

# Minutes

## Ordinary Council Meeting

**Monday, 27th March 2023**



City of  
**KINGSTON**

*community inspired leadership*

**City of Kingston  
Ordinary Council Meeting**

**Minutes**

**27 March 2023**

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The meeting commenced at 7.07pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

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

**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  
Sally Jones, General Manager Community Strengthening  
Bernard Rohan, Chief Financial Officer  
Jaclyn Murdoch, Manager City Development  
Justin Welsford, Media Advisor  
Bill Thomas, Desktop Support Analyst  
Kelly Shacklock, Acting Manager Governance  
Patrick O’Gorman, Governance Officer  
Gabrielle Pattenden, Governance Officer

**1. Apologies**

An apology from Cr Hua was submitted to the meeting.

**Moved: Cr Howe**

**Seconded: Cr Hill**

That the apology from Cr Hua be received.

**CARRIED**

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

**Moved: Cr Davies**

**Seconded: Cr Davey-Burns**

That the Minutes of the Ordinary Council Meeting held on 27 February 2023 be confirmed.

**CARRIED**

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

The CEO, Peter Bean foreshadowed a declaration of a conflict of interest in Item 15.1 – CEO Employment Matters – Committee Report.

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**4. Petitions**

**4.1 Shade Cloth Protection at Bricker Reserve Playground**

**Moved: Cr Bearsley**

**Seconded: Cr Davies**

That the petition be referred to the Chief Executive Officer for response.

**CARRIED**

**5. Presentation of Awards**

Cr Bearsley acknowledged the efforts of Council's Children's Crossing Supervisors during the recent storm.

Cr Staikos acknowledged the contributions of retiring employee Lindsay Holland.

The Mayor, Cr Saab acknowledged the contributions of retiring employee Lisa Stewart.

**6. Reports from Delegates Appointed by Council to Various Organisations**

There were no delegates' reports.

**7. Question Time**

Question Time was held at 7.36pm. Refer to page 12 of the Minutes.

**En Bloc Resolution**

**Moved: Cr Staikos**

**Seconded: Cr Davies**

That the following items be resolved *en bloc* and that the recommendations in each item be adopted:

- 8.1 Town Planning Application Decisions - February 2023
- 8.7 Climate and Ecological Emergency Response - Update
- 9.1 Fees & Charges - Family & Children's Centres
- 10.1 Chelsea Bicentennial Park Netball Court Upgrade Project
- 11.1 Advocacy Update
- 11.2 CEO and General Manager Quarterly Expenses
- 11.3 Council Instrument of Delegation (S6) update
- 11.4 Amendment to 2023 Council Meeting Dates
- 11.5 Quick Response Grants
- 11.6 Motion for Australian Local Government Association National General Assembly
- 11.7 Informal Meetings of Councillors
- 11.8 Annual Review – Strategic Advisory Committees

**CARRIED**

**8. Planning and Place Reports**

**8.1 Town Planning Application Decisions - February 2023**

**RECOMMENDATION**

That the report be noted.

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

**8.2 KP-2004/468 - 55 Rennison Street Parkdale**

**Moved: Cr Davies**

**Seconded: Cr Hill**

That Council determine to support the proposed secondary consent application and issue amended endorsed plans associated with Planning Permit KP-2004/468 at 55 Rennison Street Parkdale, which allowed the Development of this site for two (2) dwellings in accordance with the endorsed plans.

The amendment proposes the construction of a verandah to the rear of Dwelling 1 (known as 55A Rennison Street).

**CARRIED**

**8.3 KP-2016/975/A - 28 Turner Road, Highett**

It is recorded that Effie Tangelakis spoke on behalf of the applicant.

**Moved: Cr Davey-Burns**

**Seconded: Cr Davies**

That Council determine to support the proposal and issue a Notice of Decision to Grant an Amended Planning Permit to develop the land for the construction of three (3) dwellings at 28 Turner Road, Highett, subject to the following conditions:

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the advertised plans prepared by Belco Building Design and Town Planning; Job No. 5137; Rev A; Inclusive of sheets 1 to 7; dated 2/10/2022. but modified to show:
  - a) the provision of a full colour palette, finishes and building materials schedule for all external elevations and driveways of the development
  - b) vehicle crossings constructed at a 90 degree alignment with the kerb on Peace Street and all internal driveways to align with the existing / proposed vehicle crossing
  - c) the external materials as illustrated on the plans submitted to Council on 20<sup>th</sup> March 2017, to be as follows:
    - The external walls for the garage and dining room of dwelling 1 to be face brickwork or similar in lieu of the timeless grey render, shown on the west and south elevation.
    - The external wall of the family room on the south elevation to be nominated as face brickwork in lieu of the timeless grey render.
    - The external wall to Bed 1 and ensuite of dwelling 1 to be nominate as face brickwork in lieu of the Surfsmist render.
    - The external wall of the study and ensuite/walk in robe of Dwelling 2 to be face brickwork in lieu of the timeless grey render.
    - Change to the remaining Dulux ' Timeless Grey' render to be replaced with light grey render (Colorbond. Surfsmist)
  - d) the provision of minimum 2000 litre rainwater tank clearly nominated for each dwelling with water re-used for toilet flushing
  - e) the provision of an amended Landscape Plan in accordance with the submitted Landscape Plan prepared by Zenith Concepts Pty Ltd (Date: 24/10/2022), with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
    - i. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
    - ii. A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009.

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- iii. The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
  - iv. A range of plant types from ground covers to large shrubs and trees;
  - v. A canopy tree in the Peace Street front setback of Dwelling 1 capable of reaching a minimum mature height of 6 metres and a canopy tree in the Turner Road front setback of Dwelling 1 capable of reaching a minimum mature height of 8 metres;
  - vi. A canopy tree in the Peace Street front setback of Dwelling 2 capable of reaching a minimum mature height of 8 metres and a canopy tree in the rear Private Open Space of Dwelling 2 capable of reaching a minimum mature height of 6 metres;
  - vii. All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;
  - viii. No trees with a mature height over five (5) meters are to be planted over proposed or existing easements; and
  - ix. The provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;
  - x. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced
  - xi. Tree protection measures for street tree on Turner Road accurately drawn to scale and labelled
- f) the location of tree protection fencing illustrated to scale and labelled on the Ground Floor Plan
  - g) the proposed double vehicle crossing to include a common layback with a triangle of grass between the infill sections of the vehicle crossings to create a pedestrian refuge of no less than 1 metre and nominated to be constructed to the satisfaction of the Responsible Authority.
  - h) the proposed single vehicle crossing designed separate from the neighbour's vehicle crossing to create a pedestrian refuge of no less than 1 metre wide

**Endorsed Plans**

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to the satisfaction of the Responsible Authority.

