

Minutes

Ordinary Meeting of Council

Monday, 25th March 2019

**City of Kingston
Ordinary Meeting of Council**

Minutes

25 March 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 Tamsin Bearsley
Cr Ron Brownlees OAM
Cr David Eden
Cr Geoff Gledhill
Cr George Hua
Cr Steve Staikos
Cr Rosemary West OAM

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, Senior Advisor, Stakeholder Relations and Strategic Communications
Phil De Losa, Manager Governance
Stephanie O’Gorman, Governance Officer
Gabrielle Pattenden, Governance Officer

1. Apologies

There were no apologies submitted to the meeting.

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Gledhill

Seconded: Cr Brownlees

That the Minutes of the Ordinary Meeting of Council held on 25 February 2019, the Special Meeting of Council held on 4 March 2019 and the Special Meeting of Council held on 4 March 2019 be confirmed.

CARRIED

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

There were no Conflicts of Interest submitted to the meeting.

4. Petitions

4.1 Pier One Building

Moved: Cr Bearsley

Seconded: Cr Eden

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

CARRIED

4.2 Herbert Street Parkdale - Proposed Parking Layout

Moved: Cr Gledhill

Seconded: Cr Brownlees

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

CARRIED

4.3 Nature Strip Parking in Parkers Road, Parkdale

Moved: Cr Brownlees

Seconded: Cr Gledhill

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

Cr West reported on attending the meetings of:

- The Association of Bayside Municipalities; and
- The Inter Council Aboriginal Consultative Committee.

Moved: Cr West

Seconded: Cr Staikos

That the delegates' reports be received and that the written reports provided by Cr West be included in the Minutes.

CARRIED

Note: Written reports provided by Cr West have been included below.

ABM Delegate Report to Council Meeting 25 March 2019

Report by Rosemary West, delegate for Kingston Council

The February meeting, of the ABM elected a new president, Tim Baxter from Port Phillip Council and vice president, Jonathan Marsden from Hobsons Bay.

Our discussions were informed by

- Darren James of DELWP on the Beach Renourishment, with discussion of the planned renourishment of Kingston's Mentone and Carrum beaches, and
- Cameron Toy of Maritime Safety Victoria re the Boating Zones Review.

I attended a meeting with MSV in January to discuss this. It is good to note that the proposed review of a trial zone to exclude jetskis from the Gnotuk Avenue area will proceed and that residents will be consulted. A trial will also proceed at Mornington Peninsula and at several other Councils including Frankston that have also requested trials. Also worth noting that new boating zone rules have been adopted by the MSV director with "stakeholder consultation" which as far as I am aware did not involve the ABM, as I believe it should have done.

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- The State Government has wisely deferred any further action on its election pledge to make boat ramps free of charge until June. MAV has called for Government to agree to a process for determining costs and compensation to Councils and for establishing governance arrangements and public consultation processes to include local government.

I would like to thank the officers for the staunch support they have given me in my ABM work.

ICACC – Delegate Report to Council Meeting 25 March 2019

Report by Rosemary West, backstop delegate for Kingston Council

Last week's Inter Council Aboriginal Consultative Committee met at the Derrimut Wheelam Gathering Place in Mordialloc, with four Councils represented.

We reviewed the draft report of a workshop conducted last year on ICACC's 21-year journey.

I presented a letter from Kingston council encouraging ICACC to ask its members to fund production of a booklet on its history, and it was agreed that Councils as part of efforts to encourage other Councils to join or to rejoin. It was agreed that participating Councils would act on this.

There was a report on indigenous artefacts found in Seaford as part of the LXRA grade separation works.

The four Councils' ICACC representatives also unanimously agreed to endorse and raise with their councils a proposal from Casey Council to reimburse Aboriginal community members with a \$100 per meeting sitting fee. This would acknowledge and ease the burden on community members of the multiple requests they receive for participation and consultation in/on various community issues, and would assist Councils to have input from our First Peoples.

It is worth noting that none of Kingston's new ward committees have representatives from our indigenous community.

7. Question Time

Question Time was held at 8.05pm. Refer to page 15 of the Minutes.

