

Minutes

Council Meeting

**Monday, 27th July 2020
(adjourned to 5 August 2020) and
(adjourned to 19 August 2020)**



Table of Contents

1.	Apologies	3
2.	Confirmation of Minutes of Previous Meetings	3
3.	Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest	3
	<i>[Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.]</i>	
4.	Petitions	3
5.	Presentation of Awards	4
6.	Reports from Delegates Appointed by Council to Various Organisations.....	5
7.	Question Time.....	5
8.	Planning and Development Reports	5
9.	Community Sustainability Reports.....	14
10.	City Assets and Environment Reports	20
11.	Corporate Services Reports	25
12.	Notices of Motion	29
13.	Urgent Business.....	34
14.	Confidential Items	34

The meeting commenced at 7.16pm via the Zoom platform.

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: Julie Reid, Chief Executive Officer
Mauro Bolin, General Manager Community Sustainability
Paul Franklin, General Manager Corporate Services
Samantha Krull, General Manager City Assets and Environment
Jonathan Guttman, General Manager Planning and Development
Phil De Losa, Manager Governance
Patrick O’Gorman, Governance Officer
Gabrielle Pattenden, Governance Officer
Lindsay Holland, Facilities Officer

1. Apologies

There were no apologies submitted to the meeting.

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Staikos

Seconded: Cr Gledhill

That the Minutes of the Council Meeting held on 22 June 2020, the Council Meeting held on 6 July 2020, the Council Meeting held on 13 July 2020 and the Council Meeting held on 23 July 2020 be confirmed.

CARRIED

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

Cr Brownlees foreshadowed a declaration of a conflict of interest in Item 9.7.

Cr Gledhill foreshadowed a declaration of a conflict of interest in Item 11.7.

Cr Bearsley foreshadowed a declaration of a conflict of interest in Item 10.7.

The CEO, Julie Reid foreshadowed declarations of conflicts of interest in Items 14.4 and 14.5.

4. Petitions

4.1 No Increase in Council Rates Across City of Kingston

Moved: Cr Gledhill

Seconded: Cr Bearsley

That the petition be referred to the CEO for response.

CARRIED

4.2 Planning Permit KP2020/141 - 1299A Nepean Highway, Cheltenham

Moved: Cr Brownlees

Seconded: Cr Gledhill

That the petition be referred to the CEO for response.

CARRIED

4.3 Edithvale Beach Decking, Seating and Shade

Moved: Cr Bearsley

Seconded: Cr Gledhill

That the petition be referred to the CEO for response.

CARRIED

Cr Oxley left the meeting at 7:26pm

Cr Staikos as the Deputy Mayor assumed the role of Chairperson.

4.4 Save Don Tatnell

Moved: Cr West

Seconded: Cr Gledhill

That the petition be referred to the CEO for response.

CARRIED

4.5 Removal of Eucalyptus Tree at Peppercorn Way, Clayton South

Moved: Cr Staikos

Seconded: Cr Barth

That the petition be referred to the CEO for response.

CARRIED

5. Presentation of Awards

Nil

Acknowledgement

Council acknowledged the passing of Charlie Mizzi and his contribution to the City of Kingston community.

6. Reports from Delegates Appointed by Council to Various Organisations

There were no delegates' reports.

7. Question Time

Question Time was held at 8.52pm

Refer to page 17 of the Minutes.

Block Resolution

Moved: Cr Brownlees

Seconded: Cr Gledhill

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

- 8.1 Town Planning Application Decisions - June 2020
- 8.5 Regional Local Government Charter for Homelessness & Social Housing
- 8.8 Parking Infringement Reimbursement Scheme Update
- 9.4 Hihett Preschool Facility
- 9.5 Adoption of the Family and Children's Strategy 2020-2024
- 9.6 Kingston Interfaith Network Committee Terms of Reference 2020
- 9.8 Draft Gambling Policy 2020: Release for Community Consultation
- 9.9 Draft Kingston Graffiti Action Plan 2020-2025
- 10.1 Basketball Half Court at Harbour Town Reserve, Patterson Lakes
- 10.2 Mordialloc Tennis Club court and fencing renewal update
- 10.5 CON - 20/028 - Cleaning Services Waves Leisure Centre
- 10.6 Award of Contract 20/020 - Foreshore Maintenance, Open Space Mowing and Maintenance, Public Amenity Cleansing
- 10.8 Caulfield to Dandenong Level Crossing Removal Project - Agreement for Asset Ownership and Maintenance
- 10.9 Kingston Integrated Transport Strategy
- 10.10 Advanced Waste Processing - Outcome of Expression of Interest Process
- 11.1 Assembly of Councillors Record Report
- 11.3 Review of Council Instrument of Delegation to the Chief Executive Officer to comply with the Local Government Act 2020
- 11.4 Quick Response Grants
- 11.6 CEO and General Manager Expenses

CARRIED

8. Planning and Development Reports

8.1 Town Planning Application Decisions - June 2020

RECOMMENDATION

That the report be noted.

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

Cr Oxley returned to the meeting at 7:45pm.

Cr Oxley assumed the Chair.

8.2 KP-2020/81 - 2 Ashlar Road, Moorabbin

It is recorded that Sam Loizou spoke on behalf of the applicant.

Moved: Cr Staikos

Seconded: Cr Hua

That Council determine to support the proposal and issue a Planning Permit for the development of three (3) dwellings and associated works in accordance with the endorsed plans at 2 Ashlar Road, Moorabbin, 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 Pink Architecture, comprising Sheets TP1.0 to TP7.02 inclusive, dated 25/03/20, but modified to show:
 - a. An amended Sustainable Design Assessment generally in accordance with Condition 10 of the Planning Permit.
 - b. All relevant commitments identified within the Sustainable Design Assessment Plan, required under Condition 10 of this permit, shown on plans.
 - c. The dimensions of the tandem car space for Dwelling 3 increased in length to comply with the minimum requirements of Clause 52.06. The car space must not protrude beyond the property boundary and the 500mm separation between the car space and carport entry must be maintained. Any alterations to the driveway or crossover will be to the satisfaction of the Responsible Authority.
 - d. The existing vehicle crossing for Dwelling 3 to remain unaltered.
 - e. Pedestrian Sight Splays shown on each driveway in accordance with Clause 52.06-9.
 - f. A notation indicating that obscure glazing is no more than 25% transparent.
 - g. Nomination of 6m³ of storage facilities for each dwelling, with dimensions demonstrating compliance with Standard B30.

