

Minutes

Council Meeting

Monday, 22nd March 2021

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**City of Kingston
Council Meeting**

Minutes

22 March 2021

The meeting commenced at 7.03pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

Present: Cr Steve Staikos (Mayor)
Cr Hadi Saab (Deputy Mayor)
Cr Tamsin Bearsley
Cr Tim Cochrane
Cr Tracey Davies
Cr Jenna Davey-Burns
Cr David Eden
Cr Chris Hill
Cr Cameron Howe
Cr George Hua
Cr Georgina Oxley

In Attendance: Paul Franklin, Acting Chief Executive Officer
Mauro Bolin, General Manager Community Sustainability
Jonathan Guttmann, General Manager Planning and Development
Samantha Krull, General Manager City Assets and Environment
Tony Ljaskevic, Acting General Manager Corporate Services
Keshia West, Communications Advisor
Phil De Losa, Manager Governance
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 Oxley

Seconded: Cr Saab

That the Minutes of the Council Meeting held on 22 February 2021 and the Council Meeting held on 17 March 2021 be confirmed.

CARRIED

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

Cr Davies foreshadowed a declaration of a general conflict of interest in Item 8.1.

4. Petitions

Nil

5. Presentation of Awards

Presentation of Gavel - Former City of Moorabbin

6. Reports from Delegates Appointed by Council to Various Organisations

Nil

7. Question Time

Moved: Cr Saab

Seconded: Cr Hill

That notwithstanding the requirement of the Governance Rules, answers be read out to all questions submitted by 7.00pm given the current measures responding to the Covid-19 Coronavirus.

CARRIED

Question time was held at 7.40pm. Refer to page 22 of the Minutes.

Block Resolution

Moved: Cr Oxley

Seconded: Cr Davies

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

- 9.2 Mental Health Workshops
- 9.3 Provision of AccessCare - Aged Care in-home Services - Tender outcome CON-20/105
- 9.4 Approval of Applications to the State Government's 2021 Building Safer Communities Funding Program
- 10.1 Endorsement of Applications to the State Government's 2021 Local Sports Infrastructure Fund
- 10.2 Roy Dore Reserve, Carrum - Outdoor Netball Court Proposal
- 10.3 Contract Award - Sport and Recreation Services Panel, CON-20/090
- 10.4 2020/21 Capital Program Mid-Year Forecast
- 11.1 Quick Response Grants
- 11.2 Naming Proposal of Pavilion at Roy Dore Reserve
- 11.4 Award of Contract CON-21/017 Supply of Electricity for Small Market Sites (Procurement Australia 2206/0638 - Retail Energy)

CARRIED

8. Planning and Development Reports

8.1 KP-2019/569 - 260-280 Chesterville Road, Moorabbin

Councillor Davies declared a general conflict of interest in this item as the Pellicano Group are clients of her firm Davies Lawyers and left the meeting at 7.15pm prior to any discussion on the matter.

Moved: Cr Saab

Seconded: Cr Hill

That Council determine to support the proposal and issue a Planning Permit for the Use and Development of the land for a staged mixed-use development comprising Office, Medical Centre, Food and Drink Premises (excluding Bar and Hotel), Child Care Centre, create/alter access to a road in a Road Zone and associated works in accordance with the endorsed plans at 260-280 Chesterville Road, Moorabbin, subject to the following conditions:

1. Before the use and development (excluding demolition, environmental audit activities, removal of service infrastructure, approved tree removal, site preparation and bulk excavation) of each stage commences, detailed plans 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. The plans must be generally in accordance with the Development Plans, prepared by FJMT Studio, Project Code MBP, Sheets A1200 – A400, Revision TP-01, dated 04/02/2020, but modified to show:
 - a. Site context including existing conditions and any earlier endorsed stages.
 - b. Revised access generally in accordance with the Concept Traffic Signal Plan, prepared by Traffix Group, DWG No. G26006-01, Revision D, dated 29 Sep 2020.
 - c. A set of floor plans and elevation plans for each stage.
 - d. DDA (Disability Discrimination Act) compliant access through the site and buildings.
 - e. Title boundaries and dimensions correctly notated.
 - f. Extent of publicly accessible areas on site.
 - g. Access be provided into the Foyer / Bike Store / End of Trip facility area from the Basement 1 level.
 - h. A basic wayfinding signage package in relation to public access on site, prior to commencement of use for each stage. The wayfinding package must also include signage in accordance with the requirements of Clause 52.34-7.
 - i. An Integrated Lighting Strategy, including façade lighting, lighting through the site and the location of security lighting. The strategy must have consideration for, but is not limited to appropriately designed lighting and suitable lighting locations to ensure safety through the site, and maintenance of lighting.
 - j. A Preliminary Integrated Stormwater Management Plan (Drainage Strategy) demonstrating proposed Contours, Development Layout and Landscape Master Plan to the satisfaction of the Responsible Authority.
 - k. Landscape Master Plan(s) prepared by a suitably qualified landscape

professional must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. The landscaping plan must be generally in accordance with the Landscape Concept package prepared by FORMium Landscape Architects Pty Ltd (February 2020) and amended to the satisfaction of the Responsible Authority to include;

- i. 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;
 - ii. 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;
 - iii. The provision of 15 native canopy trees capable of growing to minimum mature height of 15 metres to be planted within the property, with the species chosen to be approved by the Responsible Authority;
 - iv. One *Eucalyptus camaldulensis* (River Red-gum) to be planted in the front setback of the property;
 - v. Trees to be planted adjacent to the multilevel carpark along the southern boundary are to be shade tolerant species and fastigate;
 - vi. The provision of notes, including cross-sectional diagram showing the dimensions, substrate requirements, drainage and irrigation of the perimeter ground level bioswale type raingarden adjacent to the multilevel carpark;
 - vii. Single carpark planters to the west of the multilevel carpark to be combined to maximise planter box soil volume;
 - viii. All planters nominated to include tree species are to be a minimum of 1 m in depth;
 - ix. Indicative landscape staging strategy to specify landscape components to be completed for each stage.
 - x. The deletion of any notation or indicative parking relating to street vendors, pop-up vendors or food trucks.
 - xi. The repositioning of the children's playground to a location which is to the satisfaction of Council.
 - xii. Prior to the construction commencing of the playground the owner must complete a safety audit of all proposed equipment and features to the satisfaction of the Responsible Authority and the audit must provide the owner with clear recommendations on a required maintenance regime.
- l. The location of tree protection measures illustrated to scale and labelled on the Ground Floor Plan as per the endorsed Tree Management Plan.
 - m. Any changes, annotations and further details as required by the Tree Management and Protection Plan as required by condition 11.
 - n. Any changes, annotations and further details as required by the Parking

