

Minutes

Ordinary Council Meeting

Monday, 27th April 2026

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Peter Bean
Chief Executive Officer
Kingston City Council



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**City of Kingston
Ordinary Council Meeting**

Minutes

27 April 2026

The meeting commenced at 7:01 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 Hadi Saab (attended online)

In Attendance: Peter Bean, Chief Executive Officer
Jonathan Guttman, 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
Jaclyn Murdoch, Manager City Development
Kelly Shacklock, Manager Governance, Risk and Integrity
Sharon Lozsan, Team Leader Council Governance
Ellie Lockard, Council Governance Officer
Athar Shafaei, Acting Council Governance Officer
Justin Welsford, Media and Communications Advisor
John Tanner AM, Municipal Monitor

The Mayor noted the resignation of former Cr Law and the forthcoming Melaleuca Ward by-election, thanking former Cr Law for her contribution to the City of Kingston during her time as Councillor.

1. Apologies

An apology from Cr White was submitted to the meeting.

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr O'Donnell

That Council receive the apology from Cr White.

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

AGAINST: Nil (0)

CARRIED

**City of Kingston
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2. Confirmation of Minutes of Previous Meetings

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

That the Minutes of the Ordinary Council Meeting held on 23 March 2026 and the Special Council Meeting held on 30 March 2026 be confirmed, subject to the amendment of the Minutes of the Ordinary Council Meeting held on 23 March 2026 at Item 12.1.

FOR: Crs O'Donnell, Hill, Athanasopoulos, 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 9.2 Kingston Grants Program 2024-25 Acquittals.

4. Petitions

4.1 Petition - Objection to Proposed Development at 45 Patterson Street, Bonbeach

COUNCIL RESOLUTION

Moved: Cr Howe

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 O'Donnell, Hill, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (9)

AGAINST: Nil (0)

CARRIED

4.2 Petition - Proposed Increase to Cost of Classes at Clarinda and Sundowner Community Centres

COUNCIL RESOLUTION

Moved: Cr Athanasopoulos

Seconded: Cr Saab

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 O'Donnell, Hill, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (9)

AGAINST: Nil (0)

CARRIED

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

Delegates' Reports

Nil

Councillor Statements

Cr O'Donnell made a statement regarding attendance at the Women's Pain Forum at Woodlands Golf Course and Council's opportunity for advocacy with State government in this space. Cr O'Donnell also mentioned the Longbeach RSL ANZAC Day ceremony.

Cr Saab made a statement regarding interactions with community groups at events during recent months.

Presentation of Awards

Nil

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr Athanasopoulos

That Council receive the Councillor statements.

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

AGAINST: Nil (0)

CARRIED

6. Items for Tabling under the Local Government Act 2020

6.1 Arbiter's Determination in the Matter of Councillor Jane Agirtan and Councillor Hadi Saab

In accordance with section 147(4) of the *Local Government Act 2020*, a copy of the Arbiter's determination and statement of reasons in the matter of Cr Jane Agirtan and Cr Hadi Saab was tabled for recording in the Minutes of this meeting.

IN THE MATTER OF AN APPLICATION FOR AN INTERNAL ARBITRATION PROCESS CITY
OF KINGSTON

IAP 2026-3

HEARING PURSUANT TO DIVISION 5 OF PART 6 OF THE *LOCAL GOVERNMENT ACT 2020*

Applicant: Councillor Jane Agirtan **Respondent:** Councillor Hadi Saab

Date of hearing: Wednesday, 8 April 2026

Place of hearing: City of Kingston, 1230 Nepean Highway, Cheltenham

Arbiter: Simon Heath

DETERMINATION:

Councillor Agirtan has made Application for an Internal Arbitration Process seeking a finding of misconduct against Councillor Saab. The finding is sought in relation an alleged breach of Clause 2 of the Model Councillor Code of Conduct by Councillor Saab by allowing a post by a third party to remain on Councillor Saab's Facebook page for a number of weeks.

I find that Councillor Saab has not breached Clause 2 and, as such, I make no finding of misconduct against him. The Application is therefore dismissed.

STATEMENT OF REASONS

The Application

1. The 'Application for an Internal Arbitration Process' is dated 27 January 2026 (**Application**).
2. In the Application, the Applicant seeks a finding of misconduct against the Respondent in relation to an alleged breach of the 'Model Councillor Code of Conduct' (**Code**).
3. The breach of the Code is alleged to be by reason of the Respondent allowing a post by a third party, 'Damien Williams', (**post**) to remain on his Facebook page (**page**) for several weeks.
4. The Applicant says she was alerted to the post on 1 November 2025 and that it remained on the page until 5 January 2026.
5. The post was as follows:
"All this motion needed to do was to condemn the nazi terror attack on Camp Sovereignty on 31 August. To state clearly that Kingston rejects ethnonationalism in all its forms and to stand shoulder-to-shoulder with mob who are calling for that attack to be investigated as a hate crime."

It should have come sooner and been expressed in those clear terms - before the likes of Cr Agirtan encouraged her followers to attend the second nazi rally on 19 October.

Reframing this as a statement about diversity simply allows someone like her to stand up and say that her views ought to be equally taken into account, even when she has a record of publishing racist comments about Aboriginal people."

6. The Applicant alleges that in allowing the post to remain, the Respondent breached Clause 2 of the Standards of Conduct (**Standards**) in the Code relating to '*Behaviours*'. Details of that Clause are set out below.

Arbiter's jurisdiction

7. I was appointed pursuant to sections 144 and 149 of the *Local Government Act 2020 (Act)*.
8. Section 143 of the Act provides that an Arbiter may hear an application that alleges misconduct by a Councillor.
9. Section 143(3) of the Act provides that an Application "must be made within 3 months of the alleged misconduct occurring". The alleged misconduct is alleged to have occurred on and after 1 November 2025 so this requirement is satisfied.
10. Pursuant to section 147 of the Act, an Arbiter may determine whether or not a Councillor has engaged in misconduct.
11. "Misconduct" is defined in Section 3 of the Act as follows:

"... any breach by a Councillor of the Model Councillor Code of Conduct".
12. Section 139(3)(b) of the Act specifies that the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions are to be included in the Code.
13. The Code is set out in Schedule 1 to the *Local Government (Governance and Integrity) Regulations 2020*.
14. As required by Section 139(4) of the Act, the Code is published on the Council's website, and a copy thereof is attached hereto.

Hearing

15. The internal arbitration process comprised directions made on 25 February 2026, further directions made on 10 March 2026, a video-conference directions hearing on 13 March 2026, even further directions made on 13 March 2026, and an in-person hearing on 8 April 2026.

