CARRIED

7. Question Time

Question time was held at 8.29pm. Refer to page 11 of the Minutes.

Block Resolution

Moved: Cr Staikos

Seconded: Cr West

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

- 8.1 Town Planning Application Decisions - March 2019
- 8.5 Living Melbourne: Our Metropolitan Urban Forest Strategy
- 8.7 South East Councils Climate Change Alliance - Strategic Plan and Memorandum of Understanding
- 9.1 Bonbeach Life Saving Club - Redevelopment Options
- 9.2 Aspendale Life Saving Club - Redevelopment Options
- 10.1 2018/19 Capital Forecast - End March 2019
- 11.2 Review of Council Instruments of Delegation
- 11.3 Quick Response Grants
- 11.4 Assembly of Councillors Record Report

CARRIED

8. Planning and Development Reports

8.1 Town Planning Application Decisions - March 2019

RECOMMENDATION

That the report be noted.

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

8.2 KP-2018/542 - 342-344 Como Parade West, Parkdale

It is recorded that Simon Johnson spoke on behalf of objectors.

It is recorded that David Bayley spoke on behalf of the applicant.

Moved: Cr Gledhill

Seconded: Cr West

That Council determine to issue a Notice of Refusal to Grant a Permit for the development of ten (10) dwellings and associated works in accordance with the endorsed plans at No. 342 – 344 Como Parade West, Parkdale, on the following grounds:

- 1. The proposal fails to meet the objectives and strategic directions of the Municipal Strategic Statement – Residential Land Use contained at Clause 21.05 of the

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Kingston Planning Scheme.

2. The proposal does not satisfy the requirements of Clause 22.11 – Residential Development Policy, of the Kingston Planning Scheme.
3. The proposal fails to satisfy all the requirements of Clause 55 of the Kingston Planning Scheme (ResCode), in particular Clause 55.02-1 Neighbourhood Character Objective, Clause 55.02-2 Residential Policy Objective, Clause 55.03-1 Street Setback Objective, Clause 55.04-1 Side and Rear Setbacks Objective, Clause 55.04-5 Overshadowing Open Space Objective and Clause 55.06-2 Front Fences Objective.
4. There are inadequate landscaping opportunities throughout the development which is inconsistent with Clause 22.11 and the objectives of Standard B13 (Landscaping) of Clause 55.03-8
5. The proposal fails to provide an acceptable built form outcome having regard to the physical and policy context.

Cr Barth left the meeting at 7:38pm

CARRIED

8.3 KP-2018/902 - Beach Road, Parkdale (Parkdale Yacht Club)

It is recorded that Rachel Parkinson spoke on behalf of objectors.

It is recorded that Gary Wissenden spoke on behalf of the applicant.

Cr Barth returned to the meeting at 7:40pm

Cr Staikos left the meeting at 7:41pm

Cr Staikos returned to the meeting at 7:44pm

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council determine to support the proposal and issue a Notice of Decision to Grant a Permit to Use the land for a Restricted Recreation Facility and Removal of Native Vegetation, subject to the following conditions:

Amended Plans

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council, but modified to show:
 - a) Details of the noise attenuation treatment proposed for the building;

Third Party Hire Agreement

2. Prior to the commencement of the use as approved, a venue management plan (to the satisfaction of the responsible authority in collaboration with the Ward Councillors that attempts to meet the requirements of the objectors where possible) and a template of the Casual Third Party Hire Agreement is to be prepared in accordance with Kingston City Council's *Lease and Licence Policy*

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2018 and must be submitted to Responsible Authority. This template agreement must include, but is not limited to the following information:

- a) The suggested strategies for the management of patrons departing the premises;
 - b) The suggested measures to be undertaken to manage noise emanating from the premises after 10pm;
 - c) A section which provides for a nominated contact person and details for each event; and
 - d) A copy of the planning permit and conditions.
3. Prior to the commencement of the use, a register must be prepared which manages and records any complaints regarding the operation of the premises during events held by third parties.

Hours of operation

4. The use must operate only between the hours of:
- Monday to Thursday 6.00am to 10.30pm
 - Friday to Saturday 6.00am to 12.00am Midnight
 - Sundays 6.00am to 10.30pm

Or otherwise as approved by the Responsible Authority in writing.

Amenity

5. The use of the site shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard any nuisance shall be assessed in accordance with the Australian Standards AS1055 and AS2107 relating to the measurement of Environmental Noise and recommended sound levels.
6. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.

