

Minutes

Ordinary Council Meeting

Monday, 2nd February 2026

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Peter Bean
Chief Executive Officer
Kingston City Council



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**City of Kingston
Ordinary Council Meeting**

Minutes

2 February 2026

The meeting commenced at 7:05 PM in the Council Chamber, 1230 Nepean Highway, Cheltenham.

Present: Cr Georgina Oxley (Mayor)
Cr Sarah O'Donnell (Deputy Mayor)
Cr Jane Agirtan
Cr Kirralee Ashworth-Collett (attended online)
Cr Tony Athanasopoulos
Cr Georgia Erevnidis
Cr Chris Hill (attended online)
Cr Chris Howe
Cr Tess Law (attended online)
Cr Hadi Saab (attended online)
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
Bernard Rohan, Chief Financial Officer
Kate Waters, General Manager Community Strengthening
Kelly Shacklock, Manager Governance, Risk and Integrity
Sharon Lozsan, Team Leader Council Governance
Ellie Lockard, Council Governance Officer
Zachary Seymour, Governance Administration Officer
Justin Welsford, Media and Communications Advisor
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 15 December 2025 be confirmed.

FOR: Crs White, O'Donnell, Law, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (9)

AGAINST: Nil (0)

CARRIED

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

Cr Saab foreshadowed a declaration of a conflict of interest in Item 12.3 Druze Organisation Grants Funding.

Cr Ashworth-Collett foreshadowed a declaration of a conflict of interest in Item 8.2 – Individual Development Grants and Community Small Grants -Quarterly Report.

4. Petitions

4.1 Petition - Objection to proposed development at 11 Evan Street, Parkdale

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr O'Donnell

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.

Cr Athanasopoulos arrived at the meeting at 8.08pm

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

AGAINST: Nil (0)

CARRIED

4.2 Petition - Relocation of the Dingley Village Historical Society and Le Bon Collection

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

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, Law, Athanasopoulos, Ashworth-Collett,
Erevnidis, Howe, Saab, Oxley and Agirtan (10)

AGAINST: Nil (0)

CARRIED

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

Councillor Statements

The Mayor, Cr Oxley, spoke in acknowledgement of the passing of John Anagianis, Manager of the Municipal Building Surveyors Department, giving thanks for his service to the municipality and extending heartfelt sympathies to his family. The Mayor also made a statement regarding the former Kingswood Golf Course site.

Cr O'Donnell made a statement regarding the recent sporting achievements of junior and senior athletes in the Kingston community.

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Agirtan

That Council note the Councillor Statements.

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

AGAINST: Cr White (1)

CARRIED

6. Question Time

Question time was held at 7.21pm.

A total of 40 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.

Michael asked:

My question is a follow on from last meetings question about the ongoing rubbish dumping in Clayton South.

1. Can residents be made aware of the strategy, so the residents can be assured the council has a robust and consultative process with residents of the area in regards to same?
2. Can council please indicate a delivery timeline for the project strategy and how transparency to the residents will be managed in regards to same?

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

Council is currently developing a Waste Strategy that aims to address many areas of our community's waste disposal, including the impact of dumped rubbish.

Initial consultations and input from the community have already commenced, and as the Waste Strategy development progresses, further community consultation will be undertaken. This is scheduled for the first half of 2026.

Should you identify any locations of dumped rubbish, please contact Council and our teams will attend, arrange removal and commence any investigations.

Jacqui asked:

What physical barrier(s) will council install to deter trail bike riders from accessing the green space behind Kallay Street Clayton South?

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

To help us respond accurately, it would be useful to know if the query relates to motorised bikes or e-bikes/scooters.

These reserves include shared paths where e-bikes and scooters are permitted, and our regular inspections have not identified any damage or informal jumps at these sites. Victoria Police is also running an e-bike safety initiative, and their website has helpful information for the community. If you ever witness dangerous riding, we encourage you to report it directly to the Police.

Council recognises the growing interest in mountain biking, BMX and e-bikes, and we're currently developing a Mountain Bike & BMX Strategy to identify suitable, purpose-built facilities. This work aims to reduce informal trail building by providing safe, well-designed spaces. Community consultation is currently planned around mid-2026.