Applicant's evidence

16. The Applicant's evidence comprised the Application and a document titled 'Response to Documents provided by Cr Saab' with seven attachments.
17. The Applicant also gave evidence and made submissions at the hearing

Respondent's evidence

18. The Respondent lodged the following documents in response to the Application:
- (a) 'Summary Response to Arbitration Application';
 - (b) 'Sample examples of Cr Jane Agirtan's conduct towards members of the public'
 - (c) 'Character Witness Statements';
 - (d) 'Social Media Profiles';
 - (e) 'Mordialloc Incident Precedence (sic)'
 - (f) 'Police Statement';
 - (g) 'Conciliation Application';
 - (h) 'Police Statement';
 - (il) 'Detailed Response to Arbitration Application'; and,
 - (j) 'Character Reference'.
19. The Respondent also gave evidence and made submissions at the hearing.

Arbiter's finding

20. I determine that the Respondent has not breached clause 2 of the Standards, make no finding of misconduct against him, and dismiss the Application.

Arbiter's reasons

21. Both parties lodged a significant amount of material which had limited or no relevance to the allegation in the Application. I give the 'benefit of doubt' that their intention was to provide 'background and context' to the Application, and not to use the hearing to ventilate their fractured relationship. Provision of irrelevant material does not assist the process, and simply adds to the cost of the arbitration to be borne by ratepayers.
22. At an Ordinary Council Meeting on 27 October 2025, the Respondent moved a Notice of Motion entitled 'Supporting our Diverse Community' which was deferred for further consideration. The post on the Respondent's Facebook page was made by the third party after that meeting.
23. As mentioned, a resident alerted the Applicant to the post on 1 November 2025 by providing a screenshot thereof.
24. The Applicant however did not contact the Respondent raising concerns about the post and asking for it to be removed. Instead, the Applicant submitted an application for conciliation to the Council on 2 December 2025 (**conciliation application**).
25. In the absence of evidence to the contrary, I accept the Respondent's evidence that his first awareness of the post was on 17 December 2025 when he received the conciliation application. At that time the Applicant was away from Melbourne for the Christmas period.
26. I also accept the Respondent's evidence that he returned to Melbourne on 28 December 2025 and, after reviewing the conciliation application, he voluntarily removed the post from the page the next day (**post removal**).

27. It is important to note that, consistent with the Respondent's evidence that he was not aware of the third party's post until 17 December 2025, the Respondent did not "like", comment on, otherwise approve the post before removing it. Further, there is no evidence that the Respondent facilitated the post. Accordingly, the decision of Arbitrator Noel Harvey OAM in *Councillor Jay Iwasaki v Councillor Oscar Yildiz* (IAP 2025-3) is not an applicable precedent.
28. Despite an acknowledgment on 5 January 2026 that the post had been removed, the Applicant elected to continue with her conciliation application and then, once that process had ended, to submit the Application.
29. As mentioned, the Applicant alleges that the Respondent breached Clause 2 of the Standards which relates to '*Behaviours*'. That Clause is as follows:
- '(1) A Councillor must treat others, including other Councillors, members of Council staff and members of the public, with dignity, fairness, objectivity, courtesy and respect, including by-*
- (a) not engaging in demeaning, abusive, obscene or threatening behaviour, including where the behaviour is of a sexual nature; and*
 - (b) not engaging in behaviour that intentionally causes or perpetuates stigma, stereotyping, prejudice or aggression against a person or class of persons; and*
 - (c) not engaging in discrimination or vilification ...'*
30. Given that the post was by a third party, was not accepted or impliedly endorsed by the Respondent, and voluntarily removed when it was brought to his attention, I do not find that the Respondent failed to treat the Applicant with '*dignity, fairness, objectivity, courtesy or respect*'. On the basis that there is no finding of misconduct, the Application is dismissed.
31. I caution the Respondent however that if he believes that he is not able to regularly monitor his Facebook page, the page should be deleted, or at least temporarily deactivated. Otherwise, the Respondent is at risk of being held liable as publisher of any inappropriate posts he fails to notice and remove.

Simon Heath

Arbitrator

Dated: 16 April 2026

Model Councillor Code of Conduct



VERSION NO.	1
APPROVAL	Local Government (Governance and Integrity) Regulations 2020 S.R. No. 116/2020 Schedule 1 Model Councillor Code of Conduct Authorised by the Chief Parliamentary Council
TRIM REFERENCE	24/410136
RESPONSIBLE EXECUTIVE	General Manager Customer and Corporate Support
POLICY TYPE	Council
POLICY OWNER	Manager Governance, Risk & Integrity

Definitions

In this Schedule

Discrimination means unfair or unfavourable treatment of a person on the grounds of an attribute specified in section 6 of the *Equal Opportunity Act 2010*.

1. Performing the role of a Councillor

A Councillor must do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly, including by:

- (a) representing the interests of the municipal community by considering and being responsive to the diversity of interests and needs of the municipal community; and
- (b) being fit to perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- (c) diligently using Council processes to become informed about matters which are subject to Council decisions; and
- (d) not performing or purporting to perform any responsibilities or functions of the Chief Executive Officer; and
- (e) acknowledging and supporting the Mayor in the performance of the role of the Mayor, including by:
 - (i) respecting and complying with a ruling of the Mayor as the chair of Council meetings (unless dissenting from the ruling in accordance with the Council's Governance Rules); and
 - (ii) refraining from making public comment, including to the media, that could reasonably be perceived to be an official comment on behalf of the Council where the Councillor has not been authorised by the Mayor to make such a comment.

2. Behaviours

- (1) A Councillor must treat others, including other Councillors, members of Council staff and members of the public, with dignity, fairness, objectivity, courtesy and respect, including by:
 - (a) not engaging in demeaning, abusive, obscene or threatening behaviour, including where the behaviour is of a sexual nature; and
 - (b) not engaging in behaviour that intentionally causes or perpetuates stigma, stereotyping, prejudice or aggression against a person or class of persons; and
 - (c) not engaging in discrimination or vilification; and
 - (d) supporting the Council, when applying the Council's community engagement policy, to develop respectful relationships and partnerships with Traditional Owners, Aboriginal community controlled organisations and the Aboriginal community; and
 - (e) supporting the Council in fulfilling its obligation under the *Local Government Act 2020* or any other Act (including the *Gender Equality Act 2020*) to achieve and promote gender equality; and
 - (f) ensuring their behaviours and interactions with children are in line with the Council's policies and procedures as a child safe organisation and obligations under the *Child Wellbeing and Safety Act 2005* to the extent that they apply to Councillors.
- (2) A Councillor, as an individual at the workplace, must take reasonable care for their own health and safety and take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons by:
 - (a) adhering to applicable systems and policies put in place by the Chief Executive Officer to manage risks to health and safety in the workplace; and
 - (b) complying, so far as the Councillor is reasonably able, with any reasonable instruction that is given by the Chief Executive Officer to manage risks to health and safety.
- (3) A Councillor must act in accordance with any policies, practices and protocols developed and implemented under section 46 of the Act that support arrangements for interactions between members of Council staff and Councillors.