**Street Tree**

- 4. Tree Protection Fencing is to be established around the street tree on Turner Road prior to demolition and maintained until all works on site are complete.
  - a. The fencing is to be a 1.8 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting
  - b. The fencing is to encompass the entire nature strip with each end 3 metres

from the base of the tree.

Drainage and Water Sensitive Urban Design

5. **\*\*Deleted\*\***
6. **\*\*Deleted\*\***
7. **\*\*Deleted\*\***
8. **\*\*Deleted\*\***
9. Unless with the prior written consent of the Responsible Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority.
  - a. Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
  - b. The Stormwater Management (drainage) Plan must address the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
  - c. A STORM modelling report with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives with a minimum 100% rating must be provided as part of the Stormwater Management (drainage) Plan to the satisfaction of the Responsible Authority. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
  - d. The water sensitive urban design treatments as per conditions 9a, 9b & 9c above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
10. Stormwater/drainage works must be implemented in accordance with the approved stormwater management/drainage plan(s) and to the satisfaction of the Responsible Authority including the following:
  - a. All stormwater/drainage works must be provided on the site so as to prevent overflows onto adjacent properties.
  - b. The implementation of stormwater/drainage detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 6.1L/s.
  - c. All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.

Sustainable Design Assessment

11. Prior to the endorsement of the plans required pursuant to Condition 1 of this permit, a revised Sustainable Design Assessment (SDA) and development plans must be submitted to and approved by the Responsible Authority. The SDA must be generally in accordance with the SDA prepared by Frater Consulting Services (dated 25/10/2022) and include to the satisfaction of the Responsible Authority:



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- i. BESS Assessment: The project needs to meet the minimum 50% overall score and minimums in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS to demonstrate best practice in sustainable design. Considering your response to the points below, should any category fall short of the minimum targets, adjustments will need to be made to demonstrate that the project meets the BESS minimums.
- ii. Rainwater Tank Reuse: Plans need to indicate rainwater tank location, size and connection to all toilets and washing machine cold water taps as proposed in the SMP.
- iii. Gas-free Development: This development could be gas-free by committing to the installation of efficient electric induction cooktops and efficient electric heat pump hot water systems.
- iv. Energy 1.2 Thermal Performance Rating – Residential: Dwellings to achieve a minimum 6.5-star NatHERS rating or provide solar photovoltaic systems to each unit.
- v. Energy Heating & Cooling Systems: Please amend the report to indicate a reverse cycle heating and cooling system to meet a 3-star minimum heating and 3-star minimum cooling (not within 1 or 2 stars of the best available) to each unit to reflect what has been entered into BESS assessment.
- vi. Energy 4.2 Renewable energy systems – Solar: Roof plans need to indicate the proposed 10kWp solar photovoltaic system.
- vii. Ventilation: Ensure all bathrooms and ensuites have an openable window or openable skylight or exhaust fans with humidity sensors to allow daylight and ventilation.
- viii. Transport 1.1 Bicycle parking – residential: The Transport 1.1 Bicycle parking – residential BESS credit for resident parking is not available for mounted bicycle parking above car bonnets and spaces that are exposed to the weather due to access difficulties. If a bike rack/hook on the long garage long wall of each dwelling it must allow for clear access paths and minimum car parking space requirements. Please indicate appropriate locations on plans.
- ix. Transport 2.1 Electric Vehicle Infrastructure: Provide the residents the option of installing their own Electric Vehicle charge points with the provision of a minimum 15A dedicated circuit from switchboard to garage.
- x. Waste Management: Each dwelling must have access to convenient storage of a waste bin, recycling bin, food/ garden waste bin (FOGO) and space for a glass bin in the future.
- xi. Urban Ecology 2.1 Vegetation: The Urban Ecology 2.1 Vegetation BESS credit must include only turfed or planting areas and cannot include other landscaping elements such as hard paving/pavers (including permeable paving), loose pavers/stepping-stones aggregate/pebbles, synthetic grass, decks, pool, RW tanks, storage sheds etc. This area must be demarcated on landscape plan accurately and entry in BESS must be updated accordingly.
- xii. Urban Cooling: For the non-visible flat roofs and exposed concrete driveway, specify light coloured or reflective finishes / materials (Solar Reflective Index >50 or Solar Absorptance<0.6) to help mitigate the urban heat island effect. This must be reflected on plans.

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- xiii. Building Materials: Concrete to be specified with recycled aggregate where appropriate and recycled water used in the manufacture.

**Infrastructure and Road Works**

12. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
13. All reinstatements and vehicle crossings are to be constructed to the satisfaction of the Responsible Authority.
14. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
15. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
16. All front and side fences must be constructed wholly within the title property boundaries of the subject land.
17. Prior to the commencement of development, property boundary, footpath and vehicle crossing levels must be obtained from Council's Roads and Drains Department with all levels raised or lowered to the satisfaction of the Responsible Authority.

**General amenity conditions**

18. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.
19. All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.

**Completion of Works**

20. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
21. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained (except where that landscaping is on public land) to the satisfaction of the Responsible Authority.

**Time Limits**

22. In accordance with section 68 of the *Planning and Environment Act 1987* (the Act), this permit will expire if one of the following circumstances applies:
  - The development is not started within two (2) years from the date of permit issue.
  - The development is not completed within four (4) years from the date of permit issue.

