

Minutes

Ordinary Council Meeting

Monday, 22nd June 2026

**City of Kingston
Ordinary Council Meeting**

Minutes

22 June 2026

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The meeting commenced at 7:00pm 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, left at 8.52pm)
Cr Tony Athanasopoulos
Cr Georgia Erevnidis
Cr Chris Hill (attended online)
Cr Chris Howe
Cr Hadi Saab (attended online)
Cr Caroline White (attended online, arrived at 7.01pm, left at 8.26pm)

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 Finance Officer
Jaclyn Murdoch, Manager City Development
Freya Carlson, Acting Manager Governance, Risk and Integrity
Sharon Lozsan, Team Leader Council Governance
Ellie Lockard, Council Governance Officer
Connor Hay, Council Governance Officer
Justin Welsford, Media and Communications Advisor
John Watson, Municipal Monitor (attended online)

Cr White arrived at the meeting at 7.01pm.

1. Apologies

There were no apologies submitted to the meeting.

2. Confirmation of Minutes of Previous Meetings

COUNCIL RESOLUTION

Moved: Cr Athanasopoulos

Seconded: Cr O'Donnell

That Council confirm the Minutes of the Ordinary Council Meeting held on 25 and 26 May 2026.

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

AGAINST: Nil (0)

CARRIED

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

Cr Athanasopoulos foreshadowed a declaration of a direct material general conflict of interest in Item 8.2 KP-2025/504 - 45 Patterson Street, Bonbeach.

Cr Saab foreshadowed a declaration of a general conflict of interest in Item 9.3 Kingston Grants Program - Funding Allocations for Community Festivals, Events & Creative Activities Grants 2026-27.

Peter Bean foreshadowed a direct material conflict of interest in Item 15.2 CEO Employment Matters.

4. Petitions

Nil.

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

Councillor Statements

Cr Athanasopoulos made a statement regarding the Socceroos' participation in the FIFA World Cup and the community coming together.

COUNCIL RESOLUTION

Moved: Cr Howe

Seconded: Cr O'Donnell

That Council receive the Councillor Statement.

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

AGAINST: Nil (0)

CARRIED

6. Question Time

Question time was held at 7.07pm.

A total of 31 questions were received, with two disallowed under the Governance Rules. Preambles submitted with questions were not read out.

Question from Gavin:

Traditionally Kingston Council employee costs, wages and salaries have absorbed around 70 to 75 percent of Council's rate revenue, yet in Council's current and projected budget figures from 23/24 year through to 27/28 year, employee costs are shown as rising from 116 million to 141 million an increase of 25 million in 4 years, whilst rate revenue is shown as rising from 164 million to 190 million an increase of 26 million.

Given this projection highlights that now nearly every dollar of additional rate revenue will be absorbed by staff costs, I ask is it time for a serious considered review of current staffing at Council?

Chief Finance Officer, Bernard Rohan, responded:

Council reviews staffing costs every year in the annual budget process. Council's services are planned in line with the Council and Wellbeing Plan and the annual budget is the mechanism through which funding sources are identified and resourcing decisions are made by Council.

Rates is one funding source for staffing costs. Council's broader funding sources also include grants, user fees, charges and other income. A significant part of the budgeted increase in employee costs in 2026/27 is linked to grant-funded, community services including Council's expanded aged care services into Frankston. There are also planned increased staffing costs associated with the opening of the new Mordi Aquatic Centre midway through 2026/27, which will also generate aquatic user fees.

Council considers all resourcing and staffing decisions in line with the available funding and with a focus on delivering services and capital projects for our community.

Question from Tim:

After the LXP at station street I now cannot turn left out of my property without crossing over into the oncoming lane. I have emailed the council numerous times and had no response to this major safety concern. Can you explain how you let this design be approved and why you have chosen to ignore my emails on an obvious safety concern?

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

Thank you for your email Tim and for raising your concerns regarding access to your property following the Level Crossing Removal Project LXP works at Station Street.

We understand the concerns you have described and appreciate the impact this may have. Council engineers are currently engaging with the LXP team to review the situation and identify the most appropriate solution to improve access arrangements.

This matter is being actively investigated, and once an outcome has been determined, we will provide you with a further update.

In the meantime, if you would like to discuss this in more detail, please feel free to contact Council's Team Leader Traffic Engineering directly. Thank you for your patience while we work through this with LXP.

Question from Tim:

After the LXP I have lost a car park, bike lane and safe clear space between the kerb and traffic lane from out the front of my house. All of this was done with no resident consultation. Will there be any reduction in rates due to this?

Chief Finance Officer, Bernard Rohan, responded:

No, there will be no reduction in Council rates.

The Level Crossing Removal Project is administered by the State Government and it has made the decisions regarding changes to the road conditions on Station Street. Should you have concerns regarding these changes a dedicated contact phone number for the Level Crossing Removal Project is 1800 105 105 or via the website bigbuild.vic.gov.au.

As part of Council's annual rating cycle, the Valuer-General values all properties for rating purposes each year and these valuations address changes to properties for a broad range of factors. The valuation and rating process includes the ability for ratepayers to lodge objections regarding valuations with the Valuer-General which can change the rating outcome where objections are upheld by the Valuer-General. This process for objecting to valuations is explained on the rate notice and on Council's website at <https://www.kingston.vic.gov.au/property/rates/rating-valuations>

Questions from Scott:

- 1. Given Council officers have recently commenced roadworks at the end of Southern Road Mentone to facilitate heavy vehicle access associated with the development approved by the State Government, can Council please advise the total estimated cost to Council of these roadworks, including design, approvals, construction and any associated costs?*
- 2. At the Council meeting 23 March 2026, Council resolved through a Notice of Motion to facilitate a multi party roundtable stakeholder meeting regarding the Southern Road/Airport connection within one month of 23 March 2026. Can Council officers please advise why this round-table meeting has not occurred particularly as it is now 3 months late?*

General Manager Planning and Place, Jonathan Guttman, responded:

In response to Question 1 Council's Manager Infrastructure will coordinate a response to Scott regarding the extent and costs of the works in Southern Road, Mentone which are understood to be related to the road surface works.