- Management Plan (PMP) as required by condition 42.
- o. Any changes, annotations and further details as required by the Sustainability Management Plan (SMP) in accordance with condition 46.
 - p. Any changes, annotations and further details as recommended by the Green Travel Plan (GTP) in accordance with condition 48.
2. Before each stage of the development (excluding demolition, environmental audit activities, removal of service infrastructure, approved tree removal, site preparation and bulk excavation) commences, 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. The plans must be generally in accordance with the Development Plans, prepared by FJMT Studio, Project Code MBP, Sheets A1200 – A400, Revision TP-01, dated 04/02/2020, but modified to show:
- a. the construction of the multi-level car parking area with the following information for each stage:
 - i. All elevations.
 - ii. Full details including extent, staging, overall height, setbacks to boundaries and height clearance.
 - iii. The total number of car parking spaces proposed including dimensions to comply with the requirements of Clause 52.06 of the Kingston Planning scheme.
 - iv. The provision of accessible car parking spaces as required.
 - v. Compliance with the design standards for car parking under Clause 52.06-9 of the Kingston Planning Scheme including ramp gradients, car parking spaces, urban design, safety and landscaping.
3. Before each stage of the development (excluding demolition, environmental audit activities, removal of service infrastructure, approved tree removal, site preparation and bulk excavation) commences, the provision of landscape plans generally in accordance with the master landscape plan, with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
- a. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant with all plants chosen to be to the satisfaction of the Responsible Authority;
 - b. 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;
 - c. 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;
 - d. 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);
 - e. 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;

- f. The delineation of all garden beds, paving, grassed area, retaining walls, fences, planter boxes, climbing trellis and other landscape works;
 - g. The provision of notes, including cross-sectional diagrams showing the dimensions, substrate requirements, drainage and irrigation of all bioswales, raingardens, green wall/façade, balcony planters and planter boxes;
 - h. All planters nominated with tree species to be a minimum of 1 metre in depth;
 - i. The provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;
 - j. The location of any tree protection measures, including for street trees and completed landscaping, accurately drawn to scale and labelled as per the endorsed Tree Management Plan;
4. Before the use and development of the childcare centre commences an amended Site Plan associated with this building must be submitted 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. The plans must be substantially in accordance with the Development Plans, prepared by FJMT Studio, Project Code MBP, Sheets A1200 – A400, Revision TP-01, dated 04/02/2020, but modified to show:
- a. Details of the internal layout of the building including play areas
 - b. Any recommendations of the Acoustic Report as required by condition 31.
 - c. Any recommended measures to protect the use from any significant effect of the environment as required by condition 33.
 - d. The location of security lighting within the proposed car parking area adjacent to the main entry.
 - e. Any changes required to the building as per the outcome of the Environmental Audit required under conditions 56 of this permit

Site Management

5. Prior to commencement of use of the publicly accessible open space to the rear of the site, a management plan detailing appropriate security measures is to be prepared to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The management plan shall consider appropriate measures such as active and passive surveillance, security protocols and/or services, nomination of an on-site contact person and contact details.

Endorsed Plans

6. The use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
7. 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.

Staging

8. Prior to commencement of development (excluding demolition, environmental audit activities, removal of service infrastructure, approved tree removal, site

preparation and bulk excavation), a staging plan must be submitted to the satisfaction of the Responsible Authority. The staging plan should show the proposed order of stages and the extent of works included in each stage and should indicate the details of any temporary structures as may be required for staging or for interim access and parking as appropriate. The staging plan may be amended prior to the commencement of each stage of development. The development shall proceed as shown on the endorsed staging plan unless otherwise agreed to in writing by the Responsible Authority.

Vegetation Management

9. Front and rear setback landscaping to be completed before the commencement of the second stage of construction and before the use of the first stage commences.
10. The retention of three *Corymbia citriodora* (Lemon-scented Gum) located in the front setback of the property and the *Corymbia citriodora* (Lemon-scented Gum) and *Corymbia maculata* (Spotted Gum) located to the north of the existing retail office.
11. Concurrent with the endorsement of landscape plans for each stage, a Tree Management Plan must be submitted to and be endorsed by the Responsible Authority and incorporating:
 - a. A Tree Protection Plan (scale drawing) with a notation referring to the Tree Management Plan must provide details of:
 - i. The Tree Protection Zone and Structural Root Zone, calculated in accordance with AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties where the Tree Protection Zone falls partially within the subject site.
 - ii. Tree protection fencing, or ground protection where required, provided in accordance with AS4970-2009.
 - iii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
 - iv. Appropriate signage on any tree protection fencing prohibiting access, excavation, changes in soil levels, or any storage within the Tree Protection Zone in accordance with AS4970-2009 unless with the prior written consent and under the direct supervision of the consulting arborist.
 - v. Maintenance of the area(s) within the Tree Protection Zone in accordance with AS4970-2009.
 - vi. Any pruning to be undertaken being in accordance with AS4373-2007.
 - b. A Tree Management Plan (written report) must be prepared by a suitably qualified arborist, with reference the Tree Protection Plan and provide details of:
 - i. Any non-destructive root investigation undertaken in accordance with AS4970-2009 to determine the location and distribution of roots of trees nominated on the Tree Protection Plan.
 - ii. Proposed footings and construction methods for any buildings or structures within the Tree Protection Zone nominated on the Tree Protection Plan.
 - iii. How excavation impacts, including soil level changes, on trees to be

- retained will be managed.
- iv. How the canopy of trees nominated on the Tree Protection Plan will be protected.
 - v. Any other measures required to demonstrate the successful ongoing retention and viability post-construction of any trees nominated on the Tree Protection Plan.
12. All protection measures identified in the Tree Management Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Plan, to the satisfaction of the Responsible Authority.
 13. Prior to the commencement of works, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
 14. 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.
 15. Prior to the construction of any crossovers as shown on the endorsed development plans, two *Lagerstroemia indica* (Crepe myrtle: Asset ID: 23612 and 23616) street trees located in the Chesterville Road nature strip must be removed by Council at the expense of the Developer/Owner. Payment of the removal and replacement fee for this tree/s must be made to Kingston City Council's customer service in accordance with Council's Tree Management Policy at least 2 weeks prior to its required removal date.

Façade Detail and Materials and Finishes

16. As part of the consultant team FJMT or an experienced architect must be engaged to oversee the design intent and construction quality to ensure that the design and quality and the appearance of the approved building is maintained to the satisfaction of the Responsible Authority.
17. The design, materials and finishes must be of a high quality, generally consistent with the materials and finishes proposed by FJMT, to the satisfaction of the Responsible Authority.
18. Prior to the commencement of each stage of development (excluding demolition, environmental audit activities, removal of service infrastructure, approved tree removal, site preparation and bulk excavation), final details of the proposed positioning and arrangement of the façade for each building must be submitted to the satisfaction of the Responsible Authority and be generally in accordance with the plans submitted with the application.
19. Prior to the commencement of each stage of development (excluding demolition, environmental audit activities, removal of service infrastructure, approved tree removal, site preparation and bulk excavation), a palette of materials and finishes shall be provided to the satisfaction of the Responsible Authority.

