

Minutes

Ordinary Council Meeting

Monday, 27th October 2025

**City of Kingston
Ordinary Council Meeting**

Minutes

27 October 2025

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The meeting commenced at 7:00pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

Present: Cr Georgina Oxley (Mayor)
Cr Chris Howe (Deputy Mayor) (attended online)
Cr Jane Agirtan
Cr Kirralee Ashworth-Collett (attended online)
Cr Tony Athanasopoulos
Cr Georgia Erevnidis
Cr Chris Hill
Cr Tess Law
Cr Sarah O'Donnell
Cr Hadi Saab
Cr Caroline White

In Attendance: Peter Bean, Chief Executive Officer
Jonathan Guttmann, General Manager Planning and Place
Dan Hogan, General Manager Customer and Corporate Support
Samantha Krull, General Manager Infrastructure and Open Space
Kate Waters, General Manager Community Strengthening
Bernard Rohan, Chief Financial Officer
Kelly Shacklock, Manager Governance, Risk and Integrity
Sharon Lozsan, Team Leader Council Governance
Lily Bowe, Council Governance Officer
Ellie Lockard, Council Governance Officer
Justin Welsford, Media and Communications Advisor
Jonathan Prezioso, Multimedia Designer
John Tanner, Municipal Monitor
John Watson, Municipal Monitor

1. Apologies

There were no apologies submitted to the meeting.

2. Confirmation of Minutes of Previous Meetings

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Agirtan

That the Minutes of the Ordinary Council Meeting held on 22 September 2025 be confirmed.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (11)

AGAINST: Nil (0)

CARRIED

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

The Chief Executive Officer foreshadowed a declaration of a conflict of interest in item 14.3 – CEO Employment Matters.

4. Petitions

4.1 Petition - Objection to St Kilda Cycling Club Event Permit

COUNCIL RESOLUTION

Moved: Cr Saab

Seconded: Cr Athanasopoulos

That Council:

1. Receive the petition and refer it to the CEO for consideration; and
2. Notify the head petitioner of the outcome following consideration of the petition.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (11)

AGAINST: Nil (0)

CARRIED

5. Delegates' Reports, Councillor Statements and Presentation of Awards

Councillor Statements

Cr O'Donnell made a statement regarding Aspendale Lifesaving Club, Mordialloc Motor Yacht Club and Aspendale Primary School celebrating 100 years. She also made a statement regarding the SeaSoul Sauna sub-lease.

Cr Law made a statement regarding the SeaSoul Sauna and the Australian Local Government Women's Association conference.

Cr Saab made a statement regarding the Chhath Puja Indian Festival and the Kingston Diwali 2025 festival. He also acknowledged the Kingston Business team for the success of the Kingston After Dark event.

Cr White made a statement regarding the Kingswood Golf Course development.

Cr Hill made a statement regarding the consultation taking place relating to the Mentone Activity Centre.

Cr Howe left the meeting at 7.23pm.

6. Question Time

Question time was held at 7.23pm.

A total of 33 questions were received, with 33 being allowed under the Governance Rules. Preambles submitted with questions were not read out. In accordance with clause 39.9 of the Governance Rules, like questions were grouped together.

Katya asked:

Given the limited engagement from the State Government, could Council explore better advertisement to ensure the community is well informed about forthcoming updates and consultations on the Activity Centre Program?

General Manager Planning and Place, Jonathan Guttman, responded:

I would like to thank Katya for her question.

Council often provides community notices of major state government projects taking place in Kingston to ensure our community is kept well informed of any opportunities to provide feedback. The first phase of consultation on the Mentone Activity Centre and surrounding residential area runs until the 30th November, 2025 and information can be found on the Victorian Governments Engage Victoria website.

For the Mentone Activity Centre project, Council has added to Vic Government project promotions with our own initiatives:

- promotion on Kingston's consultation website 'Your Kingston your Say'*
- social media post*
- Mentone Renaissance e-newsletter*
- Kingston News e-newsletter.*

Kate asked:

Given the ongoing and increasing community feedback regarding the significant positive health impacts of Seasoul sauna, why can't the council extend this lease for 12 months?

Kristen asked:

Given the increasing and endless community interest regarding the seasoul sauna lease and the outrage/protests/ media reports of the removal of an essential health service, why can't this matter be moved to vote?

Natalie asked:

Why does the council not value the community feedback regarding the continued lease of Seasoul Sauna?

Lisa asked:

Why is the Council closing Seasoul Sauna so close to Christmas when this time of year is always a challenging time for mental health, is the council not aware of how the community now rely on Seasoul as an essential health service?

Maree asked:

Why does Council not find the community feedback valid or important regarding the Seasoul sauna lease.

Janette asked:

Given Seasoul sauna provides local, affordable and unique health service, that is now an essential part of the community health and wellbeing and well utilised, why can't the sauna keep trading while the council officers review the current policy?

Adam asked:

- 1. Why has the Mayor not since met with the business owner or issued a public statement with clear and logical reasons for not extending the lease?*
- 2. Why was the media told Amy was directly offered alternative locations for her sauna in the local area when no viable options have been offered?*

Chief Finance Officer, Bernard Rohan, responded:

Thank you all for the questions and strong interest in this matter.

The issue of the sublease for Seasoul Sauna has been managed by officers as an operational matter. The sublease was only ever approved by officers for an 11-month trial period to explore whether allowing commercial operators on our foreshore was appropriate. There have been a range of views from the community on the trial.

The sublease was managed by the Mordialloc Sailing Club.