CEO Advice

In accordance with clause 8.1 of Council's Nomination in a State or Federal Election Policy, the CEO advised Council that Cr Hua had provided written notice of his selection by the Liberal Party as the candidate for the Federal seat of Hotham.

Moved: Cr Gledhill

Seconded: Cr Brownlees

That the CEO advice regarding Cr Hua's selection by the Liberal Party as the candidate for the Federal seat of Hotham be noted.

CARRIED

Block Resolution

Moved: Cr Gledhill

Seconded: Cr West

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

- 8.1 Proposed Reimbursement Scheme Update
- 9.1 Closure of Moorabbin Delivered Meals Kitchen
- 9.2 Roy Dore Reserve, Carrum: Pavilion Redevelopment - Project Update
- 9.3 Mordialloc Sailing Club - Hoist and Crane Repair Co-funding
- 10.1 French Avenue (Edithvale Road to Fraser Avenue), Edithvale Road Reconstruction
- 10.2 Biodiversity Strategy Update
- 10.3 Chadwick Reserve Improvement Plan
- 10.4 Response to Notice of Motion No. 5/2018 - Cr Staikos - Kingston City Hall Masterplan Stage 2
- 11.1 Quick Response Grants
- 11.2 Review of Junior Council Pilot Program
- 11.3 Assembly of Councillors Record Report
- 11.6 Procurement Australia Renewable Energy Power Purchase Agreement

CARRIED

8. Planning and Development Reports

8.1 Proposed Reimbursement Scheme Update

RECOMMENDATION

That Council:

- 1. Approve a reimbursement scheme that incorporates the following:
 - 1.1. Email and acknowledging all those who have pre-registered for notification regarding this matter in the week commencing 1 April 2019.
 - 1.2. Commence the notification of potentially impacted parties in May 2019.
 - 1.3. A review of the need to provide additional display advertisements in the local newspapers and in *The Age* newspaper following the commencement of direct notifications of reimbursements in July 2019.
- 2. In administering the reimbursement scheme in accordance with Recommendation 1. undertake the following:
 - 2.1. Notify, using the contact details at the time of the infringement review all those considered eligible for a refund.
 - 2.2. Ensure that all staff members who are assisting this process are appropriately briefed including dealing with representatives of deceased members of the community, business related infringement reimbursement

enquiries, car rental related matters and other circumstances that may be presented through the reimbursement process.

3. Receive further advice in July 2019 on:
 - 3.1. The revised number of parties potentially impacted and the appropriate provision to be made in the Financial Statements for the 2018/19 financial year and Long Term Financial Strategy.
 - 3.2. Advice received from its Audit Committee on this matter as relevant.
 - 3.3. The level of response received from the potentially impacted parties.

Note: Refer to page 6 of the Minutes where this item was block resolved.

8.2 Land Adjacent to 2 & 2A Station Street Moorabbin

Moved: Cr Hua

Seconded: Cr Staikos

That Council:

1. Note the feedback received from community consultation in response to the proposed lodgement.
2. Authorise Pro-Urban Planning, Advisory & Management to lodge a planning permit application that includes land (road reserve) directly abutting the frontage of the subject site as identified in Appendix 1.
3. Note that the inclusion of road reserve in the proposed planning permit application in no way predetermines the outcome of any future planning permit process or Council consideration as to whether to discontinue the road and sell the resultant land.

Cr Bearsley left the meeting at 7:16pm

CARRIED

9. Community Sustainability Reports

9.1 Closure of Moorabbin Delivered Meals Kitchen

RECOMMENDATION

That Council:

1. Close the Moorabbin Delivered Meals kitchen by 30 June 2019, consolidating the Moorabbin operations with the Bonbeach Delivered Meals kitchen.
2. Host an event recognising the contribution of volunteers from the Moorabbin Delivered Meals kitchen.

Note: Refer to page 6 of the Minutes where this item was block resolved.