Graham asked:

Have councillors sought and received advice from historical societies and individuals knowledgeable of Kingston's history and working to record, preserve and disseminate our history? Who were these contacts?

The General Manager Community Strengthening, Kate Waters, responded:

I understand the question refers to the Visual Arts and Heritage Collection Policy and Guidelines that Council considered at the Council Meeting in December 2025. The Policy was developed by officers with expert knowledge in this area as well as external best practice standards and guidelines such as the National Standards for Australian Museums and Galleries.

In September 2025, a consultation took place on the draft Visual Arts and Heritage Collection Policy and Guidelines.

During this time a presentation on the policy and guidelines was provided to members of the Kingston Historical Societies Network, along with hard copies of these documents. All members were invited to provide feedback during the consultation period. The consultation period was also promoted through Council's social media platforms, including Facebook and Instagram, and was also shared via Kingston Arts, Kingston Libraries, and e-newsletters. The report, which was included in the agenda of the previous Council Meeting, contains further information and is available online.

In addition, I am aware several Councillors received correspondence or spoke to community members directly, some of whom are members of local Historical Societies.

Mary asked:

1. Is Council aware that the minister for transport is now advising that the Latrobe Street Level Crossing will be closed, and that the Minister is advising that the Community consultation used as the basis for the decision is a 2016 Facebook post with 123 comments - with none of which supported the closure?
2. Will the council be ensuring that there is a more up to date and more widespread community consultation before they allow Latrobe Street to be closed?

The General Manager Planning and Place, Jonathan Guttman, responded:

In response to the first question, publicly available material indicates that the State Government is proposing to make the Frankston line Level Crossing Free by 2029 and the closure of the Latrobe Street crossing is mentioned.

In response to the second question, Council has and will continue to reinforce to the Level Crossing Removal Project, the importance of community consultation associated with the Latrobe Street level crossing closure. The Council has previously reinforced to the LXR the significant level of local community interest in relation to the closure of this crossing and the need to have completed robust traffic modelling on the implications.

Mark asked:

What progress has been made in getting your policies together so that a Sauna can be placed back at the Mordialloc Sailing Club?

The Chief Finance Officer, Bernard Rohan, responded:

Work has commenced on the policy that will guide the commercial use of the foreshore. This policy is intended to address proposals such as a sauna at the Mordialloc Sailing Club. At this stage a draft policy is expected later this year.

To finalise this policy, Officers will consult the Department of Energy, Environment and Climate Action (DEECA), to ensure the policy aligns with State coastal management requirements. Importantly, the draft policy will also be subject to Council consideration and community consultation.

Keith asked:

Will ratepayers be able to see any reports generated by monitors?

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

While this question is perhaps best directed to Local Government Victoria, the State Government department responsible for Councils, under the Local Government Act 2020, Monitors report directly to the Minister for Local Government. Most usually however, a final report is publicly released through the Local Government Victoria website.

Ian asked:

Could Council please move the rubbish bin/bag dispenser to ensure a larger gap to allow access to restock & dispense the dog litter bags?

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

Works have currently commenced on the Walter Galt Pavillion upgrade which has restricted access to some of our public litter bins.

Officers will review the current location of the litter bins and move them to a more accessible location until the work has been completed.

Gavin asked:

1. Can Council provide a “common man” explanation of item 10.1 in tonight’s agenda, particularly what endorsement of the new S6A instrument of delegation under the Planning and Environment Act means and does?
2. What controls is this placing on councils planning role and is it correct that S6A is giving more control to the Planning Minister, particular with respect to the proposed Suburban Rail Loop project, and possibly also the proposed Kingswood Golf Course development?

The General Manager Planning and Place, Jonathan Guttmann, responded:

The proposed changes to the Instrument of Delegation S6 Council to Council Staff are proposed to take into account legislative changes made to the Planning and Environment Act 1987 by the Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025, which commenced on 25 November, 2025.