- h. The location of all externally-located heating and cooling units and the like, clearly shown.
- i. The provision of a landscape plan in accordance with the submitted development plan, 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. A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
 - iii. A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;
 - iv. The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
 - v. A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart)
 - vi. Two (2) canopy trees capable of growing to minimum mature dimensions of 12 metres in height and 6 metres in width to be planted in the front setback of dwelling 1 adjacent to Ashlar Road;
 - vii. Two (2) canopy trees capable of growing to minimum mature height of 6 metres to be planted within each of the front setbacks of Dwellings 2 and 3 adjacent to the site's Barilla Road frontage.
 - viii. One (1) canopy tree capable of growing to minimum mature dimensions of 8 metres in height and 5 metres in width to be planted in the secluded private open space of each dwelling;
 - ix. 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 size of 200mm;
 - x. Notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;
 - xi. Tree protection measures including for street trees accurately drawn to scale and labelled as per the endorsed Tree Management Plan;
- j. The location of tree protection measures illustrated to scale and labelled on the Ground Floor Plan as per the endorsed Tree Management Plan.
- k. Any changes as required by Condition 4.

Endorsed Plans

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

Vegetation Management

4. Concurrent with the endorsement of plans, a Tree Management Plan prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the Responsible Authority and incorporating:
 - a. A Tree Management Plan (written report) must provide details of:
 - i. Tree protection measures that will be utilized to ensure all trees to be retained remain viable post-construction.
 - ii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
 - b. A Tree Protection Plan (scale drawing) must provide details of:
 - i. The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighboring properties where any part of the Tree Protection Zone falls within the subject site.
 - ii. The location of tree protection measures to be utilized.
 - iii. A notation to refer to the Tree Management Plan.
5. Tree Protection Fencing is to be established around the street trees prior to demolition and maintained until all works on site are complete.
 - a. The fencing is to be a 1.8 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting
 - b. The fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree.

Drainage and Water Sensitive Urban Design

6. Unless with the prior written consent of the Responsible Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority.
 - a. Stormwater Management/drainage (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 (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
 - b. The Stormwater Management (drainage) Plan must address the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
 - c. A STORM modelling report with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives with a minimum 100% rating must be provided as part of the Stormwater Management (drainage) Plan to the satisfaction of the Responsible Authority. 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 6a, 6b & 6c above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
7. Stormwater/drainage works must be implemented in accordance with the approved stormwater management/drainage plan(s) and to the satisfaction of the Responsible Authority including the following:
 - a. All stormwater/drainage works must be provided on the site so as to prevent overflows onto adjacent properties.
 - b. The implementation of stormwater/drainage detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 6.8L/s.
 - c. All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.
8. Existing Council drainage assets (pit/pipe) within the easement must be protected at all time during construction.
9. Property connection of stormwater to Council drainage with existing 150mm diameter pipe is not permitted.

Sustainable Design Assessment

10. Prior to the endorsement of the plans required pursuant to Condition 1 of this permit, the provision of a Sustainable Design Assessment (SDA) to be prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The SDA must include, but is not limited to, detailing initiatives for stormwater harvesting, insulation, building materials, daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation and car washing, energy efficient concepts, glazing and internal ventilation and the like.

Infrastructure and Road Works

11. 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.
12. Property boundary and footpath levels must not be altered without the prior written consent form the Responsible Authority.
13. Any reinstatements and new/modified vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
14. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
15. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
16. Stormwater discharge must be located at least 500mm from any vehicle crossing.
17. The internal driveways must be at least 500mm from the side boundary at the front boundary.
18. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Ashlar Road or Barilla Road.

General amenity conditions

19. 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.
20. All externally-located heating and cooling units, exhaust fans and the like must 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.
21. 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

22. Prior to the occupation of the development 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.
23. Prior to the occupation of the development 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 to the satisfaction of the Responsible Authority.

Expiry

24. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
 - a. The development is not started within two (2) years of the issue date of this permit.
 - b. The development is not completed within four (4) years of the issue date of this permit.

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

Note: Any buildings and works (including eaves) to be located within an easement requires separate consent from Council and/or the relevant service authority. This will need to be obtained prior to the issue of a building permit.

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: Before removing / pruning any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's Vegetation Management Officer to verify if a Local Laws Permits is required for the removal of

such vegetation.

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.

CARRIED

8.3 Housing Strategy & Neighbourhood Character Study

Procedural Motion

Moved: Cr Gledhill

Seconded: Cr Staikos

That consideration of this item be deferred to 7.30pm on Wednesday 5 August 2020.

CARRIED

Note: Refer to page 30 of the Minutes where this item was adjourned.

8.5 Regional Local Government Charter for Homelessness & Social Housing

RECOMMENDATION

That Council endorse the Regional Local Government Charter for Homelessness & Social Housing.

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

Cr Barth left the meeting at 8.03pm.

The order of the agenda was altered to consider Item 8.6 before Item 8.4.

8.6 Update on South East Melbourne (SEM) City Deal Draft Projects

Moved: Cr Staikos

Seconded: Cr Brownlees

That Council:

1. Note the attached draft of SEM City Deal Policy Position Paper for presentation to Federal and State Government.
2. Note the confidential projects that have been identified as part of City Deal discussions proposed with the Federal and State Government; and
3. Receive a further report once discussions have been held with the Federal and State Government regarding the SEM City Deal and clarity is provided on projects that are likely to be supported through the formulation of a City Deal.

Amendment

Moved: Cr West

That Council:

1. Note the attached draft of SEM City Deal Policy Position Paper for presentation to Federal and State Government.
2. Note the confidential projects that have been identified as part of City Deal discussions proposed with the Federal and State Government; and
3. Receive a further report once discussions have been held with the Federal and State Government regarding the SEM City Deal and clarity is provided on projects that are likely to be supported through the formulation of a City Deal.
4. Does not support an airport at Koo Wee Rup because of its adverse environmental effects.

The Amendment was accepted by the Mover and Seconder

The Motion was put and CARRIED

Cr Barth returned to the meeting at 8.05pm

8.4 Social & Affordable Housing Strategy

Moved: Cr Barth

Seconded: Cr Staikos

That Council:

1. Note this report which provides an overview of the engagement activities undertaken on the draft Social and Affordable Housing Strategy and feedback on submissions received.
2. Adopt the Social and Affordable Housing Strategy, July 2020.