Native Vegetation

7. To offset the removal of 0.086 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:
- A general offset of 0.002 general habitat units
 - located within the Port Phillip and Western Port Catchment Management Authority boundary or Kingston City Council
 - with a minimum strategic biodiversity score of at least 0.208
8. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
- an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10year management actions and ongoing management of the site and/or
 - a credit register extract(s) allocated to the permit from the Native Vegetation Credit Register
9. A copy of the offset evidence will be endorsed by the responsible authority and

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form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning

Department of Environment, Land, Water and Planning (DELWP)

10. The works are to be carried out generally in accordance with plans titled:
 - 'PARKDALE YACHT CLUB' dated 2018/10/03 prepared by Haskell Architects.
 - 'CULTURAL HERITAGE MANAGEMENT PLAN NUMBER: 14939 – PARKDALE YACHT CLUB PROPOSED REDVELOPMENT' dated 14/9/2018 prepared by TerraCulture Heritage Consultants.
 - 'NATIVE VEGETATION REMOVAL REPORT BEACH ROAD PARKDALE REPORT ID 33821090210-003
11. Any modification to the works proposed will require further approval by the Regional Manager, Land and Built Environment Programs, DELWP.
12. Prior to works commencing, a construction environmental management plan must be prepared to the satisfaction of Kingston City Council.
13. The construction site must be managed in accordance with EPA Publication No. 981 Reducing Stormwater Pollution from Construction Sites (May 2005).
14. Construction equipment, building materials, refuse and site run-off must be contained and controlled and not permitted to impact on the beach or enter Port Phillip Bay.
15. Indigenous vegetation must not be damaged or removed as a result of the works, other than native vegetation removal approved as part of this consent.
16. All works must be completed and maintained to the satisfaction of Kingston City Council.
17. Any required beach nourishment as recommended in the attached Coastal Hazard Vulnerability Assessment will be the responsibility of Kingston City Council.
18. Any required maintenance or upgrades to the bluestone seawall will be the responsibility of Kingston City Council.
19. This consent under the Marine and Coastal Act 2018 will expire if the works are not completed within five years of the date of issue, unless an extension of time is applied for and granted by the Regional Manager, Land and Built Environment Programs, DELWP.

Cultural Heritage Management Plan (CHMP)

20. The development of the land hereby approved must be carried out in accordance with the approved Cultural Heritage Management Plan no 14939 dated 14 September 2018 by Terra Culture approved by the Department of Premier and Cabinet on 5 October 2018.

Construction Management Plan (CMP)

21. Prior to the commencement of any buildings and works on the land (including demolition), a Construction Management Plan (CMP) must be submitted to the satisfaction of the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Guidelines, October 2016 (and any superseding versions and I or documents) and include a completed copy of the CMP checklist. The CMP must respond to, but is not

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limited to the following requirements:

- a. Element 1 - Public Safety, Amenity and Site Security.
- b. Element 2 - Traffic Management
- c. Element 3 - Stakeholder Management.
- d. Element 4 - Operating Hours, Noise and Vibration Controls.
- e. Element 5 - Air Quality and Dust Management.
- f. Element 6 - Stormwater and Sediment Control.
- g. Element 7 - 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.

22. Once the use and development has commenced it must be continued and completed to the satisfaction of the Responsible Authority.
23. This permit will expire if one of the following circumstances applies:
 - The use is not commenced within two (2) years from date of this permit.
 - The use is discontinued for a period of two (2) years.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

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

Procedural Motion

Moved: Cr Eden

Seconded: Cr Staikos

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

CARRIED

Procedural Motion

Moved: Cr West

Seconded: Cr Eden

That consideration of this item be deferred until the May Planning Committee or May Ordinary Meeting of Council.

LOST

The Substantive Motion was put and CARRIED

8.4 Housing Strategy & Neighbourhood Character Study - draft documentation for community consultation

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council:

1. Endorse the draft Housing Strategy and Neighbourhood Character Study for the purpose of community consultation.
2. Undertake a six (6) week community consultation process in relation to the draft Housing Strategy & Neighbourhood Character Study as outlined under Section 3.2 of this report.
3. Receive a further report following completion of the community consultation period considering all submissions and feedback received.