Department of Transport (DoT)

20. Prior to the commencement of works, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plan date stamped 29 Sep 2020 and annotated 260 Chesterville Road – Concept Traffic Signal Plan, drawing number G26006-01 drawn by Traffix Group and the plan annotated General Arrangement – Ground Floor, sheet no. A2002, rev. TP-01 drawn by FJMT Studio but modified to show:
 - a. Traffic signals at the main site access designed and constructed to the satisfaction of the Head, Transport for Victoria.
 - b. Restrictions to right-turn movements at the northern vehicle crossover.
 - c. Splitter island at the main site access.
21. Unless otherwise agreed in writing by the Head, Transport for Victoria, prior to the commencement of works, a Functional Layout Plan, functional Road Safety Audit and Traffic Signal Plan must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be generally in accordance with the plans 29 Sep 2020 and annotated 260 Chesterville Road – Concept Traffic Signal Plan, drawing number G26006-01 drawn by Traffix Group but modified to show:
 - a. Traffic signals at the main site access.
 - b. Traffic signal mastarm on the south approach either a 2B pedestal or mini mastarm (not a 5.5 m mast arm x 5.5m outreach).
 - c. Queue detectors on the departure side for southbound on Chesterville Rd at the development.
 - d. Appropriate signs, line-marking and/or physical barriers to restrict right-turn movements at the northern vehicle crossover.
 - e. All features of Chesterville Road including signs and line-marking.
 - f. The extent of on-street parking on Chesterville Road to be removed as a result of the development and new intersection.
22. Subsequent to the approval of the Functional Layout Plan and Traffic Signal Plan and prior to the commencement of any roadworks within the arterial road reserve the applicant must submit detailed engineering design plans to the Head Transport for Victoria for review and approval. The detailed design plans must be prepared generally in accordance with the approved Functional Layout Plan and functional stage Road Safety Audit.
23. Prior to the commencement of the use, the following roadworks Chesterville Road must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria:
 - a. Signalised intersection at the site access and associated infrastructure in accordance with the approved detailed design plans.
 - b. Splitter island at the main site access.
 - c. Appropriate signs, line-marking and/or physical barriers to restrict right-turn movements at the northern vehicle crossover.
24. Prior to the occupation of the development, all disused or redundant vehicle

crossings must be removed and the area reinstated to kerb and channel to the satisfaction of and at no cost to the Head, Transport for Victoria.

25. The demolition and construction of the development must not disrupt bus operations on Chesterville Road without the prior written consent of the Head, Transport for Victoria. Any request for written consent to disrupt bus operations on Chesterville Road during the demolition or construction of the development must be submitted to the Head, Transport for Victoria not later than eight (8) weeks prior to the planned disruption, and must detail measures that will occur to mitigate the impact of the planned disruption.
26. Vehicles must enter and exit the land in a forward direction at all times.
27. The level of the footpath must not be lowered or altered in any way to facilitate access to the site.

Food and Drink Premises

28. The approved use of the site for a Food and Drink Premises excludes the Use of a Bar or Hotel.
29. Unless with the prior written consent of the Responsible Authority, the Food and Drink Premises must only operate between the following hours:
 - Monday – Thursday 6.00am – 10.00pm
 - Friday 6.00am – 12.00am
 - Saturday 7:00am – 12:00am
 - Sunday 7:00am – 9:00pm
30. Deliveries and Dispatch associated with the Food and Drink Premises use must only occur within the operating hours above.

Child Care Centre

31. Prior to the commencement of the use, an acoustic report must be submitted for endorsement to the satisfaction of the Responsible Authority. The report must be prepared by a suitably qualified acoustic engineer and show how noise attenuation measures or other measures have been implemented to:
 - a. Appropriately manage operation of this use in association with the office use on lower floors or adjoining buildings; and
 - b. Appropriately manage operation of this use within the sites industrial context.
32. Within twelve (12) months of the commencement of the child care centre use, the permit holder must engage a suitably qualified person to assess the compliance of the use with Condition 31 of this Permit, to the satisfaction of the Responsible Authority.
33. Prior to the commencement of the child care centre use, provide a report identifying, assessing and evaluating any significant effect the environment may have on the use, and where relevant, recommended measures to protect the use from any significant effect of the environment.
34. Unless with the prior written consent of the Responsible Authority, the Child Care Centre must only operate between the following hours:
 - Monday – Friday 6.00am – 6.00pm
35. The number of children accommodated, enrolled or left for care and supervision

at this site must not exceed one hundred (100) at any one time.

36. A minimum of nineteen (19) car parking spaces must always be available for use by the child care centre within the Public on-grade Carpark accessed via Chesterville Road. An additional three (3) car spaces must always be made available for this use within the basement carpark, adjacent to the building 3 entrance.
37. Drop off and pick up of children must only occur on site within the areas allocated for this activity.
38. The use of this site shall not cause nuisance or be detrimental to the amenity of the area by the emission of noise.

Medical Centre

39. Unless with the prior written consent of the Responsible Authority, the Medical Centre and ancillary uses must only operate between the following hours:
 - Monday – Sunday 5.00am – 11.00pm
40. A minimum of fourteen (14) car parking spaces must always be available for this use within the Public on-grade Carpark accessed via Chesterville Road.

Car Parking

41. Unless with the prior consent from the Responsible Authority, prior to the completion of each stage, the minimum number of car parks required for the approved use within that stage must be available for use within the site. All car parking must be located and completed in accordance with the endorsed plans.

Car Parking Management Plan

42. Prior to commencement of the use, a Car Parking Management Plan, that assess the site as a whole, must be prepared by an appropriately qualified traffic consultant and submitted to and approved by the Responsible Authority. When approved, the car parking management plan will be endorsed and form part of this permit. The car parking management plan must address, but is not necessarily limited to, all of the following:
 - a. Allocation of accessible spaces as a ratio of 1 per 100 car spaces;
 - b. Appropriately zoned visitor spaces in the at-grade car park;
 - c. A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of accessible parking and bicycle parking, exits, restrictions, pay parking system etc;
 - d. Line marking or appropriate signage for dedicated parking such as for the child care centre;
 - e. Policing arrangements and/or formal agreements if required;
 - f. Details regarding the management of loading and unloading of goods and materials for the commercial uses;
 - g. The nomination of the person responsible for the implementation of this plan;
43. The permit holder must ensure that the Car Parking Management Plan is updated to reflect any changes of use on the site.
44. The Car Parking Management Plan must be implemented to the satisfaction of the Responsible Authority. No alterations may be made without the prior written approval of the Responsible Authority.