In response to Question 2. Officers have sought to facilitate a multi-party roundtable stakeholder meeting regarding the Southern Road/Airport connection.

Scott was advised on the 24th April, 2026, that Officers were yet to get confirmation from the State Department of Transport and Planning (DTP) about participating in a meeting / roundtable. As Scott has identified the application has now been approved for 54-76 Southern Road, Mentone. This decision has

followed multiple attempts to secure the attendance of the DTP, who were the decision maker for the relevant Planning Application. The DTP were identified by Council and Scott, as key meeting participants.

Council and the community have also sought to obtain the support of the Commonwealth Department to participate in discussions regarding this matter. Attempts to secure the participation of the Commonwealth have been unsuccessful with it referencing a future masterplan needing to make provision for the connector road to provide for its further assessment.

The Commonwealth Minister has asked the Moorabbin Airport Corporation to continue to liaise with stakeholders and Council regarding the connector road.

Officers will contact the Moorabbin Airport Corporation and Scott to further discuss this matter.

Questions from Rose:

- 1. With regard to the Kingswood redevelopment, please advise residents why the Council stated in its affidavits submitted to VCAT in December 2025 that it could not recall the date when it first engaged external legal advice?*
- 2. How come Kingston Council incorrectly advised VCAT as to when the Council first received legal advice from barrister Mr Gelber, said now to be 11 November 2025 as referred to in the Councils second affidavit to VCAT dated 10 December 2025?*

General Manager Planning and Place, Jonathan Guttman, responded:

Council's Manager City Strategy spoke with Rose by phone on 1 June. Subsequently, a written response to the question tabled at the April and May Ordinary Council Meeting was emailed to Rose on 4 June.

Paragraph 34 of the affidavit prepared by Council's Manager City Strategy relating to the subject matter before the VCAT dated 8 December 2025 stated that 'On or about 18 and 19 November 2025, Council sought to engage Best Hooper Lawyers to represent it in this proceeding'. Council's engagement of Best Hooper Lawyers initially comprised a phone call between Council officers and a representative of Best Hooper Lawyers. In drafting the affidavit some 3 weeks after this phone call occurred, Council Officers were unable to recall whether the initial phone call was made on 18 or 19 November. Appropriately, this is reflected in the affidavit as tabled with VCAT.

The affidavits prepared by the Manager City Strategy dated 8 and 10 December 2025 identified that (emphasis added) '...Council's officers commenced the work relating to the application for review at approximately 9:00am on 11 November 2025. Council first received written advice from Mr Gelber relating to the matters before the VCAT, on 12 November 2025. The scope of Mr Gelber's input, relevant to the hearing matter was clarified at paragraph 5 of the second affidavit prepared by Council's Manager City Strategy dated 10 December.

Question from Gavin:

In tonight's item 7.1 'Arbiters determination in the matter between Cr Saab and Cr Oxley' where the Arbiter Matt Evans found the application both misleading and vexatious and stated "It is disappointing that this matter was not resolved through mediation, and that so much time and effort have been expended on this process". Can Council please state how much this wasteful and aborted process cost the Kingston ratepayers?

Chief Finance Officer, Bernard Rohan, responded:

Council is yet to receive an invoice for these proceedings.

Question from Mark:

1. *In relation to Council's submission or response to the Department of Transport and Planning (DTP) regarding the Southern Road development application (former Hella Lamps site), can Council please advise whether Council supported, opposed, or sought any amendments to the proposed development and associated traffic arrangements?*
2. *Given the significant community interest in the Southern Road development (at the former Hella Lamps site) and associated traffic impacts, will Council provide residents with a copy of Council's submission or information supplied to the Department of Transport and Planning regarding the development application?*

General Manager Planning and Place, Jonathan Guttman, responded:

In response to Question 1 the views of Council are summarised in the State Government Department of Transport and Planning's assessment report. It read:

"The Department noted that on 24 April 2026, Kingston City Council objected to the proposal generally raising concerns with the alignment with Council's live subdivision application for the site, built form (front setback), public open space, tree removal (including native vegetation), signage, traffic and car parking considerations and ESD. "

Officers have also received the Department of Transport and Planning's decision on the Application, and it appears some of the key aspects recommended by Council to be addressed on the basis a Planning Permit to issue, were not included on the Planning Permit.

In response to Question 2 Council is happy to provide a copy of Council's submission it made to the Department of Transport and Planning, regarding the development application for 54-76 Southern Road, Mentone to residents.

The following four similar questions were grouped for response.

Questions from Vera:

1. *Who authorised the establishment of an internal Energy Management Group within Council in October 2025 as mentioned in Agenda item 8.5?*
2. *When did Councillors vote for this?*

Questions from Gil:

1. *Keeping in mind that Councillors voted not to spend money on carbon offset programs that arguably do little to mitigate emission targets within Kingston itself, why have officers in Agenda Item 8.5 tonight come up with the idea of wanting to spend the \$300,000 saved by employing yet another Council officer for two years who will be called the Energy Officer, whose task is it to create more climate reports and studies?*
2. *How is employing someone for two years at a cost of \$300,000 to ratepayers actually going to mitigate climate directly at Kingston?*

General Manager Planning and Place, Jonathan Guttman, responded:

In relation to question 1 and 2 from Vera as reinforced in the Officers Report in relation to Item 8.5, the internal Energy Management Group is an operational

group of Council Officers who are working together to find additional savings and emissions reductions opportunities across Councils diverse building stock.