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

- before the permit expires; or

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

**Note:** Prior to the commencement of the development you are required to obtain the necessary Building Permit.

**Note:** The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

**Note:** The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.

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

**Note:** Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.

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

**Note:** The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011).

**Note:** The fee for removal of the street tree(s) from the nature strip is \$4849.85 (including GST), payable to Kingston City Council's Customer Service Department - refer to cashier code "STRE". Customer Service will confirm payment to the Parks Department. The removal of the tree requires a minimum of 2 weeks notice from the Developer/Owner.

**Note:** Prior to the removal of the Callistemon sp. (Bottlebrush) and Melaleuca linariifolia (Snow in Summer) street trees from the Peace Street nature strip, payment must be made to Kingston City Council's customer service in accordance with Council's Street Tree Removal Procedures. This fee includes the removal and replacement of this tree/s and that must be undertaken by Council at the expense of the Developer/Owner.

**THIS PERMIT HAS BEEN AMENDED PURSUANT TO SECTION 72 OF THE PLANNING AND ENVIRONMENT ACT 1987 AS FOLLOWS:**

Amendment	Date of	Description of Amendment	Name of
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	<b>Amendment</b>		<b>responsible authority that approved the amendment</b>
A	(Date to be the same as Date Amended)	<p>Amendment A relates to considered plans prepared by 'Belco Building Design and Town Planning', reference Job No. 5137, dated 2/10/2022, inclusive of sheets 1 to 7.</p> <p>The scope of changes pertaining to Amendment A include:</p> <ul style="list-style-type: none"> <li>• Amending the permit preamble to include an additional dwelling.</li> <li>• Changing the building footprint to include an additional dwelling.</li> <li>• Deletion of conditions 5-8.</li> <li>• Amending the wording of condition 1e to reference the new landscape plan submitted.</li> <li>• Inclusion of conditions 1e xi), 1f, 1g and 1h.</li> <li>• Inclusion of conditions 4, 9, 10, 11 &amp; 17</li> </ul>	City of Kingston

**CARRIED**

**Question Time**

Cr Cochrane arrived at 7.36pm.

Cr Eden left the meeting at 7:40pm.

Cr Eden returned to the meeting at 7:42pm.

**Jillian Van asked,**

*"Further to the proposed change to speed limits on Station Street and further to the reply to my question of 27 February 2023 that "Station Street runs parallel to Nepean Highway and is an important cycling network. There have been a high number of accidents recorded along Station Street involving cyclists and we conducted a Black Spot funding study along Station Street in 2015. Can I ask that the "high number of accidents" be formally provided with times, dates, exact location and outline of injuries and cause and also ask why a study conducted almost 10 years ago, in 2015, can still be deemed relevant given the amount of work that has been done along Station Street in the course of the LXR?"*

**The General Manager Infrastructure and Open Space provided the following response,**

*“Information on registered accidents will be provided to Ms Van. The 2015 Blackspot study on Station Street revealed that there were a total of 73 recorded casualty crashes along the study corridor between 1 January 2010 to 31 December 2014. Cyclists were involved in 44% of the recorded crashes. During the past 5 years (from 1 July 2017 to 30 June 2022), there were 48 recorded crashes on Station St, representing 12.7% of the total recorded crashes in Kingston. These crashes resulted in 51 casualties, with 35% resulting in serious injury and 65% resulting in other injuries. 8 of the 48 crashes (which is 17%) involved cyclists. It is worth noting that the total number and percentage of crashes are lower than the previous 2015 study, which is likely due to the road closure during level crossing removals. We intend to collate further information on traffic counts and accidents for the period from the completion of the LXRP works to date. The proposed speed reduction along Station Street is currently in consultation only, and we will review and consider all feedback before proceeding with any speed limit changes.”*

**Note:** *Remaining questions submitted by Ms Van were not be read out as they exceeded the two question limit in accordance with the Governance Rules. Officers will contact Ms Van regarding her concerns.*

**Simon Begg of Chelsea asked,**

*“Council stated at the last Ordinary Council Meeting that it “has no powers or plans to implement restrictions on people’s lawful movement around its City”. Can the City of Kingston please also clarify that no future changes shall be made to any laws (i.e. definition of “lawful movement”) that would add restrictions, permits or penalties on movement around, in and out of the City?”*

**The General Manager Planning and Place provided the following response,**

*“In response to Mr Begg’s question it is once again reiterated that Council has no plans to implement restrictions on people’s lawful movement around its City. The only means by which Council would add restrictions, permits or penalties on movements around, in and out of the City is in situations where works were occurring that may limit the safe or effective movement of people or vehicles.”*

**Dr Damien Williams of Bonbeach asked,**

*“Since 2010, the Transport Integration Act has required the Department of Transport and Planning to produce an integrated transport plan for Victoria. The absence of that plan makes it harder for local governments to enact policies that will reduce car dependency and increase accessibility for people of all ages and abilities. Will Kingston consider advocating through the MAV for the state government to produce this much-needed plan?”*

**The General Manager Planning and Place provided the following response,**

*“I would like to thank Dr. Williams for his question. Council will consider at the next opportunity to draft motions to the MAV State Council whether it puts forward a motion to encourage the State Government to progress an integrated transport plan for Victoria. In the interim Council will continue to advocate to the major Government Transport Agencies working in the City to ensure that integrated transport planning is prioritised.”*

**Dr Damien Williams of Bonbeach asked,**

*The footpath on the southern side of Swansea Rd, Chelsea, has been blocked by timber trussing and temporary fencing since 2021. What powers does council have to compel the adjoining building owner to clear these impediments, to ensure equal access for people who rely on footpaths to walk, roll and ride?*

**The General Manager Planning and Place provided the following response,**

*“I have sought to contact Dr. Williams today via email to confirm the address of the property and will ask the Council’s Compliance Officers to visit the site to determine the extent to which the footpath remains blocked noting the advanced stage of construction. Feedback will be provided to Dr. Williams on the outcome of Council’s investigation.”*

**Elizabeth asked,**

*“In the CEERP update being discussed this evening it notes that the ‘community’ have only achieved an 8% reduction in emissions since 2018/19 – and that this was largely due to Covid restrictions. This falls well short of the 7% year on year reduction target to zero by 2030. In order to meet community targets, can Kingston Council ensure that no ‘support’ to the community will be coercive in nature or achieved via expensive levers such as environmental levy charges?”*