Bicycle Parking and associated infrastructure

45. Bicycle facilities, including end of trip facilities must be provided on site in accordance with the statutory requirements and implemented in accordance with the requirements of Clause 52.34 and the approved Green Travel Plan.

Sustainability Management Plan

46. Before any stage of the development starts (excluding demolition, site preparation and bulk excavation, or remediation works), an Environmentally Sustainable Design Report prepared by an accredited professional must be submitted to and be to the satisfaction of the Responsible Authority. The report must demonstrate that the corresponding stage(s) of development has the preliminary design potential to:
- a. Achieve an equivalent 4 star Green Star Design and As-Built v1.2 rating for the individual buildings.
 - b. Achieve a 5 star Nabers rating.
 - c. Achieve an equivalent 5 star Green Star Communities rating for the entire development.
 - d. Achieve a 36.7 – 52.4% improvement in annual greenhouse gas emissions against a reference project.
47. The performance outcomes specified in the report must be implemented prior to occupancy at no cost to the Responsible Authority and be to the satisfaction of the Responsible Authority. Any change during detailed design, which affects the approach of the endorsed report, must be assessed by an accredited professional. The revised statement must be endorsed by the Responsible Authority.

Green Travel Plan

48. A revised Green Travel Plan (GTP) must be submitted for endorsement to the Responsible Authority. The GTP must be prepared by a suitably qualified person to the satisfaction of the Responsible Authority and should ensure consistency throughout the report and with plans for each stage. The GTP must facilitate and promote the use of sustainable transport modes in preference to private vehicle use and include the following (but is not limited to);
- a. Consistent number of car parking spaces and bicycle parking spaces as per the development plans and Car Parking Management Plan.
 - b. Include a response / implementation of the following best practice standards:
 - i. Incorporate electric vehicle charging infrastructure into the development.
 - ii. Allocate 5% or at least 5 parking spaces for motorbikes and/or small vehicles.
 - c. Provide additional information regarding the provision for Electric Vehicle (EV) infrastructure and parking accommodation.
 - d. Additional information regarding the baseline for targets, and what sustainable travel is being targeted.
 - e. Questionnaire Survey to include information relating to Electric Vehicles;
 - f. The welcome Pack to include information relating to Electric Vehicles and

available parking and charging infrastructure on site;

49. All costs associated with the construction, implementation and management of the GTP are to be at the permit holder's expense.
50. Once approved the GTP must form part of the planning permit and the responsibility of the Site Manager to ensure the plan continues to be implemented by tenants to the satisfaction of the Responsible Authority.

Waste Management Plan

51. The Waste Management Plan, prepared by Leigh Design, dated 24 July 2019 (or subsequent revisions) is to be endorsed and will then form part of the permit. The waste management plan may be amended subject to the written consent of the responsible authority.

Construction Management

52. Prior to the commencement of any buildings and works on the land (excluding demolition, environmental audit activities, removal of service infrastructure, approved tree removal, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Guidelines, October 2016 (and any superseding versions and/or documents) and include a completed copy of the CMP checklist. The CMP must respond to, but is not limited to the following requirements:
 - a. Element 1 - Public Safety, Amenity and Site Security.
 - b. Element 2 - Traffic Management
 - c. Element 3 - Stakeholder Management.
 - d. Element 4 - Operating Hours, Noise and Vibration Controls.
 - e. Element 5 - Air Quality and Dust Management.
 - f. Element 6 - Stormwater and Sediment Control.
 - g. Element 7 - Waste and Materials Re-use.

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

53. Prior to the commencement of works associated with each stage, a Construction Traffic Management Plan (CTMP) must be submitted and approved in relation to each stage to the satisfaction of the Responsible Authority. The TMP is to be read in conjunction with the endorsed Construction Management Plan (CMP) prior to the commencement of any works associated with that stage.
54. Prior to endorsement of the of the CMP, an approved Road Occupation and Works Permit which covers occupation of Council land for construction activities, arranging a Works Zone and assessment of Traffic Management Plans (if applicable).
55. Prior to endorsement of the CMP, an Asset Protection Permit must be approved by the Responsible Authority (if applicable).

Environmental Audit

56. Prior to the commencement of any buildings and works on the land (excluding demolition, environmental audit activities, removal of service infrastructure, approved tree removal, site preparation and bulk excavation) either:

- a. An environmental auditor must be engaged to undertake an environmental audit of the land pursuant to Part IXD of the *Environment Protection Act 1970* or after 1 July 2021 *Part 8.3 of the Environment Protection Act 2017*; and
 - b. The environmental audit referred to in condition 56a of this permit must be completed by an environmental auditor pursuant to section 53W of the *Environment Protection Act 1970* and *Environment Protection Act 2017*;
57. The following documents issued upon completion of the environmental audit required by conditions 56a and 56b of this permit must be provided to the Responsible Authority:
- 57.1.1 The environmental audit report issued by the environmental auditor pursuant to section 53X of the *Environment Protection Act 1970* or after 1 July 2021 *section 210 of the Environment Protection Act 2017*; and
 - 57.1.2 Any clean up to the extent practicable submission made by the environmental auditor pursuant to clause 19 of the *State Environment Protection Policy (Waters) 2018*; and
 - 57.1.3 Any clean up to the extent practicable determination made by the Environment Protection Authority pursuant to clause 19 of the *State Environment Protection Policy (Waters) 2018*; and
 - 57.1.4 Any certificate of environmental audit issued by an environmental auditor pursuant to section 53Y of the *Environment Protection Act 1970*; and
 - 57.1.5 Any statement of environmental audit issued by an environmental auditor pursuant to section 53Z of the *Environment Protection Act 1970* or after 1 July 2021 any environmental audit statement pursuant to section 210 of the *Environment Protection Act 2017* confirming to the satisfaction of Council that the land is suitable for the development and use allowed by this permit;
58. The requirement in conditions 56a and 56b does not apply to: -
- 58.1.1 Works necessarily forming part of the site investigation or an environmental audit process including any investigation, clean up or remediation; or
 - 58.1.2 Any works or use permitted with the written consent of the Responsible Authority;
59. Prior to the commencement of the use of the land or the issue of an occupancy permit under the *Building Act 1993* a letter prepared and signed by an environmental auditor in respect of the land must be submitted to the Responsible Authority verifying that any conditions attached to the certificate of environmental audit or statement of environmental audit issued for the land have been satisfied to the extent necessary for the commencement of the use of the development of the land allowed by this permit or the safe occupancy of the development.
60. Any development and/or use permitted by this permit must comply with conditions attached to any certificate of environmental audit or statement of environmental audit for the land.
61. Prior to the commencement of any buildings and works on the land (excluding demolition, environmental audit activities, removal of service infrastructure, approved tree removal, site preparation and bulk excavation), the land owner

must enter into an agreement with the Council under section 173 of the Planning and Environment Act 1987 to provide for the following:

- a. compliance with the conditions attached to any certificate of environmental audit or statement of environmental audit issued for the land;
 - b. notification to future occupiers and purchasers of the land or any part of the land of any conditions attached to any certificate of environmental audit or statement of environmental audit or after 1 July 2021 environmental audit statement; and
 - c. the agreement must be prepared by or on behalf of the Council and must contain terms and conditions to the satisfaction of the Council.
62. The owner must pay the reasonable costs of the preparation, execution and registration of the agreement required by condition 61 of this permit.
63. Written notice of the engagement or termination of the engagement of an environmental auditor to undertake an environmental audit of the land required by conditions 56a and 56b of this permit must be provided to the Council within 30 days of that engagement or termination.