The trial highlighted that any future use of the foreshore by private businesses would require careful consideration, in partnership between Council and the Department of Energy, Environment and Climate Action.

This consideration is important to ensure that commercial operations do not negatively impact the environment, public safety, neighbouring homes, or public access to the beach. This process of developing a position on these issues will take time. If future commercial opportunities for the foreshore are to be pursued, any interested business would need to go through a fair and transparent application process. Again, this would take some time to resolve.

The trial was scheduled to end on 30 June 2025. In September, Officers provided a further extension to the business to 1 December 2025. This represented a total increase of five months from the original eleven month trial period. This extension was intended to support the business' transition and planning for its future. This decision was taken at officer-level, which is consistent with the initial trial and with existing policy.

Under the Local Government Act 2020, there is a clear separation of duties between the role of the Mayor and CEO. Observing good governance, it is appropriate that Officers engage with related parties for operational purposes.

As this is an operational matter and the sublease is managed by the Mordialloc Sailing Club, officers have primarily been engaging directly with the Club. Since the decision to not renew the sublease, officers have spoken with SeaSoul Sauna to explore preferred locations and suggest an alternative site.

Tasos asked:

- 1. Would the Monitor, council CEO or the Councillors consider undertaking a review of the council departments and head of departments to ascertain if they are performing at the required level and are they meeting the required KPI?*
- 2. If according to the council's governance rules the council is required to provide an answer to a phone request (if the council staff is not available at the time) within 48 hours, why is it not the same in the case that a question that is asked at a council meeting be given an appropriate time frame for response?*

General Manager Customer and Corporate Support, Dan Hogan, responded:

1. Council currently has several mechanisms in place to ensure Council services are effective, efficient and empathetic. They include third-party audits, Audit & Risk Committee oversight, Community Satisfaction Council Plan Annual Action Reporting, our Service Planning framework and internal service reviews, as well as measurements against strategic objectives and other applicable metrics on a case-by-case basis. Council is committed to continuous improvement, and has seen significant uplift in a range of functions over the last four years in both capital programs and operational services. The terms of reference for the monitors appointed to Kingston can be found on the Local Government Victoria website.

2. Council receives hundreds of calls and email requests daily, in addition to other channels. Simple requests can be resolved at the first contact point, other

more complex issues or information requests can take significantly more time and resources to resolve. As a result, our customer service charter has set benchmarks that cater for the vast majority of community inquiries – but this is not a target, rather a deadline for our response. We try to be as quick as the request and resources allow. Our website is by far our most popular customer service channel, as for most people and most inquiries, the answers are right there. 80%...

Scott asked:

- 1. Who is the prospective purchaser of 54-76 Southern Road, referred to in Item 7.2 of tonight's agenda, and with whom Council officers have already met?*
- 2. Why is there no reference to the Victorian Government's 2024 Housing Statement (which supports increased housing supply in established areas) or no reference to Clause 02.04 of the Kingston Planning Scheme, which identifies this land as an existing industrial area with long-term redevelopment potential for housing and/or mixed uses?*

General Manager Planning and Place, Jonathan Guttman, responded:

I would like to thank Scott for his questions.

In response to Question 1 as the Officers report in relation to Item 7.2 on tonight's agenda states:

"At the time of preparing this report Officers were seeking to confirm the ownership status of this land. It is now understood that a change in ownership is likely to eventuate with this land parcel."

Officers will contact the party who has indicated they may be taking an interest in the land at 54-76 Southern Road, Mentone to understand whether their potential interest can be disclosed. Pending the advice received, Scott will be contacted with an update.

In response to Question 2 the Strategic Framework Plan at Clause 02.04 shows the land in question as 'Industrial Land' and the Industrial Framework Plan at Clause 02.04 shows the land as 'Industrial but with the capacity for Medium – long term redevelopment for housing and/or mixed uses'.

A number of provisions exist within the Victorian Planning Provisions that make explicit the intent to Protect Moorabbin Airport flight paths and their immediate environs from development or uses which may compromise long term viability of the airport or prejudice its safety and efficiency and protect aircraft operations of Moorabbin Airport from intrusion of inappropriate development. In this location it is not considered that the Victorian Government 2024 Housing Statement would 'prevail' over the views of the State Department of Transport and Planning relevant to the Airport Safeguarding Framework which are also outlined on its website. This would likely indicate that the Kingston Planning Scheme Industrial LandUse Framework Plan requires updating based on the Airport Safeguarding Framework.

Gil asked:

Have Council officers approached the owners of the western side of Southern Rd Mentone (item 7.2), who have been described in this officer's report as being a part of the "prosperous" industrial precinct, to hear their thoughts and opinions on the possibility of a potential rezoning to the Industrial Zone 3, as many of us are very open and responsive to the possibility, as it would alleviate the problem of heavy industry right on top of a residential area, by creating a more diverse planning buffer which would give the community around it more conveniences and in the end re-invent Southern Rd for the better, which is what we all want?

General Manager Planning and Place, Jonathan Guttmann, responded:

I would like to thank Gil for the question

The Officer report recommends approaching the Department of Transport and Planning to discuss the application of the Industrial 3 Zone in this location.

Pending further advice from the Department of Transport and Planning consideration can be given to further engagement with landowners and occupiers should a supportive position be reflected by the Department of pursuing such a zoning change.

Wandzia asked:

Can Council confirm whether negotiations remain in play, or whether any renewed discussions are occurring with the Moorabbin Airport Corporation, or indeed the new prospective owner of 54-76 Southern Rd Mentone, regarding the matter of creating a connector road feeding industrial traffic away from the residential part of Southern Rd, noting that the officers report states that Council had previously offered \$600,000 in the past to achieve this, but this offer was not accepted by the lease of Moorabbin Airport which is the Moorabbin Airport Corporation owned by the Goodman group?