Some of the broad intentions of the legislation are to provide for:

- Greater requirements on Council to outline its reasons for not supporting an Amendment request should it determine to do so.
- Ability of the Minister to require Council to make a decision, on a Planning Scheme Amendment request, within a prescribed period. This

ability has not previously been provided in the manner now intended through the legislative changes.

- The ability to progress a low impact form of Amendment to deal with anomaly related matters efficiently. An example of a low impact amendment would be a more efficient process to remove a dead tree from an Environmental Significance Overlay.

In relation to the exercise of these Delegations, they are in direct response to changes made to the Planning and Environment Act 1987 and hence would need to be provided to allow for Officer Delegation.

The well-established practice of Council Officers regarding Planning Scheme Amendments is to, wherever possible, seek the formal direction of the Council in relation to Amendments. Delegation is then generally then exercised by giving effect to the direction of the Council.

Specifically with respect to the Suburban Rail Loop Structure Planning Activities and the former Kingswood Golf Course Planning Approvals, the planning powers to determine these matters continue to sit with the Planning Minister and not the Council.

Simon asked:

1. When Council considers repeat leave requests under section 35(4) of the Local Government Act 2020, what criteria does Kingston use to decide whether those repeat requests remain a reasonable request for leave?
2. What actions will Kingston Council take to prevent a situation where a councillor repeatedly takes extended leave, attends one meeting to reset the absence period, then takes further leave while continuing to receive their councillor allowance?

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

In respect to approving Councillor leave, section 35 (4) of the Local Government Act 2020, states the Council must grant any reasonable request for leave. What determines reasonable will be a matter for the Council to determine once the request is formally tabled within a Council Agenda.

In respect to repeated or consecutive periods of leave, the Act states only that a Councillor ceases to hold office if absent from Council meetings for a period of 4 consecutive months without leave obtained from the Council.

Rosemary West asked:

Considering that Box Cottage houses many of Cheltenham's historic items; would Council consider talking to Glen Eira Council with a view to working together to find a way to retain and reopen this historic building?

The General Manager Community Strengthening, Kate Waters, responded:

Officers from Kingston and Glen Eira are working collaboratively to support the Moorabbin Historical Society through its wind-down; with Glen Eira leading this work. This will include overseeing the process to determine the most appropriate future arrangements for items in the collection. In relation to the Cottage itself, stewardship of the land and asset sits with Glen Eira.

Elena asked:

1. Can you please tell this council meeting tonight how much ratepayers owe Monitor Mr John Tanner as of today?
2. What date was the invoice received?

Robert asked:

Has Mr John Tanner presented his invoice for being a monitor at Kingston yet?

The Chief Finance Officer, Bernard Rohan, responded:

Mr Tanner has not yet invoiced Council for his time as a Monitor at the City of Kingston. Council will owe Mr Tanner for the daily rate set by the Minister for Local Government, superannuation, plus reimbursement of expenses. The amount owed by Council will need to be verified by Officers against an invoice, once submitted by Mr Tanner.

Stephen asked:

1. Were any recommendations from the findings of the 2021 ombudsman's report titled Allegations of Collusion with Property Developers at Kingston City Council, regarding the Planning failures and community perception of corruption in the Patterson Lakes-Marina Precinct Endeavour Cove issue implemented and acted upon by Kingston Council to improve council processes to avoid future similar failures?
2. If so what were they?

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

This Victorian Ombudsman made no recommendations to Council in this report. Specifically, the report included the following statement:

'As Council has committed to implementing the recommendations of two probity reviews that address these issues, this report makes no formal recommendations to Council'.

Zoe asked:

Is the Kingston Council group called Queer in Kingston for 12-17 year old children still currently operating?

Vera asked:

1. How much did the Drag Show cost ratepayers which was put on by Kingston Council in November 2024, and organised for children 12-17 years old, who were involved in the Council youth group called Queer in Kingston (QIK), or other such affiliated Council youth group?
2. Is the Council Youth Services planning to put on another similar event for 12-17yr old children in Kingston who are part of these youth groups?

The General Manager Community Strengthening, Kate Waters, responded:

I assume the questions relate to a Youth led event called Glitter and Glow. The event was funded by a State Government Grant with no cost to rate payers.