3. Good governance

A Councillor must comply with the following Council policies and procedures required for delivering good governance for the benefit and wellbeing of the municipal community:

- (a) Council's expenses policy adopted and maintained under section 41 of the Act;
 - (b) the Council's Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act, including in relation to
 - (i) conduct in Council meetings or meetings of delegated committees; and
 - (ii) requesting and approval of attendance at Council meetings and meetings of delegated committees by electronic means of communication; and
 - (iii) the Council's election period policy included in the Council's Governance Rules under section 69 of the Act, including in ensuring that Council resources are not used in a way that is intended to influence, or is likely to influence, voting at a general election or by-election;
 - (c) the Council's Councillor gift policy adopted under section 138 of the Act;
 - (d) any direction of the Minister given under section 175 of the Act.
-

4. Integrity

- (1) A Councillor must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government, including by:
- (a) ensuring that their behaviour does not bring discredit upon the Council; and
 - (b) not deliberately misleading the Council or the public about any matter related to the performance of their public duties; and
 - (c) not making Council information publicly available where public availability of the information would be contrary to the public interest.

Note See the public transparency principles set out in section 58 of the Act.

- (2) A Councillor must not, in their personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), expressly or impliedly request preferential treatment for themselves or a related person or entity.

5. The Model Councillor Code of Conduct does not limit robust public debate

Nothing in the Model Councillor Code of Conduct is intended to limit, restrict or detract from robust public debate of issues in a democracy.

7. Question Time

Question time was held at 7.17pm.

A total of 45 questions were received, with 40 being allowed under the Governance Rules. Preambles submitted with questions were not read out.

Question from Tasos:

Given that the council has leased part of Keeley Park Reserve to OPTUS telecommunications and the council has some revenue from this venue when is the council going to start the works for the lighting up of the South shared path in this park?

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

Funding provision has been made in the draft 2026/27 capital works budget to install lighting along the southern shared user path.

Question from Peter:

My question is, why was there no representative from Kingston at the Cheltenham Moorabbin RSL Afternoon Service?

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

Thank you for your question Peter. There were a number of Anzac Day commemorations and ceremonies throughout the municipality for which Councillors were invited and able to attend. Cr Agirtan attended the dawn Cheltenham Moorabbin RSL service.

Question from Gavin:

In Council's Kingston Your Say survey about potential Australia Day activities, how do council officers justify their suggestion of a "First Nations Mourning Ceremony" at a cost of \$55,000?

The General Manager Community Strengthening, Kate Waters, responded:

The estimated cost of a Mourning Ceremony or a Dawn Ceremony is based on the cost of similar ceremonies held in other municipalities. These types of events invite the community to reflect, respect, and celebrate together with costs including marketing, performers, consultation with Traditional Owners, set-up and equipment – noting these events are typically held outside. The cost estimated is based on 1,000 people.

Citizenship ceremonies typically cost \$32,000 and with the additional activities included this year for Australia Day, the cost was \$51,000. The additional costs for the Australia Day Citizenship Ceremony was for a key note speaker, additional performances, increased catering and a public holiday surcharge.

Question from Ian:

This is to follow on to my 2 previous requests regarding the intersection of the junction of Evans St, Lawborough Avenue and McSwain St. in Parkdale.

Could Council please inform me if these surveys have currently been performed, & if not, when is it planned to perform them ? Also, what conditions would be need to be occurring to require road safety modifications as I have requested ?

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

The traffic speed and volume survey will be scheduled for next week, as the school holidays only concluded last week and traffic conditions have not yet returned to normal.

The following questions from two submitters were grouped together for response:

Question from Rose:

Why was a Council Officer unable to confirm with VCAT the precise date Council first engaged legal advice, as contained in the Officer's affidavits submitted to VCAT relating to Kingswood redevelopment VCAT practice day hearings held in December 2025?

Questions from Lynne:

1. Please advise does Kingston council have any powers to oppose the granting of a planning permit for Kingswood?
2. If so what would the opposition take the form of, including which specific issues?

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

In response to the question from Rose, Council Officers will review the Affidavit material and then contact Rose to clarify and provide a response to her question.

In response to the question from Lynne the report provided under Item 8.2 outlines that pursuant to Clause 72.01 of the Kingston Planning Scheme the Minister for Planning is the responsible authority for the issue of planning at the subject site. As such at this time, Council does not have any official status in the issue of planning permits at the subject site nor is Council an official referral authority.

The Report prepared under this item does however recommend 'it is Council's view that the application in its current form should not be supported'.

Officers understand that the assessment undertaken will however form part of the Department of Transport and Plannings consideration.

The following questions from two submitters were grouped together for response:

Question from Donna:

Is it true that Kingston Council sought community feedback to Cr Hadi Saab's motion about racism and refugee migration, amongst other things, (mentioned tonight in Agenda Item 13.1) by targeting 51 leader members of community groups directly, and from these only 9 responded, and of these only 4 specifically supported or commented on multicultural and refugee initiatives and refugee welcome zones? (Page 395 in Agenda tonight).

Questions from Stephen:

1. How can Council frame this low number of feedback responses (9 out of 51) from the leadership of Kingston community groups to the Hadi Saab motion being discussed tonight (13.1) as being a strong support for the statements made within the motion, even noting that these responses (only 4) particularly represented a "strong support for recognising migrant and refugee contributions and migrant welcome zones" within Kingston? (Pg 395 Agenda)
2. Is this Hadi Saab motion at 13.1 trying to justify and lay the ground work for Kingston Council to become an immigration Refugee Welcome Zone Council?

The General Manager Community Strengthening, Kate Waters, responded:

At the Council Meeting in October 2025, Council resolved to defer the Notice of Motion: 41/2025 – Supporting our Diverse Community, and sought communication and consultation with our multicultural community around the matters contained within this Notice of Motion.

The updated Guidance Notes, on page 394 of the agenda, outline the community consultation methodology and findings. The consultation was targeted, and as outlined in the question, 51 community leaders were invited to provide feedback and nine responses were received. Some responses were comprehensive, while others were brief. As outlined in the Guidance Notes, there were four comments that specifically related to the theme - Support for multicultural and refugee initiatives.