General Manager Planning and Place, Jonathan Guttmann, responded:

I would like to thank Wandzia for her question.

As the report on tonight's agenda has indicated, Officers have purposefully brought the resolution of the Council relating to the connector road to the attention of the new prospective owner of 54-76 Southern Road, Mentone. The report also outlines that Officers are awaiting the advice from the Commonwealth Department responsible for administering the Commonwealth Airports Act on its view regarding the connector road through the Moorabbin Airport.

Colin asked:

- 1. Why do Council officers present the area of Southern Rd Mentone within item 7.2, as subject to the State Government's Melbourne industrial and commercial Land Use Plan MICLUP (2020) when it does not include or mention Mentone in their plan?*
- 2. Why is Mentone being treated as Moorabbin or Moorabbin Airport?*

General Manager Planning and Place, Jonathan Guttmann, responded:

I would also like to thank Colin for his questions.

In response to Question 1. Officers have been previously advised by the Department that considerations regarding changes to Industrial Zones need to consider the Melbourne Industrial and Commercial Land Use Plan (MICLUP). In response to Question 2. Council refers to the Airport as 'Moorabbin Airport' as does the Kingston Planning Scheme. As part of the engagement with the State Department of Transport and Planning Council will confirm whether or not the Melbourne Industrial and Commercial Land Use Plan (MICLUP) is intended to also relate to the Industrial zoned land in Southern Road, Mentone given its immediacy with Moorabbin Airport.

Julia asked:

- 1. Can Council please answer what is the total remuneration, including the value of all benefits and super etc which will be paid in the end, to the two monitors placed by the State Government, Mr John Tanner and Mr John Watson, for the whole period of their contract within Kingston Council?*

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2. *What is the end date of the presence of monitors and their contract at Kingston Council?*

Simon asked:

What is the daily rate and estimated weekly cost of each Monitor appointed to Kingston Council?

General Manager Customer and Corporate Support, Dan Hogan, responded:

The appointment of the Municipal Monitors in accordance with the Terms of Reference is to 31 December 2025. The daily rate for Municipal Monitors in Victoria is \$1,335 per day. This rate is set by the Minister for Local Government and is paid by the council under the Local Government Act 2020.

At this stage, we don't know what the final cost will be to Council as it is dependent on the number of days the Monitors attend to their duties as required by the Local Government Act 2020 and the issued Terms of Reference.

Question from James:

Would Kingston Council like to note and acknowledge that the weekly Pro Palestinian rallies held in Melbourne are deeply damaging to social cohesion and the cultural safety of Jewish Australians residing in the City of Kingston?

Question from Deborah:

Have the Councillors and the Executive Leadership Team undergone mandatory anti-racism training in relation to combating antisemitism, given the large proportion of Jewish Australians residing in Kingston?

Question from Rose:

Why does the last Notice of Motion brought by Cr Hadi Saab in tonight's agenda fail to condemn the weekly antisemitic rallies held in Melbourne and entirely exclude mention of antisemitism?

Question from Yvette:

1. *Has Council publicly reaffirmed its support anywhere in the public domain, to Jewish Australians*
2. *Are there any plans to condemn weekly protests which often result in hate speech, violence and attacks on Jewish individuals, businesses as well as places of worship?*

Question from Roslyn:

Can we please leave Council out of refugee and immigrant policies and commitments to Refugee agencies and other such NGOs, which are the job of the Federal and State Governments to sort out and not relevant to Council business?

Question from Irina:

Doesn't this motion, by its misrepresentation, aim to cause division and disruption to our social harmony in our City of Kingston, creating an us versus them scenario?

Question from Simon:

I refer to Agenda item 12.1 a so called NOM to support our diverse community. Will this require Labor aligned Councillors to stop attending pro Palestine protests in the city?

General Manager Community Strengthening, Kate Waters, responded:

As per the Governance Rules, Notice of Motion's are lodged by Councillors and are a matter for Council consideration. Section 24 of the Governance Rules outlines the considerations and requirements, including in relation to amendments.

From an officer perspective, I can't speak to the intent of the Notion of Motion, however I would direct you to the rational included with the Notion of Motion in the agenda.

As outlined in the Guidance Notes, the Council and Wellbeing Plan 2025-29, includes a commitment to a healthy, inclusive and accessible community, where social connections thrive and everyone feels supported and safe. This relates to all cultural groups and religions.

The Notice of Motion as printed in the agenda would not stop Councillors attending any protest or demonstration.

Any future strategies with reference to, or related to, refugees and migrant communities, and any other community group or topic for that matter, would be presented to Council for consideration and decision.

I am not aware of the specific mandatory training referred to in the question. However, Councillors are required to undertake annual mandatory training on a number of topics including Community Representation. This training was undertaken in May 2025.

Rosemary asked:

How much is Kingston paying Pangolin Associates, the company Council has contracted to prepare it's carbon offset submissions, and Mosaic Lab who are contracted to prepare climate related reports, for the 23/24, 24/25 financial years and the proposed 25/26 financial year?

General Manager Planning and Place, Jonathan Guttman, responded:

I would like to thank Rosemary for her question.

Pangolin Associates was engaged by Council in 2024 to prepare a detailed technical report required to inform preparation of the Council's adopted Carbon Offsets Policy. The cost of the work was \$24,650 exc. GST.