Amendment

Moved: Cr West

That Council:

1. Endorse the draft Housing Strategy and Neighbourhood Character Study for the purpose of community consultation.
2. Undertake a six (6) week community consultation process in relation to the draft Housing Strategy & Neighbourhood Character Study as outlined under Section 3.2 of this report.
3. Receive a further report following completion of the community consultation period considering all submissions and feedback received.

Further that a sub-committee of interested Councillors be appointed to assist Ethos Urban with a review of the Residential Zones Standing Advisory Committee Report which has a number of errors; and considering whether in the light of the review, some changes to the draft Housing Strategy and Neighbourhood Character study might be justified.

**The Amendment LAPSED for want of a seconder
The Substantive Motion was put and CARRIED**

8.5 Living Melbourne: Our Metropolitan Urban Forest Strategy

RECOMMENDATION

That Council:

1. Endorse *Living Melbourne: our metropolitan urban forest strategy* (Appendix 1) and work collaboratively with the other endorsing Councils and organisations towards implementing the strategy.
2. Authorise the use of Kingston City Council's logo to appear as an endorsing organisation in the designed version of *Living Melbourne* which will be launched in June 2019.

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

Question Time

Clare McPhee of Chelsea asked,

Has Council signed off on a planning permit for three double storey townhouses, involving the removal of two significant trees at 75 Woodbine Grove, Chelsea (950 m²)? Council is required to follow State Policy Planning Framework to assist with the protection and conservation of biodiversity when considering development applications. It would have been better to have a permit for two townhouses in order to retain the willow myrtle and liquidambar. We are losing our large canopy trees to greedy developers as they are aware the City of Kingston does not have a Trees on Private Property Policy and a new Biodiversity Strategy that does not cover private property.

The CEO provided the following response,

Council will review the status of any planning applications at 57 Woodbine Grove, Chelsea and provide further advice to Ms McPhee regarding her queries about the trees on the subject land.

Clare McPhee of Chelsea asked,

Developers are not adhering to two metre high planting for canopy trees, e.g 45cm high at 31 Swanpool Avenue, Chelsea (all now dead) and 30cm high, out of 6 inch pot, at 27 Northcliffe Avenue Edithvale. Instances of no trees at all at 20 Randall Avenue, Edithvale... No trees in the front setback; 38 Northcliffe Avenue, Edithvale... no trees planted in the private open space of all three units. Understorey plant species also do not comply. Indigenous plants are replaced with exotics... 70 Ella Grove, Chelsea and real lawn is replaced with face turf at a Lowe Build... Units 1, 2, 3/15 Morton Grove Chelsea. The sites of non compliance are numerous and continuous.

The CEO provided the following response,

Council is currently recruiting an officer that is specifically charged with following up on the planting of trees on development sites.

Officers will further review the sites identified by Ms McPhee and provide her with feedback on the level of compliance with existing Planning Permits.

8.6 Draft Social and Affordable Housing Discussion Paper

Moved: Cr Staikos

Seconded: Cr Barth

That Council:

1. Endorse the draft Social and Affordable Housing Discussion Paper (Appendix 1) for the purposes of community and stakeholder consultation
2. Undertake a 6 week consultation program to be integrated with planned consultation in relation Council's draft Housing Strategy and Neighbourhood Character Study as outlined under Section 3.3 of this report.
3. Note that a further report will be brought back to Council following completion of the community consultation period considering all submissions and feedback received.

Amendment

Moved: Cr West

That the motion be adopted with the inclusion of the following in point 1:

“with the addition of the following objective or tier:

- for Kingston to make any suitable vacant houses it owns available to community housing groups for social or affordable housing, and to encourage developers to do the same until they need to begin re-development of the land, instead of leaving these houses vacant or demolishing them and leaving moonscapes.”

The Amendment was accepted by the Mover and Seconder

The Substantive Motion was put and CARRIED

The Motion reads as follows:

That Council:

1. Endorse the draft Social and Affordable Housing Discussion Paper (Appendix 1) for the purposes of community and stakeholder consultation with the addition of the following objective or tier:
 - for Kingston to make any suitable vacant houses it owns available to community housing groups for social or affordable housing, and to encourage developers to do the same until they need to begin re-development of the land, instead of leaving these houses vacant or demolishing them and leaving moonscapes.
2. Undertake a 6 week consultation program to be integrated with planned consultation in relation Council’s draft Housing Strategy and Neighbourhood Character Study as outlined under Section 3.3 of this report.
3. Note that a further report will be brought back to Council following completion of the community consultation period considering all submissions and feedback received.