Of the community leaders that did respond, they all supported the matters contained within the Notice of Motion. The reference to strong support is in reference to the responses received.

Councillors have been provided with the full consultation findings.

In response to the third question, Notice of Motions are submitted by Councillors not Council officers, and as such, so I cannot comment on Cr Saab's intention in relation to Refugee Welcome Zones but refer you to the rationale on pages 391 and 392 of the agenda.

The following questions from two submitters were grouped together for response:

Question from Deborah:

In the council letter dates 16 January 2026 addressed to the Department of Planning and Transport, (DTP), why is council silent on the topic of hydrology with regard to Kingswood?

Questions from Graeme:

1. Why has Kingston Council not previously hired its own external hydrology experts with relation to Kingswood
2. and going forward, please advise, will Kingston council hire its own hydrology experts?

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

In response to the question from Deborah the Council letter dated 16th January, 2026 to the Department of Transport and Planning raised issues associated with the retarding basins proposed, and bulk earthworks on the site both of which are directly relevant to hydrological considerations. It is also clear that Melbourne Water had stipulated a range of detailed matters relating to hydrology in its letter to the DTP dated 21st October, 2025, that were also relevant to hydrological considerations.

In response to the questions from Graeme the Council is considering Item 8.2 on tonight's agenda which is a response to the Application for Planning Permit relating to the former Kingswood Golf Course Site. The report makes clear under Section 3.3 matters which remain outstanding for Council in relation to hydrology and then reinforces the significant number of conditions recommended by Council Officers on the basis a permit were to be granted, relating to this issue. In the recommended conditions drafted in tonight's report, reference throughout the conditions relating to drainage refers to plans being to the satisfaction of Kingston City Council.

Recommended Condition 29 reads “All drainage work and documentation to be peer reviewed by an external independent, suitably qualified hydrologist and engineer to the satisfaction of Kingston City Council”.

Question from Jagoda:

Can Council please give us, the Kingston public, the date of the Melaleuca by-election brought on by the resignation of Cr Tess Law?

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

The Electoral Commissioner has advised that in accordance with section 260(4)(b) of the Local Government Act 2020, August 1 2026 has been fixed as the election date for the by-election of Melaleuca Ward.

Question from Robert:

At the meeting held on the 23 April 2025 involving then Local Government Minister Mr Nick Staikos, Kingston Mayor Oxley and Kingston CEO Mr Peter Bean, was the topic of the Council's Grant Program and/or any specific past, present or intended grant discussed in any way?

Chief Executive Officer, Peter Bean, responded:

At the meeting a great number of matters were discussed, Council's grant program was one of them.

Questions from Yvette:

1. Is it true that some developers of land in Kingston have had to pay thousands of dollars in some sort of payment to Aboriginal entities to attain Council permission just to move forward with their development plans on their own land?
2. What is this payment called?

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

In response to this question across the State of Victoria, Cultural Heritage Management Plans are required, when high impact activity is planned in areas of culture heritage sensitivity, as defined by the Aboriginal Heritage Regulations 2018. In certain instances, exemptions are established for certain types of use and development.

Areas of cultural heritage sensitivity include registered cultural heritage places and the mapping of these locations across the State of Victoria can be found on the VicPlan website.

Costs associated with cultural heritage assessment processes when required will likely involve assistance from a Cultural Heritage consultant and input is likely to also be sought from the relevant Registered Aboriginal Party.

Questions from Elena:

1. The Treaty appendix in tonight's agenda talks of the ability of Local Councils being able to support 'treaty' even though they may not be invited to participate, however what if a council point blank refuses to support 'treaty' negotiations and subsequent land and water grabs by Aboriginal groups?
2. Will our Kingston Councillors have an opportunity to vote yay or nay as to whether Kingston recognises any demands or entitlements whatsoever put forward by these new Treaty negotiators over whatever lands and waters they might lay claim to in Kingston?

The General Manager Community Strengthening, Kate Waters, responded:

I assume Elena is referring to item 9.5 Reconciliation Strategy 2026-30. The Reconciliation Strategy is separate from the Victorian Treaty process and does not commit Council to entering into local Treaty processes.

The Primary Negotiating Parties for Treaties are either (1) the State and the Assembly (for a statewide Treaty) or (2) the State and a Traditional Owner Delegation (for Traditional Owner Treaties), local governments may be invited to participate as Additional Negotiating Parties.

If Council is invited to participate, it would be a decision for the Council to resolve on.

Questions from Gil:

1. Will our democratically elected Kingston Councillors be updated in a timely manner, and indeed have a final say on matters, over negotiations with any registered Traditional Aboriginal Owner groups about any coming treaty claims these groups will make to entitlement over any of our Kingston lands and waterways?
2. Can democratically elected Kingston Councillors be updated in a timely manner, and indeed have a final say on matters, over negotiations with any registered Traditional Aboriginal Owner groups over lands and waterways in Kingston?

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

Item 9.5 Reconciliation Strategy 2026-30 that is being considered tonight, includes an action to provide updates on Treaty developments to Council and the community, with any decisions requiring separate reports to Council.

The Primary Negotiating Parties for Treaties are either (1) the State and the Assembly (for a statewide Treaty) or (2) the State and a Traditional Owner Delegation (for Traditional Owner Treaties), local governments may be invited to participate as Additional Negotiating Parties.

If Council is invited to participate, it would be a decision for the Council to resolve on.

Question from Dominique:

Is Council aware that community groups have been trying desperately for a long time to 'Stop the Tower' being built on the adjacent station site at 79 Balcombe Rd Mentone, and have been rallying the community of Mentone asking for this to become a gateway Mentone Garden instead,

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

Council considered a report as part of Item 7.5 of its Ordinary Council Meeting on 23rd March, 2026, whereby a submission was made to the State Department of Transport and Planning on the Mentone Activity Centre Program. The report and accompanying submission highlighted this matter and reinforced the concerns raised by the community in relation to the prospective development of 79 Balcombe Road, Mentone.

Question from Geoff:

Would Council urgently please consider a land swap with the State government where the land the State Gov controls at 79 Balcombe Rd, next to the historic Mentone Station, and currently proposed to be a 6 storey high rise, is swapped with one of Council's under-utilised properties in Mentone which the community sorely wants and needs, and which will greatly add to the beauty and appeal of the whole historic precinct of the station and even transform the whole centre of Mentone for the better?

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

Council disposes of land in line with the approved Property Strategy and subject to public consultation. At this stage there is no identified parcel to swap for this purpose, and Council has not been formally approached by the State Government to purchase this land.