Geoff asked:

Is it true that Kingston Council is going to give approx. \$200,000 and up to \$300,000 to South Pole Australia Pty Ltd, a carbon offset company that will take this ratepayer money and give Council in return, Carbon credits, so that Council can then say on the ledger that they are meeting climate emission targets?

General Manager Planning and Place, Jonathan Guttman, responded:

I would like to thank Geoff for his question.

South Pole Australia support organisations seeking to decarbonise their operations. Following a public tender process South Pole Australia was appointed by Council in 2025 to identify a preferred approach to the purchase of carbon offsets to achieve its adopted target of net zero by 2025. A budget of \$200,000 has been allocated for the 2025/2026 financial year to purchase offsets through South Pole Australia.

This matter is subject to consideration as part of Item 7.6 on tonight's agenda.

Anna asked:

Isn't giving away our ratepayer money to South Pole Australia Pty Ltd, which gives nothing tangible back in return except 'carbon credits', a completely

irresponsible action in light of the needs of our living and breathing Kingston community, who are suffering a cost of living crisis, and whose projects and community organisations will come second to this carbon offset program?

General Manager Planning and Place, Jonathan Guttman, responded:

I would like to thank Anna for her statement.

The report listed on Item 7.6 of tonight's agenda outlines that basis in which the Council is considering offsetting the extent of carbon, it cannot immediately remove through direct action in its own operations.

Question from Kathryn:

- 1. How did Council choose the artist who won the contract to install three pieces of art at the new Mordy Aquatic Centre for the sum of \$329,031?*
- 2. Was this artist chosen within an advertised tender process which was communicated to the wider artistic community in Victoria?*

General Manager Community Strengthening, Kate Waters, responded:

Thank you for your questions.

During September and October 2023, an open Expression of Interest was held inviting artists to submit proposals aligned within the design principles of an integrated and cohesive artistic vision of the exterior and interior of the new aquatic centre.

This open expression of interest process was made available on the Kingston Arts website and was promoted through Council channels, as well as targeted marketing to artists through ArtsHub and Council's artist registry.

Artists were asked to submit, a 1000-word statement of suitability and provide a Resume along with links and images of previous works and designs.

Following the assessment of the submissions, shortlisted artists attended an information session led by the project architects. Shortlisted artists then submitted visualised proposals and presented them to a selection panel comprising of internal and external project stakeholders as well as an external industry specialist.

Submissions were evaluated against weighted criteria which considered methodology, community benefit and cultural consideration. The preferred artist was selected, and engaged in February 2024.

For further information on Council's public art commissions, you can view our Public Art Policy and Procurement Policy.

Damien asked:

Excluding works by LXP, how many kilometres of separated bike lanes has Council invested in since 2020?

General Manager Infrastructure and Open Space, Samantha Krull, responded:

This question will be taken on notice and a response will be provided to Damien in the coming week.

Damien asked:

Who will be liable for damages if and when the brick wall collapses? It has been supported by a timber structure over the footpath for the past 3 or 4 years and appears to be bowing out further over time (re. 451 Nepean Hwy, Chelsea).

General Manager Planning and Place, Jonathan Guttman, responded:

I would like to thank Damien for his question.

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Officers are actively working on this matter with the owner who has nominated a Builder to address this matter.

The full wall reinstatement is complicated as multiple agency approvals are required from the roads and electrical supply authority. Officers are confident that all parties are working towards the final set of approvals to optimally see the removal of the props for the wall and its full reinstatement.

Cr Howe returned to the meeting at 7.29pm.

7. Planning and Place Reports

7.1 Town Planning Application Decisions - September 2025

COUNCIL RESOLUTION

Moved: Cr Hill

Seconded: Cr O'Donnell

That Council note the report of Town Planning Application Decisions for the month of August 2025.

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (10)

AGAINST: Nil (0)

ABSTAINED: Cr White (1)

CARRIED

7.2 Response to Resolution - Notice of Motion 27/2025 - Southern Road, Mentone

COUNCIL RESOLUTION

Moved: Cr Erevnidis

Seconded: Cr Agirtan

That Council note the content of the report and:

- a. Seek definitive formal feedback from the Commonwealth Minister on views regarding a connector road through Commonwealth Land and reasons why it may not be achievable
- b. Formalise an understanding of the landownership of 54-76 Southern Road, Mentone and the landowners intentions to be able to meaningfully address components of the resolution relating to land use outcomes and planning related matters.
- c. Formally advocate to the Minister for Planning to consider the residential rezoning of the subject land, or failing that, rezoning to Industrial 3 Zone, noting that Council's advocacy reflects the changed policy context, including the Victorian Government's Housing Statement.
- d. Seek advice from the Department of Transport and Planning as to whether the application of an Industrial 3 Zone would comply with the objectives of the Melbourne Industrial and Commercial Land Use Plan.
- e. Further explore local traffic solutions on the basis a connector road is unable to be achieved.
- f. Receive a further update after property ownership is confirmed or within 60-90 days, whichever comes first.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (11)

AGAINST: Nil (0)

CARRIED

Extension of Time

Moved: Cr Agirtan

Seconded: Cr O'Donnell

That Cr Erevnidis be granted an extension of two minutes' speaking time.