Cr Gledhill left the meeting at 8.17pm

CARRIED

8.7 Free Plant Voucher COVID-19 Implications

Cr Gledhill returned to the meeting at 8.21pm

Cr Hua left the meeting at 8:22pm

Moved: Cr Eden

Seconded: Cr Staikos

That Council

1. Use the existing 2020 plant stock sought prior to the COVID-19 pandemic for the following uses:
 - Revegetation works undertaken by redeployed Council staff in Parks Team,
 - Specific planting projects such as a sample habitat garden at Melaleuca Community Centre, and
 - Provide plant vouchers through the Gardens for Wildlife program.
2. Implement a delayed free plant program to be made available through the Autumn 2021 planting season and use Council's media channels to promote this initiative.

CARRIED

8.8 Parking Infringement Reimbursement Scheme Update

RECOMMENDATION

That Council:

1. Note the contents of this report as an update on the Parking Infringement Reimbursement Scheme.
2. Continue to maintain the Parking Infringement Reimbursement Scheme and that a further review be undertaken prior to 31 May 2021, with consideration given to the ongoing management of unclaimed money.

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

9. Community Sustainability Reports

9.1 Chelsea Yacht Club - Refurbishment

Moved: Cr Bearsley

Seconded: Cr Eden

That Council:

1. Note and approve the concept design (Option 2), for the proposed asset renewal works at the Chelsea Yacht Club, which is supported by the club following design consultation.
2. Endorse reallocation of resources from within anticipated savings made within the 2020/21 capital program, to support progression of the recommended asset renewal/DDA Compliance works within the same financial year.
3. Authorise officers to undertake detailed design, seek relevant statutory approvals, hold community consultation/information sessions and undertake a public tender process for the proposed refurbishment works.
4. Note the Club's request for an additional jointly funded second phase of works involving the creation of a new balcony and public space and refer this request for consideration as part of Council's 2021/22 budget deliberation process.

Cr Hua returned to the meeting at 8:28pm

Cr Eden left the meeting at 8:30pm

Cr Eden returned to the meeting at 8:33pm

CARRIED

9.2 Proposed Extension to the Carrum Surf Life Saving Club

Moved: Cr Bearsley

Seconded: Cr Eden

That Council:

1. Note and approve the concept design, Revision J3, for the proposed extension at the Carrum Surf Life Saving Club, which is supported by the club following design consultation.
2. Refer the request for funding to the 2021/22 Budget deliberation process for consideration and future capital planning prioritisation.

CARRIED

9.3 Changing Places Facility (Peter Scullin Reserve) - Community Consultation Outcome

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council:

1. Note the community consultation feedback and associated design response.
2. Authorise officers to continue progressing the project, including detailed design, obtaining relevant statutory approvals, undertaking a public tender process and providing a subsequent report to Council advising on the outcome of the tender process, once complete.

Procedural Motion

Moved: Cr West

That consideration of this matter be deferred until face-to-face consultation can occur.

LAPSED for want of a Seconder

The Substantive Motion was put and CARRIED

9.4 Highett Preschool Facility

RECOMMENDATION

That Council:

1. Approve the decommissioning and demolition of the existing Highett Preschool facility given the significant structural damage to the facility and note that the \$100k required to complete these works can be accommodated in the 2020/21 Forward Capital Plan and no further funds will be required;
2. Note the continuation of the current relocation strategy of kindergarten places to the North Cheltenham Preschool and the Bruthen St Kindergarten;
3. Consider the redevelopment and integration of the Highett Preschool as part of the development of the proposed Highett Hub; and
4. Support the preservation of the rich history of the Highett Preschool as part of a proposed Highett Hub development; and
5. Receive separate reports at future Council meetings to further consider;
 - The proposed development of the new Highett Hub including the redevelopment and integration of the Highett Preschool within the scope of works; and
 - The future use of the current Highett Preschool site.

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

9.5 Adoption of the Family and Children's Strategy 2020-2024

RECOMMENDATION

That Council:

1. Endorse the Family and Children's Strategy 2020-2024 and Action Plan presented in this report; and
2. Approve for the finalised documents be made publicly available.

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

9.6 Kingston Interfaith Network Committee Terms of Reference 2020

RECOMMENDATION

That Council endorse the Kingston Interfaith Network Committee Terms of Reference 2020.

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

Cr Eden left the meeting at 8.47pm

9.7 Community Grants Program 2020 - 2021 Funding Recommendations for Partnership Grants and Annual Grants Allocations

Procedural Motion

Moved: Cr Bearsley

Seconded: Cr Staikos

That Part 1 of the Officer recommendation be considered separately to Parts 2 - 5.

CARRIED

Cr Brownlees declared an indirect conflict of interest by close association as his daughter is president of the Farm Road Pre-School Association and his grandchildren attend the Farm Road Pre-School and left the meeting at 8.49pm prior to any discussion on Part 1 of the matter.

Moved: Cr Staikos

Seconded: Cr Bearsley

That Council:

1. Approve funding of \$1,192 to Farm Road Pre-school Inc. subject to applicant complying with all grant conditions.

CARRIED

Cr Brownlees returned to the meeting at 8.51pm

Moved: Cr Gledhill

Seconded: Cr Staikos

That Council:

2. Approve the Partnership Grants and Annual Grants' funding allocations as recommended in Appendices 1- 3.
3. Approve the transfer of identified Annual Grants' recipients to Partnership Agreements as recommended in Appendix 4.
4. Approve the late applications as listed in Appendix 6 and allocates \$13,399 Annual Grants' funding as recommended
5. Approve additional Partnership Grant funding of \$15,000 to Mentone Community Assistance and Information Bureau to help cover costs of increased overheads and increased demand on its welfare services.

CARRIED

Question Time

Cr Staikos left the meeting at 8.53pm

Cr Staikos returned to the meeting at 9.00pm

Damian Williams of Chelsea asked,

"1. Will Council publish an interim report from its probity review into planning matters before the election and can it advise when the final report is due?"

"2. Will the probity review include an investigation into development applications at 9 Woods Avenue, Mordialloc?"

The General Manager Corporate Services provided the following response,

"Council does not yet have a timetable for the Probity Review to be concluded and reported to Council."

The General Manager Planning and Development provided the following response,

"This matter is to be determined by Council later in the agenda."

"3. Will Council advise on the rate of sea level rise that its planners are using to calculate flood risk in the LSIO areas of Aspendale, Aspendale Gardens and Waterways?"