Question from Roslyn:

Given more than 500 Kingston residents have signed a petition to oppose the Druze community grant, what action will Kingston Council take to ensure future money is not paid to this entity, which resides in the City of Dandenong?

The General Manager Community Strengthening, Kate Waters, responded:

Council resolves the funding outcomes for Community Bi-annual grants, Operational and Partnerships grants and Community Festivals, Events and Creative Activities Grants. All grant recipients must comply with the Kingston Grants Program Policy, Guidelines and Funding Agreements and as long as they do, the grant funding continues as per the grant timeframe.

I don't believe the petition referred to has been presented to Council.

The following questions from two submitters were grouped together for response:

Question from James:

Is it true that Kingston has a data base of 55 so called "blak" businesses, which you mention in tonight's agenda, that get preferential treatment and consideration for contracts, support, procurement and services above other businesses in Kingston as stated in your Reconciliation Strategy 2026? (pg. 23 Appendix Reconciliation Strategy 2026)?

Questions from Anna:

1. Why does Council think it quite okay to use the word "BLAK" spelt without the "c" to describe Aboriginal enterprises like "blak" markets and "blak" businesses as on page 23 of Appendix 1 in the Reconciliation Strategy in tonight's agenda?
2. Is it not true that the use of the word "blak" by Council like this is obviously racist?

The General Manager Community Strengthening, Kate Waters, responded:

Kingston maintains a database of all suppliers, of which some identify as First Nations business. Council does not operate a preferential procurement system, and no business is automatically given priority, advantage, or guaranteed access to contracts or services. All Council procurement and contracting follows probity, value-for-money, and legal requirements. Aboriginal-owned businesses must meet the same criteria as all other businesses. No contracts, funding, or services are awarded outside Council's established procurement policies.

The term "Blak", spelled without the "c", is a self-determined term used by Aboriginal and Torres Strait Islander peoples, particularly in contemporary cultural, artistic and business contexts. It is not a derogatory term, nor is it Council-created language.

Today, "Blak" is commonly and deliberately used by Aboriginal-led organisations, artists, businesses and markets across Australia to describe their own work. Council's use of the term in the Reconciliation Strategy reflects respect for contemporary Aboriginal self-identification and language, and aligns with how these enterprises describe themselves.

Council does not use the term to label people, nor to impose language. It is used only in reference to Aboriginal-led enterprises and initiatives that themselves use this terminology.

For these reasons, Council does not consider the use of the term “Blak” in this context to be racist. Rather, it reflects respectful, informed and contemporary practice, guided by Aboriginal voices and cultural authority.

Cr Athanasopoulos left the meeting at 7.36pm.

Questions from Julia:

1. Aren't proposals to create a kindergarten (Koori Kinder) seemingly specifically only for Aboriginal children completely contrary to the idea of promoting inclusivity and social cohesion in our society as mentioned in Agenda tonight on pg 23 of Appendix 1 – Strategy for Reconciliation 2026?
2. Aren't we supposed to be stronger together and not separated out according to our race and skin colour?

The General Manager Community Strengthening, Kate Waters, responded:

The Reconciliation Strategy does not include a proposal for a Koori Kinder. However, the idea of a Koori Kinder was one of many suggestion received during the community consultation process. The consultation findings are on page 22 and 23 of the Strategy, under the “What we heard” section.

Community consultation is one input used to develop the Strategy.

Questions from Vera:

1. Are Reconciliation Action Strategy meetings held in person at Kingston somewhere, and if so where are they held and how and where is the public informed about the time and whereabouts of these meetings so that the public can join in to this and support?
2. Or is the wider public not invited?

The General Manager Community Strengthening, Kate Waters, responded:

Information on the Reconciliation Action Plan Advisory Group, which will be renamed to the Reconciliation Strategy Reference Group, is available online via the Committees and Networks page of the Council website. Meetings are held in Kingston with an online option.

You do need to be a member to participate with details also outlined on the website.

Question from Una:

How many actual Aboriginal people are involved in the Reconciliation Strategy Reference Group at Kingston Council, not counting the involvement of the of the 60 Kingston Council staff, the executive leadership group and the Council based Access and Equity committee people?

The General Manager Community Strengthening, Kate Waters, responded:

The Reconciliation Strategy Reference Group (currently titled the Reconciliation Action Plan Advisory Group) currently comprises four members, three of whom are First Nations representatives.

At the time of community consultation on the Reconciliation Strategy, the group had eight members, five of whom were First Nations representatives.

Cr Athanasopoulos returned to the meeting at 7.39pm.

Question from Irina:

Is it not true that this Kingston Council Aboriginal Strategy Plan 2026-2030 within the Agenda tonight will mean actioning a policy to change the names of places, streets, parks, waterways and other things and places in Kingston because this renaming forms part of the policy in this plan?

The General Manager Community Strengthening, Kate Waters, responded:

I assume Irina is referring to item 9.5 Reconciliation Strategy 2026-30.

The Reconciliation Strategy does not introduce a new naming policy, and it does not require or mandate the renaming of existing streets, parks, waterways or places in Kingston. It references implementing Council's existing Naming of Places Policy, which was adopted by Council in October 2025

Question from Gavin:

Why did Council (and the council monitors) effectively allow the creation a precedent by permitting Cr Saab to become involved in the last council meeting (online) for only a few minutes?

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

The rules governing Council meetings are set out within Council's Governance Rules Meeting Procedure, in accordance with statutory obligations under the Local Government Act 2020. No precedent was set per se, as remote attendance is expressly allowed under the Act, and Councillor attendance within any meeting is a matter for the Councillor themselves, albeit attendance of any type in the absence of extraordinary circumstances is typically from start to finish.

Questions from Stuart:

1. Have any councillors submitted expenses that have later been rejected?
2. If so, who, what and when?

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

Thank you for your question Stuart, I will take this question on notice and provide a written response once we have been able to examine our records.

Questions from Rosemary West:

1. Can Council please give me an idea how many trees in Kingston have been - or will be - lost to the following Big Build works:
 - SRL rail stabling and maintenance facility,
 - Clear-felling of Groves Reserve,
 - Other Level Crossing Removal works.
 - Sir Walter Fry Reserve in Highett
 - Kingswood former golf course redevelopment
2. How many of these trees have been - or will be replaced 3:1 or by other ratios and in other areas?

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

Thank you, Rosemary. We will take both questions on notice and provide a written response.

Questions from Brad:

In relation to the Kingswood permit, can Council confirm on the record:

1. What specific exemption, if any, has been relied upon to proceed without a building permit?
2. Has a building permit been applied for, issued, or is one currently required for these works?