Approval is not required for Officers to meet to discuss how greater energy reductions and cost efficiencies of Councils Buildings, can be progressed.

In relation to the questions from Gil, the report included in tonight's agenda makes clear that the work envisaged in the recommendation will focus on:

- a) Undertaking an audit of Council's existing buildings, plant and equipment with a focus on further optimising the functionality, energy efficiency and emissions profile of existing assets.*
- b) Developing a targeted 5-year capital work and investment program for energy efficiency upgrades and optimisation initiatives for Council owned plant, equipment and property assets.*
- c) Developing an implementation plan with recommendations as to how the energy management needs of Council can best be operationalised in the long term.*

This approach is intended to ensure a heavy focus is placed on identifying further practical efficiencies to assist the management of Councils' existing buildings, to reduce its carbon emissions and in so doing, also reduce its costs.

Questions from Christiane:

- 1. What has the Council done to conduct a comprehensive study to determine if this land is still required for future community services and the impact on:*
 - Mobility challenged members of Life Activities Club Cheltenham*
 - Traffic and parking for neighbouring residents, people using Follett Road*
- 2. Why is this proposal not listed on 'Your Kingston Your Say' page of the Council's website, it was difficult for a layman to find the proposal?*

Chief Finance Officer, Bernard Rohan, responded:

At the Ordinary Council Meeting of 25 May 2026, Council resolved to commence a consultation process regarding the future of the site, 39 Follet Road, Cheltenham. The supporting report for that agenda item summarised the officer assessment of the impacts on traffic and parking of the proposed subdivision and sale. This assessment had regard to the Community Infrastructure Framework and the Property Strategy.

The impact on the tenant club and members will be assessed through direct engagement. Officers have:

- installed a notice on the site*
- published an online notice on Council's website, and*
- undertaken targeted local engagement through directly contacting the affected tenant and the neighbouring properties to seek views on this proposed subdivision and sale.*

The findings of this consultation will be reported back to Council. No decision on the future of the site has been taken at this stage, other than to consult.

This is a targeted approach to consultation in accordance with the requirements of section 223 of the Local Government Act 1989 and section 114 of the Local Government Act 2020.

Your Kingston Your Say is typically used for broader public consultation processes.

Question from Stephen:

Since 1 December 2025 has Kingston Council been approached by IBAC?

Chief Executive Officer, Peter Bean, responded:

Yes, Council engages with a range of integrity agencies from time-to-time, including IBAC.

The following nine similar questions were grouped together for response

Questions from Yvette:

- 1. Can you please clarify if the current CEO has been reappointed by Councillors?*
- 2. What is the time length of the new contract?*

Questions from Dominique:

- 1. Has the current CEO been given a pay rise in his remuneration and benefits package from the Councillors?*
- 2. If so how much are we ratepayers paying him, including his super and listing all his benefits please? One total figure please.*

Question from Zoe:

Is it reasonable for Kingston Council ratepayers to have been given no update nor any information or knowledge at all about the renewal contract and employment of the current CEO?

Questions from Elena:

- 1. How many 'outside' prospective candidates for CEO at Kingston Council, who are not currently employed by Kingston Council, were considered by Councilors?*
- 2. How many candidates applied for the position of CEO in total were actually interviewed?*

Cr White left the meeting at 7.24pm.

Questions from Agnes:

- 1. Why has everything to do with the hiring and continuing employment of the current CEO been done secretly, behind a confidentiality curtain and in such a non transparent manner?*
- 2. Why are Councillors going along with this non transparent process at Kingston Council?*

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

CEO Employment Matters remain confidential until such time that it is appropriate for Council to resolve to make certain information public.

What can be said however is that Council considers CEO performance regularly, and determines revised Key Performance Indicators and CEO Remuneration annually.

Council last considered CEO remuneration at a Council Meeting 27 October 2025, having received the 2024/25 full year CEO performance review and resolving to increase the total remuneration package by 4.3% to \$446,632 per annum.

Question from Deborah:

Consistent with the Herald Sun article dated 19 June 2026 regarding Melbourne Water's fresh flood mapping calculations for Victoria, when will new calculations relating to the geographical area covering Kingswood redevelopment and Dingley Village be available for public inspection?

General Manager Planning and Place, Jonathan Guttman, responded:

Council is aware that Melbourne Water is presently working across its catchup area to update flood mapping in Planning Schemes with the support of the State Department of Transport and Planning who administer the consideration of Planning Scheme Amendments.

At this stage a couple of Councils have commenced the updated Planning Scheme Amendment process with Melbourne Water, and it is understood that community consultation is a key part of the process. Council will be working to ensure that the entire Kingston community is aware of this work, when it commences in Kingston.

Question from Drew:

- 1. Have the municipal monitors provided any report to council, staff, CEO or councillor?*
- 2. What have the ministers monitors cost?*

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

The answer to the first question is 'no'. The answer to the second question is: for the period to May 2026, Council has been cumulatively invoiced \$239,604.60 by both Monitors.

7. Items for Tabling under the Local Government Act 2020

7.1 Arbiter's Determination in the Matter of Councillor Hadi Saab and Councillor Georgina Oxley - IAP 2026-11

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 Hadi Saab and Cr Georgina Oxley was tabled for recording in the Minutes of this meeting.