The General Manager Planning and Development provided the following response,

"Current State Government policy requires Council to plan for a 0.8m sea level rise by 2100. Melbourne Water is the authority that undertakes the flood mapping and calculations for the LSIO - Council will continue to work with Melbourne Water to update its flood modelling as required."

Rachael Okoukoni asked,

“Will the current protection against building double storey properties in a backyard be retained in the new NRZ?”

The General Manager Planning and Development provided the following response,

“Council currently has a planning policy which encourages the two storey component of new medium density housing to be located towards the front of a site. Where upper storey components are towards the rear of the site the policy encourages they are sensitively designed to avoid unreasonable adverse amenity impacts on neighbours. As part of item 8.3 on tonight’s agenda the drafted Schedules to the Neighbourhood Residential Zone for the Garden Suburban and Urban Waterways 1 precincts include a proposed neighbourhood character objective which seeks to protect the character of adjoining sites by locating double storey built form to the front half of development sites to protect the character of adjoining sites that have open rear gardens or single storey built form to the rear.”

Pat Tilley of Bonbeach asked,

“On behalf of the Kingston Save our Streets (K-SOS) group I would like to ask the following two part question: 1. Given the 1st stage of consultation and information to the community in 2019 could have been better a) would Council now consider having community representatives help Council and consultants to develop a more effective communication strategy for the next phase of consultation and: b) will the Council confirm that given many residents won’t even know about the proposed changes till the next phase, will they be prepared to listen to further concerns and can Council confirm there is still scope for further amendments without trade offs.”

The General Manager Planning and Development provided the following response,

“It is proposed that a letter will be sent to all residents at the start of the exhibition of a future Planning Scheme Amendment which will provide details regarding their current zone, proposed zone, where to access information on the proposal, how to make a submission, and details of the three webinars that will be conducted. In addition to this letter, the commencement of consultation will also be advertised through newspapers, Council’s website and emails to everyone who has registered interest and social media. During the formal ‘Exhibition’ (consultation) of any future Planning Scheme Amendment residents will have another opportunity to make submissions on the proposed changes. Council must consider these submissions, and where submissions are unable to be resolved they can be referred to an independent Planning Panel for consideration. On the basis this occurs the Panel will make recommendations that Council will need to consider, and may decide to adopt all, some or none of the recommendations before submitting the Amendment to the Minister for final approval. The Minister may also make changes to the Amendment at this point.”

Juliana Michaelides asked,

“Why has the Central Ward been hardest hit regarding the protection of our residential areas when it has provided an extra 3,129 new dwellings in the ACZ, CIZ, CDZ and MUZ’s, more than a third of the total 8,936 new dwellings in the past decade?”

The General Manager Planning and Development provided the following response,

“The net new dwelling approvals outlined in the Council report and the aggregated figure of 3,129 new dwellings in the ACZ, C1Z, CDZ and MUZ includes approvals granted across all three wards in instances the zones identified are prevalent. The Central Ward has several Major Activity Centres located within its boundaries where differing rates of housing change are proposed. State Government policy encourages

an increased proportion of new housing on sites well located in relation to services, jobs and public transport.”

Reg Mickelborough of Heatherton asked,

“As a landowner and stakeholder we were consulted by Emily Tee a representative Of RMCG regarding the future of agriculture in the Kingston green Wedge. We would find it invaluable for our future in determining our current economic position if 1. We could get a copy of the report and its findings 2. Cost of the report as a rate payer 3. Council’s action post report”

The General Manager Planning and Development provided the following response,

“The draft work completed by RMCG is presently being reviewed following feedback provided from Councillors through its Green Wedge Management Plan Steering Committee meetings. Council is also considering the draft work in light of work the State Department of Environment, Land, Water and Planning are intending to consult the community on, regarding Melbourne’s Green Wedge and Agricultural Land likely to occur mid to late August. Officers are collating the cost of the work by RMCG and will inform Mr. Mickelborough this week. Council will also advise Mr. Mickelborough of the actions determined by Council, once a direction has been provided on the RMCG work.”

Debbi Napper of Highett asked,

“1. Hi, my first question is regarding the public nature strip located at 8 Edsall St, Highett. On 15/02/20 the owner of 1/8 Edsall St had the grass removed and replaced with concrete, and a few days later topped with artificial grass. Many neighbours complained about the destruction and change to the streetscape, and a ‘Notice to Comply’ was issued by Council on 24/02/20 for the public nature strip to be returned to its former glory. To date, there has been no rectification and the owner continues to park up to 2 vehicles on the nature strip, even though there are 2 designated car spaces within his property and available parking on the street. Since 8 Edsall St would have been granted planning permit after 28/07/15, this property would not be eligible for residential parking permits. Therefore I hope there is not a precedent made to break that rule, leaving it open for other residents to also manipulate in the future. I trust there is no personal or working relationship between the homeowner and any Counsellor or other staff member, as I believe this would cause a conflict of interest, in which case those identified should not be able to vote on this matter. “

The General Manager Planning and Development provided the following response,

“The Notice to Comply issued by Council has provided for a further 28 days in which to comply by removing the concrete/turf and reinstate the nature strip. The Notice provides the resident until the 20th August, 2020 in which to undertake the reinstatement works.”

“2. My second question is in relation to the designated off leash dog oval in Highett Reserve, Turner Rd, Highett, which is bordered by factories. Many dog owners use the park on a daily basis and often after work, in the dark. As this is the only oval of three without lighting, is it possible to have some solar powered light poles installed please, for the safety of all.”

The General Manager City Assets and Environment provided the following response,

“Council acknowledges that afterhours lighting is a major incentive to encourage public use of open spaces. Our typical approach with park lighting is to support existing formalised pathway networks. As there is no formal path network in this reserve, Council has made application to the State Government for funding to install sports lighting at Oval 3 at Highett Recreation Reserve. If successful, as part of future planning and consultation for this project, we will engage with local residents on the use of the sports lighting for non-sporting activities, such as dog walking. Similar approaches have been trialled at other councils with early positive results.”

Ian Baldock asked,

“Last month I requested the tree in the SW of the Parkdale Secondary College, overhanging Warren Rd & Warren Lane, be examined to ensure that local residents & passers-by are not put at risk by possible falling limbs. To date I have not received any correspondence from Council to inform me of the results of my request. Could Council please inform me of the progress to date, along with any plans for future remediation?”

The General Manager Planning and Development provided the following response,

“We will respond to Mr Baldock with some advice on the progress of our investigation with respect to the integrity of the tree.”