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

In response to question 1. Council will make enquiries with the relevant land owner to understand what specific exemptions they sought from a Private Building Surveyor to proceed without a building permit on the basis this was the case.

Council will also confirm whether a Building Permit has been applied for and respond to Brad.

8. Planning and Place Reports

8.1 Town Planning Application Decisions - March 2026

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr Erevnidis

That Council note the report of Town Planning Application Decisions for the month of March 2026.

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

AGAINST: Nil (0)

CARRIED

8.2 Planning Permit PA2503725 - 179-217 Centre Dandenong Road Dingley Village (Kingswood) - Council Response to Department of Transport and Planning

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Howe

That Council:

1. Endorse the Officer comments contained within this report to DTP in response to planning permit application (PA2503725) for the land at 179-217 Centre Dandenong Road Dingley Village, noting that on the basis of these comments, it is Council's view that the application in its current form should not be supported; and
2. Endorse the attached Draft Planning Permit Conditions as Council's position on conditions in relation to the application should the Responsible Authority (Minister for Planning or a delegate within DTP) determine to support the application and grant a planning permit; and
3. Continue to engage in meaningful discussions with DTP, Government Agencies and Departments and the Permit Applicant (as required), in order to assist in the drafting of conditions should the application be supported.

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

AGAINST: Nil (0)

CARRIED

9. Community Strengthening Reports

9.1 Kingston Grants Program - Local Business Community Impact Category

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

That Council:

1. Endorse the amended Kingston Grants Program Policy (Appendix 1) and note the amended Community Bi-annual Grants Guidelines (Appendix 2), as per the Council resolution from 2 February 2026, subject to the following changes:
 - a) Eligibility criteria for businesses to be:
 - i) Be a for-profit business registered in Kingston,
 - ii) Have operated in Kingston for a minimum of 12 months
 - iii) Have an annual turnover of less than \$1 million, and
 - iv) Provide their Australian Business Number (ABN).
 - b) Note that Officers will update Grants Policy and Guidelines accordingly.
 - c) Pilot the Local Business Community Impact Category for 12 months, with a report on findings to be provided to Council by December 2027.
2. Endorse an annual increase of 3% to Neighbourhood Houses and Community Centres funding allocations.
3. Note that endorsed changes to the Community Bi-annual Grants will commence from 1 July 2026, and changes to the Neighbourhood Houses & Community Centres category will take effect from 1 July 2027, noting this is a triennial funding stream with the current funding agreements concluding on 30 June 2027.

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

AGAINST: Nil (0)

CARRIED

Cr Saab declared a general conflict of interest in Item 9.2 as he sits on the executive of one of the committees that has submitted an acquittal and left the meeting at 8.03pm prior to any discussion on the matter.

9.2 Kingston Grants Program 2024-25 Acquittals

Moved: Cr O'Donnell

Seconded: Cr Agirtan

That Council:

1. Note the Kingston Grants Program acquittal outcomes for 2024-25, as presented in Appendix 1.
2. Endorse the recommendations of the Kingston Grants Governance Review Working Group, as outlined in section 3.9 of the report; and
3. Note that Council officers will update the Kingston Grants Program Policy, Funding Agreement and Program Guidelines to reflect the endorsed recommendations.

Note: It was requested by Cr O'Donnell and agreed to by the Chair that each part of the Motion be put to the vote separately.

Point 1 of the Motion was put to the vote as follows:

That Council:

1. Note the Kingston Grants Program acquittal outcomes for 2024-25, as presented in Appendix 1.

FOR: Crs Hill, Athanasopoulos, Ashworth-Collett and Howe (4)

AGAINST: Nil (0)

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

LOST on the casting vote of the Chair

Point 2 of the Motion was put to the vote as follows:

That Council:

2. Endorse the recommendations of the Kingston Grants Governance Review Working Group, as outlined in section 3.9 of the report.

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

AGAINST: Nil (0)

CARRIED

Point 3 of the Motion was put to the vote as follows:

That Council:

3. Note that Council officers will update the Kingston Grants Program Policy, Funding Agreement and Program Guidelines to reflect the endorsed recommendations.

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

AGAINST: Nil (0)

CARRIED

The Council resolution in full reads as follows:

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Agirtan

That Council:

1. Endorse the recommendations of the Kingston Grants Governance Review Working Group, as outlined in section 3.9 of the report; and
2. Note that Council officers will update the Kingston Grants Program Policy, Funding Agreement and Program Guidelines to reflect the endorsed recommendations.

CARRIED

Cr Saab returned to the meeting at 7.55pm.

9.3 Individual Development Grants and Community Small Grants - Quarterly Report (January - March 2026)

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr Howe

That Council:

1. Note the funding outcomes of the Individual Development Grants for 1 January - 31 March 2026, as presented in Appendix 1.
2. Note the funding outcomes of the Community Small Grants for 1 January to 31 March 2026, as presented in Appendix 2.
3. Cease the Individual Development Grants Stream on 30 June 2026 and note that Council officers will update the Kingston Grants Program Policy and Grants Guidelines to reflect the endorsed recommendations.

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

AGAINST: Nil (0)

CARRIED

9.4 Kingston Grants Program - Small and Community Bi-annual Grants Funding Priority Areas 2026-27

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Agirtan

That Council:

1. Endorse the proposed 2026-27 funding priorities for the Community Small Grants and Community Bi-annual Grants streams; and
2. Note that Council officers will update the Grants Guidelines to reflect the endorsed recommendations.

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

AGAINST: Nil (0)

CARRIED

9.5 Reconciliation Strategy 2026-2030

Moved: Cr O'Donnell

Seconded: Cr Agirtan

That Council:

1. Note the outcomes of the community engagement for the draft Reconciliation Strategy 2026 - 2030 conducted in March 2026;
2. Receive a further draft strategy at the May Ordinary Council Meeting incorporating:
 - a) Potential changes in response to feedback from submitters as part of the community consultation; and
 - b) The resolved Council position to advocate and ensure that Council is not subjected to cost shifting from other levels of government in regards to treaty and reconciliation.

Note: It was requested by Cr Ashworth-Collett and agreed to by the Chair that each part of the motion be put to the vote separately.