9.2 Roy Dore Reserve, Carrum: Pavilion Redevelopment - Project Update

RECOMMENDATION

That Council:

1. Note the successful outcome of the Sport & Recreation Victoria Major Grant application for the Roy Dore Pavilion redevelopment project, as agreed by Ordinary Council on 28 May 2018;
2. Note and approve the current design for the proposed Roy Dore pavilion redevelopment project, that has been developed with club representatives;
3. Note the budget implications arising from the above stakeholder agreed design scope, as set out in paragraph 4.3 of this report;
4. Authorise officers to undertake detailed design, seek statutory approvals, hold community consultation/information sessions and undertake a tender process for construction of the proposed new Roy Dore Reserve Pavilion building;
5. Negotiate a Heads of Agreement with the various sporting clubs that will operate from the new pavilion/reserve to support a future lease of the new facility;
6. Authorise officers to commence design development in consultation with the State Government and Long Beach Tennis Club for the upgrade of the tennis clubhouse facility at Roy Dore Reserve; and
7. Authorise the Chief Executive Officer to execute funding arrangements with the Victoria State Government for its \$3.2M contribution towards the development of facilities at Roy Dore Reserve, Carrum

Note: Refer to page 6 of the Minutes where this item was block resolved.

9.3 Mordialloc Sailing Club - Hoist and Crane Repair Co-funding

RECOMMENDATION

That: Council authorise officers to make necessary arrangements for the urgent disbursement of \$15,000 as a contribution to the repair of a hoist and crane at the Mordialloc Sailing Club on the understanding that:

- a) The approval in principle processes is completed and issued; and
- b) The club will make a repayment of \$5,000 in subsequent instalments over time as per an agreed payment plan.

Note: Refer to page 6 of the Minutes where this item was block resolved.

9.4 Southern Road Reserve Pavilion, Mentone - Pavilion Development

Moved: Cr Staikos

Seconded: Cr Gledhill

That Council:

1. Authorise officers to proceed with the Stage 1 and Stage 2 works, as outlined in the body of this report;
2. Subject to the approval of the Stage 2 works, make appropriate budget provision within the 2019/20 Capital Program to fund the Stage 2 works, at an estimated cost of \$555,000; and
3. Continue to work with the Clubs to review the ongoing need for the requested Stage 3 works and to prepare a future report to council to consider the scope of works and development options if a continued ongoing need is identified.

Cr Bearsley returned to the meeting at 7:19pm

CARRIED

10. City Assets and Environment Reports

10.1 French Avenue (Edithvale Road to Fraser Avenue), Edithvale Road Reconstruction

RECOMMENDATION

That Council:

1. Award Contract No. 18/128 French Avenue (Edithvale Road to Fraser Avenue), Edithvale Road Reconstruction on a Lump Sum basis to Parkinson Group (VIC) Pty Ltd for the tendered price of \$854,718.50 ex GST;
2. Approve a Contingency Allowance of \$85,471.85 ex GST (10% of contract sum) from within the allocated 2018/2019 civil infrastructure capital allocation to cover unexpected financial variations; and
3. Authorise the CEO or delegate to execute this contract.

Note: Refer to page 6 of the Minutes where this item was block resolved.

10.2 Biodiversity Strategy Update

RECOMMENDATION

That Council:

1. Note the comments from the community consultation and changes to the draft Biodiversity Strategy 2018-2023 and Biodiversity Strategy Technical Report; and
2. Adopt the Biodiversity Strategy 2018-2023 and Biodiversity Strategy Technical Report.

Note: Refer to page 6 of the Minutes where this item was block resolved.

10.3 Chadwick Reserve Improvement Plan

RECOMMENDATION

That Council:

1. Endorse the Chadwick Reserve Improvement Plan, as shown in (Appendix 1); for the development of the junior AFL/community cricket oval including sports lighting, coaches' boxes, fencing, irrigation/drainage and provision of new female friendly sports pavilion;
2. Endorse the commencement of detailed design, procurement and implementation of the Chadwick Reserve Improvement Plan in the 2019/20 financial year; and
3. Authorise the Chief Executive Officer to execute funding arrangements for the Victorian State Government's \$4.5M contribution towards the Chadwick Reserve Development and Dingley Recreation Reserve.

Note: Refer to page 6 of the Minutes where this item was block resolved.