**The General Manager Planning and Place provided the following response,**

*“Council thanks Elizabeth for her question. As the updates on the Climate and Ecological Response Plan (CEERP), the Council has continuously sought constructive relationships with its community to support the targets in its CEERP. The Council has not sought to use coercive measures or an environment levy to help address its targets, nor do the Actions in the CEERP seek such an outcome.”*

**Mark asked,**

*“I read the Budget file 2022-2023 from Kingston Council website where you distribute our money for different services and future plans. Could you please provide all the criteria necessary to qualify for each category:*

- *Liveability*
- *Sustainability*
- *Prosperous*
- *Healthy and inclusive*
- *Safe*
- *Well-governed?”*

**The Chief Finance Officer provided the following response,**

*“Thank you for your question, Mark. The City of Kingston’s Council Plan 2021-25 includes six Strategic Directions specified by Council –*

- *Liveable*
- *Sustainable*
- *Prosperous*
- *Healthy and Inclusive*
- *Safe*
- *Well-governed.*

*The Council Plan was developed in consultation with our community through our ‘Your Kingston Your Future’ engagement program. These Strategic Directions are defined on page 22 of the 2022/23 budget. The criteria applied to allocating budgeted revenue and operating expenditure to each Strategic Direction is provided across pages 24-43 of the budget, together with a full reconciliation to the total operating budget provided*

*on page 43. Illustratively, the "Safe" Strategic Direction includes all activities associated with animal management and local laws, food safety regulation and health, local law education and enforcement, municipal emergency management, parking enforcement, road safety and street lighting maintenance. The full criteria for all Strategic Directions is provided within the budget and across pages 24-43."*

**Christine Scott asked,**

*"Speed cameras proposed for Station Street 60 to 50kmh in Aspendale shows on an electronic sign but no-one I know in the area has noted this. Will a specific targeted door to door survey or letter box in Aspendale be done to encourage direct community consultation gathers accurate information?"*

**The General Manager Infrastructure and Open Space provided the following response,**

*"A survey was made available on Council's website seeking feedback on a proposed reduction in speed limits on Station Street. Community consultation was open from 13 February to 17 March. My understanding was that there was a letterbox drop that was undertaken with neighbouring residents in that area and the full consultation documentation was available on Council's website for feedback."*

**Gail Ash of Waterways asked,**

*"I question as a pensioner why I have to pay \$61.00 dog registration He is extremely ill and only alive due to medication. My account is due to be paid 10<sup>th</sup> April which I feel should be cancelled."*

**The General Manager Planning and Place provided the following response,**

*"We will ensure that a Council officer contacts Ms Ash this week to discuss her personal circumstances."*

**Joe asked,**

*"Around early March, two cameras were temporarily erected above parking signs in Balcombe Road Mentone, opposite Woolworths and Shoemakers Warehouse. Can the Council inform us what were the purpose of these cameras, which were erected for approximately one week?"*

**The General Manager Infrastructure and Open Space provided the following response,**

*"This question will be taken on notice and a response provided in writing."*

**Note:** *an additional question was not read out as it was considered to be objectionable and potentially derogative and embarrassing for staff to answer in accordance with sub-rule 39.9.4 of Council's Governance Rules." A response will be provided to Joe following the meeting.*

**Bill of Mordialloc asked,**

*"Is it possible to have an update on the status of the Purple Pipeline Project to use recycled sewer water or Kingston's green areas vs pumping into the bay?"*

**The General Manager Planning and Place provided the following response,**

*"Council does understand that South East Water is now at the tendering stage of this exciting project. Advice will be sought from land owners which will include market gardeners, nurseries, Council, golf courses and other users to discuss their water needs and to discuss the cost of the recycled water. Bill is encouraged to contact Council if he has further interest in this project."*

**James asked,**

*"1. Are plastics and paper currently recycled or do they go to the landfill. 2. I have solar panels and was not aware when I installed them that there is currently not a process in place to recycle them. Could you please advise what happens to old panels?"*

**The General Manager Infrastructure and Open Space provided the following response,**

*"Yes, co-mingled recycling in residents' yellow bins, including glass, plastics and cardboard are recycled. In addition, commencing today, we have a soft plastics drop-off service available for all Kingston residents at five locations across Council, which will divert the collected soft plastics away from landfill. The drop-off sites are right here in the foyer of 1230 Nepean Highway Cheltenham, Waves Leisure Centre in Highett, Clarinda Community Centre, Aspendale Gardens Community Centre and Patterson Lakes Community Centre. These sites now accept any soft plastics that residents may have previously dropped at the larger supermarkets. These include soft plastic bags, food packets and cling wraps. Regarding solar panels recycling, I will need to take that on notice and respond separately to the resident."*

**Rob of Mentone asked,**

*"It seems that cameras are popping up around the place seemingly for all sorts of information. Example RTA – do Councils oversee these requests and if yes, what is the approval process and what happens to the data? Are the cameras secured, deletion of data etc."*

**The General Manager Infrastructure and Open Space provided the following response,**

*"Victoria Police is the authority responsible for choosing the location of road safety cameras. All data is managed by Victoria Police. Council has no involvement in this."*

**The CEO provided the following statement,**

*"Questions submitted for tonight's meeting by Leanne, Lisa, Irina, Ann, Nicholas, Amanda, John and Steve will not be read out as they have been assessed as being repetitive of questions already answered at an earlier meeting in accordance with sub-rule 39.9.3 of Council's Governance Rules."*



**8.4 KP-2006/722/A - 1/9 Fletcher Street Moorabbin**

**Moved: Cr Howe**

**Seconded: Cr Hill**

That an amended planning permit be issued under delegated authority of Council for the construction of a first floor extension to the existing dwelling at 1/9 Fletcher Street, Moorabbin, subject to the list of conditions detailed below (new or amended conditions highlighted in **bold**) and the endorsement of the plans prepared by Extension Factory, dated 16 December 2022 and the tree management plan prepared by Melbourne Tree Care and dated 15 December 2022.