9.8 Draft Gambling Policy 2020: Release for Community Consultation

RECOMMENDATION

That Council endorse the Draft Gambling Policy 2020 to be released for community consultation in July/August 2020.

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

9.9 Draft Kingston Graffiti Action Plan 2020-2025

RECOMMENDATION

That Council:

1. Approve the draft City of Kingston Graffiti Action Plan 2020-2025; and
2. Approve officers to submit the endorsed Graffiti Action Plan 2020-2025 to the State Government to comply with DoJ&CS funding requirements.

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

10. City Assets and Environment Reports

10.1 Basketball Half Court at Harbour Town Reserve, Patterson Lakes

RECOMMENDATION

That Council:

1. Note the extensive community consultation undertaken and community feedback demonstrating concern and divided support for a half-court facility within Harbour Town Reserve;
2. Endorse that the play space be delivered without the half-court, given the strong opposition for the half-court from nearby residents; and
3. Note that Parks Officers will consider other locations within Kingston where half-courts can be incorporated into reserve upgrades, pending consultation and support from the local community.

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

10.2 Mordialloc Tennis Club court and fencing renewal update

RECOMMENDATION

That Council:

1. Note the outcome of further investigations at the Mordialloc Tennis Club and the proposed funding options for the repair and renewal works; and
2. Approve the carry forward of \$200,000 from 2019/20 to 2020/21 to meet the cost of works associated with the court and fencing renewal works at the Mordialloc Tennis Club, Doug Denyer Reserve.

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

10.3 Response to Notice of Motion No. 23/2017 - Cr. Bearsley - Bonbeach Sports Reserve Master Plan Review including Outdoor Netball Court Consultation Findings; Noise Attenuation Matter; and update on Curwood Hall, Bonbeach short and long term options (outcome of Councillor Workshop 3 Feb, 2020)

Moved: Cr Bearsley

Seconded: Cr Hua

That Council:

1. Endorse the review of the existing Bonbeach Sports Reserve Master Plan, commencing in 2020/21; and
2. Authorise officers to undertake engagement activities with Council's Active Kingston Advisory Committee, user groups and surrounding residential properties to inform a draft revised Bonbeach Sports Reserve Master Plan.

Cr Barth left the meeting at 9.04pm

Cr Brownlees left the meeting at 9.04pm

Cr Barth returned to the meeting at 9.05pm

Cr Brownlees returned to the meeting at 9.05pm

CARRIED

10.4 Aquatics Facility Plan (Draft)

Moved: Cr Gledhill

Seconded: Cr West

That Council

1. Endorse the draft Aquatics Facility Plan, set out as Appendix A for the purposes of community engagement and feedback; and
2. Receive a report at a future Council Meeting summarising feedback from the community consultation.

Cr Eden returned to the meeting at 9.06pm

Cr Brownlees left the meeting at 9.07pm

Cr Brownlees returned to the meeting at 9.08pm

CARRIED

3. That Council include the potential repair and refurbishment of Don Tatnell as an option as part of the consultation.

LOST

Note: it was requested by Cr Staikos and agreed to by the Chairperson that Parts 1 and 2 of the motion be put to the vote separately to Part 3.

The Motion reads as follows:

Moved: Cr Gledhill

Seconded: Cr West

That Council

1. Endorse the draft Aquatics Facility Plan, set out as Appendix A for the purposes of community engagement and feedback; and
2. Receive a report at a future Council Meeting summarising feedback from the community consultation.

CARRIED

10.5 CON - 20/028 - Cleaning Services Waves Leisure Centre

RECOMMENDATION

That Council:

1. Note the outcome of the tender evaluation process, as set out in the attached confidential appendices;
2. Award Contract 20/028 – Cleaning Services Waves Leisure Centre to Quayclean at a first year annual cost of \$188,674 (exclusive of GST) for an initial period of three (3) years;
3. Delegate authority to the Chief Executive Officer to extend CON-20/028 – Cleaning Services Waves Leisure Centre beyond the initial three (3) year contract term for two (2) further terms of two (2) years (maximum contract term of seven (7) years), with an estimated total value of the contract \$1,432,442 (exclusive of GST), subject to satisfactory contractor performance; and
4. Delegate authority to the Chief Executive Officer or her nominee to approve contract variations up to 10% of the annual contract payment if required.

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

10.6 Award of Contract 20/020 - Foreshore Maintenance, Open Space Mowing and Maintenance, Public Amenity Cleansing

RECOMMENDATION

That Council:

1. Note the report and the outcome of the tender evaluation process for Contract 20/020;
2. Appoint the following contractor to deliver the provisions of Contract 20/020 Foreshore Maintenance for an Initial Contract Term of four years: Skyline Landscape Services Pty Ltd;
3. Appoint the following contractor to deliver the provisions of Contract 20/020 Open Space Mowing and Maintenance for an Initial Contract Term of three years and three months: Skyline Landscape Services Pty Ltd;
4. Appoint the following contractor to deliver the provisions of Contract 20/020 Public Amenity Cleansing for an Initial Contract Term of four years: Fernando Enterprises Australia Pty Ltd; and
5. Delegate authority to the Chief Executive Officer to extend the operation of Contract 20/020 beyond the Initial Contract Term for a further two (2) periods of two (2) years, up to a maximum of eight (8) years from the Commencement Date, subject to satisfactory ongoing performance of the appointed contractors.

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

10.7 Kerr Crescent Aspendale Gardens - Establishment of a Section 223 Committee

Cr Bearsley declared a conflict of interest in this item due to residential amenity as the reserve is within close proximity to her residential property and left the meeting at 9.25pm prior to any discussion on the matter.

Moved: Cr Staikos

Seconded: Cr Eden

That Council:

1. Appoint a committee in accordance with section 223 of the Local Government Act 1989 to hear the submission and report back to Council;
2. Endorse that the committee comprises of Cr Oxley, Cr Eden, General Manager City Assets and Environment, Manager Property and Arts and the Team Leader Property Services; and
3. Endorse that the section 223 committee convenes at 5pm on Thursday 6 August 2020.