There are currently no plans to deliver any similar events, however this may change subject to demand from the young people involved in our youth programs and subject to funding.

Julia asked:

Is it considered by council a conflict of interest for a Councillor to file a Grant acquittal for a Grant recipient?

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

The Local Government Act 2020 sets out provisions and obligations of Councillors regarding conflict of interest. Individual Councillors are responsible for considering and declaring conflict of interest requirements regarding their decision making. Local Government Victoria has published a range of governance resources to help Councillors understand their obligations.

Yvette asked:

1. Why did council accept the acquittal numbers self reported by the Druze Grantee that 5000 Druze community were involved I the community event funded by the grant, when, according to the Census of 2021, there were only 4268 Druze registered in the whole of Australia, with a reasonable estimate of 1000-2000 living in the State of Victoria?
2. Is Council aware that there are publicly available photos and videos from this event published on Druze Victoria social media showing only about 50-100 attendees?

The General Manager Community Strengthening, Kate Waters, responded:

All Kingston Grant Program recipients self-report participant numbers. As part of the acquittal process various supporting material is provided.

The event referred to was open to the whole community.

I have not seen the social media referred to in the second question.

Irina asked:

Have Councillors been briefed formally by the lawyers, the CEO and the executive leadership team at Kingston, involved in the Kingswood Supreme Court and VCAT issues, and, if not, are there any plans to brief them?

Anna asked:

Were Councillors provided with the legal advice directly from legal firms engaged regarding the Supreme Court appeal re the Kingswood Development, or was it passed onto them second hand through the CEO?

Una asked:

Can you please name the lawyer firms that gave Councillors legal advice about the success chances of Council's possible legal avenues to move either to the Supreme Court and also the chances of success at VCAT regarding the Kingswood development?

The General Manager Planning and Place, Jonathan Guttman, responded:

Councillors have not been formally briefed by lawyers in relation to the VCAT and Supreme Court appeal, but Officers have carefully considered the advice of Councils legal representatives in this matter. Best Hooper solicitors together with barrister Alex Gelber were engaged to represent Council for the VCAT matter. Officers further informed Councillors of the best way to continue to

advocate for the improved community outcomes in relation to the Kingswood development.

Geoff asked:

Will there be any consequences for the Kingston Council officers involved in the recent administrative failures regarding the Kingswood Golf Course VCAT appeal?

The General Manager Planning and Place, Jonathan Guttmann, responded:

Following immediate responsive action to continue advocating for better community outcomes in the development of Kingswood, the CEO further directed a review into the operational circumstances that lead to the late submission of Council's objection to VCAT. Council is committed to continuous improvement across all its operations, including policy, process, systems and staff. Kingswood is no exception.

Rose asked:

Why did Kingston Council testify at VCAT that they did not get legal advice regarding Kingswood when they had?

The General Manager Planning and Place, Jonathan Guttmann, responded:

Council has commissioned legal advice and assistance in relation a range of matters pertaining to the former Kingswood Peninsula Golf Course site over recent years. Neither Council's submission nor its affidavits tabled through the recent VCAT hearing indicated that Council did not get legal advice regarding Kingswood.

Council will contact Rose to confirm the intention of the question.

Una asked:

Has Kingston Council received legal advice regarding a potential class action from Dingley Village residents regarding the recent VCAT administrative failures?

The General Manager Planning and Place, Jonathan Guttmann, responded:

Council is not aware of any such proposed action. Council will continue to work closely with the Dingley Village community and the "Save Kingswood" group and the "Dingley Village Community Association".

Graeme asked:

Can Council please provide details of the number of properties that the Suburban Rail Loop (SRL) will have an affect on within each of the Council Wards of the City of Kingston listed below by:

1. Listing the total number of properties required separately listed in Como, Wattle and Chiquita Wards and their existing zonings that will be required within the Structure Plan Boundary, and
2. Listing the total number of properties affected in Como, Wattle and Chiquita Wards and their existing zonings that will be affected within the SRLA Planning Area Declaration (PAD) boundary.

The General Manager Planning and Place, Jonathan Guttmann, responded:

The Council believes it will be possible to identify the number of properties within the Structure Plan Boundary, and the SRLA Planning Area Declaration Boundary.