INTERNAL ARBITRATION PROCESS - KINGSTON CITY COUNCIL

In the matter of an Application by Cr Hadi Saab concerning
The Mayor, Cr Georgina Oxley

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

Application Number:	IAP 2026-11
Applicant:	Councillor Hadi Saab
Respondent:	The Mayor, Cr Georgina Oxley
Before:	Arbiter Matt Evans

DETERMINATION

Pursuant to regulation 11, sub regulation 3(c)(i) of the Local Government (Governance and Integrity) Regulations 2020, the Arbiter has decided to discontinue the hearing as the Application is vexatious. As a consequence, the Application is dismissed.

STATEMENT OF REASONS FOR DECISION

The Application

1. Pursuant to section 143 of the *Local Government Act 2020* (the Act), Councillor Hadi Saab submitted an 'Application for an Internal Arbitration Process IAP 2026-11' ('the Application') to the Principal Councillor Conduct Registrar (PCCR) on 22 March 2026. The Application was for an internal arbitration process to make a finding of misconduct against the Mayor, Cr Georgina Oxley.
2. The Application alleges that 'On 24 December 2025, the Respondent, using the Facebook Page titled 'Mayor, Cr Georgina Oxley - City of Kingston' published a post headed 'Statement from Mayor, Cr Georgina Oxley and Deputy Mayor, Cr Sarah O'Donnell regarding the extension of monitors at Kingston Council (This statement is not made on behalf of Kingston Council)'.
3. The Applicant alleges that the Facebook post ('the post') displayed a media release formatted as an official City of Kingston media release, which conveyed to an ordinary reader that this was, or closely resembled, an official Council communication. Furthermore, it is alleged this included statements that were misleading and politically loaded, including that ratepayers would be paying for another six months of monitors, and that there was no documented or public process and no reasons provided for the extension. This was considered by the Applicant to be inaccurate in the context of the Minister's letter extending the monitors, which had been sent to councillors and set out the reasons for extension.
4. The Applicant alleges that this implied that the position expressed in the post reflected councillors collectively, including by use of phrases such as 'we are a group of councillors' and 'councillors are perplexed' and by otherwise presenting the matter as if the broader councillor cohort shared the same view. According to the Applicant, this was false and misleading and had an impact upon his and the Council's reputation.
5. Part 5 of the Application form¹ provides for the Applicant to 'Specify any steps taken by Council to resolve the matter and the reason why the matter was not resolved by the taking of those steps' as required by regulation 11(1)(e)(i). In the alternate, Part 6 requires the Applicant to specify 'the reason why the Council did not take any steps to resolve the matter' as required by regulation 11(1)(e)(ii).

Jurisdiction of the Arbiter

6. Pursuant to sections 144 and 149 of the Act, the PCCR appointed the Arbiter on 4 May 2026.
7. Section 143 of the Act provides that an Arbiter may hear an application that alleges misconduct by a Councillor.
8. Section 143(3) of the Act provides that an application "must be made within 3 months of the alleged misconduct occurring". The alleged misconduct occurred on 24 December 2025, so this requirement is satisfied, noting that the Application was made on 22 March 2026.
9. Pursuant to section 147 of the Act, an Arbiter may determine whether or not a Councillor has engaged in misconduct.

¹ Form 3 - Application for Internal Arbitration Process
https://www.localgovernment.vic.gov.au/_data/assets/word_doc/0018/212166/Application-for-internal-Arbitration-Process-section-143-Form-3-November-2024.docx

The Directions Hearing

10. Following appointment of the Arbiter, it is common for a 'Directions Hearing' to be held primarily to address procedural arrangements for the forthcoming hearing. Before the Directions Hearing was scheduled, a written submission was received by the Arbiter on 18 May 2026 from the Respondent. This questioned the veracity of the information contained in part 5 of the Application, and alleged that the Applicant failed to meaningfully initiate or participate in the staged internal dispute resolution process contained in Kingston Council's Councillor Internal Resolution Procedure² ('the Procedure'), prior to lodging the Application.
11. In the submission, the Respondent explained that 'The applicant did not make any genuine attempt to discuss this matter. Other conduct matters (being that of a conciliation and separate IAP application where Cr Saab is the respondent) and other Council matters have been discussed, however Cr Saab has not raised this matter in any way prior to lodging this IAP application. The applicant also made no attempts to lodge the form required to commence an internal dispute resolution process, under the Procedure. A process that the applicant has experience before in other disputes with other Councillors'.
12. This was despite the Applicant advising in part 5 of the Application that they had 'exhausted all reasonable and available internal avenues.'
13. The Arbiter wrote to the Council's Councillor Conduct Officer (CCO) and the parties on 20 May 2026 advising that a 'Directions Hearing' would be held via Council's online meeting platform on 22 May 2026. The Respondent's written submission referred to above was also circulated. The Parties were advised that one of the preliminary matters to be considered at the Directions Hearing would be the Respondent's submission.
14. During the Directions Hearing, verbal submissions were heard on the Respondent's claim that the Applicant had failed to meaningfully initiate or participate in the staged internal dispute resolution process contained in the Procedure, prior to lodging Application IAP 2026-11. Despite several opportunities being provided to the Applicant, he did not provide any further specific detail on the steps that had been taken to meaningfully initiate or participate in the staged internal dispute resolution process contained in the Procedure for this Application.
15. The Respondent noted the lack of procedural fairness she encountered with not being able to participate in the internal dispute resolution process. The Respondent also advised that the post that is the focus of the Application had been removed and that this occurred not long after receiving the Application, and most certainly prior appointment of the Arbiter. The Respondent's best estimate was that this occurred within 7-10 days or so of receiving the Application.
16. Towards the conclusion of the Directions Hearing, the Arbiter advised the Applicant that this matter would not be proceeding to a Hearing as the Applicant's submissions on the specific attempts to comply with the Procedure continued to fall short and remained inadequate. The Arbiter advised that a written Direction would be issued on Monday 25 May 2026 providing yet a further opportunity for the Applicant to provide that detailed information in writing about the steps taken to resolve this specific matter, and details about the Applicant's response in part 5 of section D of the Application.