CARRIED

8.7 South East Councils Climate Change Alliance - Strategic Plan and Memorandum of Understanding

RECOMMENDATION

That Council endorse the South East Councils Climate Change Alliance Strategic Plan 2019 - 2024 and associated Memorandum of Understanding.

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

8.8 Draft Council Submission - Protecting Melbourne's Strategic Agricultural Land

Moved: Cr Staikos

Seconded: Cr West

That Council endorse the draft submission at Appendix 2 and lodge it with the Department of Environment, Land, Water and Planning, subject to the inclusion of the following points to the draft executive summary by adding the words below:

Add after 3rd paragraph "Kingston Council advocates for the Protecting Strategic Agricultural Land Overlay to be amended to protect agricultural land currently or potentially in production (including land previously in production and not so far developed for any other use) in Kingston. We would like to point out that Kingston's heritage market gardens, were identified as worthy of protection by an earlier Deakin University study, but unfortunately have been left out of the current Potential Strategic Agricultural Land mapping."

and

Add new 2nd dot point "A Farmland Trust (with state government, superannuation and/or private funding) to acquire agricultural land that comes up for sale and/or is at risk of being alienated from agriculture, with a view to leasing or on-selling it to aspiring farmers with a covenant that requires it to be maintained as agricultural land in perpetuity."

CARRIED

8.9 LXP - Cheltenham and Mentone Update

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council:

1. Advocate for the changes and improvements to the LXP plans for Cheltenham and Mentone as outlined under Section 3.3.2 of this report
2. Authorise officers to negotiate for the additional decking at Cheltenham and Mentone up to a maximum financial contribution by Council as set out in Confidential Appendix 4 to this report.
3. Receive a further public report once the negotiation is complete.

Amendment

Moved: Cr West

Seconded: Cr Eden

That Council:

1. Advocate for the changes and improvements to the LXP plans for Cheltenham and Mentone as outlined under Section 3.3.2 of this report
2. Authorise officers to negotiate for the additional decking at Cheltenham and Mentone up to a maximum financial contribution by Council as set out in Confidential Appendix 4 to this report on condition that we replace the present height limit of eight storeys with four storeys for development over the railway line.

3. Receive a further public report once the negotiation is complete.

The Amendment was put and LOST

A Division was Called:

DIVISION:

FOR: Crs West, Eden and Oxley (3)

AGAINST: Crs Brownlees, Staikos, Gledhill and Barth (4)

LOST

The Substantive Motion was put and CARRIED

9. Community Sustainability Reports

9.1 Bonbeach Life Saving Club - Redevelopment Options

RECOMMENDATION

That Council:

1. Note and welcome the recent State Government funding announcements relating to the redevelopment of Bonbeach Life Saving Club facility.
2. Note the outcome of initial consultation with the club representatives of the Bonbeach Life Saving Club and the club's support for the redevelopment of the facility, as per the attached letter of support received from the organisation.
3. Endorse the attached initial concept designs for the proposed Bonbeach Life Saving Club facility, as the club's preferred layout option for the redevelopment of their facility.
4. Approve the financial implications arising from this report, as set out in paragraph 4.3 of this report and refer these to the 2019/20 budget development process.
5. Authorise Officers to continue to work with club representatives, Life Saving Victoria (LSV) and Emergency Services Infrastructure Authority (ESIA) to progress the redevelopment of the facility, including the following actions:
 - undertake detailed design development;
 - seek and obtain relevant statutory approvals;
 - undertake further community consultation;
 - develop future leasing/licencing arrangements for the facility; and
 - seeking tenders for the construction of the facility.
6. Receive a report on the outcome of the tender process once complete.

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

9.2 Aspendale Life Saving Club - Redevelopment Options

RECOMMENDATION

That Council:

1. Note and welcome the recent State Government funding announcements relating to the redevelopment of Aspendale Life Saving Club facility.
2. Note the outcome of initial consultation with the Aspendale Life Saving Club committee representatives and the club's support for the redevelopment of the facility, as per the attached letter of support received from the organisation.
3. Note the attached concept design options for the Aspendale Life Saving Club facility, for the proposed future redevelopment of the facility and provides direction regarding their preferred option, based on the feedback from the Club on the location of the public toilet.
4. Approve the financial implications arising from this report, as set out in paragraph 4.3 of this report and refer these to the 2019/20 budget development process.
5. Authorise officers to continue to work with club representatives, Life Saving Victoria (LSV) and Emergency Services Infrastructure Authority (ESIA) to progress the redevelopment of the facility, including the following actions:
 - undertaking detailed design development;
 - seeking and obtain relevant statutory approvals;
 - undertaking further community consultation;
 - develop future leasing/licencing arrangements for the facility; and
 - seek tenders for the construction of both facility.
6. Receive a report on the outcome of the tender process once complete.