It will further investigate Graeme's request with relevant Council Officers and the SRL should information be required from the authority, and provide Graeme a formal response.

Tasos asked:

Can the council advise the public what is the council doing about the vast number of food vans operating in the area (some without a permit and the knowledge pd the council)

What is the gain to the council from this vans ?

The General Manager Planning and Place, Jonathan Guttmann, responded:

All food businesses, including food vans, must be registered or notified to Council under the Food Act 1984. They are held to the same food-safety standards as fixed premises and are inspected at least once each year, with extra checks where required.

Food vans must also comply with town planning rules for the land they operate on, and it is illegal to trade on Council-managed public land without a Council permit. Our officers monitor compliance and take enforcement action where needed.

Where a van trades at another business (for example, a petrol station), it must still have its own food registration and lodge its trading details through the state system and comply with any permit conditions.

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7. Planning and Place Reports

7.1 Town Planning Application Decisions - December 2025

COUNCIL RESOLUTION

Moved: Cr Erevnidis

Seconded: Cr Howe

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

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

AGAINST: Nil (0)

CARRIED

8. Community Strengthening Reports

8.1 Kingston Grants Program - Updated Policy and Guidelines

MOTION

Moved: Cr Saab

Seconded: Cr Ashworth-Collett

That Council:

1. Endorse the updated Kingston Grants Program Policy (Appendix 1) and authorise officers to make administrative changes, subject to the following changes:
 - a) Approve an increase to the funding cap for Neighbourhood Houses and Community Centres (NH&CC) to \$100,000;
 - b) Apply an annual CPI increase of 3% to Neighbourhood Houses and Community Centres funding allocations;
2. Endorse the updated Kingston Grants Program Guidelines (Appendices 2-6) and authorise officers to make annual operational changes and administrative changes; and
3. Note that endorsed changes to the Community Bi-annual Grants and Community Small Grants will commence from 1 January 2026 and changes to the other streams will take effect from 1 July 2027, noting these are triennial funding streams with the current funding agreements concluding on 30 June 2027.

Note: It was requested by Cr Erevnidis and agreed to by the Chair that Items 1a) and 1b) of the Motion be voted on in parts.

AMENDMENT

Moved: Cr White

That the motion be adopted with the addition of the following point 1c):

- 1c) That the eligibility criteria for small business definition be changed to one to ten employees

The proposed amendment was accepted by the Mover and Seconder

Note: It was requested by Cr Athanasopoulos that all parts of the Motion be voted on separately. The request was taken under consideration by the Chair.

AMENDMENT

Moved: Cr Saab

That the motion be adopted with the amendment of point 1c) as follows:

- 1c) That the eligibility criteria for small business definition be changed to one to ten employees and that Council receive a report regarding how this is operating within 12 months.

The proposed amendment was accepted by the Seconder

AMENDMENT

Moved: Cr Law

That the motion be adopted with the amendment of point 1c) as follows:

- 1c) That the eligibility criteria for small businesses is as defined under industrial relations and employment law in Victoria (15 employees or fewer) and that Council receive a report regarding how this is operation within 12 months.

The proposed amendment was accepted by the Mover and Seconder

AMENDMENT

Moved: Cr White

That the motion be adopted with the amendment of point 1c) as follows:

- 1c) That the eligibility criteria for small businesses be changed to 15 or fewer employees or contractors and that Council receive a report regarding how this is operating within 12 months.

The proposed amendment was not accepted as it would negate an aspect of the substantive motion

Cr Hill arrived at the meeting at 8.11pm.

AMENDMENT

Moved: Cr White

That the motion be adopted with the amendment of point 1c) as follows:

- 1c) The exclusion of the local business community impact category within the community biannual grants, with Council to receive a report as soon as practicable on this proposed category, with the eligibility criteria for small businesses amended to be as defined under industrial relations and employment law in Victoria (15 employees or fewer).