CARRIED

Cr Bearsley returned to the meeting at 9.26pm

10.8 Caulfield to Dandenong Level Crossing Removal Project - Agreement for Asset Ownership and Maintenance

RECOMMENDATION

That Council:

1. Note the information provided in this report;
2. Note the current outstanding items for negotiation being: site inspection frequencies, graffiti removal height, drinking fountain cleaning, dumped hard waste removal time to complete, Council's insurer feedback, and clarity on MTM policies and process for events approval and working in the rail reserve;
3. Authorise the Chief Executive Officer to finalise negotiations and enter into an agreement with LXRP generally in accordance with the proposed terms of this report; and
4. Note if there are any significant changes during the negotiations a further report will be provided at a future Council Ordinary Meeting for a revised Council direction.

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

10.9 Kingston Integrated Transport Strategy

RECOMMENDATION

That Council:

1. Note the feedback from the Ward Committee Meetings on the draft Kingston Integrated Transport Strategy proposed actions;
2. Note the draft Kingston Integrated Transport Strategy has been released for community engagement in July 2020 for a period of five weeks; and
3. Receive a report at a future Council Meeting on the outcomes of the community consultation.

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

10.10 Advanced Waste Processing - Outcome of Expression of Interest Process

RECOMMENDATION

That Council:

1. Continue to participate in the collaborative procurement of an Advanced Waste Processing facility with the Metropolitan Waste and Resource Recovery Group and other participating Councils;
2. Delegate authority to the Chief Executive Officer to write to Metropolitan Waste and Resource Recovery Group to confirm participation in the next phase of the procurement process for an Advanced Waste Processing facility;
3. Authorise the Chief Executive Officer to write to the Metropolitan Waste and Resource Recovery Group confirming that the facility site will be on appropriately zoned industrial land, meet local planning requirements and have a suitable distance around the facility to minimise impacts on the surrounding communities, the environment and public health; and
4. Receive a further report that gives consideration to Council's continuation in the collaborative process following the tender results.

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

11.2 Naming Request - 'Keith Carpenter' Pavilion

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council commence community consultation on naming the new pavilion at Jack Grut Reserve the 'Keith Carpenter Pavilion'.

Cr Oxley left the meeting at 9.29pm

Cr Staikos as Deputy Mayor assumed the role of the Chairperson

CARRIED

11.3 Review of Council Instrument of Delegation to the Chief Executive Officer to comply with the Local Government Act 2020

RECOMMENDATION

In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020*, Kingston City Council (Council) resolves that –:

1. 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*, subject to the conditions and limitations specified in that Instrument.
2. The Instrument comes into force immediately on the resolution.
3. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.
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.

11.4 Quick Response Grants

RECOMMENDATION

1. That Council approve the following grant applications:
 - Mordialloc Sailing Club - \$1500.00
 - Parkdale Bowling & Social Club - \$1500.00 – subject to compliance with Planning Permit conditions
 - Highett Football Club - \$1500.00
 - Mordialloc Presbyterian Church - \$1500.00
 - Walter Galt Committee of Management - \$900.00
 - Kingston Hawthorn Cricket Club - \$1500.00
2. That Council not approve the following grant application:

- My Business Matters Pty Ltd
3. That Council note the following applications have been withdrawn:
- Mentone St Bedes Football Club

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

11.5 Attendance Fees for Members of Council Advisory Committees and ICACC

Moved: Cr West

Seconded: Cr Barth

That Council initiate attendance payments for Strategic Advisory Committee members and for Aboriginal community member or members of ICACC up to the value of \$200.00 per year if all meetings are attended.

Cr Oxley returned to the meeting at 9.34pm

Cr Oxley assumed the role of Chair

CARRIED

11.6 CEO and General Manager Expenses

RECOMMENDATION

That Council note the report in response to the resolution of item 12.2 of the Council Meeting on 23 March 2020.

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

11.7 Planning Probity Review Clarification

Councillor Gledhill declared a conflict of in this item as he was involved in the development at 9 Woods Avenue Mordialloc and left the meeting at 9.35pm prior to any discussion on the matter.

Moved: Cr West

Seconded: Cr Staikos

1. That as no records can be found of the Lantrak subdivision, the reference to Proposed Subdivision of Land for 150 – 170 Old Dandenong Road, Heatherton be deleted, and be replaced with the following three subdivision applications in the Green Wedge in 2014:

KP14/833 - 217-227 Kingston Road Heatherton
KP14/747 - 468-508 Heatherton Road
KP14/826 - 721-731 Clayton Road

2. That the planning reference for the "*multi-unit development at Woods Avenue Mordialloc involving three double storey dwellings*" identified for probity review in the May 25 Council resolution refers to:

KP2013/473, 9 Woods Avenue Mordialloc. Develop the land for the construction of three (3) double storey and one(1) single storey dwelling. KP2013/792 and KP2013/792A also refer to the same application for 9 Woods Avenue.

LOST

11.8 Appointment of External Member to the Audit Committee

Moved: Cr Staikos

Seconded: Cr West

That Geoff Harry be appointed as external member of the Audit Committee for a period of three years expiring on 31 July 2023.

Cr Gledhill returned to the meeting at 9.51pm

CARRIED

11.9 To identify the specific changes that will need to be made to the 2020/21 Budget in light of the 5% discount to the rates and charges applicable for 2019/20 and set those as the rates and charges for 2020/21

Note: This matter was deferred from the Council meeting on 23 July 2020 and was resumed following the Procedural Motion below.

Moved: Cr Bearsley

Seconded: Cr Gledhill

That Council resolve to determine the Budget measures to be undertaken in order to reduce the 2020/21 advertised budget expenditure by the agreed 5% rate reduction.

Further that officers prepare a revised Budget, by the September Council Meeting, with the following items to be considered:

- Clarification of what rates and charges the reduction applies to
- Deferral of the refurbishment of the council chambers and foyer
- No new positions (except those already advertised)
- Reduction in budget surplus

Further that whilst officer advice is sought, Councillors will take responsibility for where the savings/adjustments are found.

Procedural Motion

Moved: Cr Eden

Seconded: Cr West

That consideration of this item be deferred until the 27 July Council Meeting as a supplementary item to the agenda.

CARRIED

Note: This matter was resumed at this point following the deferral from the Council Meeting of 23 July 2020.

Amendment

Moved: Cr Gledhill

That Council resolve to determine the Budget measures to be undertaken in order to reduce the 2020/21 advertised budget expenditure by the agreed 5% rate reduction.

Further that officers prepare a revised Budget, by the September Council Meeting, with the following items to be considered:

- That a legal opinion be sought to provide clarification of what rates and charges the reduction applies to as referred to in point 13 in the original Budget resolution
- Deferral of the refurbishment of the council chambers and foyer
- Full time equivalent staff levels for the 2020/21 Budget to not exceed 892.2
- Reduction in budget surplus

Further that whilst officer advice is sought, Councillors will take responsibility for where the savings/adjustments are found.