**Amended Plans**

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council with the application, but modified to show:
  - a) The provision of an improved landscape plan in accordance with the submitted development plan and the City of Kinston Landscape Plan Checklist, with such plans to be prepared by a suitably qualified landscape professional and incorporating:
    - i. An associated planting schedule showing the proposed location, species type, mature height and width, pot sizes and number of species to be planted on site;
    - ii. The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works including areas of cut and fill throughout the development;
    - iii. All existing trees on the site and close to the boundary of the site on adjoining properties, accurately illustrated to represent actual canopy width and labelled with botanical name, height and whether the tree is proposed to be retained or removed;
    - iv. A range of plant types from ground covers to large shrubs and trees;
    - v. Adequate planting densities (e.g. plants with a mature width of 1 metre, planted at 1 metre intervals);
    - vi. The retention of existing vegetation in good health and condition located outside the proposed building envelope;
    - vii. The provision of one (1) suitable spreading canopy tree located within the front setback area of the existing dwelling and rear open space of each dwelling;
    - viii. All trees provided at a minimum of 2 metres in height at time of planting;
    - ix. Medium to larger shrubs to be provided at a minimum pot size of 200mm;
    - x. The provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;

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- xi. The provision of a notation that any existing vegetation shown to be retained is damaged at the time of construction, or die as a result of construction, they must be replaced with a species of the same variety and size in the advanced form;
  - xii. No trees planted within the easement with intrusive roots that may effect the drainage;
  - xiii. The canopy tree in the rear secluded private open space of dwelling 1 to be relocated to a more appropriate location so as to be well clear of the door of the storage shed of this dwelling;
  - xiv. A notation that: A Local Law permit is required to remove any tree with a trunk circumference of 110cm or greater measured at ground level;
  - xv. A notation that: A Local Law permit must be obtained to undertake earthworks within the Critical Root Zone of any tree (located on the site or adjoining properties) with a trunk circumference of 110cm or greater. No excavation is to occur within the Critical Root Zone. The area must be hand dug to determine the location of tree roots. Council's Vegetation Officer must be contacted to inspect the tree roots. A qualified and experienced arborist must carry out any root pruning permitted.
- b) All requirements of Melbourne Water, in accordance with Condition 5 of this permit.
  - c) The carport of dwelling 1 to be provided with a full gable-end roof, with the deletion of the covered pergola section of roof;
  - d) An elevation plan of the front fencing, which provides details of height (not exceeding 1.2m), materials and colours;
  - e) The door of the garage of dwelling 2 nominated as a panel lift door, or similar; and
  - f) The surface material of all driveways/accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar.

**Endorsed Plans**

- 2. The development and/or use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. Before occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
- 4. Before occupation of dwelling 2 hereby permitted, all buildings and works and the conditions of this permit must be complied with, unless with the prior written consent of the Responsible Authority.

**Melbourne Water Conditions**

- 5. Conditions required by Melbourne Water
  - a) Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways during the construction of works;
  - b) Finished floor levels for the new dwelling must be a minimum of 300mm

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- above the applicable flood level;
- c) Any extended floor level to the existing dwelling must be no lower than the existing floor level;
  - d) Any new garage must be constructed with finished floor levels no lower than 150mm above the applicable flood level;
  - e) Any new carport must be constructed with finished floor levels no lower than 350mm below the applicable flood level;
  - f) Any new fences must be of an open style of construction to allow for the passage of overland flow.

**Drainage**

- 6. The development of the site must be provided with stormwater treatment works which will entail the detention of stormwater on site using water sensitive urban design principles (including re-use) to reduce stormwater run-off quantity and improve discharge quality. Discussion with Council's Development Engineer on treatment options is advised prior to a design being submitted.

The stormwater system must be constructed in accordance with the approved drainage plan and maintained to the satisfaction of the Responsible Authority.

- 7. Before the development hereby permitted commences, a drainage plan showing the method of treatment of stormwater from the development must be submitted to the Responsible Authority for approval. The plan must be prepared by a qualified person and show all drainage works required. The plan must also show all existing and proposed features that may have impact on the drainage (e.g. trees to be retained, crossings, services, fences, abutting buildings, existing boundary surface levels, etc).
- 8. Stormwater drainage of the site must be provided so as to prevent overflows onto adjacent properties and be in accordance with the approved drainage plan.

**General Amenity**

- 9. Construction on the site must be restricted to the following times:

Monday to Friday	7:00am to 7:00pm; and
Saturday	9:00am to 6:00pm.

Or otherwise as approved by the Responsible Authority in writing.
- 10. Before the occupation of dwelling 2 hereby permitted starts, or by such later date as is approved by the Responsible Authority in writing, the nature strip, kerb and channel, vehicle crossover and footpath must be reinstated to the satisfaction of the Responsible Authority.
- 11. Any existing vehicular crossing not in accordance with the endorsed plan must be removed and the kerb reinstated in a manner satisfactory to the Responsible Authority and any proposed vehicular crossing must be fully constructed to the Responsible Authority's standard specification.
- 12. Convenient taps or fixed sprinkler system must be provided to the satisfaction of the Responsible Authority capable of watering all communal and private land and landscaped areas, including turf block visitor car parking where provided.
- 13. A street number of 100mm minimum height and contrasting in colour to its background, must be fixed at the front boundary of the property and as near as practicable to, or on the letterboxes with such numbering to be in accordance with Council's Street Numbering Policy. Separate unit numbers of 75mm

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minimum height must be placed adjacent to the front entrance of each dwelling. Such numbers must be clearly legible from the access driveway.

14. Prior to the occupation of dwelling 2 hereby approved, all boundary fences must be repaired and/or replaced as necessary to the satisfaction of the Responsible Authority, at the cost of the applicant/owner. All fencing and boundary wall finishing as required pursuant to conditions 1g), 1h) and 1i) of this permit are to be at the whole cost of the applicant/owner.
15. Exterior lights must be installed in such positions as to effectively illuminate all pathway and porch areas. Such lighting must be controlled by a time clock or sensor unit, and must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.
16. Prior to the occupation of dwelling 2 hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
  - a) Constructed to the satisfaction of the Responsible Authority.
  - b) Properly formed to such levels that they can be used in accordance with the plans.
  - c) Surfaced with an all-weather, coloured concrete, sealcoat to the satisfaction of the Responsible Authority.
  - d) Drained and maintained to the satisfaction of the Responsible Authority.
  - e) Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.
17. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
18. All piping and ducting above the ground floor storey of the development (other than rainwater guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.
19. Finished Floor Levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
20. External clothes drying facilities must be provided for each dwelling.