Point 1 of the motion was put to the vote as follows:

That Council:

1. Note the outcomes of the community engagement for the draft Reconciliation Strategy 2026 - 2030 conducted in March 2026;

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

AGAINST: Nil (0)

ABSTAINED: Crs Saab (1)

CARRIED

Point 2a of the motion was put to the vote as follows:

That Council:

2. Receive a further draft strategy at the May Ordinary Council Meeting incorporating:
 - a) Potential changes in response to feedback from submitters as part of the community consultation; and

For: Crs O'Donnell, Erevnidis, Howe, Oxley and Agirtan (5)

Against: Cr Ashworth-Collett (1)

Abstained: Crs Hill, Athanasopoulos and Saab (3)

CARRIED

Point 2b of the motion was put to the vote as follows:

That Council:

2. Receive a further draft strategy at the May Ordinary Council Meeting incorporating:
 - b) The resolved Council position to advocate and ensure that Council is not subjected to cost shifting from other levels of government in regards to treaty and reconciliation.

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

AGAINST: Nil (0)

ABSTAINED: Crs Saab (1)

CARRIED

The Council resolution in full reads as follows:

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Agirtan

That Council:

1. Note the outcomes of the community engagement for the draft Reconciliation Strategy 2026 - 2030 conducted in March 2026;
2. Receive a further draft strategy at the May Ordinary Council Meeting incorporating:
 - a) Potential changes in response to feedback from submitters as part of the community consultation; and
 - b) The resolved Council position to advocate and ensure that Council is not subjected to cost shifting from other levels of government in regards to treaty and reconciliation.

CARRIED

10. Infrastructure and Open Space Reports

10.1 Response to Resolution - Notice of Motion 30/2025 - Glen Street Reserve Pavilion

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

That Council

1. Receive the report;
2. Note that Glen Street Pavilion is listed within the high priority category in the Pavilion Improvement Plan;
3. Note that all pavilions within this high priority category do not meet current sporting standards including the Disability Discrimination Act;
4. Note the allocation of \$100,000 in the draft 2026/27 capital works budget to commence concept design and community engagement; and
5. Note that the proposed concept design will be used to advocate to both State and Commonwealth Governments for funding to deliver a sports pavilion at this site in the future.

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

AGAINST: Nil (0)

CARRIED

10.2 Response to Resolution - Notice of Motion 31/2025 - Playground Upgrades

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Ashworth-Collett

That Council:

1. Receive the report;
2. Note the concept design and early cost estimates for Illuka Reserve, Albany Crescent Reserve, Serpentine Court and Lake King Circle playgrounds;
3. Refer Illuka and Albany Crescent Playgrounds to the budget process for consideration; and
4. Receive a further Councillor Briefing and a report to back to Council by no later than December 2026 regarding the budget impacts and program expansion opportunities to the small and local playground renewal program as part of future annual budget processes.

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

AGAINST: Nil (0)

CARRIED

10.3 Response to Resolution - Notice of Motion 40/2025 - Establishing a Botanical Garden in Kingston

Moved: Cr O'Donnell

Seconded: Cr Howe

That Council:

1. Note the outcomes of site assessments undertaken in response to Notice of Motion 40/2025;
2. Note that Learmonth Reserve presents a potential opportunity for a future botanical garden, subject to further detailed investigations, to be considered as part of the masterplan development; and
3. Support continued incremental enhancement of the existing botanical garden at Kingston Heath Reserve through operational delivery and external funding opportunities.
4. Undertake a site feasibility assessment of Learmonth Reserve as a potential site for a future botanical garden, including:
 - a) Geotechnical investigations;
 - b) Flood inundation assessments;
 - c) Vegetation and arboricultural assessments; and
5. Note that this work should also assess the site for uses proposed for consideration as part of the Master Plan Development.

It was proposed by the Mayor to include a further point 6 in the substantive motion and this was agreed to by the mover and seconder:

6. Receive an update report by December 2026.

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Howe

That Council:

1. Note the outcomes of site assessments undertaken in response to Notice of Motion 40/2025;
2. Note that Learmonth Reserve presents a potential opportunity for a future botanical garden, subject to further detailed investigations, to be considered as part of the masterplan development; and
3. Support continued incremental enhancement of the existing botanical garden at Kingston Heath Reserve through operational delivery and external funding opportunities.
4. Undertake a site feasibility assessment of Learmonth Reserve as a potential site for a future botanical garden, including:
 - a) Geotechnical investigations;
 - b) Flood inundation assessments;
 - c) Vegetation and arboricultural assessments;
5. Note that this work should also assess the site for uses proposed for consideration as part of the Master Plan Development; and.
6. Receive an update report by December 2026.

FOR: Crs O'Donnell, Hill, Athanasopoulos, Erevnidis, Howe, Oxley and Agirtan (7)

AGAINST: Nil (0)

ABSTAINED: Crs Ashworth-Collett and Saab (2)

CARRIED

10.4 Glass Recycling Service

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Agirtan

That Council:

1. Note the information regarding obligations of Councils to implement a Glass Recycling Service as part of State Government kerbside reforms;
2. Note the low levels of glass in Kingston households and the existing measures already in place through Council's recycling services, and the success of the Container Deposit Scheme to manage glass waste;
3. Note the financial burden on ratepayers of the implementation of a glass only household kerbside bin service; and
4. Endorse to collaborate in multi-Council activities for other solutions and advocacy to the State Government to abandon or revise the glass recycling requirements that require a new household glass only kerbside bin.

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

AGAINST: Nil (0)

CARRIED

11. Customer and Corporate Support Reports

11.1 Advocacy Quarterly Report, December 2025 to March 2026

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr O'Donnell

That Council note the report.

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

AGAINST: Nil (0)

CARRIED

11.2 Report on Activities from the Audit and Risk Committee - March 2026

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr Erevnidis

That Council note the bi-annual report from the Audit and Risk Committee.

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

AGAINST: Nil (0)

CARRIED

11.3 Draft Councillor Leave Policy

COUNCIL RESOLUTION

Moved: Cr Saab

Seconded: Cr Hill

That Council adopt the Councillor Leave Policy.

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

AGAINST: Nil (0)

CARRIED

11.4 Draft Councillor Social Media Policy

DEFERRAL

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

That Council defer this matter to the May 2026 Council meeting.

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

AGAINST: Cr Saab (1)

CARRIED

11.5 Revised Councillor Nomination in a State or Federal Election Policy

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr Athanasopoulos

That Council adopt the revised Councillor Nomination in a State or Federal Election Policy.