² Kingston Council's Councillor Internal Resolution Procedure (version 1, 24 March 2025),

17. The Arbiter requested that a response be provided by the Applicant to the request for information in that Direction by Friday 29 May 2026, and the Applicant agreed to this deadline. A written response was provided by the Applicant.

Findings of the Arbiter

18. The Arbiter has reviewed the Applicant's written response to questions in relation to Part 5 of the Application for an Internal Arbitration process. It is noted that no specific information (such as reference to emails) was provided. Instead, general information was noted, such as 'This matter directly involves both the Mayor and Deputy Mayor in broader conduct concerns and breakdown of communication. Both have refused to engage in communication or respond to correspondence. This created a conflict and practical inability to utilise the prescribed internal mediator pathway'.
19. Also, in the Applicant's response to Part 5, in relation to the potential escalation to an external mediator, the Applicant noted that 'this requires CEO approval and procedural progression within defined timeframes', and 'Due to delays caused by non-engagement and the ongoing nature of the conduct, the matter has now exceeded the applicable timeframe for that pathway'.
20. In accordance with section 144 of the Act the PCCR first conducts an examination of the Application. The PCCR does not conduct a hearing or investigate disputed matters. The PCCR's role is to assess whether the statutory threshold for referral to arbitration has been met, based on the contents of the Application, including the response provided by the Applicant in part 5 (or 6) of the form. Based upon this the PCCR determined to appoint the Arbiter.
21. The Applicant's 24-page written response to specific questions from the Arbiter arising from the Directions Hearing contained few responses providing the requisite details to expand upon what was included in Part 5 of the Application form.
22. The Applicant explained the challenges associated with the internal resolution processes associated with other concurrent arbitration processes, referred to general breakdowns in communication, and provided context around the internal divisions within Council and the pressure this created for the Applicant. All of this is acknowledged and has been considered, but it falls well short of providing the details requested to demonstrate any meaningful attempt at following Council's Procedure.
23. In relation to the first step in the Procedure, which seeks discussion between the parties, the Applicant states in Part 5 of the Application that 'I made multiple attempts to initiate direct communication with the Mayor regarding conduct concerns.' In response the Respondent advised that the Applicant did not make any genuine attempt to discuss the matter that is the focus of the Application IAP 2026-11. No clear evidence was presented in the response to the Arbiter's request for further information that the first step had been pursued by the Applicant, and the Applicant appears to deliberately conflate his efforts about this first step from a concurrent but separate arbitration application. Only vague comments and no specific evidence was presented that this matter was raised by the Applicant and discussed at an 18 February 2026 meeting with the Respondent and CEO.
24. It was acknowledged by the Respondent that whilst she is firmly of the view that 'The applicant made no genuine attempt to engage in Step 1 of the Internal Dispute Resolution Procedure', she did acknowledge the constraints in communicating with the Applicant and conceded this made discussion as part of Step 1 more challenging. Regardless, the Procedure factors this in, providing for a second and third step.

25. In relation to the second step, the Procedure requires that 'where a direct conversation between Councillors has not been successful in resolving the dispute, a Councillor does not feel comfortable communicating directly with another Councillor or Councillors, or a request for discussion has been refused, it will be escalated to Conciliation'. A complainant initiating conciliation must notify the Mayor and the Respondent of the dispute by completing a Conciliation Application Form.
26. In the written response resulting from the Directions Hearing, the Applicant states 'I acknowledge that I did not formally submit a separate Conciliation Application Form' and explains that this position was informed by direct experience with another matter during the same period whereby it took 36 days to reach conciliation. The Arbiter considers that in the context of an 80-day process afforded by the Procedure this is not unreasonable and is not a valid reason to disregard this second step. No other actions akin to conciliation appear to have been initiated by the Applicant.
27. The third step of this Procedure is engaging an external mediator. This occurs where a conciliation process has been performed and has not been successful in resolving the dispute, or on occasion, the Mayor may make a request to the CCO to bypass the conciliation process to commence external mediation. Unsubstantiated claims were made by the Applicant that he had already participated in external mediation involving the same parties during the same period and had raised these concerns. The Arbiter notes that no evidence was provided of actions taken by the Applicant to initiate this third step specifically in relation to the matters in application IAP 2026-11.
28. In general, the Applicant claimed, 'The internal resolution pathway became practically dysfunctional due to the complete breakdown in communication, the Respondent's refusal or unwillingness to meaningfully engage with concerns raised, and the broader acknowledged dysfunction within Council'.
29. The Applicant has also noted several times that section 144 of the Act does not require perfect procedural completion of every step within Council's internal policy framework before an arbitration may proceed. That is true, and the Arbiter does not as a matter of course re-conduct the section 144 examination. That examination is conducted by the PCCR.
30. But what is missing from the Applicant's approach in this case is any meaningful attempt to specifically undertake the completion of any of the steps within the Procedure. Discussion, conciliation and mediation provide the Respondent with an important opportunity to understand the nature of the concerns being raised and to engage and respond before formal proceedings are commenced.
31. The fact that the Applicant was engaged in the internal dispute resolution process on another application concurrently demonstrates that Council dysfunction was not the blocker it was purported to be. Furthermore, claims that the 80-day process within the Procedure did not provide enough time does not withstand scrutiny, when the onus is on the Applicant to perform the most straightforward of tasks, such as lodging the application for conciliation, and this was not completed.
32. With the Applicant making no genuine effort to engage in the process, it demonstrates he had no intention of resolving the dispute. The Respondent explained that the Applicant had not expressed 'a genuine and immediate concern arising from conduct he witnessed and felt he had a duty to address'. If he had done so, he would have provided the Arbiter with the details of efforts he made to specifically request the Respondent to remove the post. The Applicant did not.