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

10. City Assets and Environment Reports

10.1 2018/19 Capital Forecast - End March 2019

RECOMMENDATION

That Council note this report and confirm the 2018/19 Capital Program Forecast as at end March 2019 to be \$63,881,792

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

11. Corporate Services Reports

11.1 Quick Response Grants Guidelines Review

Moved: Cr Staikos

Seconded: Cr Barth

Cr Eden left the meeting at 9:31pm

That Council adopt the revised Quick Response Grants Guidelines contained in Appendix 1.

Amendment

Moved: Cr West

That Council adopt the revised Quick Response Grants Guidelines contained in Appendix 1 with the addition of the words “have no outstanding grant acquittals or no outstanding debts of \$2000 or more”.

The Amendment was accepted by the Mover and Seconder

1. That Council adopt the revised Quick Response Grants Guidelines contained in Appendix 1

CARRIED

2. With the addition of the words “have no outstanding grant acquittals or no outstanding debts of \$2000 or more”.

LOST

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

The Motion reads as follows:

That Council adopt the revised Quick Response Grants Guidelines contained in Appendix 1.

CARRIED

11.1 Review of Council Instruments of Delegation

RECOMMENDATION

That Council

1. Resolve that, in the exercise of the powers conferred by s 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached Instrument of delegation to the Chief Executive Officer, there be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer (Appendix 1), subject to the conditions and limitations specified in that Instrument.
 - 1.1. The Instrument comes into force immediately on the resolution.
 - 1.2. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.
 - 1.3. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
 - 1.4. It is noted that the Instrument includes a power of delegation to members of Council staff, in accordance with s 98(3) of the Act.
2. Resolve that, in exercise of the powers conferred by sections 86 and 87 of the *Local Government Act 1989* (the Act) and section 188 of the *Planning and Environment Act 1987*, that there be delegated to the Planning Committee the powers discretions and authorities set out in the attached Instrument of Delegation to Planning Committee (Appendix 2, the Instrument).
 - 2.1. The Instrument comes into force immediately on the resolution.
 - 2.2. The Instrument remains in force until Council determines to vary or revoke it.
 - 2.3. The powers discretions and authorities conferred on the Planning Committee by the Instrument must be exercised in accordance with the delegations and limitations set out in the Instrument and with any guidelines or policies Council may from time to time adopt.
3. Resolve that, in the exercise of the powers conferred by s 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached Instrument of Delegation to Members of Council Staff, that –
 - 3.1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff (Appendix 3), the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.
 - 3.2. The Instrument comes into force immediately on the resolution.
 - 3.3. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
 - 3.4. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

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

11.3 Quick Response Grants

RECOMMENDATION

That Council approve the following grant applications:

- Probus Club of Parkdale Inc - \$1000.00
- Moorabbin Hebrew Congregation - \$900.00
- Cosenza Senior Citizens of Kingston Inc - \$500.00
- Lemnian Community of Victoria - \$1000.00
- Greek Senior Pensioners Association of Clayton and Districts Inc - \$500.00
- Unified Filipino Elderly Association, Inc. - \$500.00
- Pilipino Elderly Association South East Region - \$1000.00

That Council not approve the following grant applications:

- Dingley Village Community Association
- Moorabbin Primary School
- Bonbeach Primary School
- Russian United Television Accord Inc
- Neighbourhood Watch Victoria Inc
- Leopoldo Jimenez Gomez

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

11.4 Assembly of Councillors Record Report

RECOMMENDATION

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

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

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12. Notices of Motion

12.1 Notice of Motion No. 15/2019 - Cr West - Impact of the Mordialloc Freeway

Moved: Cr West

Seconded: Cr Staikos

That consideration of this item be deferred until the May Ordinary Meeting of Council.

CARRIED

12.2 Notice of Motion No. 17/2019 - Cr West - Green Wedge Agriculture Policy

The Notice of Motion was withdrawn by Cr West.