The proposed amendment was accepted by the Mover and Seconder

The motion was voted on in parts as follows:

Moved: Cr Saab

Seconded: Cr Ashworth-Collett

That Council:

1. Endorse the updated Kingston Grants Program Policy (Appendix 1) and authorise officers to make administrative changes, subject to the following changes:
 - a) Approve an increase to the funding cap for Neighbourhood Houses and Community Centres (NH&CC) to \$100,000

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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Moved: Cr Saab

Seconded: Cr Ashworth-Collett

That Council:

1. Endorse the updated Kingston Grants Program Policy (Appendix 1) and authorise officers to make administrative changes, subject to the following changes:
 - b) Apply an annual CPI increase of 3% to Neighbourhood Houses and Community Centres funding allocations;

FOR: Crs White, Hill, Law, Athanasopoulos, Ashworth-Collett, Howe and Saab

AGAINST: Crs O'Donnell, Erevnidis, Oxley and Agirtan (4)

CARRIED

Moved: Cr Saab

Seconded: Cr Ashworth-Collett

That Council:

1. Endorse the updated Kingston Grants Program Policy (Appendix 1) and authorise officers to make administrative changes, subject to the following changes:
 - 1c) The exclusion of the local business community impact category within the community biannual grants, with Council to receive a report as soon as practicable on this proposed category, with the eligibility criteria for small businesses amended to be as defined under industrial relations and employment law in Victoria (15 employees or fewer).

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

AGAINST: Crs O'Donnell, Erevnidis, Howe and Agirtan (4)

ABSTAINED: Cr Law (1)

CARRIED

Moved: Cr Saab

Seconded: Cr Ashworth-Collett

That Council:

2. Endorse the updated Kingston Grants Program Guidelines (Appendices 2-6) and authorise officers to make annual operational changes and administrative changes; and
3. Note that endorsed changes to the Community Bi-annual Grants and Community Small Grants will commence from 1 January 2026 and changes to the other streams will take effect from 1 July 2027, noting these are triennial funding streams with the current funding agreements concluding on 30 June 2027.

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

AGAINST: Nil (0)

CARRIED

The Council resolution was adopted in full as follows:

8.1 Kingston Grants Program - Updated Policy and Guidelines

COUNCIL RESOLUTION

Moved: Cr Saab

Seconded: Cr Ashworth-Collett

That Council:

1. Endorse the updated Kingston Grants Program Policy (Appendix 1) and authorise officers to make administrative changes, subject to the following changes:
 - a) Approve an increase to the funding cap for Neighbourhood Houses and Community Centres (NH&CC) to \$100,000;
 - b) Apply an annual CPI increase of 3% to Neighbourhood Houses and Community Centres funding allocations;
 - c) The exclusion of the local business community impact category within the community biannual grants, with Council to receive a report as soon as practicable on this proposed category, with the eligibility criteria for small businesses amended to be as defined under industrial relations and employment law in Victoria (15 employees or fewer);
2. Endorse the updated Kingston Grants Program Guidelines (Appendices 2-6) and authorise officers to make annual operational changes and administrative changes; and
3. Note that endorsed changes to the Community Bi-annual Grants and Community Small Grants will commence from 1 January 2026 and changes to the other streams will take effect from 1 July 2027, noting these are triennial funding streams with the current funding agreements concluding on 30 June 2027.

CARRIED

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Cr Ashworth-Collett declared a general conflict of interest in Item 8.2 due to an affiliation with the Edithvale Lifesaving Club and left the meeting at 8.30pm.

8.2 Individual Development Grants and Community Small Grants - Quarterly Report (October - December 2025)

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

That Council:

1. Note the funding outcomes of the Individual Development Grants for 1 October - 31 December 2025, as presented in Appendix 1.
2. Note the successful funding outcomes of the Community Small Grants for 1 October - 31 December 2025, as presented in Appendix 2.
3. Endorse that the Community Small Grants applications, as presented in Appendix 3, are not recommended for funding for the period 1 October to 31 December 2025.

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

AGAINST: Nil (0)

CARRIED

Cr Athanasopoulos left the meeting at 8.31pm.