33. The Applicant claimed at the Directions Hearing that the process was never going to be successful, but that is not the issue. Parties in a dispute resolution process cannot be required to reach agreement. Rather, the question is whether the Applicant made a genuine and reasonable effort to participate in the process. The Applicant did not.
34. The Respondent submitted that 'In these circumstances, the statements in the Application are objectively incorrect and gives a false impression of compliance with the statutory preconditions for this process under the Local Government Act 2020'. I accept that submission from the Respondent.
35. The requirement in Council's Procedure to work through a process of discussion, conciliation and mediation is intended to ensure that misconduct applications are a last resort. The Applicant has failed to afford the Respondent that opportunity, and as a result the procedural fairness objectives of the conduct framework have been undermined.
36. It is noteworthy that the Applicant recently benefited from the operation of Council's Procedure when he was afforded the benefit of receiving a conciliation notice in a recently reported arbitration matter (IAP 2026-3). In that case, he was the Respondent, and upon receiving the notice he removed a social media post. This is the way the process is meant to work. In that case, the voluntarily removal of the post when it was brought to his attention, was one factor that contributed to Arbiter Simon Heath making no finding of misconduct and dismissing that application.

Conclusion

37. Based on the available evidence, there has been a clear failure by the Applicant to make a genuine attempt to undertake the steps required by Council's Procedure in relation to the matter subject of application IAP 2026-11. This did not provide the Council or Respondent with any adequate opportunity to resolve the matter prior to the Application being made. In addition, the information provided by the Applicant in Part 5 of 'Form 3 - Application for Internal Arbitration Process' was misleading.
38. Therefore, the Arbiter finds that the Application is vexatious, as it is based upon incomplete and misleading information, and represents a tokenistic approach to internal resolution and an abuse of the arbitration process; a process that is intended to be invoked as a last resort, only after reasonable attempts at internal resolution have been exhausted.
39. Pursuant to regulation 11, sub regulation 3(c)(i) of the Local Government (Governance and Integrity) Regulations 2020, the Arbiter has decided to discontinue the hearing as the Application is vexatious. As a consequence, the Application is dismissed.
40. The Arbiter shares the disappointment of Arbiter Sarah Fowler who in another recent Internal Arbitration Decision at Kingston Council (IAP 2026-5) involving the same parties concluded 'It is disappointing this matter was not resolved through mediation and that so much time and effort have been expended on this process. I sincerely hope this decision will enable the Applicants and Respondent to all move on from this grievance now'.

Matt Evans
Arbiter

Date: 11 June 2026

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8. Planning and Place Reports

8.1 Town Planning Application Decisions - May 2026

COUNCIL RESOLUTION

Moved: Cr Athanasopoulos

Seconded: Cr Erevnidis

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

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

AGAINST: Nil (0)

CARRIED

Cr Athanasopoulos declared an indirect material conflict of interest in Item 8.2 due to a family member having an interest in the application being considered, and left the meeting at 7.27pm prior to any discussion on the matter.

Cr White returned to the meeting at 7.27pm.

Macabe Dangerfield spoke in objection to Item 8.2.

Cr White left the meeting at 7.29pm and returned to the meeting at 7.33pm.

8.2 KP-2025/504 - 45 Patterson Street, Bonbeach VIC 3196

Moved: Cr White

Seconded: Cr O'Donnell

That Council determine to issue a Notice of Refusal to Grant a Permit to develop the land for construct or carry out works (external works to bar/restaurant) and to reduce the number of car parking spaces under Clause 52.06. at 45 Patterson Street Bonbeach VIC 3196, on the following grounds:

The proposal fails to satisfy Clause 52.06 (Car Parking) as the reduction in car parking will adversely affect the amenity of the locality by virtue of the increased demand for on-street car parking.

Cr Saab called a Point of Order regarding Clause 37.2.3 of the Governance Rules during Cr White's closing speech.

The Chair directed Cr White to finish speaking but upheld the Point of Order.

FOR: Crs White and Oxley (2)

AGAINST: Crs Hill, Ashworth-Collett, Howe and Saab (4)

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

LOST

COUNCIL RESOLUTION

Moved: Cr Howe

Seconded: Cr Agirtan

That Council determine to **support** the proposal and issue a Notice of Decision To construct or carry out works (external works to bar/restaurant) and to reduce the number of car parking spaces under Clause 52.06. at 45 Patterson Street Bonbeach VIC 3196, 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 an electronic copy must be provided. The plans must be substantially in accordance with the plans submitted to Council prepared by Ascend Building Design; Drawing No. 2510-TP02 to TP15; Rev E; dated 27/01/2026., but modified to show:
 - a) The method of waste and recycling collection, including details of how bins will be presented for collection and returned to the site.
 - b) Notation that waste collection to be Breeze Street.
 - c) Proposed mechanical services located in an area that will not be visible from overlooking dwelling balconies and windows.
 - d) Patio to include a plasterboard or fibre cement sheeting ceiling.
 - e) Details of all windows and doors, including the extent and specification of glazing.
 - f) Location of indoor background music speakers.
 - g) Any changes resulting from the requirements of Condition 2 (acoustic report).
 - h) The provision of a landscape plan in accordance with Clause 34.01-6 Application Requirements, 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 on neighbouring properties where the Notional Root Zones of such trees calculated in accordance with AS4970-2025 fall partially within the subject site;
 - iii) A survey including botanical names, of all existing trees on neighbouring properties where the Notional Root Zones of such trees calculated in accordance with AS4970-2025 fall partially within the subject site;
 - iv) A garden bed for climbing plant species to be located along the north-western boundary fence from the staff parking area to the rear boundary of the site, with bed to be a minimum of 200mm in width;
 - v) Climbing plant species to be included in the garden bed along the north-western boundary fence, with species selected capable of providing coverage over the support structure at maturity;
 - vi) Sectional diagram of support structure for climbing plant species to be included on the Landscape Plan, with support structures being freestanding and independent of boundary fences
 - vii) The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
 - viii) Notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any