10.4 Response to Notice of Motion No. 5/2018 - Cr Staikos - Kingston City Hall Masterplan Stage 2

RECOMMENDATION

That Council:

1. Note this report;
2. Authorise Officers to engage a consultant team to undertake a review of the community requirements, business case and structural feasibility of a Kingston City Hall Stage 2 Master Plan, to a total value of \$150k; and
3. Receive a further report upon completion of the Master Plan at the meeting of Council on Monday 26 August, outlining resource, functionality, user and timing implications.

Note: Refer to page 6 of the Minutes where this item was block resolved.

10.5 Response to Notice of Motion No. 3/2019 - New Parks on Melbourne Water Land

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Note the report; and
2. Receive a further report at the May Ordinary Meeting of Council providing a further detailed update, including progress of negotiations with Melbourne Water and whether this could be facilitated by the development of a memorandum of understanding between Council and Melbourne Water.
3. Advocate for federal funding for both wetland/open space/park projects, and add this to Council's Federal Advocacy Campaign.

Cr Hua left the meeting at 7:27pm

CARRIED

10.6 Level Crossing Removal Project - Proposed Land Occupation

Moved: Cr Staikos

Seconded: Cr Gledhill

That Council:

1. Note the list of sites proposed to be occupied by Level Crossing Removal Project.
2. Authorise the CEO or his delegate to negotiate compensation for the occupation with Level Crossing Removal Project in consultation with affected users' requirements for Highett Reserve, Jean Street Reserve and Kingston Heath Reserve.
3. Authorise the CEO or his delegate to negotiate with Level Crossing Removal Project to fund pavement testing, and repair work if required, on all roads proposed to be used for construction activities.
4. Write to the Minister for Transport Infrastructure and CEO of Public Transport Victoria to provide permanent car parking on Como Parade West adjacent to Parkdale Railway Station instead of the proposed temporary offset car parking.

Amendment

Moved: Cr West

That Council:

1. Note the list of sites proposed to be occupied by Level Crossing Removal Project.
2. Authorise the CEO or his delegate to negotiate compensation for the occupation with Level Crossing Removal Project in consultation with affected users' requirements for Highett Reserve, Jean Street Reserve and Kingston Heath Reserve.
3. Authorise the CEO or his delegate to negotiate with Level Crossing Removal Project to fund pavement testing, and repair work if required, on all roads proposed to be used for construction activities.

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4. Write to the Minister for Transport Infrastructure and CEO of Public Transport Victoria to provide permanent car parking on Como Parade West adjacent to Parkdale Railway Station instead of the proposed temporary offset car parking provided no trees are removed if possible.

The Amendment was accepted by the Mover and Seconder

Amendment

Moved: Cr West

Seconded: Cr Staikos

That the motion be adopted with the inclusion of a point 5 as follows:

Advocate for State government to pay for the conversion of the two Barker Street lots purchased by Council for public open space to parkland equipped with a playground to compensate for the Jean Street playground proposed to be occupied for LXR works.

Cr Hua returned to the meeting at 7.41pm.

LOST

The Substantive Motion was put and CARRIED

The Motion reads as follows:

That Council:

1. Note the list of sites proposed to be occupied by Level Crossing Removal Project.
2. Authorise the CEO or his delegate to negotiate compensation for the occupation with Level Crossing Removal Project in consultation with affected users' requirements for Hihett Reserve, Jean Street Reserve and Kingston Heath Reserve.
3. Authorise the CEO or his delegate to negotiate with Level Crossing Removal Project to fund pavement testing, and repair work if required, on all roads proposed to be used for construction activities.
4. Write to the Minister for Transport Infrastructure and CEO of Public Transport Victoria to provide permanent car parking on Como Parade West adjacent to Parkdale Railway Station instead of the proposed temporary offset car parking provided no trees are removed if possible.