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FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (11)

AGAINST: Nil (0)

CARRIED

7.3 Response to Resolution - Notice of Motion 38/2025 - Suburban Rail Loop and Activity Centre Program - Investigation of Impacts

Moved: Cr White

Seconded: Cr Erevnidis

That Council:

1. Refer to the 2026/2027 budget process for consideration, the undertaking of an investigation into the impact that the Activity Centres Program, affecting 2 centres in the municipality, and the Suburban Rail Loop project (SRL) proposed by the State Government will have on Kingston City Council that considers the following points:
 - a) the potential increase in rates and other charges required for Council to pay for the necessary infrastructure to meet the increase in population set out by the State Government.
 - b) the expansion and upgrades required of Council drainage systems due to increased high-rise housing.
 - c) the expansion and upgrade required to accessible open space.
 - d) the expansion and upgrade required of local roads to manage increased traffic.
 - e) the investigation outcome should it proceed include a publicly available report on these matters at a Council meeting as soon as practicable should budget be provided to undertake this work, and at a time that coincides with State Government gazettal of changes to the planning controls
2. Should an allocation be provided to the work described in Item 1. above in the 2026/2027 budget, commits to make publicly available a comprehensive summary of the investigation report and the respective Council resolution via:
 - a) a prominent location on Council's website.
 - b) Council's communication channels.
 - c) a feature article in the next available edition of 'Kingston Your City'.
 - d) mail to all Kingston households and businesses (in the most cost-effective method) with the means and content to be approved by the Chief Executive Officer.

COUNCIL RESOLUTION

Moved: Cr Howe

Seconded: Cr Law

That the item be deferred until the November 2025 Council meeting.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (11)

AGAINST: Nil (0)

CARRIED

7.4 Community Garden Policy Update

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Saab

That Council:

1. Note the community consultation on the updated policy.
2. Adopt the updated Community Garden Policy.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (11)

AGAINST: Nil (0)

CARRIED

7.5 Climate and Ecological Emergency Response Plan - Update

COUNCIL RESOLUTION

Moved: Cr Law

Seconded: Cr Hill

That Council note:

1. That this report has been presented to Council's Audit and Risk Committee.
2. The services provided by Council to improve energy efficiency, increase renewable energy generation and reduce costs as a result of Council's Climate and Ecological Emergency Response Plan (CEERP).

Cr Agirtan left the meeting at 8.17pm and returned at 8.20pm.

FOR: Crs Hill, Law, Athanasopoulos, Ashworth-Collett, Saab and Oxley (6)

AGAINST: Crs White and Erevnidis (2)

ABSTAINED: Crs O'Donnell, Howe and Agirtan (3)

CARRIED

7.6 Carbon Offset Policy - Implementation

RECOMMENDATION

Moved: Cr Law

Seconded: Cr Hill

That Council:

1. Note the planned procurement of carbon offsets in 2025, in line with Council's adopted Carbon Offset Policy and 2025/2026 operational budget, to achieve Council's adopted goal of Net Zero by 2025.
2. Receive a further report within two years, that provides further advice to Council in response to the evolving regulatory landscape of *Mandatory Climate-Related Financial Disclosure Reporting*.

FOR: Crs Hill, Law, Athanasopoulos, Ashworth-Collett and Saab (5)

AGAINST: Crs White, O'Donnell, Erevnidis, Howe and Agirtan (5)

ABSTAINED: Cr Oxley (1)

LOST

MOTION

Moved: Cr O'Donnell

Seconded: Cr White

That Council not procure carbon offsets as currently budgeted for within the 2025/26 financial year.

AMENDMENT

Moved: Cr Athanasopoulos

Seconded: Cr O'Donnell

2. That Council use the money not used for the carbon offsets for other climate mitigating measures within the City of Kingston.
3. Receive a further report on proposed measures.

Cr Ashworth-Collett left the meeting at 8.50pm and did not return.

FOR: Crs O'Donnell, Hill, Athanasopoulos, Erevnidis, Howe, Saab, Oxley and Agirtan (8)

AGAINST: Cr White (1)

ABSTAINED: Cr Law (1)

CARRIED

COUNCIL RESOLUTION

Moved: Cr Athanasopoulos

Seconded: Cr O'Donnell

That Council:

1. Not procure carbon offsets as currently budgeted for within the 2025/26 financial year.
2. Use the money not used for the carbon offsets for other climate mitigating measures within the City of Kingston.
3. Receive a further report on proposed measures.

FOR: Crs White, O'Donnell, Erevnidis, Howe, Oxley and Agirtan (6)

AGAINST: Crs Hill, Law and Saab (3)

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ABSTAINED: Crs Athanasopoulos (1)

CARRIED

7.7 Domestic Animal Management Plan 2026-2029

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr O'Donnell

That Council adopt the final draft Domestic Animal Management Plan 2026-2029 as presented in Appendix 1 of this report.

Cr White left the meeting at 8.59pm.

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Howe, Saab, Oxley and Agirtan (9)

AGAINST: Nil (0)

CARRIED

8. Community Strengthening Reports

8.1 Draft Public Toilet Strategy 2026-2036

COUNCIL RESOLUTION

Moved: Cr Saab

Seconded: Cr Hill

That Council:

1. Endorse the release of the draft Public Toilet Strategy 2026-2036, as presented in Appendix 1, for community consultation; and
2. Receive a further report with the final Public Toilet Strategy upon completion of the community consultation.

Cr White returned to the meeting at 9:01pm.

Cr Athanasopoulos left the meeting at 9:02pm.

Cr Athanasopoulos returned to the meeting at 9:05pm.

Cr Hill left the meeting at 9:05pm.