specific maintenance requirements;

2. Concurrent with the endorsement of plans an amended acoustic report must be submitted to and approved by the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit. The report must be substantially in accordance with the report submitted to Council prepared by Waveform Acoustics; dated 5/11/2025. The report must include, but not be limited to, details showing:
 - a) The building must be designed and constructed to function as an acoustically contained structure, incorporating walls, floors, ceilings, glazing, doors and service penetrations necessary to maintain effective acoustic separation from nearby residential property.
 - b) All fixed mechanical plant and equipment associated with the development, including air-conditioner units, exhaust systems and compressors, must:
 - c) Be located wholly within the building; and
 - d) Be acoustically treated and isolated in accordance with the endorsed acoustic report.
 - e) No externally mounted speakers, amplification devices or sound-emitting building services may be installed as part of the development unless shown on the endorsed plans or approved in writing by the RA.
 - f) The building must be constructed such that noise generated within the building is effectively attenuated by the building envelope to achieve compliance with EPA Publication 1826.4.
 - g) Any music must only be played at background levels.
 - h) If requested by the Responsible Authority, an updated acoustic assessment of the performance of the building shall be undertaken at no expense to the Responsible Authority by a suitably qualified acoustic consultant. A report containing the result of the testing must be submitted to the satisfaction of the Responsible Authority.

Endorsed Plans

3. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
4. 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.

Amenity Conditions

5. The amenity of the area must not be detrimentally affected by the development and/or use, through the:
 - a) Transport of materials, goods or commodities to or from the land;
 - b) Appearance of any building, works or materials;
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) Presence of vermin;
 - e) Any other way;
6. Before occupation of the development hereby permitted, 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

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Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times maintained to the satisfaction of the Responsible Authority.

7. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.
8. The loading and unloading of goods to and from vehicles must only be carried out on the land.
9. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.
10. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to the Responsible Authority's satisfaction.
11. No more than 85 people (inclusive of staff) are permitted on the site at any one time.
12. Construction on the site must be restricted to the following times:

Monday to Friday:	7:00am to 7:00pm;
Saturday:	9:00am to 6:00pm; and
Sunday and Public Holidays:	No construction permitted.

Or otherwise as approved by the Responsible Authority in writing.

12. The use must be at all times comply with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826, Noise Limit and Assessment Protocol for the Control of Noise From Commercial, Industrial and Trade Premises and Entertainment Venues).
13. Prior to occupation, a post-construction acoustic verification report prepared by a suitably qualified acoustic engineer must be submitted to the Responsible Authority, confirming that the building has been constructed in accordance with the endorsed acoustic report and approved plans.
14. The acoustic treatments forming part of the approved development must not be altered, removed or modified without the prior written consent of the Responsible Authority.
15. The three on-site car parking spaces must be constructed, line-marked and permanently retained for staff parking only, to the satisfaction of the Responsible Authority.
16. Before the commencement of the use, a Traffic and Parking Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed and will form part of the permit. The Plan must include:
 - a) allocation of the on-site car spaces to staff;
 - b) measures to discourage staff parking in surrounding residential streets;
 - c) management of customer pick-up and drop-off activity;
 - d) arrangements for deliveries, loading, unloading and servicing to minimise the interference and impacts on Patterson Street, Breeze Street, the bus route, and access to nearby properties;
 - e) a process for receiving and responding to parking-related complaints; and
 - f) a mechanism for review and implementation of further reasonable parking management measures if unreasonable impacts on nearby streets are identified.

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17. The use must thereafter operate in accordance with the endorsed Parking Management Plan to the satisfaction of the Responsible Authority.
18. Within 6 months of the commencement of the use, or earlier if requested by the Responsible Authority, the permit holder must prepare and submit a parking impact review to the satisfaction of the Responsible Authority. The review must assess the effect of the use on surrounding streets and identify any further reasonable mitigation measures required to address unreasonable parking impacts. Any approved mitigation measures must then be implemented to the satisfaction of the Responsible Authority.

Completion of Works

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

Permit Expiry

20. 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 before three (3) years from date of this permit.
 - The development is not completed before five (5) years from the date of permit issue.

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.

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

AGAINST: Cr White (1)

CARRIED

Cr Athanasopoulos returned to the meeting at 7.42pm.

Kiril Jovanoski spoke on behalf of the applicant for Item 8.3.