10.7 Award of Contract 19/6 - Elder Street Reserve

Moved: Cr Staikos

Seconded: Cr Hua

That Council:

1. Award Contract 19/6 Elder Street Reserve – Gravel Path construction, Supply and Spread of Bulk Topsoil and Hydroseed for the fixed lump sum of \$1,225,655 (ex of GST) to Urban Civil Construction Group Pty Ltd.;
2. Approve a Contingency Allowance of \$61,300 ex GST (5% of contract sum) to cover unexpected financial variations; and
3. Authorise the Chief Executive Officer or their delegate to execute documents for Contract 19/6.

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Amendment

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Award Contract 19/6 Elder Street Reserve – Gravel Path construction, Supply and Spread of Bulk Topsoil and Hydroseed for the fixed lump sum of \$1,225,655 (ex of GST) to Urban Civil Construction Group Pty Ltd.;
2. Approve a Contingency Allowance of \$61,300 ex GST (5% of contract sum) to cover unexpected financial variations; and
3. Authorise the Chief Executive Officer or their delegate to execute documents for Contract 19/6.
4. Commence consultation with local residents and stakeholder groups including environmental, cyclist, equestrian and walking groups, for a masterplan of this reserve to be conducted in conjunction with detailed design planning for the Chain of Parks Trail through this reserve.

The Amendment was accepted by the Mover and Seconder

The Substantive Motion was put and CARRIED

The Motion reads as follows:

That Council:

1. Award Contract 19/6 Elder Street Reserve – Gravel Path construction, Supply and Spread of Bulk Topsoil and Hydroseed for the fixed lump sum of \$1,225,655 (ex of GST) to Urban Civil Construction Group Pty Ltd.;
2. Approve a Contingency Allowance of \$61,300 ex GST (5% of contract sum) to cover unexpected financial variations; and
3. Authorise the Chief Executive Officer or their delegate to execute documents for Contract 19/6.
4. Commence consultation with local residents and stakeholder groups including environmental, cyclist, equestrian and walking groups, for a masterplan of this reserve to be conducted in conjunction with detailed design planning for the Chain of Parks Trail through this reserve.

11. Corporate Services Reports

11.1 Quick Response Grants

RECOMMENDATION

That Council approve the following grant applications:

- Jayson Patterson - \$1000.00
- That's the Thing About Fishing - \$1000.00
- Edithvale Aspendale Sporting Club - \$1000.00
- Eleni Hale - \$1000.00

That Council not approve the following grant applications:

- Make a Difference Dingley Village
- Lay Missionaries of Jesus

Note: Refer to page 6 of the Minutes where this item was block resolved.

11.2 Review of Junior Council Pilot Program

RECOMMENDATION

That Council continue the Junior Council Program subject to funding confirmation from Chelsea Rotary.

Note: Refer to page 6 of the Minutes where this item was block resolved.

11.3 Assembly of Councillors Record Report

RECOMMENDATION

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

Note: Refer to page 6 of the Minutes where this item was block resolved.

Cr Hua left the meeting at 7.48pm.

11.4 Federal Advocacy Campaign

Moved: Cr Brownlees

Seconded: Cr Bearsley

That Council receive the report and approve the content for use in advocacy campaigns in the lead up to the Federal Election with the inclusion of an additional item Kingston Heath Reserve Baseball and Hockey precinct.

Cr Eden left the meeting at 7:51pm

CARRIED

11.5 Festivals and Events Options

Moved: Cr Staikos

Seconded: Cr Barth

That Council:

- Continue Carols at Bicentennial Park, Chelsea
- Continue with combined Mayoral Appreciation and Volunteer Appreciation events
- Continue with combined Kingston Charitable Fund Dinner and Grant Giving Ceremony
- Continue with the Australia Day Breakfast having greater emphasis on citizenship

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- Continue with Mordialloc Food, Wine & Music Festival
- Reinstate a North Ward festival

Cr Eden returned to the meeting at 7:58pm.

Cr Hua returned to the meeting at 8:00pm.

CARRIED

Question Time

Mark Tyquin asked,

“As the 4km treed boulevard with 50% additional vegetation along Kingston’s coastal precinct nominated in Council motion 10.7 items 4 & 5 is not part of the town planning permit for the foreshore shared path, has Council prepared a landscaped concept plan identifying these works for public viewing and consultation. If not, why not? Has Council costed this work for public release? If not, why not?”