FOR: Crs O'Donnell, Law, Athanasopoulos, Erevnidis, Howe, Saab, Oxley and Agirtan (8)

AGAINST: Nil (0)

ABSTAINED: Cr White (1)

CARRIED

**8.2 Municipal Public Health and Wellbeing Plan 2021-25: Year 4
Achievements Report**

COUNCIL RESOLUTION

Moved: Cr Saab

Seconded: Cr Howe

That Council note the achievements of the Year 4 implementation of the Municipal Public Health and Wellbeing Plan 2021-25.

Cr Hill returned to the meeting at 9:08pm.

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Howe, Saab, Oxley and Agirtan (9)

AGAINST: Nil (0)

ABSTAINED: Cr White (1)

CARRIED

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9. Infrastructure and Open Space Reports

**9.1 Response to Resolution - Notice of Motion 24/2025 - Patterson Lakes
Sporting Facilities**

COUNCIL RESOLUTION

Moved: Cr Howe

Seconded: Cr O'Donnell

That Council:

1. Receive the report;
2. Note the proposed community engagement and communications plan; and
3. Receive a report at the December 2025 Ordinary Council Meeting providing outcomes of the community engagement process regarding the future of sport at Learmonth Reserve.

Cr White left the meeting at 09:16pm.

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Howe, Saab, Oxley and Agirtan (9)

AGAINST: Nil (0)

CARRIED

**9.2 Response to Resolution - Notice of Motion 33/2025 - Bonbeach Basketball
Stadium**

COUNCIL RESOLUTION

Moved: Cr Athanasopoulos

Seconded: Cr O'Donnell

That Council:

1. Receive the report;
2. Note the short-term improvements committed to be delivered in the 2025 calendar year that ensure senior games can be played;
3. Receive a further report at the December 2025 Ordinary Council Meeting detailing outcomes of a structural engineer and architect's assessment identifying medium term options for potential refurbishment of the building and courts; and
4. Consider this work in the future as part of the provision and planning of basketball and indoor sports in Kingston.

FOR: Crs O'Donnell, Hill, Athanasopoulos, Erevnidis, Howe, Saab, Oxley and Agirtan (8)

AGAINST: Nil (0)

ABSTAINED: Cr Law (1)

CARRIED

9.3 GR Bricker Reserve Stormwater Harvesting Project

COUNCIL RESOLUTION

Moved: Cr Saab

Seconded: Cr Athanasopoulos

That Council:

1. Note the previous resolution of Council on 25 September 2023 approving the withdrawal of \$80,000 from Council's Stormwater Quality Reserve Fund for the purpose of progressing the detailed design and investigations of stormwater treatment and reuse projects, with the project at G. R. Bricker Reserve in Moorabbin being the highest priority;
2. Endorse to proceed with the tender and construction of Stage 1 Drainage Works for the GR Bricker Reserve Stormwater Harvesting Project;
3. Endorse an amendment to the 2025/26 Capital Works Budget to include a \$1.5M budget for Stage 1 Drainage Works for the GR Bricker Reserve Stormwater Harvesting Project, to be funded from the Kingston Stormwater Quality Reserve Fund; and
4. Note that funding will be required in 2026/27 for the completion of Stage 1 Drainage Works as part of the annual Council budget process.

Cr White returned to the meeting at 9:23pm.

Cr White left the meeting at 9:23pm.

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Howe, Saab, Oxley and Agirtan (9)

AGAINST: Nil (0)

CARRIED

9.4 Asset Plan 2025-2035

COUNCIL RESOLUTION

Moved: Cr Law

Seconded: Cr Athanasopoulos

That Council adopt the Asset Plan 2025-2035.

Cr White returned to the meeting at 9:26pm.

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Howe, Saab, Oxley and Agirtan (9)

AGAINST: Nil (0)

ABSTAINED: Cr White (1)

CARRIED

9.5 Walter Galt Pavilion Upgrade Contract Award CON-25/018

COUNCIL RESOLUTION

Moved: Cr Law

Seconded: Cr Saab

That Council:

1. Note the outcome of the tender assessment process for Contract No. 25/018 Walter Galt Pavilion Upgrade, Walter Galt Reserve, Parkdale as set out in confidential Appendix 1;
2. Award Contract No. 25/018 Walter Galt Pavilion Upgrade, Walter Galt Reserve, Parkdale on a Lump Sum basis to More Building Pty Ltd at their submitted tender price of \$2,898,000 (exclusive of GST); and
3. Approve the allocation of a separate contingency of up to 20% of the contract sum (\$579,600) and delegate authority to the CEO, or delegate, to expend this allowance to ensure the successful completion of the project.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Howe, Saab, Oxley and Agirtan (9)

AGAINST: Nil (0)

ABSTAINED: Cr Erevnidis (1)

CARRIED

9.6 Mordi Aquatic Centre Integrated Public Art

COUNCIL RESOLUTION

Moved: Cr Saab

Seconded: Cr Law

That Council:

1. Note the construction of the new Mordi Aquatic Centre is progressing on program and within budget, and the Total Project Cost for the design and construction of the building works remains unchanged;
2. Note that specific elements of the Public Art Works project installation are best procured and constructed by the Main Works Contractor ADCO during the main construction works, as they are integral to the fabric of the building;
3. Approve an increase to Kingston's New Aquatic and Leisure Centre (Mordi Aquatic Centre) Main Works Contractor ADCO contract award value, CON-23/113 from \$73,976,064.00 (exclusive of GST) to \$74,305,095.57 (exclusive of GST) to enable the inclusion of installation of elements of the public art; and
4. Note the increase to CON-23/113 of \$329,031.57 (exclusive of GST) is a transfer of funds from the separate Public Art capital project and is funded from the Cultural Asset Reserve.