**Completion of Works**

21. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

**Permit Expiry**

22. In accordance with Section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
  - The development and use are not started before 3<sup>rd</sup> May, 2009.
  - The development is not completed before 3<sup>rd</sup> May, 2011.

In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

**Amended Permit Expiry**

23. This amended planning permit as it relates to the amendments approved under

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KP-2006/722/A will expire if one of the following circumstances applies:

- a) The amended development is not started within two (2) years of the date of this amended permit.
- b) The amended development is not completed within four (4) years of the date of this amended permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

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

**Note:** Prior to the commencement of the development you are required to obtain the necessary building permit.

**Note:** The applicant/owner must provide a copy of this planning permit to any appointed building surveyor. It is the responsibility of the applicant/owner and building surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

**Note:** The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.

**Note:** Before removing / pruning any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's vegetation management officer to verify if a Local Laws permit is required for the removal of such vegetation.

**THIS PERMIT HAS BEEN AMENDED PURSUANT TO SECTION 72 OF THE PLANNING AND ENVIRONMENT ACT 1987 AS FOLLOWS:**

Amendment	Date of Amendment	Description of Amendment	Name of responsible authority that approved the amendment
A	(Date to be the same as Date Amended)	<p>Amendment A relates to advertised plans prepared by Extension Factory, dated 16 December 2022, submitted to Council on 16 December 2022.</p> <p>The scope of changes pertaining to Amendment A include:</p> <ul style="list-style-type: none"> <li>• First floor extension to Unit 1.</li> <li>• Retrospective approval for the verandah to Unit 1.</li> <li>• Internal ground floor alterations to Unit 1.</li> </ul>	City of Kingston

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		<ul style="list-style-type: none"><li>• Include new condition 23 introducing an expiry condition for the amendment application.</li></ul>	
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**CARRIED**

**8.5 Tree Removal Application at No.179-217 Centre Dandenong Road Dingley Village -PT-2022/433; PT-2022/434; PT-2022/435; PT-2022/436; PT-2022/437; PT-2022/438; PT-2022/440; PT-2022/442**

**Moved: Cr Staikos**

**Seconded: Cr Davies**

That Council:

1. Support grant of Local Law Permits for those trees outlined in Section 2 of this report where the Recommendation is to remove pursuant to the assessment criteria contained within Clause 42 of the Community Local Law and provide for replacement planting at a ratio of up to 3:1 for each tree proposed to be removed.
2. Request the owner of the subject land inform adjacent residents prior to undertaking the tree pruning or removal works.

**CARRIED**

**8.6 Response to Notice of Motion 33/2022 - Airbnb Policy**

**Moved: Cr Howe**

**Seconded: Cr Bearsley**

That Council:

1. Undertake community consultation on a draft policy governing the expected behaviour of guests in short stay rental accommodation as per Appendix 1 to this report; and
2. Receive a further report after the completion of consultation.

**Note:** Cr Staikos requested through the Chairperson and was granted an extension of time to speak on the matter.

**Proposed Alteration**

**Moved: Cr Oxley**

That the Motion be adopted with the addition of the following at point 3:

3. Write to the Minister for Local Government and Minister for Consumer Affairs advocating for the development of a policy that provides a unified State-wide approach to governing short stay rental accommodation properties across

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Victoria.

**The Proposed Alteration was accepted by the Mover and Seconder.**

**Moved: Cr Howe**

**Seconded: Cr Bearsley**

That Council:

1. Undertake community consultation on a draft policy governing the expected behaviour of guests in short stay rental accommodation as per Appendix 1 to this report; and
2. Receive a further report after the completion of consultation.

**LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Bearsley, Eden, Howe and Oxley (4)

**AGAINST:** Nil (0)

**ABSTAINED:** Crs Staikos, Davey-Burns, Cochrane, Davies, Hill and Saab (6)

**LOST**

3. Write to the Minister for Local Government and Minister for Consumer Affairs advocating for the development of a policy that provides a unified State-wide approach to governing short stay rental accommodation properties across Victoria.

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Staikos, Davey-Burns, Bearsley, Cochrane, Davies, Eden, Hill, Howe, Oxley and Saab (10)

**AGAINST:** Nil (0)

**CARRIED**

**Note:** It was decided by the Chairperson that parts 1 and 2 of the Motion be put the vote separately to part 3.

**The Resolution reads as follows:**

**Moved: Cr Howe**

**Seconded: Cr Bearsley**

That Council write to the Minister for Local Government and Minister for Consumer Affairs advocating for the development of a policy that provides a unified State-wide approach to governing short stay rental accommodation properties across Victoria.

**CARRIED**

**8.7 Climate and Ecological Emergency Response - Update**

**RECOMMENDATION**

That Council:

1. Receive the report.
2. Note the environmental management audit recommendations and that a copy of this update will be provided to Council's Audit and Risk Committee.
3. Note the new 'Climate Emergency Dashboard' for monitoring and reporting.

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.



**9. Community Strengthening Reports**

**9.1 Fees & Charges - Family & Children's Centres**

**RECOMMENDATION**

That Council receive the information and note the proposed changes to fees and charges at the Family and Children's Centres for the 2023/2024 budget as outlined in this report.