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

AGAINST: Nil (0)

ABSTAINED: Crs Erevnidis (1)

CARRIED

11.6 Governance and Compliance Report

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Agirtan

That Council:

1. Extend the appointment of Mr Geoff Harry as Chair of the Audit and Risk Committee from 1 July 2026 to 30 June 2027 at the rate of \$12,065.77 per annum that is indexed annually by the Melbourne All Groups CPI on 1 July;
2. Defer the following for consideration at the June 2026 Council meeting:

Rescind point 3 of the resolution made on 23 February 2026 of Item 9.4 Response to Resolution - Notice of Motion 33/2025 - Bonbeach Basketball Stadium, which read:

Note that in the short term (option 3) the existing floor will be sanded and courts line marked in their current configuration with the inclusion of Pickleball on court two;

to alter this Council resolution to read as follows:

That Council:

- 1. Receive the report;*
 - 2. Note that the courts cannot be made to be compliant for senior games in the short term, as a structural change to the building is required; and*
 - 3. Allocate the required funding in the 2026/2027 budget to achieve option 2, including structural changes to achieve compliance for two senior courts, install a new sprung floor, new backboards and basketball rings, ceiling fans, wall insulation, and acoustic treatment;*
3. In the exercise of the powers conferred by s147(4) of the *Planning and Environment Act 1987*, resolve that:
 - a) The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.
 - b) The instrument comes into force immediately on resolution and remains in force until such time as the officers are no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless Council determines to vary or revoke it earlier;
 4. Receive and note Informal Meetings of Councillors records; and
 5. Note the progress updates regarding implementing the recommendations of the Kingston Grants Review Working Group

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

AGAINST: Nil (0)

CARRIED

12. Chief Finance Office Reports

12.1 Contaminated Land Framework

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr Erevnidis

That Council adopt the *Contaminated Land Framework*.

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

AGAINST: Nil (0)

CARRIED

12.2 Parking Infringement Reimbursement Scheme Update

DEFERRAL

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

That Council defer this matter until the May Council meeting.

FOR: Crs O'Donnell, Hill, Athanasopoulos, Erevnidis, Howe, Oxley and Agirtan (7)

AGAINST: Cr Ashworth-Collett (1)

ABSTAINED: Crs Saab (1)

CARRIED

The following matter was tabled at Item 12.1 of the October 2025 Council meeting and was subsequently deferred. An amended motion as appearing below was in debate at the time of deferral.

13. Notices of Motion

13.1 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.

AMENDMENT

Moved: Cr Saab

That Council:

7. Receive a report regarding initiatives that engage with multicultural and interfaith community groups that promote harmony and safety as well as on how to further enhance intercultural and interfaith thinking and promote understanding through our service offerings such as more frequent interfaith bus tours, supporting/running events that celebrate our city's diversity and diverse community and promote social cohesion and harmony, like Refugee Week and other such opportunities, including better multi-language service delivery.

The Amendment was accepted by the Seconder to become part of the substantive motion

AMENDMENT

Moved: Cr O'Donnell

That Council:

3. Reaffirm 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.

The Amendment was accepted by the Mover and Seconder to become part of the substantive motion

Moved: Cr Saab

Seconded: Cr Athanasopoulos

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. Reaffirm 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.
7. Receive a report regarding initiatives that engage with multicultural and interfaith community groups that promote harmony and safety as well as on how to further enhance intercultural and interfaith thinking and promote understanding through our service offerings such as more frequent interfaith bus tours, supporting/running events that celebrate our city's diversity and diverse community and promote social cohesion and harmony, like Refugee Week and other such opportunities, including better multi-language service delivery.

PROCEDURAL MOTION

Moved: Cr Athanasopoulos

Seconded: Cr Hill

That the Motion be put.

FOR: Crs Hill, Athanasopoulos, Ashworth-Collett and Saab (4)

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

LOST

Note: It was requested by Cr O'Donnell and agreed to by the Chair that each part of the motion be put to the vote separately.

AMENDMENT

Moved: Cr Agirtan

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, xenophobia, anti-Semitism and Islamophobia.

The Amendment was accepted by the Mover and Seconder to become part of the substantive motion

Point 1 of the motion was put to the vote as follows:

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, xenophobia, anti-Semitism and Islamophobia.

FOR: Crs Hill, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Saab, Oxley and Agirtan (8)

AGAINST: Nil (0)

ABSTAINED: Crs O'Donnell (1)

CARRIED

Point 2 of the motion was put to the vote as follows:

That Council:

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;

FOR: Crs Hill, Athanasopoulos, Ashworth-Collett and Saab (4)

AGAINST: Cr Howe (1)

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

LOST

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Point 3 of the motion was put to the vote as follows:

That Council:

3. Reaffirm 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;

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

AGAINST: Nil (0)

CARRIED

Point 4 of the motion was put to the vote as follows:

That Council:

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;

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

AGAINST: Nil (0)

CARRIED

Point 5 of the motion was put to the vote as follows:

That Council:

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.

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

AGAINST: Nil (0)

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

CARRIED

Point 6 of the motion was put to the vote as follows:

That Council:

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.

FOR: Crs Hill, Athanasopoulos, Ashworth-Collett and Saab (4)

AGAINST: Cr Howe (1)

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

LOST

Point 7 of the motion was put to the vote as follows:

That Council:

7. Receive a report regarding initiatives that engage with multicultural and interfaith community groups that promote harmony and safety as well as on how to further enhance intercultural and interfaith thinking and promote understanding through our service offerings such as more frequent interfaith bus tours, supporting/running events that celebrate our city's diversity and diverse community and promote social cohesion and harmony, like Refugee Week and other such opportunities, including better multi-language service delivery.

FOR: Crs Hill, Athanasopoulos, Ashworth-Collett, Howe, Saab, Oxley and Agirtan (7)

AGAINST: Nil (0)

ABSTAINED: Crs O'Donnell and Erevnidis (2)

CARRIED

The Council resolution in full reads as follows:

COUNCIL RESOLUTION

Moved: Cr Saab

Seconded: Cr Athanasopoulos

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, xenophobia, anti-Semitism and Islamophobia.
2. Reaffirm 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;
3. 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;
4. 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
5. Receive a report regarding initiatives that engage with multicultural and interfaith community groups that promote harmony and safety as well as on how to further enhance intercultural and interfaith thinking and promote understanding through our service offerings such as more frequent interfaith bus tours, supporting/running events that celebrate our city's diversity and diverse community and promote social cohesion and harmony, like Refugee Week and other such opportunities, including better multi-language service delivery.

CARRIED

14. Urgent Business

There were no items of urgent business.

15. Confidential Items

Moved: Cr O'Donnell

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:

15.1 Rates Exemption Request

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 specified grounds apply because the report contains personal information about a ratepayer..

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

AGAINST: Nil (0)

CARRIED

The meeting was closed to members of the public at 9.03pm.

Moved: Cr Athanasopoulos

Seconded: Cr Agirtan

That the meeting be opened to members of the public

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

AGAINST: Nil (0)

CARRIED

The meeting was opened to members of the public at 9.07pm.

The meeting closed at 9.07pm.