Drainage and Water Sensitive Urban Design

64. Groundwater must not infiltrate any stormwater infrastructure on the site at any time unless with the prior written consent of the Council after consideration of all relevant Council policies and laws
65. Unless with prior written consent of the Responsible Authority, before the development commences (excluding demolition, environmental audit activities, removal of service infrastructure, approved tree removal, site preparation and bulk excavation) the following Integrated Stormwater Management (drainage) documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority:
- a. Detailed Stormwater Management (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge in line with approved Stormwater Management (drainage) Strategy Report. The plan(s) must show all details of the proposed stormwater works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details.
 - b. The water sensitive urban design treatments as per approved stormwater management (drainage) strategy and detailed stormwater management (drainage) plan above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
66. Stormwater (drainage) works must be implemented for each stage in accordance with the approved stormwater management (drainage) plan and to the satisfaction of the Responsible Authority including the following:
- a. All stormwater (drainage) works must be provided onsite so as to prevent overflows onto adjacent properties.
 - b. The implementation of stormwater (drainage) detention system which restricts stormwater discharge to the maximum allowable flowrate of 330L/Sec.
 - c. All stormwater (drainage) works must be maintained to the satisfaction of the Responsible authority.

67. A groundwater assessment report (GAR) must be prepared by a qualified hydro-geologist to assess any possible impacts the proposed development has on the ground water table, surrounding land and buildings to the satisfaction of Responsible Authority. Should the findings of the submitted GAR demonstrate that the site is likely to experience issues associated with ground water management, a ground water management plan (GMP) must be submitted to and approved by the responsible authority.
68. The basement structure must be designed to respond to the findings of the GAR and GMP required under condition 65 and constructed to the satisfaction of the responsible authority in accordance with the following:
 - a. The basement must be a fully-tanked dry basement with no ground water including agricultural (AG) drain collection or disposal into stormwater system and with an allowance made for any hydrostatic pressures in accordance with Council's "Basements and Deep Building Construction Policy 2014" and "Basements and Deep Building Construction Guidelines 2014",

or

In the event it is demonstrated that a fully tanked dry basement cannot be achieved or if a wet basement system is proposed, no groundwater including AG drain from the site shall be discharged into the stormwater system. Council does not accept any groundwater (including AG drain) into the stormwater system. Sub-surface water (groundwater) is the responsibility of the property owner to dispose of on site or reach an agreement with the local sewer authority.

69. In any case where the basement design and construction, as required by conditions 65 & 66 of this permit, does not accord with the plan(s) approved under this permit, the endorsed plan(s) must be amended to the satisfaction and with the written consent of the Responsible Authority.

Infrastructure and Road Works

70. 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, entirely at the cost of the owner/developer.
71. Prior to the commencement of development, property boundary, footpath and vehicle crossing levels must be obtained from Council's Roads and Drains Department with all levels raised or lowered to the satisfaction of the Responsible Authority.
72. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
73. Vehicle crossings and other reinstatements must be constructed to council's industrial strength specifications.
74. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
75. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
76. The proposed stormwater discharge must be located at least 500mm from the vehicle crossing.
77. Prior to the construction of internal footpaths and accessways providing linkages into adjoining sites (private land) consent must be obtained from the relevant

land owner.

United Energy

78. The applicant must enter into an agreement with United Energy for the removal of their electricity assets.
79. The applicant must enter into an agreement with United Energy for the supply of electricity to the new development.
80. The developer must manage the removal of easements from the site.

Lighting

81. Exterior lighting must be installed in such positions as to effectively illuminate all communal and parking areas. Such lighting must be designed, baffled, located and maintained to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.
82. The Integrated Lighting Strategy as required by Condition 1 must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit.

General amenity conditions

83. 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.
84. Service units, including air conditioning/heating units, must not be located where they will be visible from any public area.
85. No commercial rubbish bins may be placed or allowed to remain in view of the public, and no receptacle shall emit any adverse smells.
86. The amenity of the area must not be detrimentally affected by the use of the land, including through the:
 - a. Transport of materials, goods or commodities to or from the land.
 - b. Appearance of any building, works or materials.
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d. Presence of vermin.
 - e. In any other way.

to the satisfaction of the Responsible Authority.

Completion

87. Within three months of the issue of an occupancy permit for any given stage, the landscaping works as shown on the corresponding endorsed plans for that stage must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
88. Prior to the issue of an occupancy permit for any given stage, all buildings and works and the conditions of this permit associated with that particular building must be complied with, unless with the further prior written consent of the Responsible Authority.
89. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Expiry

90. In accordance with section 68 of the *Planning and Environment Act 1987* (Act), this permit will expire if one of the following circumstances applies:

- a. The development is not started within three (3) years from the date of this permit.
- b. The development is not completed within ten (10) years from the date of this permit.
- c. All uses approved under this permit are not commenced within two (2) years of the completion of the development.
- d. Any use is discontinued for a period of two (2) years.

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

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

Note: 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: Any buildings or works within an easement will need appropriate Build Over easement approval prior to the works commencing. If any easement is to be removed, relevant approval must be sought and granted prior to the commencement of works within the easement.

Note: The fee for removal of the street tree(s) from the nature strip is **\$2,562.60** (including GST), payable to Kingston City Council's Customer Service Department - refer to cashier code "STRE". Customer Service will confirm payment to the Parks Department. The removal of the tree requires a minimum of 2 weeks notice from the Developer/Owner.

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

Note: Please note that during basement construction Council does not permit the discharge of surface water or ground water into the Council drainage system unless a Temporary Discharge Permit (TDP) has been obtained. Application form and other construction related permits can be obtained from the following link: <http://www.kingston.vic.gov.au/Property-and-Development/Construction>

Note: In order to improve safety and traffic flow at Chesterville Road associated with the new signalled intersection, and to undertake improvement works as part of the approved Functional Layout Plan, on-street parking along Chesterville Road may need

to be removed and any existing 'No-Stopping' areas may be extended. Traffic and parking conditions must not be altered without the prior consent from the Responsible Authority and the undertaking of appropriate community consultation.