8.3 Kingston Women of the Year Awards 2026 - Nominations and Selection of Winners

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Howe

That Council:

1. Confirm the 2026 Kingston Woman of the Year, and four category winners for each nomination category (Courageous Commitment, Excelling in Arts or Sport, Impact in STEM or Innovation and Young Woman of the Year - Rising Star), as presented in Confidential Appendix 1.
2. Determine, pursuant to Section 125 of the *Local Government Act 2020*, that the identities of all award recipients remain confidential until 5 March 2026, except for the notification of the overall award winner by the Mayor prior to 5 March 2026.

Cr White left the meeting at 8.32pm.

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

AGAINST: Nil (0)

CARRIED

8.4 Community Awards 2026 - Nominations and Selection of Winners

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr Howe

That Council:

1. Confirm the 2026 Citizen of the Year and Community Group of the Year winners, as presented in Confidential Appendix 1.
2. Determine, pursuant to Section 125 of the Local Government Act 2020, that the identities of all award recipients remain confidential until 21 May 2026, except for the notification of the award winners by the Mayor prior to 21 May 2026.

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

AGAINST: Nil (0)

CARRIED

Crs Athanasopoulos and White returned to the meeting at 8.34pm.

9. Infrastructure and Open Space Reports

**9.1 CON-25/081 G.R. Bricker Reserve Stormwater Harvesting Project,
Moorabbin**

COUNCIL RESOLUTION

Moved: Cr Saab

Seconded: Cr Agirtan

That Council:

1. Note the outcome of the tender assessment process for Contract No. 25/081 G.R. Bricker Reserve Stormwater Harvesting Project, Moorabbin, as set out in confidential Appendix 1 attached to this report;
2. Award Contract No. 25/081 G.R. Bricker Reserve Stormwater Harvesting Project, Moorabbin for the fixed lump sum price of \$2,690,630.78 (exclusive of GST) to Entracon Civil Pty Ltd;
3. Approve the allocation of a separate contingency of up to 10% of the contract sum and delegate authority to the CEO or delegate to expend this allowance to ensure the successful completion of the project; and
4. Approve the withdrawal of up to a maximum of \$2,959,693.86 from Council's Stormwater Quality Reserve Fund for the purpose of implementing Contract No. 25/081 G.R. Bricker Reserve Stormwater Harvesting project.

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

AGAINST: Nil (0)

CARRIED

9.2 CON-25/092 Beilby Street, Moorabbin Road Reconstruction and Drainage Upgrade

MOTION

Moved: Cr Saab

Seconded: Cr O'Donnell

That Council:

1. Note the outcome of the tender assessment process for Contract No. 25/092 Beilby Street, Moorabbin Road Reconstruction and Drainage Upgrade, as set out in confidential Appendix 1 attached to this report;
2. Award Contract No. 25/092 Beilby Street, Moorabbin Road Reconstruction and Drainage Upgrade for the fix lump sum price of \$1,927,576.00 (exclusive of GST) to Jaydo Construction Pty Ltd; and
3. Approve the allocation of a separate contingency of up to 15% of the contract sum and delegate authority to the CEO or delegate to expend this allowance to ensure the successful completion of the project.

Note: a vote was not taken for this Motion. The item will be tabled at the next Ordinary Meeting of Council

Cr Ashworth-Collett returned to the meeting at 8.38pm.

10. Customer and Corporate Support Reports

10.1 Governance and Compliance Report

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr O'Donnell

That Council:

1. In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolve that:
 - a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
 - b) The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and Mayor;
 - c) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt;
2. Receive and note:
 - a) Minutes of the 18 December 2025 Audit and Risk Committee Meeting; and
 - b) Informal Meetings of Councillors record for 27 January 2026.