The Amendment was accepted by the Mover and Seconder.

The meeting concluded at 10.00pm

As Items 11.9 and the remaining agenda items were not completed by the conclusion time of 10.00pm, the Council Meeting is deemed to be adjourned in accordance with clause 21(3) of the Meeting Procedures Local Law.

Resumption of Meeting

The meeting resumed at 7.35pm on Wednesday 5 August 2020 to consider Item 8.3 – Housing Strategy and Neighbourhood Character Study.

It is noted that the following Councillors were 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

It is noted that the following officers were in attendance:

Julie Reid, Chief Executive Officer
Mauro Bolin, General Manager Community Sustainability
Paul Franklin, General Manager Corporate Services
Samantha Krull, General Manager City Assets and Environment
Jonathan Guttman, General Manager Planning and Development
Phil De Losa, Manager Governance
Patrick O’Gorman, Governance Officer
Gabrielle Pattenden, Governance Officer
Lindsay Holland, Facilities Officer

8.3 Housing Strategy & Neighbourhood Character Study

Moved: Cr West

Seconded: Cr Gledhill

That Council:

1. Note the report of recommendations prepared by Ethos Urban (Appendix 1) and the changes made to the Housing Strategy and Neighbourhood Character Study in response to submissions received and feedback from the Department of Environment, Land, Water and Planning.
2. Adopt the Kingston Housing Strategy and Neighbourhood Character Study 2020, Ethos Urban (Appendix 2), subject to the following changes to:
 - a) Include all of the incremental change area as shown in the 25 March 2019 version of the Kingston Housing Strategy and Neighbourhood Character Study, in the Neighbourhood Residential Zone.
 - b) Include all of the Garden Suburban character type as shown in the 6 July 2020 version of the Kingston Housing Strategy and Neighbourhood Character Study, in the Neighbourhood Residential Zone.
 - c) Amend the following areas of Residential Growth Zone (RGZ) to Neighbourhood Residential Zone (NRZ):
 - the areas of RGZ bounded by Nepean Highway and Balcombe Road to the north, Dolomore Reserve to the south-east, Queen Street and Mitchell Street to the south, and Como Parade East to the west.
 - the areas of RGZ generally bounded by Balcombe Road to the south, Collins Street to the north, commercial properties fronting Nepean Highway to the east and Precinct 2A of Activity Centre Zone Schedule 2 of the Kingston Planning Scheme to the west.
 - the areas of RGZ bounded by Southland shopping centre to the north, Nepean Highway to the east, Cheltenham Activity Centre Zone to the south, and the railway line to the west.
 - d) Retain the present policy to allow no more than two units on an average-size lot (proportionally more on larger lots) in sensitive parts of the Neighbourhood Residential Zone, including areas covered by flood overlays and areas likely to be inundated by a sea level rise of 1.6m.
 - e) Require stairwells to rooftop decks to be unenclosed.
 - f) Make any necessary changes to all relevant documentation to implement the above amendments.
3. Adopt the Kingston Landscape Character Assessment: Character Analysis and Landscape Guidelines 2020, Hansen (Appendix 3), subject to the deletion of all exotic species from the Common Tree Species list in the appendices.
4. Ask the consultants or failing that officers to amend the Housing Strategy report, maps and Planning Scheme Amendment in accordance with this resolution.
5. Request authorisation from the Minister for Planning to prepare Planning Scheme Amendment C189 in accordance with the Planning and Environment Act 1987 to implement the Housing Strategy & Neighbourhood Character Study and Kingston Landscape Character Assessment as amended.

6. Exhibit Planning Scheme Amendment C189 outside of and preferably after the Council caretaker period (22 September to 24 October 2020) in accordance with the *Planning and Environment Act 1987* should authorisation be granted by the Minister for Planning to prepare the Amendment.
7. Endorse the community engagement program to be undertaken during a proposed 6 week exhibition period as outlined under Section 3.6 of this report, with the addition of three town hall meetings preceded by information sessions should the Covid-19 restrictions be eased by then so as to make such meetings possible.
8. Note that a further report will be presented to Council following the close of the exhibition period upon review of the submissions received.

CARRIED

A Division was Called:

DIVISION:

FOR: Crs Oxley, Barth, Bearsley, Eden, Gledhill, Hua, Staikos and West
(8)

AGAINST: Cr Brownlees (1)

CARRIED

The meeting closed at 8.07pm.

Resumption of Meeting

The meeting resumed at 7.39pm on 19 August 2020.

It is noted that the following Councillors were present:

Cr Georgina Oxley (Mayor)
Cr Tamara Barth
Cr Tamsin Bearsley (arrived at 7.45pm)
Cr Ron Brownlees OAM
Cr David Eden
Cr Geoff Gledhill
Cr George Hua
Cr Steve Staikos
Cr Rosemary West OAM

It is noted that the following officers were in attendance:

Julie Reid, Chief Executive Officer
Mauro Bolin, General Manager Community Sustainability
Paul Franklin, General Manager Corporate Services
Samantha Krull, General Manager City Assets and Environment
Jonathan Guttmann, General Manager Planning and Development
Phil De Losa, Manager Governance
Patrick O’Gorman, Governance Officer
Gabrielle Pattenden, Governance Officer
Lindsay Holland, Facilities Officer

11.9 To identify the specific changes that will need to be made to the 2020/21 Budget in light of the 5% discount to the rates and charges applicable for 2019/20 and set those as the rates and charges for 2020/21

Note: Refer to page 29 for the Motion for this item.