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

**10. Infrastructure and Open Space Reports**

**10.1 Chelsea Bicentennial Park Netball Court Upgrade Project**

**RECOMMENDATION**

That Council:

1. Endorse the proposed scope of works at the Chelsea Sports Women's Centre, Bicentennial Park Netball Complex, as shown in Appendix 1 comprising the upgrade of the six existing outdoor flood-lit netball courts in accordance with Netball Australia Facility Guidelines;
2. Consider funding the upgrade of the outdoor netball courts at the Chelsea Sports Women's Centre, Bicentennial Park Netball Complex in the FY2023/24 and FY2024/25 Council Budget;
3. Advocate and endorse officers to make application to the State Government for funding support towards the upgrade of the outdoor netball courts at the Chelsea Sports Women's Centre, Bicentennial Park Netball Complex; and
4. Support multi-use opportunities at the Chelsea Sports Women's Centre Bicentennial Park Netball Complex that do not adversely impact upon the primary use of netball.
5. Engages with the local community in relation to the proposed upgrade of the existing courts at the Chelsea Sports Women's Centre Bicentennial Park Netball Complex.

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

**11. Customer and Corporate Support Reports**

**11.1 Advocacy Update**

**RECOMMENDATION**

That Council receive the March Advocacy Update report.

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

**11.2 CEO and General Manager Quarterly Expenses**

**RECOMMENDATION**

That Council receive the report.

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

**11.3 Council Instrument of Delegation (S6) update**

**RECOMMENDATION**

That in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Kingston City Council (Council) resolves that:

1. 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 attached *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.
2. The instrument comes into force immediately upon resolution of Council.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

**11.4 Amendment to 2023 Council Meeting Dates**

**RECOMMENDATION**

That Council amend the Council meeting dates for 2023 as follows:

1. The Planning Committee Meeting to be held on Wednesday 13 December 2023 replacing the scheduled meeting of 7 December 2023, and
2. The Ordinary Council Meeting to be held on 20 November 2023 replacing the scheduled meeting of 27 November 2023.

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

**11.5 Quick Response Grants**

**RECOMMENDATION**

That Council approve the following Quick Response Grant applications:

- Chelsea Football Club - \$1500.00
- Clarinda Seniors Social Group - \$1100.00
- Kingston Indian Senior Citizens Association - \$1500.00
- Mentone & St Bedes OC Amateur Football Club - \$1500.00
- Elonera PreSchool Association Inc - \$1500.00
- Beach Patrol Australia Inc - \$1500.00
- MiCare Ltd - \$500.00
- Zee Cheng Khor Moral Uplifting Society Inc - \$1500.00

That Council not approve the following Quick Response Grant applications:

- Make a Difference Dingley Village Inc

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

**11.6 Motion for Australian Local Government Association National General Assembly**

**RECOMMENDATION**

That Council endorse the following motion of Greater Dandenong City Council to be submitted to the Australian Local Government Association for consideration for the June 2023 National General Assembly:

“Mayoral Taskforce for People Seeking Asylum:

That the Australian Local Government Association (ALGA) and this National General Assembly:

1. acknowledges and welcomes the Federal Government’s pathway to permanency

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for over 19,000 Temporary Protection Visas and Safe Haven Enterprise Visas holders

2. acknowledges the contrasting Federal Government policy towards the remaining 12,000 people who have been failed by, or are still subjected to the 'Fast Track' Refugee Status Determination (RSD) process;
3. acknowledges Greater Dandenong City Council as secretariat of the Local Government Mayoral Taskforce Supporting People Seeking Asylum on behalf of the following Councils that are members:
  - Executive Members – Brimbank City Council, Casey City Council, Darebin City Council, Hobsons Bay City Council, Hume City Council, Kingston City Council, Monash City Council, Moreland City Council, Yarra City Council;
  - General Members – Ballarat City Council, Banyule City Council, Bendigo City Council, Blue Mountains City Council, Canterbury Bankstown City Council, Cardinia Shire Council, Hawkesbury City Council, Inner West City Council, Leeton Shire Council, Maribyrnong City Council, Melbourne City Council, Moonee Valley City Council, Nillumbik Shire Council, Port Phillip City Council, Randwick City Council, Wagga City Council, Whittlesea City Council, Wyndham City Council; and
  - Supporter Councils – Bass Coast Shire Council, Greater Geelong City Council, Hobart City Council, Launceston City Council, Macedon Ranges Shire Council, Maroondah City Council, Mornington Peninsula Shire Council, Borough of Queenscliffe, Wellington Shire Council, and Whitehorse City Council; and
4. calls of the Federal Government for a consistent approach to:
  - replace the existing 'Fast Track' system with a single Refugee Status Determination RSD process and an independent, timely and fair merits review; and
  - continue to invest resources to urgently clear the backlog of asylum applications/appeals in order to create an efficient system."

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

**11.7 Informal Meetings of Councillors**

**RECOMMENDATION**

That Council receive the report.

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

**11.8 Annual Review Strategic Advisory Committees**

**RECOMMENDATION**

That Council adopt revised Terms of Reference for Active Kingston, Arts and Cultural and Environment and Open Spaces Strategic Advisory Committees which expands the maximum membership numbers to a total of ten (10) members.

**Note:** Refer to page 5 of the Minutes where this item was resolved *en bloc*.

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**12. Chief Finance Office Reports**

**12.1 Proposed Lease of 51 Tootal Road, Dingley Village**

**Moved: Cr Staikos**

**Seconded: Cr Davies**

That Council:

1. Note that the proposed sale of the property is deferred for at least twelve months during the current property market slowdown, and that the property is leased for twelve months to take advantage of a strong rental demand for residential property.
2. Receive a further report in 2024 on the future sale of the property.

Cr Cochrane left the meeting at 8:22pm.

**CARRIED**

**12.2 Proposed Sale of 6 Lochiel Avenue, Edithvale**

**Moved: Cr Hill**

**Seconded: Cr Bearsley**

That Council:

1. Give public notice under section 114 of the Local Government Act 2020 and Council's Community Engagement Policy of its intention to sell 6 Lochiel Avenue Edithvale 3196.
2. Authorise the Chief Executive Officer and delegated officers to convene a sub-committee, on a date to be set, comprising Cr Saab, Cr Eden, Chief Finance Officer, Manager Property Services, and Team Leader Property Services to hear any submitters who have requested to be heard in support of their submissions lodged in response to the public notice and report back to Council.
3. In the event that no submissions are received that require Council's consideration, authorise the Chief Executive Officer to sell 6 Lochiel Avenue Edithvale 3196 for not less than the market value of the property determined by an independent certified property valuer.