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Howe, Saab, Oxley and Agirtan (8)

AGAINST: Nil (0)

ABSTAINED: Crs White and Erevnidis (2)

CARRIED

9.7 Response to Resolution - Notice of Motion 39/2025 - Strategic Capital Works Planning

COUNCIL RESOLUTION

Moved: Cr Athanasopoulos

Seconded: Cr Saab

That Council:

1. Note the breakdown of historical and projected infrastructure spending, including trends and geographic distributions;
2. Note the outlined benefits of strategic planning and the risks associated with ad hoc infrastructure decisions;
3. Note the recommendations to enhance consistency, prioritisation, and governance in infrastructure investment planning; and
4. Endorse the continued strategic approach to planning and managing the capital works program as outlined in the report.

FOR: Crs Hill, Law, Athanasopoulos, Howe, Saab, Oxley and Agirtan (7)

AGAINST: Crs O'Donnell and Erevnidis (2)

ABSTAINED: Cr White (1)

CARRIED

9.8 SRLA Engagement and Resources Memorandum of Understanding - 2025/26

COUNCIL RESOLUTION

Moved: Cr Hill

Seconded: Cr Athanasopoulos

That Council authorise the CEO to execute the Memorandum of Understanding with the Suburban Rail Loop Authority for the 2025/26 Financial Year as included in confidential Appendix 1.

Cr Agirtan left the meeting at 9:49pm.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Howe, Saab and Oxley (9)

AGAINST: Nil (0)

CARRIED

9.9 LXP Memorandum of Understanding and Parkdale Land and Asset Agreement

COUNCIL RESOLUTION

Moved: Cr Hill

Seconded: Cr Athanasopoulos

That Council:

1. Authorise the CEO to execute the extended Memorandum of Understanding (MOU) with the Level Crossing Removal Project (LXP) included in confidential Appendix 1;
2. Authorise the CEO to execute the LXP Parkdale Land and Asset Agreement (LAA) included in confidential Appendix 2; and
3. Authorise the CEO to execute licenses and transfer deeds to ensure Council can comply with its obligations under the Parkdale Land and Asset Agreement (LAA).

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Howe, Saab and Oxley (9)

AGAINST: Nil (0)

CARRIED

Extension of Time

Moved: Cr Saab

Seconded: Cr O'Donnell

That the meeting be extended for one hour until 11pm.

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Saab and Oxley (7)

AGAINST: Crs White and Howe (2)

CARRIED

10. Customer and Corporate Support Reports

10.1 Kingston Annual Report 2024-25

COUNCIL RESOLUTION

Moved: Cr Oxley

Seconded: Cr Saab

That Council:

1. Receive the Kingston Annual Report 2024–25 (Appendix 1) as presented by the Mayor, in accordance with the Local Government Act 2020.
2. Note that the Kingston Annual Report 2024–25 will be published on Council's corporate website.
3. Approve any administrative changes to be made prior to publication.

Cr Agirtan returned to the meeting at 9:53pm.

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Howe, Saab, Oxley and Agirtan (9)

AGAINST: Nil (0)

ABSTAINED: Cr White (1)

CARRIED

10.2 Nepean Partnership

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

That Council approve adoption of the Nepean Partnership.

FOR: Crs White, O'Donnell, Hill, Athanasopoulos, Erevnidis, Howe, Oxley and Agirtan (8)

AGAINST: Cr Law (1)

ABSTAINED: Cr Saab (1)

CARRIED

10.3 Kingston Grants Review Working Group Report

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr White

That Council:

1. Note the actions already implemented to improve the assessment and decision-making processes for the Kingston Grants Program;
2. Endorse the recommendations of the Kingston Grants Review Working Group;
3. Note that a revised Kingston Grants Program Policy is in development and scheduled to be tabled to Council at the December Council Meeting; and
4. Receive quarterly progress reports until implementation is complete.

Cr Hill left the meeting at 10:11pm.

Cr Howe left the meeting at 10:11pm.

Cr Hill returned to the meeting at 10:13pm.

Cr Howe returned to the meeting at 10:18pm.

Cr Howe left the meeting at 10:26pm and did not return.

FOR: Crs White, O'Donnell, Hill, Athanasopoulos, Erevnidis, Saab, Oxley and Agirtan (8)

AGAINST: Nil (0)

ABSTAINED: Cr Law (1)

CARRIED

10.4 Report on Activities from the Audit and Risk Committee - September 2025

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr O'Donnell

That Council receive and note the Audit and Risk Committee Bi-Annual Report.

FOR: Crs White, O'Donnell, Hill, Athanasopoulos, Erevnidis, Saab, Oxley and Agirtan (8)

AGAINST: Nil (0)

ABSTAINED: Cr Law (1)

CARRIED

10.5 Governance and Compliance Report

COUNCIL RESOLUTION

Moved: Cr White

Seconded: Cr Agirtan

That Council:

1. Adopt the revised Naming of Places Policy;
2. Receive and note:
 - a) Informal Meetings of Councillors Records;
 - b) Minutes of the 11 September 2025 Audit and Risk Committee meeting;
 - c) A written report from Cr Saab regarding attendance at Mayoral and Councillor Taskforce Supporting People Seeking Asylum in Sydney on 4-5 September 2025;
3. Determine that the confidential Council report at Item 14.1 of the 26 May 2025 Council meeting is to be made available to the public; and
4. Adopt the following meeting dates for 2026 to be held at 7:00pm at the City of Kingston offices, 1230 Nepean Highway, Cheltenham:

Ordinary Council Meetings

Monday 2 February
Monday 23 February
Monday 23 March
Monday 27 April
Monday 26 May
Monday 22 June
Monday 27 July
Monday 24 August
Monday 28 September
Monday 26 October
Monday 23 November
Monday 14 December

Special (Statutory) Council Meeting

Wednesday 11 November

Planning Committee Meetings

Wednesday 18 March
Wednesday 22 April
Wednesday 20 May
Wednesday 17 June
Wednesday 22 July
Wednesday 19 August
Wednesday 23 September
Wednesday 21 October
Wednesday 18 November
Wednesday 16 December

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Saab, Oxley and Agirtan
(7)

AGAINST: Cr White (1)

ABSTAINED: Cr Erevnidis (1)

CARRIED

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11. Chief Finance Office Reports

11.1 Consultation Outcome of Proposed Lease 10 Brindisi St Mentone

COUNCIL RESOLUTION

Moved: Cr Hill

Seconded: Cr Agirtan

That Council:

1. Note the report
2. Authorise the Manager Property Services or his delegate to grant a lease to prospective tenant on the advertised terms.

Cr Athanasopoulos left the meeting at 10:37pm.

FOR: Crs White, O'Donnell, Hill, Law, Erevnidis, Saab, Oxley and Agirtan
(8)

AGAINST: Nil (0)

CARRIED

12. Notices of Motion

12.1 Notice of Motion No. 41/2025 - Cr Saab - Supporting Our Diverse Community

Moved: Cr Saab

Seconded: Cr Hill

That Council:

1. Consistent with the objectives and governance principles of the Local Government Act 2020 (Vic), which require councils to be representative, inclusive and engaged with their diverse communities, reaffirms its commitment to fostering a safe, respectful, and welcoming municipality for all, where diversity is celebrated, reject in the strongest possible terms, all forms of extremism, including ideologies of hate such as neo-Nazism, racism and xenophobia;
2. Reaffirm our unwavering support to our First Nations communities and our ongoing commitment to reconciliation through truth-telling, treaty, respect and justice and condemn any attack or action that seeks to harm First Nations people including the alleged attack on Camp Sovereignty;
3. Commit its support for our diverse community and continue to work with Victoria Police, other levels of Government neighbouring Councils, community leaders and our migrant communities to ensure our municipality remains open, inclusive and welcoming for everyone;
4. Continue to recognise and celebrate the contributions of our proud migrant communities in Kingston and across Australia who have forged our great nation's rich social, cultural and economic fabric;
5. As part of the development of the Community Belonging strategy, consider a relevant framework/programs that demonstrate its commitment to our refugee and migrant community, such as the Refugee Council of Australia's Refugee Welcome Zone, Welcoming Cities or another relevant program; and
6. In acknowledgment of the milestone of the one millionth permanent refugee visa issued, partner with the Refugee Council of Australia, working alongside other Councils and the Department of Home Affairs, to promote, educate and celebrate the contributions of Refugees in our city and Australia by hosting the appropriate screenings and any other relevant event in conjunction with the milestone celebration.

Cr Athanasopoulos returned to the meeting at 10:40pm.

COUNCIL RESOLUTION

That the item be deferred to reconsider at a later date following communication and consultation with our multicultural community around the matters contained within this Notice of Motion.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Oxley and Agirtan (8)

AGAINST: Nil (0)

CARRIED

12.2 Notice of Motion No. 42/2025 - Cr O'Donnell - Carrum Life Guards

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Agirtan

THAT COUNCIL ADVOCATE TO THE VICTORIAN GOVERNMENT TO:

1. Provide immediate funding for paid lifesavers at Carrum to enhance public safety during the peak summer season and;
2. Recognise Life Saving and Paid Lifeguards under the Emergency Service and Volunteer Fund to provide an ongoing funding source for paid lifeguards at LSV identified key locations.

Cr Saab left the meeting at 10:49pm.

Cr White left the meeting at 10:50pm.

Cr White returned to the meeting at 10:51pm.

Cr Saab returned to the meeting at 10:52pm.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Oxley and Agirtan (8)

AGAINST: Nil (0)

CARRIED

Extension of Time

Moved: Cr Agirtan

Seconded: Cr O'Donnell

That the meeting be extended until 11:30pm.

FOR: Crs O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Saab, Oxley and Agirtan (8)

AGAINST: Cr White (1)

CARRIED

13. Urgent Business

There were no items of urgent business.

14. Confidential Items

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Agirtan

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 Heritage Review

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

- because the item is land use planning information, being information that if prematurely released is likely to encourage speculation in land values (section 3(1)(c)); and
- the explanation as to why the specified ground/s applies is that the report discusses properties which have been identified as having heritage significance.

14.2 Contractual Matter – SRL Advisory Committee Hearing

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

- because the item is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and
- the explanation as to why the specified ground/s applies is that the report relates to current contracts and expenditure for legal and expert evidence associated with the Suburban Rail Loop Advisory Committee Process.

14.3 CEO Employment Matters

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

- because the item 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 the report contains information regarding the performance review and remuneration of the Chief Executive Officer.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Oxley and Agirtan (8)

AGAINST: Nil (0)

CARRIED

The meeting closed to members of the public at 11:01pm.

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COUNCIL RESOLUTION

Moved: Cr Saab

Seconded: Cr Hill

That the meeting be opened to members of the public.

FOR: Crs White, O'Donnell, Hill, Law, Athanasopoulos, Erevnidis, Saab,
Oxley and Agirtan (9)

AGAINST: Nil (0)

CARRIED

The meeting was opened to members of the public at 11:10pm.

The meeting closed at 11:10pm.