Note: The proposed development works within the road reserve. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact DoT (Roads) prior to commencing any works.

Note: The preparation of the functional layout plan, detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current Department of Transport (formerly VicRoads) policy, procedures and standards and at no cost to VicRoads. In order to meet the Department of Transport (formerly VicRoads) requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements

Note: Externally Funded Projects" and any other requirements considered necessary depending on the nature of the work.

Note: The developer will be responsible for any costs related to a Road Occupation Permit to the satisfaction of the Responsible Authority.

CARRIED

8.2 Kingston Green Wedge Management Plan Review 2021

Moved: Cr Saab

Seconded: Cr Davies

That:

1. Council endorse the draft Kingston Green Wedge Management Plan (2021) for the purpose of community consultation.
2. Council undertake a four-week consultation program to seek community, landowner and stakeholder feedback in relation the draft Kingston Green Wedge Management Plan (2021).
3. The Agricultural Preservation and Strengthening Strategy August 2020 be released as a background document to the draft Kingston Green Wedge Management Plan 2021.
4. A further report be presented to Council following the conclusion of the community consultation period considering any submissions received.

CARRIED

9. Community Sustainability Reports

9.1 Update on Pokies Advocacy Campaign 2020 Report

Moved: Cr Oxley

Seconded: Cr Bearsley

1. That Council note the progress of the advocacy campaign.
2. That Council continue and strengthen advocacy and lobbying for the reduction of the Kingston Electronic Gaming Machine cap down to the current number of electronic gaming machines.

CARRIED unanimously

Question Time

Cr Bearsley left the meeting at 7:43pm

Kerrie Ryan of Heatherton asked,

“Are you making handout/ information brochures regarding the loss of parks and recreational areas due to proposed train stabling at Delta site Heatherton & the detrimental effects of proposed train stabling yard at old delta site, like the ones Kingston council distributed regarding the upgrades to the park in Kingston Heath? And if so can they be distributed to the city of Kingston.”

The Acting CEO provided the following response,

“The Council has delivered a handout prepared by Councillors Staikos, Saab and Davies regarding the proposed location for the stabling yard and the resolved position of the Council. This information was distributed last week to around 2000 residents living in the areas of Heatherton and Clarinda. The letter is also available on Council’s website and will be promoted via Council’s monthly e-newsletter.”

Lihla Wyles of Heatherton asked,

“The Council has resolved at its Council Meeting on the 27th January, 2021 a number of matters relevant to the decision of the Suburban Rail Loop Authority to identify the Heatherton site as the area under consideration for the stabling facility. The Mayor on behalf of Council has written to the Victorian Premier and a number of State Government Ministers inviting them to Kingston to discuss this project and the importance of the Chain of Parks Project.”

Andrew Dawson asked,

“Will Council vote to drop the confidentiality regarding alternative SRL stable sites, the community has every right to know and it will all come out eventually anyway. Much better to hear this from council than find out via other means.”

The Acting CEO provided the following response,

“The Council has asked the Suburban Rail Loop Authority to provide additional information to the community which clearly outlines the different locations they have examined for the stabling and operational requirements for the project. Following the question from Mr. Dawson we will ask the Authority to liaise directly with Mr. Dawson on when it may be intending to provide this information.”

Gregory Ewing of Heatherton asked,

“Was Council aware at the time they selected the Delta Site for the Train Stabling Yard, that it would be a surface level railway as well as a Stabling Yard? This is a critical development for residents given the requirement for trains to sound their horns when passing a railway work site. With the SRL working to a 'walk up' timetable this implies horn soundings every 2 to 4 minutes in either direction that will be heard by all Heatherton and Clarinda residents as well as the Kingston Centre hospital and much of Cheltenham. If council was unaware then are there any plans to approach the minister about this issue?”

The Acting CEO provided the following response,

“At the time the Suburban Rail Loop Authority not Council identified the Delta Site as the 'area under consideration' for the train stabling it indicated that it was its intention to bring the trains to the surface of the site. Council is however not aware of the nature of the intended timetable or potential horn sounding occurrences associated with the facility and will refer Mr. Ewing's query directly to the Suburban Rail Loop Authority for a response.”

David Conlan of Carrum asked,

“Kingston Council is currently planning to destroy the Historic Rock Wall and Staircase to the original Carrum Surf Lifesaving Club built in the 1930s to build a new rock wall. Kingston Council staff justify this destruction of a Heritage Site, by saying the historic rock wall and staircase which is 90 years old does not meet current building standards, needs repairs to make structurally sound, produced a one page heritage report with no local knowledge of the sites history or public consultation and the significance of the site can be marked with a plaque on the site and placing a historic photo of the site in the new Carrum Surf Lifesaving Club. This is not good enough, if we judged every Heritage site like this we would have no Heritage sites left. There is not one Historic Surf Lifesaving Club as they are often rebuilt on the same site every 30 to 40 years, registered amongst the thousands of site registered with Heritage Victoria, making this site unique. I ask that Kingston City Council immediately halts plans to destroy this Historic site, and starts works to save this Historic Site, applying to have the site registered with Heritage Victoria and arranging repairs to the rock wall and staircase and its footings. Please note if Kingston Council does not support saving this historic site locals residents and surf lifesaving club members who value our history will continue to fight for this historic site to be saved possibly with the assistance of our local member Sonya Kilkenny and the Chelsea and District Historical Society.”

The Acting CEO provided the following response,

“Following demolition of the Patterson River Motor Boat Club the bluestone seawall was assessed by a Coastal Engineer who found that not only was it unsuitable as an erosion protection structure, it is likely to exacerbate the issue of erosion were it to remain. In addition, the foundations are unstable and at risk of collapse in their current state. The bluestone seawall identified by Mr Conlan is not currently contained within the Heritage Overlay in the Kingston Planning Scheme, however officers did engage Heritage Consultant Peter Barrett to assess the site for heritage value. Mr Barrett's assessment concluded the heritage value of the site is 'modest' and 'there may be other suitable options for referencing the earlier use of this site other than retention of the existing bluestone wall and steps'. Both the coastal engineers report and heritage assessment have been provided to Mr Conlan.”

Tom Maher asked,

“Is there a requirement at Council meetings to actually read what the question is that has been submitted? Or can Council representatives just give an indication of the question as the acting CEO did by saying: “Mr. Maher’s question concerned the uptake of electric vehicles”. Is there a requirement on the Council to actually answer the question?”

The Acting CEO provided the following response,

“There is no specific requirement to actually read a question as submitted. Council’s Governance Rules specifies that all questions and answers must be as brief as possible. It is never the intent to misinterpret or not answer questions. My response in February indicated that Council is always looking for opportunities to have Electric vehicles or other low emission vehicles in the fleet and that Council expected to work in partnership with the new fleet lease company to draw on their experience, which I believed answered the question asked by Mr Maher.”