The Motion was put and LOST

Moved: Cr Staikos

Seconded: Cr West

That Council:

1. Receive a report in the September cycle, that offsets as far as practicable the reduction in revenue of \$7,479,864.20 as directed by Council on 13 July and provides an assessment of the COVID-19 impact on the Operating and Capital Budgets;
2. Clarify that the basis of the 5% discount to the 2020/21 Advertised Budget is applicable to the advertised General Rates, Municipal Charge and Waste Service Charges and excludes Cultural & Recreational Land Rates, Special Rates, Supplementary Rates and any other revenue items;
3. Clarify that the discount is to be applied to the advertised Waste Service Charges;
4. Provide the following principles to guide the preparation of the report:
 - a) That there is no substantive impact on the community services, prioritising support for vulnerable members of the community,
 - b) Capital works projects that are already behind schedule due to planning or program delays are reflected in the redrafted budget,
 - c) Council de-prioritise or delay non-essential works of Council buildings, such as the renovations of the Ground floor at 1230 Nepean Highway, Cheltenham,
 - d) Council continue to deliver all service agreement obligations, partnerships and agreements entered into,
 - e) Prioritise the delivery of grants, services and projects that have external funding support, (including State or Federal funding),
 - f) Without limiting the CEO's role under the Local Government Act, acknowledging the EBA obligations to staff wages and additional staff positions funded from external sources, officers effectively contain labour expenditure,
 - g) Avoid impacts as far as possible on the asset renewal gap, maintaining investment in footpath and drainage renewal budgets.

Cr Bearsley left the meeting at 7.50pm

Cr Bearsley returned to the meeting at 8.18pm

CARRIED

12. Notices of Motion

12.1 Notice of Motion No. 20/2020 - Cr Gledhill - Discussion of Items in the Public Section of Council Meetings

Moved: Cr Gledhill

Seconded: Cr Bearsley

That any future Council consideration, discussion or debate relating to the following matters:

- Cheltenham Rail Crossing works;
- 17-19 Tarella Rd Chelsea;
- Solar Farms in Kingston's Green Wedge; and
- Planning around the proposed Suburban Rail Loop

be undertaken in the public section of Council meetings rather than in camera.

Further that the only exceptions would be where discussion involved the details of any financial consideration made to a specific individual or private entity or where the confidentiality is imposed by the State Government or relevant authority. In this case that would be made clear to Kingston residents and ratepayers.

CARRIED

12.2 Notice of Motion No. 24/2020 - Cr Brownlees - Tree Removal Policy

The Notice of Motion was withdrawn.

Cr Eden left the meeting at 8.30pm

12.3 Notice of Motion No. 33/2020 - Cr West - To Encourage a Solar Panel Project That Doesn't Impact on the Chain of Parks

Procedural Motion

Moved Cr West

Seconded Cr Staikos

That this item be deferred to be considered in the part of the meeting closed to the public.

CARRIED on the Casting Vote of the Chairperson

13. Urgent Business

There were no items of urgent business.

14. Confidential Items

Moved: Cr Brownlees

Seconded: Cr Staikos

That in accordance with section 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public for the consideration of the following confidential items:

14.1 Financial Hardship of a Ratepayer

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020 because it is:

- *personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(f)), and*
- *The explanation as to why the specified ground/s applies is it relates to the financial hardship of affected ratepayers..*

14.2 MOC3410 - Foreshore Between Parkers Road and Bay Street Parkdale - VCAT Enforcement Proceeding

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020 because it is:

- *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, and legal privileged information, being information to which legal professional privilege or client legal privilege applies (section 3(1)(a) and (e))*

14.3 APT - Covid 19 Rental Relief

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020 because it is:

- *private commercial information, being information provided by a business, commercial or financial undertaking that— (section 3(1)(g))*

14.4 CEO Employment Matters - Key Performance Objectives

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020 because it is:

- *personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(f)), and*
- *The explanation as to why the specified ground/s applies is that it relates to a staffing matter.*

14.5 CEO Employment Matters

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020 because it is:

- *personal information, being information which if released would result in the*

unreasonable disclosure of information about any person or their personal affairs (section 3(1)(f))

Confidential Appendices

- 8.6 Update on South East Melbourne (SEM) City Deal Draft Projects
Appendix 2, Draft SEM City Deal Structure - Proposed Project**
This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(a)).
- 8.8 Parking Infringement Reimbursement Scheme Update
Appendix 1, Legal Advice re Parking Reimbursement Scheme**
This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(e)).
- 10.5 CON - 20/028 - Cleaning Services Waves Leisure Centre
Appendix 1, Tender Evaluation Report - CON-20-028 - Provision of Cleaning Services Waves Leisure Centre**
This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)).
- 10.5 CON - 20/028 - Cleaning Services Waves Leisure Centre
Appendix 2, Tender Evaluation Score for Shortlist**
This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)).
- 10.5 CON - 20/028 - Cleaning Services Waves Leisure Centre
Appendix 3, Final Tender Evaluation Score Matrix**
This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)).
- 10.5 CON - 20/028 - Cleaning Services Waves Leisure Centre
Appendix 4, Quayclean - Pricing over 7 years of contract - CON-20-028 - PDF Summary**
This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)).
- 10.6 Award of Contract 20/020 - Foreshore Maintenance, Open Space Mowing and Maintenance, Public Amenity Cleansing
Appendix 1, Con 20 020 Evaluation Panel Matrix Final Signed**
This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)).
- 10.6 Award of Contract 20/020 - Foreshore Maintenance, Open Space Mowing and Maintenance, Public Amenity Cleansing
Appendix 2, Con 20 020 Initial Tender Evaluation Matrix Signed**
This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)).
- 10.8 Caulfield to Dandenong Level Crossing Removal Project - Agreement for Asset Ownership and Maintenance
Appendix 4, Maintenance of CD9 Linear Park - Costing Estimates**
This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(g)(ii)).

**11.8 Appointment of External Member to the Audit Committee
Appendix 1, Geoff Harry CV June 2020**

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(f).

CARRIED

The meeting was closed to members of the public at 8.34pm.

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Gledhill

That the meeting be opened to members of the public

CARRIED

The meeting opened to members of the public at 8.58pm

Note: In the part of the meeting closed to the public it was resolved that the following resolution for Item 12.3 be made publicly available:

12.3 Notice of Motion No. 33/2020 - Cr West - To Encourage a Solar Panel Project That Doesn't Impact on the Chain of Parks

Moved: Cr West

Seconded: Cr Staikos

That in light of changed circumstances, officers consult the AECOM authors with a view to updating their report on the industry-zoned Fraser Road former landfill site in the light of evidence that this site may be suitable for a solar panel project and provide it to the landholder, with the proviso that they need to understand and agree to set the solar panels back an adequate distance from the adjacent proposed Chain of Parks trail and the proposed linking path to The Grange Nature Reserve and provided they undertake suitable studies to ensure there will be no risk to the birds that inhabit or visit The Grange.

Further that Council determine in accordance with Section 125 of the Local Government Act 2020 that this resolution be made publicly available.

CARRIED

The meeting closed at 8.58pm.

Confirmed.....

The Mayor 24 August 2020