The CEO provided the following response,

“Since the resolution of Council on this matter, which I believe was at the 10 December Council meeting, Officers have engaged consultants to undertake research of policy and practice, individual site assessments to identify existing infrastructure (above and below ground)/sightline clearances/existing planting. Tree stock has been sourced and ecological advice received on site conditions for this area. A site planting plan is now being prepared which will provide the ‘physical plan’ for the planting of these trees. Council has spent in order of \$35,000 on assessments and tree stock to date. Council has extensive experience in street tree planting and will be complying with all standards and regulatory obligations that it has and the direction to Council officers on this has been made quite clear in the 10 December Council resolution that we are to proceed and plant these trees.”

Tony Falkingham of Mentone asked,

“In regards to the planning amendment lodged by Mentone Girls Grammar School (KN-2015/336/B) will Councillors stand up and support local residents who strongly oppose this amendment? There is already excessive traffic along Naples Road from 5.30am on weekdays and Saturdays, much of this exceeding the speed limit for an urban, residential street. Council rightly stood against the planning amendment for 101-107 Collins Street Mentone, and the residents from Naples Road and Coryule Avenue, Mentone are requesting the same consideration and stance. Both of these planning amendments appear to be using the ability to amend to get through more controversial aspects of development.”

The CEO provided the following response,

“The Application is presently being assessed by Council Planning Officers following its advertising. It is yet to be determined whether the application will be supported by officers and if so whether it will be then dealt with by officers under delegation or called in and dealt with by the Council itself or the Council’s Planning Committee.. The application to date has received a number of objections, which are currently being assessed. At this stage no decision has been made.”

11.6 Procurement Australia Renewable Energy Power Purchase Agreement

RECOMMENDATION

That Council:

1. Commits 100% of Council's contestable electricity load and large-scale generation certificates to the Procurement Australia Power Purchase Agreement;
2. Delegates authority to the CEO to execute the Member Binding Agreement for participation in the Procurement Australia tender process; and
3. Delegates authority to the CEO to execute the resulting contract.

Note: Refer to page 6 of the Minutes where this item was block resolved.

12. Notices of Motion

12.1 Notice of Motion No. 9/2019 - Cr Staikos - Clayton Bowls Club

Moved: Cr Staikos

Seconded: Cr Hua

That council officers prepare a report examining the plans presented by the Clayton Bowls Club.

Further that Officers prepare a draft response for Councillors to consider regarding statutory planning, open space and the current lease area issues.

Further that if planning issues don't pose concerns, officers also prepare advice to councillors on the next steps for consideration on the development of this facility.

CARRIED

12.2 Notice of Motion No. 10/2019 - Cr Staikos - Liquor Licence Advertising

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council review the Notice of Application (Advertising) Policy with a view to increasing the notification area specifically for liquor license applications that are in or adjacent to residential areas. The purpose is to ensure a broader number of local residents and businesses are able to receive notification, and be given the opportunity to participate in the planning process.

Cr Barth left the meeting at 8:18pm.

Cr Barth returned to the meeting at 8:21pm.

Amendment

Moved: Cr Eden

That Council review the Notice of Application (Advertising) Policy with a view to increasing the notification area specifically for liquor license, gaming or brothel applications that are in or adjacent to residential areas. The purpose is to ensure a broader number of local residents and businesses are able to receive notification, and

be given the opportunity to participate in the planning process.

The Amendment was accepted by the Mover and Seconder

The Substantive Motion was put and CARRIED

The Motion reads as follows:

That Council review the Notice of Application (Advertising) Policy with a view to increasing the notification area specifically for liquor license, gaming or brothel applications that are in or adjacent to residential areas. The purpose is to ensure a broader number of local residents and businesses are able to receive notification, and be given the opportunity to participate in the planning process.