12.3 Notice of Motion No. 18/2019 - Cr West - Advocacy to Restore Parenting Payment Single to Parents of Eight-Year-Olds

Moved: Cr West

Seconded: Cr Staikos

That:

1. Council includes an extra item in Kingston's Federal Advocacy Campaign to have eligibility for the Parenting Payment Single restored for single parents of children aged from eight to 16 years old.
2. Council takes any other available opportunities to advocate for the restoration of PPS, such as including it in our Family Violence Action Plan.
3. Evidence be included in the attached briefing paper from
 - the 2018 Poverty in Australia report which ACROSS delivered last October and which clearly tracks the impact of the welfare to work policies, in particular the moving of single mothers to Newstart, on the poverty in single mother households, and
 - a submission by Therese Edwards to a Senate committee demonstrating that a number of single mothers were forced to stay in violent relationships because of poverty.

Cr Eden returned to the meeting at 9:43pm

CARRIED

12.4 Notice of Motion No. 19/2019 - Cr West - Green Wedge Agriculture Policy

The Notice of Motion was withdrawn by Cr West.

**12.5 Notice of Motion No. 20/2019 - Cr West - Consultation on Mordialloc
Masonic Hall**

Moved: Cr West

Seconded: Cr Staikos

1. That Council officers provide a report to a Councillor Briefing Session for discussion on:
 - a) whether and how much more community access could be provided to the Mordialloc Masonic Hall, and the nature of such without conflicting with its use as Council's Youth Centre
 - b) whether officers are able to retain the staircase in the hall, which is an important architectural feature of the building, and how the lift might need to be repositioned to make this possible;
 - c) further discussion on whether Council wants to review its decision on whether to retain the architectural element in the form of a red beam extending out from the front of the building.
2. That in providing the report, that officers take into consideration the strong advocacy for various community uses by community members and the Project Steering Group in the consultation phase for this project.

LOST

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr Gledhill

That the meeting be extended by 30 minutes until 10.30pm

CARRIED

**12.6 Notice of Motion No. 21/2019 - Cr Staikos - Green Wedge Management
Plan**

Moved: Cr Staikos

Seconded: Cr West

That Council appoint a steering committee of any interested Councillors to oversee and guide the Kingston Green Wedge Management Plan Review and the Kingston Green Wedge Agricultural Preservation Strategy.

Further that the committee work with Ethos Urban, appropriate Council Strategic Planning officers, the Green Wedge project officer and any relevant staff and consultants appointed to implement the Chain of Parks or related strategies.

Cr Gledhill left the meeting at 9:58pm

CARRIED

12.7 Notice of Motion No. 22/2019 - Cr West - Advocacy to Improve Airport Safety

Moved: Cr West

Seconded: Cr Staikos

That Council include extra paragraphs to the briefing paper for the airport safety item in Kingston's Federal Advocacy Campaign adopted at the March Ordinary Meeting as follows:

1. Council wishes to reaffirm an earlier submission that there should be no further development that is not aviation-related or Green-Wedge-compliant on the Moorabbin Airport land. This is in keeping with the Airports Act requirement that airport planning should be consistent with State and Local Planning Provisions.

CARRIED

2. In particular, there should be no more large warehouse-type buildings constructed near the ends of the runways where they may impede the efforts of pilots with engine trouble trying to get back to the airport and to land safely, instead of crash-landing in residential streets.

Cr Gledhill returned to the meeting at 10:00pm

CARRIED

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

13. Urgent Business

There were no items of urgent business.

14. Confidential Items

Moved: Cr Gledhill

Seconded: Cr West

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

14.1 Proposed Property Acquisition

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to matters affecting the security of Council property (s89 2g)

14.2 Provision of Parking Enforcement and Infringements Administrative Services

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

Confidential Appendices

8.5 Living Melbourne: Our Metropolitan Urban Forest Strategy

Appendix 1, Living Melbourne - Our Metropolitan Urban Forest Strategy

**City of Kingston
Ordinary Meeting of Council**

Minutes

23 April 2019

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

8.9 LXP - Cheltenham and Mentone Update

Appendix 4, LXP - Cheltenham and Mentone Update -Confidential Appendix 4

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

CARRIED

The meeting was closed to members of the public at 10.10pm.

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 10.16pm.

The meeting closed at 10.16pm.

Confirmed.....

The Mayor May 2019