Bronwyn Davies of Heatherton asked,

“Regarding SRL, is the council aware and able to explain why the SRL railway alignment is passing through Heatherton and Dingley North when a direct route from Cheltenham to Clayton station would trim 2.7kms from the tunnelling distance and save billions of dollars of tax payer funds?”

The Acting CEO provided the following response,

“The Council has not been involved in determining the alignment for the Suburban Rail Loop Project and will therefore refer the question from Ms. Davies to the Suburban Rail Loop Authority for a response.”

Ian Baldock of Parkdale asked,

“In June, July & again in November 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. Following my November request, I was called & informed that Council would bring up the concern with the school in late January. To date I have not received any contact from Council to inform me of the current status of my request. From other enquiries, I understand that an external, visual-only examination was performed in September 2019. However, from the incident where the neighbouring St John Vianney’s tree shed limbs which fell on some of their students, I understand that only an internal examination of those branches showed the structural weakness – previous external checks had not indicated any problems. Could Council please investigate, via a comprehensive, non-visual-only, check of the tree, then inform me of the progress to date, along with any plans for future remediation? In addition, due to the lack of previous correspondence, could you please inform me when I may expect a written response to my concerns?”

The Acting CEO provided the following response,

“The tree to which Mr Baldock refers is a significant tree and protected under the Kingston Planning Scheme. The tree has been inspected by Council’s Senior Vegetation Management Officer and feedback has been provided to Mr Baldock following this inspection. Following Mr Baldock’s further requests to have the tree inspected, Council is presently working with the school to coordinate a time for an additional inspection conducted by a different arborist. We will advise Mr Baldock in writing once this inspection has been undertaken and any suggestions for required works that come from the inspection.”

9.2 Mental Health Workshops

RECOMMENDATION

That Council:

1. Conduct consultation with sporting clubs, community groups and the broader community to seek their feedback on the proposed models;
2. Receive an additional report with recommendations of the preferred model based on community consultation; and
3. Note the models for delivery outlined in the report.

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

9.3 Provision of AccessCare - Aged Care in-home Services - Tender outcome CON-20/105

RECOMMENDATION

That Council:

1. Receive the information and note the outcome of the tender assessment process for CON- 20/105 – Aged Care In-Home Services, for two (2) years and the option to extend for two (2) additional years at Council's sole discretion as set out in the confidential appendices attached to this report.
2. Agree to award Contract CON-20/105 – Aged Care In-Home Services - domestic assistance, personal care and respite to; Argent Nominees - Better Living Home Care, Guardian Network Pty Ltd, Home Instead Senior Care Brighton, Just Better Care Australia, Mercy Aged and Community Care, Prestige Home Health Care, Blue Cross Community Care.

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

9.4 Approval of Applications to the State Government's 2021 Building Safer Communities Funding Program

RECOMMENDATION

That Council:

1. Approve the submission of the following two projects for applications to the State Government's Building Safer Communities Fund for:
 - a) the installation of new CCTV cameras and associated infrastructure at the foreshore at Carrum, Chelsea and Mordialloc; and the networking all of Kingston's existing CCTV cameras to enable the Victoria Police Monitoring and Assessment Centre (VP MAC) to access Kingston's CCTV live footage;
 - b) ii) the implementation of a community engagement initiative at Carrum with the establishment of a 'Friends' group at Carrum that will have a community safety/graffiti management focus.

2. Note that should the applications be successful an allocation of \$200,000 from the 2021-2022 capital works budget as part of the mid-year review would be required to complete Project 1.
3. Approve sending letters, as per Appendices 1 and 2, to Sonya Kilkenny MP and Tim Richardson MP seeking letters of support for the applications.

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

10. City Assets and Environment Reports

10.1 Endorsement of Applications to the State Government's 2021 Local Sports Infrastructure Fund

RECOMMENDATION

That Council:

- Endorse the submission of the following projects as applications to the State Government's 2021 Local Sports Infrastructure Fund:
 - a) Female Friendly Facilities – Universal Changeroom Upgrade, Chelsea Recreation Reserve;
 - b) Female Friendly Facilities - Netball Court Development, Roy Dore Reserve;
 - c) Facilities for Active Seniors - Upgraded Bowling Green Surface and Lighting, Chelsea Bowling Club; and
 - d) Scoreboards and Fixed Equipment – Ball Protection Fencing, Bonbeach Sports Reserve
- Commit to providing funding in the 2021/22 Council Budget and Long Term Financial Strategy to meet the Council financial contribution (up to a \$1(SRV):\$1(Council/Club) basis).

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

10.2 Roy Dore Reserve, Carrum - Outdoor Netball Court Proposal

RECOMMENDATION

That Council:

1. Note that the provision of outdoor netball courts at Roy Dore Reserve is not within the current scope for funding from Sport and Recreation Victoria or included in Council capital works budgets;
2. Endorses the option of two (2) outdoor netball courts at Roy Dore Reserve for community consultation and input;
3. Authorise officers to seek funding for the development of two (2) outdoor netball courts with sports lighting at Roy Dore Reserve from relevant Commonwealth and State Government funding programs;
4. Receive a report following the outcomes of the community consultation and the funding grant application; and

5. Note officers will continue with the design development and procurement processes for the upgrade of the tennis court facilities at Roy Dore Reserve.

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

10.3 Contract Award - Sport and Recreation Services Panel, CON-20/090

RECOMMENDATION

That Council:

1. Note the outcome of the tender evaluation process for Contract 20/090 – Recreation Service Panel, as set out in the attached confidential appendices;
2. Appoint the following four (4) contractors to deliver the provisions of Contract 20/090 Sport and Recreation Services Panel – relating to Recreation and Sports Planning for an initial term of three (3) years:
 - InsideEdge Sport and Recreation Planning Pty Ltd;
 - Sport Business Partners Pty Ltd;
 - The Community Collective; and
 - Tredwell Management Services.
3. Appoint the following four (4) contractors to deliver the provisions of Contract 20/090 Sport and Recreation Services Panel – relating to Technical and Feasibility Services for an initial term of three (3) years:
 - Hill and Canning Consulting Engineers Pty Ltd;
 - JJ Ryan Consulting Pty Ltd;
 - Koukourou Pty Ltd; and
 - Tredwell Management Services.
4. Appoint the following four (4) contractors to deliver the provisions of Contract 20/090 Sport and Recreation Services Panel – relating to Design Services for an initial term of three (3) years:
 - Hill and Canning Consulting Engineers Pty Ltd;
 - Idwala Pty Ltd;
 - JJ Ryan Consulting Pty Ltd; and
 - Koukourou Pty Ltd
5. Delegate authority to the Chief Executive to extend the operation of Contract 20/090, Sport and Recreation Services Panel beyond the Initial Contract Term for a further two (2) year term, subject to satisfactory ongoing performance of the appointed contractors.