12.3 Notice of Motion No. 11/2019 - Cr Brownlees - Kingston Heath Reserve Sporting Precinct

Moved: Cr Brownlees

Seconded: Cr Gledhill

That due to increased participation numbers, particularly females, and in order to facilitate future planning of the Cheltenham Baseball Club and the Southern United Hockey Club based at Kingston Heath Reserve, officers provide a report based on discussions with the two clubs and the outcome of the report as discussed at the 2018 Councillor Workshop and included in the 2018/19 Budget. Further that the report, to be provided by May, should canvas options such as relocation or expansion of either or both facilities to an alternative site such as the Delta site or another site in the nearby area, as well as a review of the Reserve Masterplan in line with providing increased and improved facilities for female participation in sport.

CARRIED

12.4 Notice of Motion No. 13/2019 - Cr Oxley - Legal Advice

Moved: Cr Staikos

Seconded: Cr West

1. That when legal advice is sought by Council officers, the advice must be sought in writing to the law firm, with the question clearly articulated.
2. Further that this question must be made available to Councillors and be attached to any legal advice presented/provided to Councillors.

CARRIED

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

Moved: Cr West

Seconded: Cr Bearsley

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

CARRIED

12.6 Notice of Motion No. 16/2019 - Cr West - Information About Native Vegetation Offsets

1. That Council officers provide a report to the April Ordinary Meeting on offsets for native vegetation removal incurred by Council and (if possible) road & other authorities in respect of infrastructure and other development projects approved in the City of Kingston over the past 15 years.
2. Further that the report is to include:
 - The number of projects that incurred offsets;and for each project:
 - the amount of vegetation removed (in hectares and habitat hectares);
 - the cost or in-kind value paid by Council;
 - where and in what form the offsets have been located;
 - a report on the current state of these offsets, if that is available.
3. Further that if not all this information can be ascertained by the April meeting, that a report be provided including whatever can be ascertained in the time and indicating when the rest of the information might become available and the cause of the delay.

The Notice of Motion was WITHDRAWN

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

Moved: Cr West

Seconded: Cr Staikos

That Council immediately engage a consultant:

1. to implement the relevant section of Council's July 2017 motion relating to implementation of the Green Wedge Management Plan, including:
 - to protect all agricultural land currently or potentially in production (including land previously in production and not so far developed for any other use);
 - to investigate and make recommendations on how Council can encourage the formation of a Farmland Trust to acquire agricultural land that comes up for sale and/or is at risk of being alienated from agriculture;
2. to make a submission along these lines to the State Government's Protecting Strategic Agricultural Land consultation in April, unless an extension can be negotiated.

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Procedural Motion

Moved: Cr Gledhill

Seconded: Cr Bearsley

That consideration of this item be deferred to the April Ordinary Meeting of Council or earlier.

CARRIED

13. Urgent Business

Moved: Cr Staikos

Seconded: Cr West

That an item of urgent business be considered regarding an Interim Neighbourhood Character Overlay.

Further that the item be considered in the part of the meeting closed to members of the public as a confidential item.

Cr Hua left the meeting at 9:12pm

CARRIED

14. Confidential Items

Moved: Cr Staikos

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 contractual matters (s89 2d)

14.2 Potential Property Acquisition

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

14.3 Notice of Motion No. 12/2019 - Cr Oxley - South Ward Open Space

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. 14/2019 - Cr West - Golf Courses

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)

Urgent Business - Interim Neighbourhood Character Overlay

This 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

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- 10.1 French Avenue (Edithvale Road to Fraser Avenue), Edithvale Road Reconstruction**
Appendix 1, CON-18/128 - Evaluation Matrix - French Avenue Edithvale Road Reconstruction
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)
- 10.7 Award of Contract 19/6 - Elder Street Reserve**
Appendix 1, Elder Street Reserve Contract - File CON-19/06
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)
- 10.7 Award of Contract 19/6 - Elder Street Reserve**
Appendix 2, Matrix Elder Street
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)
- 10.7 Award of Contract 19/6 - Elder Street Reserve**
Appendix 3, Certificate of Compliance The Trustee for The Urban C.C.G. Trust
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 9.12pm.

Moved: Cr Brownlees

Seconded: Cr Gledhill

That the meeting be opened to members of the public.

CARRIED

The meeting was opened to members of the public at 10.04pm.

The meeting closed at 10.04pm.

Confirmed.....

The Mayor 23 April 2019