Cr Cochrane returned to the meeting at 8:24pm.

**CARRIED**

**13. Notices of Motion**

**13.1 Notice of Motion No. 9/2023 - Cr Howe - Mordi Fest Review**

**Moved: Cr Howe**

**Seconded: Cr Cochrane**

That:

1. Council receive a report this year to an ordinary meeting that outlines opportunities to expand the Mordi Fest, previously the Mordialloc Food, Wine and Music Festival including:
  - a) operating over three days, the Friday being the first from after lunchtime;
  - b) closure of Main Street, Mordialloc to increase capacity for an additional stage; and
  - c) ticketing options to cover costs of attracting bigger acts
2. Due diligence will be included, namely a financial analysis along with all approvals, risks and incidentals as would be expected for this proposal, and any such consultation with internal and external stakeholders required.

**Proposed Alteration**

**Moved: Cr Howe**

That Council:

1. Receive a report this year to an ordinary meeting that outlines opportunities to expand the Mordi Fest, previously the Mordialloc Food, Wine and Music Festival including:
  - a) opening with a Friday night launch, including programmed music;
  - b) assessment of Main Street service lane closure for event use; and
  - c) revised ticketing options for operational cost coverage, including consideration of attracting bigger acts.
2. Due diligence and consultation will be included, namely a financial analysis along with all approvals, risks and incidentals as would be expected for this proposal.

**The Proposed Alteration was accepted by the Mover and Seconder**

Cr Eden left the meeting at 8:32pm.

Cr Eden returned to the meeting at 8:34pm.

Cr Staikos left the meeting at 8:38pm.

Cr Staikos returned to the meeting at 8:40pm.

**The Motion was put and CARRIED**

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**13.2 Notice of Motion No. 10/2023 - Cr Oxley - Single Parenting Payment**

**Moved: Cr Oxley**

**Seconded: Cr Eden**

That Council write to the Prime Minister, Deputy Prime Minister, Treasurer and Local Federal MPs with an updated letter to seek and advocate for restoration of the Single Parenting Payment.

Cr Davey-Burns left the meeting at 8:46pm.

Cr Davies left the meeting at 8:47pm.

**CARRIED**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Staikos, Bearsley, Cochrane, Eden, Hill, Howe, Oxley and Saab  
(8)

**AGAINST:** Nil (0)

**CARRIED**

**13.3 Notice of Motion No. 11/2023 - Cr Oxley - Outdoor Dining Plaza in Chelsea**

**Moved: Cr Oxley**

**Seconded: Cr Eden**

That Council develop options for a trial Summer Pop Up Plaza in Chelsea for 23/24, similar to what has been developed at Owen St Mordialloc. To enhance outdoor dining opportunities in Chelsea, to assist traders and bring the community together.

Cr Davies returned to the meeting at 8:54pm.

Cr Davey-Burns returned to the meeting at 8:57pm.

**CARRIED**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Staikos, Bearsley, Cochrane, Eden, Hill, Howe, Oxley and Saab  
(8)

**AGAINST:** Nil (0)

**ABSTAINED:** Crs Davey-Burns and Davies (2)

**CARRIED**



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**13.4 Notice of Motion No. 12/2023 - Cr Oxley - Women of the Year Awards**

**Moved: Cr Oxley**

**Seconded: Cr Eden**

That given the outstanding success of Council's women of the year awards, Council write to all other Victorian Councils to share the success of the Women of the Year awards, specifically in relation to International Women's Day, our Domestic and Family Violence Action Plan and the role that these awards play in celebrating women in the community. That we would encourage these Councils to consider also running these awards at their Council.

**CARRIED**

**13.5 Notice of Motion No. 13/2023 - Cr Eden - Public Questions at Ordinary Council Meetings**

**Moved: Cr Eden**

**Seconded: Cr Oxley**

That:

Considering Council espouses a desire for community inspired leadership; the council confirm that Kingston Council does value community input by seeking a report to make changes to the governance rules that allow members of the public to ask their questions in person at an Ordinary Council Meeting.

By passing this motion Council note it will still follow the same guidelines for questions, however, allow people to ask the questions in person and directly to the Council. This confirms Council is genuine about hearing from the community in an open manner.

Should Council not pass this motion, it does not wish to allow people to openly ask questions about the organisation and the responsibilities it has in delivering for the community.

**Procedural Motion**

**Moved: Cr Howe**

**Seconded: Cr Cochrane**

That the Motion be now put.

**CARRIED**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Staikos, Davey-Burns, Bearsley, Cochrane, Davies, Hill and Howe (7)

**AGAINST:** Crs Eden, Oxley and Saab (3)

**CARRIED**

**The Motion was put and LOST**

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**A Division was Called:**

**DIVISION:**

**FOR:** Crs Eden, Howe and Oxley (3)

**AGAINST:** Crs Staikos, Bearsley, Davies, Hill and Saab (5)

**ABSTAINED:** Crs Davey-Burns and Cochrane (2)

**LOST**

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**14. Urgent Business**

**Moved: Cr Eden**

**Seconded: Cr Oxley**

That an item of Urgent Business be considered in relation to allowing the community and Councillors to speak at a Council Meeting.

Cr Cochrane left the meeting at 9:34pm.

Cr Cochrane returned to the meeting at 9:35pm.

**LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Eden and Oxley (2)

**AGAINST:** Crs Staikos, Davey-Burns, Bearsley, Cochrane, Davies, Hill and Saab (7)

**LOST**

Cr Howe left the meeting at 9:20pm and did not return.

**City of Kingston  
Ordinary Council Meeting**

**Minutes**

**27 March 2023**

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**15. Confidential Items**

**Moved: Cr Staikos**

**Seconded: Cr Davies**

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 CEO Employment Matters - Committee Report**

*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
- This item is confidential in nature due to the personal information contained within.

**CARRIED**

The meeting was closed to members of the public at 9.37pm.

**Moved: Cr Staikos**

**Seconded: Cr Davies**

That the meeting be opened to members of the public.

**CARRIED**

The meeting was opened to members of the public at 9.43pm.

The meeting closed at 9.43pm.

**Confirmed.....**

**The Mayor 26 April 2023**