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

10.4 2020/21 Capital Program Mid Year Forecast

RECOMMENDATION

That Council

1. Increase the 2020/21 Capital Budget by \$3,498,030 to a total value of \$68,877,364; and
2. Note that at the end of January 2021, the projected Capital Budget carry over from the 2020/2021 financial year is estimated at \$2,955,000.

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

10.5 Response to Item of Urgent Business 30 November 2020 - Litter Trap for Patterson River

Moved: Cr Howe

Seconded: Cr Eden

That Council:

1. Maintain advocacy for a heavy-duty litter trap in Patterson River at Bangholme, within discussions with Melbourne Water, Parks Victoria and Carrum MP Sonya at or outside of the Lower Dandenong Creek Catchment Litter Collaboration; and
2. Reiterate the prior motion and the requests made within the motion.

Cr Bearsley returned to the meeting at 7:50pm

CARRIED

11. Corporate Services Reports

11.1 Quick Response Grants

RECOMMENDATION

That Council approve the following Quick Response Grant applications:

- Bonbeach St Chads Baseball Club - \$1257.32
- Make a Difference Dingley Village - \$1500.00

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

11.2 Naming Proposal of Pavilion at Roy Dore Reserve

RECOMMENDATION

That given the broad interest in the naming of the pavilion at Roy Dore Reserve, Council commence a process of consultation regarding the proposed naming including the proposal of 'Guy Pavilion'.

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

11.3 2021 Mayoral and Councillor Allowances Review

Moved: Cr Davey-Burns

Seconded: Cr Davies

That Council:

1. Determine that pursuant to section 74 of the Local Government Act 1989, the Mayoral allowance increase to \$100,434 within the category 3 range, plus an amount equivalent to the superannuation guarantee contribution;
2. Determine that pursuant to section 74 of the Local Government Act 1989, that the current Councillor allowance of \$31,427.65 within the category 3 range, plus an amount equivalent to the superannuation guarantee contribution remain the same until the first Determination of the Victorian Independent Remuneration Tribunal in accordance with section 39 of the Local Government Act 2020;
3. Proceed with the process for submissions to be made, pursuant to section 223 of the Local Government Act 1989, as detailed in section 3.2.6 of the report;
4. Establish a committee, pursuant to section 223 of the Local Government Act 1989, comprising of Councillor Staikos, Councillor Saab and Councillor Oxley to hear any submissions received in relation to the proposed Mayoral and Councillor Allowances, at a meeting on 27 April, or another suitable date and time, and report back to Council for the determination of the level of Mayoral and Councillor Allowances; and
5. In the event that there are no submissions, that a report be prepared for Council for the determination of the level of Mayoral and Councillor Allowances.

CARRIED

**11.4 Award of Contract CON-21/017 Supply of Electricity for Small Market Sites
(Procurement Australia 2206/0638 - Retail Energy)**

RECOMMENDATION

That Council:

1. Award Contract CON-21/017 Supply of Electricity for Small Market Sites (Procurement Australia 2206/0638 – Retail Energy), including 100% Green Power, to ERM Power Retail Pty Ltd for a period of two (2) years from 1 July 2021 to 30 June 2023, with estimated year one (1) expenditure of \$497,028.62 inc GST; and
2. Authorise the Chief Executive Officer to execute the contract documentation.

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

12. Notices of Motion

12.1 Notice of Motion No. 5/2021 - Cr Howe - Pantry 5000

Moved: Cr Howe

Seconded: Cr Bearsley

That a meeting be organised between Kingston City Council and Pantry 5000 (Longbeach Anglican Parish), providing information and support to engage charitable organisations to fund the renewal of their Carrum food-bank facility.

CARRIED

12.2 Notice of Motion No. 6/2021 - Cr Staikos - Ward Committee and Ward Meeting Policy Review

Moved: Cr Staikos

Seconded: Cr Oxley

That in light of the change of the ward structure of the City of Kingston, officers review the Ward Committee Policy and the Ward Meetings Policy and bring options back to Council that align with the current structure of the Council. Further that the outgoing 2016-2020 Ward Committee members be thanked for their service.

CARRIED

12.3 Notice of Motion No. 7/2021 - Cr Oxley - Traffic Management in Chelsea

Moved: Cr Oxley

Seconded: Cr Howe

That:

1. Council note the concerns raised by residents in relation to the safety of pedestrians and the significant traffic/parking issues in the Chelsea area and request that:
 - a. Officers present a report on the potential development of a Local Area Traffic Management Plan for the area contained within Thames Promenade, Station Street, Glenola Road and Scotch Parade Chelsea.
2. The report is to consider but not limited to:
 - Costs for the development of a Local Area Traffic Management Plan and associated time frames.
 - Scheduled or already commenced traffic works/road works or asset works that may be outside this project area but have an impact on traffic within this area.
 - Short term traffic/parking measures that could be put in place in this area and the surrounding streets to mitigate the impacts of the LXRP Works, Council Drainage/Asset works as well as the impacts of the Mordialloc Freeway Works.
 - Medium term traffic calming measures to improve pedestrian safety; particularly around St Josephs, Chelsea Primary School and Chelsea Kinder.
 - Long term traffic and parking measures to improve traffic flow and pedestrian safety in this area and the surrounds (noting that this may need to be reassessed in 12 -24 months once that impact of the significant traffic changes occurring due to the above works are known i.e. Thames Prom extending over the rail and Mordialloc Freeway Works).
 - Any planned projects that may already be underway (whether in planning or capital works). I.e. pedestrian crossings, traffic lights etc.
3. The report be received no later than the July Meeting of Council.

CARRIED

13. Urgent Business

There were no items of urgent business.

14. Confidential Items

Moved: Cr Oxley

Seconded: Cr Saab

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 Renewable Energy Investigation

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 (section 3(1)(g)), and
- The explanation as to why the specified ground/s applies is that it includes commercially confidential information..

Confidential Appendices

9.3 Provision of AccessCare - Aged Care in-home Services - Tender outcome CON-20/105

Appendix 2, Tender Evaluation Matrix AC final 21-02-15

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

**10.3 Contract Award - Sport and Recreation Services Panel, CON-20/090
Appendix 1, CON-20-090 - Tender evaluation panel report**

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

**11.4 Award of Contract CON-21/017 Supply of Electricity for Small Market Sites
(Procurement Australia 2206/0638 - Retail Energy)**

Appendix 2, Tender Evaluation Report - Energy 2020 v4

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

CARRIED

The meeting was closed to members of the public at 8.31pm.

Procedural Motion

Moved: Cr Saab

Seconded: Cr Hua

That the meeting be opened to members of the public

CARRIED

The meeting was opened to members of the public at 8.38pm.

The meeting closed at 8.38pm.

Confirmed.....

The Mayor 26 April 2021