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

AGAINST: Nil (0)

CARRIEDT

11. Chief Finance Office Reports

Nil

12. Notices of Motion

**12.1 Notice of Motion No. 1/2026 - Cr White - Kingswood Golf Course
Independent Review**

MOVED: Cr White

That Council:

1. Note the recent issues encountered with the missed VCAT appeal lodgement date regarding Sonya Kilkenny's decision to approve the Kingswood Golf Course development plan;
2. Note that under Kingston City Council's Complaints Resolution Policy, Council is committed to resolving complaints in a manner that is fair, transparent, timely and consistent, and that complaints concerning Council decisions and administrative actions must be appropriately investigated and documented;
3. Express sincere apologies to the residents affected by Council's administrative incompetence;
4. Receive an officer report by 16 February 2026, ahead of and for the purpose of the Council meeting to be held on 23 February 2026, considering the commissioning of an independent review into Kingswood Golf Course, to identify any areas for improvement, process inefficiencies, systemic issues and determine accountabilities throughout the planning process for the site undertaken to date, inclusive of the following:
 - a) The independent external review to comprehensively evaluate the entire lifecycle of the Kingswood file and ongoing operations, and the Ministers approval process, including, but not limited to:
 - i) Meetings and correspondence with developers, Melbourne Water, and Labor State Government Ministers, including Sonya Kilkenny MP and Nick Staikos MP;
 - ii) All legal advice received and any correspondence with said legal firms;
 - iii) The handling of complaints relating to Kingston City Council's administrative failures;
 - b) Budget allocation necessary to ensure the independent review is conducted to world class standards by suitably qualified experts;
 - c) Ambition for the independent external experts to conduct the independent review and deliver the recommendations no later than 15 June 2026;
 - d) Should the report identify matters that meet the statutory threshold for referral, direct the Chief Executive Officer to ensure referral to the appropriate external integrity body, including the Victorian Ombudsman, Local Government Inspectorate or IBAC, in accordance with legislative requirements;

5. The report to further consider:
 - a) The formation of a Sub-committee to be led and chaired by Councillors as a governance structure to coordinate the independent external review to assess the integrity of the Kingswood Golf Course file, with the review to be made independent of Council;
 - b) The Sub-committee to be comprised of 5 elected Councillors to provide further objectivity and independence; these Councillors being: Cr White, Cr Oxley, Cr O'Donnell, Cr Agirtan and Cr Erevnidis;
 - c) The Sub-committee to develop the final terms of reference by 16 March 2026;
6. Receive the Independent Review report via submission to the Sub-committee, with a public version of the report suitably redacted to protect sensitive information made available to the public as expeditiously as possible and no later than end 29 June 2026.

The Motion LAPSED for want of a seconder

12.2 Notice of Motion No. 3/2026 - Cr White - Mordi Aquatic Centre Artwork Enquiry

MOVED: Cr White

That Council:

1. Resolve to produce a report on the tender process for the \$350,000 Mordi Aquatic Artwork contract by 28 February 2026;
2. Brief Councillors on the report within 7 days; and
3. Make the report publicly available within 21 days of Councillors being briefed with the report redacted as appropriate.

The Motion LAPSED for want of a seconder

Cr Saab declared a general Conflict of Interest due to being a committee executive of the Druze Organisation and left the meeting at 8.41pm.

12.3 Notice of Motion No. 4/2026 - Cr White - Druze Organisation Grants Funding

MOVED: Cr White

That Council resolve to stop any further grants funding to the Druze Organisation in the Greater Dandenong Council LGA.

The Motion LAPSED for want of a seconder

Cr Saab returned to the meeting at 8.44pm.

13. Urgent Business

Nil.

14. Confidential Items

Moved: Cr Agirtan

Seconded: Cr Howe

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 Property Matter

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

- because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, and because it is land use planning information, being information that if prematurely released is likely to encourage speculation in land values, and because it is legal privileged information, being information to which legal professional privilege or client legal privilege applies (section 3(1)(a), (c) and (e)), and
- the explanation as to why the specified ground/s applies is <please complete this explanation>.

14.2 Notice of Motion No. 2/2026 - Cr White - Kingston Council Advocacy

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

- because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(f)), and
- the explanation as to why the specified ground/s applies is the notice of motion contains personal information..

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

AGAINST: Nil (0)

ABSTAINED: Cr White (1)

CARRIED

The meeting was closed to members of the public at 8.45pm.

Moved: Cr Athanasopoulos

Seconded: Cr Agirtan

That the meeting be opened to members of the public/

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

AGAINST: Nil (0)

Cr White left the meeting at 8.45pm.

CARRIED

The meeting was opened to members of the public at 8.51pm.

The meeting closed at 8.51pm.