8.3 KP-2025/517 - 1341-1343 Nepean Highway, Cheltenham VIC 3192

COUNCIL RESOLUTION

Moved: Cr Erevnidis

Seconded: Cr Howe

That Council determine to support the proposal and issue a notice of decision to grant a planning permit for the use of the land as a medical centre, the construction of a three (3) storey building, the display of business identification signage, a reduction in the car parking requirement and to create and alter access to a road in the Transport Zone 2, at 1341-1343 Nepean Highway, Cheltenham VIC 3192, subject to the following conditions:

1. Before the use and 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 an electronic copy must be provided. The plans must be substantially in accordance with the advertised plans prepared by Kiril Architects, project number NPH-1341, dated 11 February 2026, but modified to show:
 - a) An amended landscape plan, generally in accordance with the submitted landscape plan prepared by Faulkner and Chapman Landscape Design, plans 1-2 of 2, dated 16 November 2025 to the satisfaction of the responsible authority, and incorporating:
 - i. The three (3) *Brachychiton rupestris* (Bottle Tree) in the front setback replaced with three (3) indigenous trees capable of reaching a minimum mature height of 13 metres at maturity.
 - ii. The location of the tree protection fencing for the *Ulmus parviflora* (Chinese Elm) street tree in the nature strip of 1341 Nepean Highway illustrated.
 - iii. Increase the north, east and south landscape planting areas to the greatest extent possible without impacting the minimum required vehicle car space and aisle lengths/widths.
 - b) The surface material of all driveways and accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar.
 - c) The design of the proposed signage.
 - d) Bicycle parking in accordance with Clause 52.34-5.
 - e) First floor northern (side) walls setback a minimum of 50 percent the height of the wall from existing habitable room windows facing the common boundary at 1339 Nepean Highway.
 - f) Boundary fencing height(s) nominated and to a height to restrict ground level views into adjoining property habitable room windows or secluded private open space.
 - g) Decorative film screening replaced with obscure glazed windows or physical screening treatments.
 - h) The second floor, north, east and south facing windows and balconies designed to restrict direct views into all immediately adjoining property's habitable room window or secluded private open space (i.e. treatments to the windows or

sectional diagrams demonstrating no direct views of any kind).

- i) A notation on the floor / site plan(s) stating: “the redundant vehicle crossovers must be removed, kerb and channel must be reinstated and the extension to the existing footpath up to the wing of the vehicle crossover must be constructed to the satisfaction of the responsible authority”.
- j) Provide an environmentally sustainable design notes section on the development plans summarizing all environmentally sustainable design objectives that are not otherwise shown and detailed on the plans, as committed to within the BESS report.
- k) Include a note within environmentally sustainable design notes section stating that water efficient landscaping including no irrigation system will be installed. Further, any submitted landscape plans must not include any specification for irrigation systems. Alternatively, remove this credit from the BESS assessment.
- l) A total system capacity of the solar photo voltaic array (40kW) noted.
- m) All stormwater treatment systems, with the size, location and connection (to toilets for the rainwater tank) clearly annotated.
- n) Specify that electric vehicle charging infrastructure will be provided and to which car parking spaces.
- o) Uniformity with commitments and changes in accordance with the sustainable design assessment required under condition 11 of this planning permit.

Endorsed Plans

- 2. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
- 3. 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.

Operation

- 4. The use herein approved must only operate between the hours of:

Monday to Friday	8.00am to 6.30pm
Saturday	8.00am to 4.00pm
Sundays	8:00am to 2:00pm

Or as otherwise approved in writing by the responsible authority.
- 5. Not more than seventy (70) persons (inclusive of staff) may be on-site, at any one time.
- 6. Deliveries must only occur between the hours of:

Monday to Saturday	7:00am to 10:00pm
Sundays and Public Holidays	9:00am to 10:00pm
- 7. Waste collection must only occur between the hours of:

Monday to Saturday	7:00am to 8:00pm
Sundays and Public Holidays	9:00am to 8:00pm

Street Trees

- 8. Tree protection fencing is to be established around the *Ulmus parviflora* (Chinese Elm) street tree in the nature strip in front of 1341 Nepean Highway prior to demolition and maintained until all works on site are complete and:
 - 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.
- 9. Once in place, access into the fenced street tree protection area is to be limited to maintenance of the tree as required.
- 10. Prior to the construction of any crossovers as shown on the endorsed development plans, the *Ulmus parviflora* (Chinese Elm) street tree (Asset ID TR528790) located in the Nepean Highway service lane nature strip in front of 1343 Nepean Highway must be removed by Council at the expense of the developer/owner. Payment of the removal and replacement fee for this tree must be made to Council's customer service team in accordance with Council's Tree Management Policy at least two (2) weeks prior to its required removal date.

Environmentally Sustainable Design

- 11. Concurrent with the endorsement of the plans required under condition 1 of this planning permit, the sustainable design assessment (SDA) prepared by Hexicon, dated 19 January 2026, must be amended to the satisfaction of the responsible authority to:
 - a. Amend raingardens to the design requirements in accordance with [Civil Design Requirements for Developers Part A: Integrated Stormwater Management](#).
 - b. Update the Blue Factor report to specify the raingardens as "lined" under the soil type section.
 - c. The Blue Factor report published to remove draft watermark.
 - d. Consider whether operable windows are acceptable in surgery rooms, which require a level of sterilisation that will not permit opening the windows. Mechanical natural ventilation system may be more appropriate.
 - e. Windows on the east and west facades stated as effectively shaded removed from the calculations, and the BESS report and sustainable management plan updated accordingly. Alternatively, appropriate external shading in the form of vertical shading structures such as adjustable louvres, roller blinds, sliding screens, and awnings to be provided to these windows.
- 12. The sustainable design initiatives as contained in the endorsed sustainable design assessment, must be implemented and maintained to the satisfaction of the responsible authority.

Waste Management

- 13. Concurrent with the endorsement of the plans required under condition 1 of this planning permit, the waste management plan prepared by Red Square, dated 27 October 2025 or as otherwise amended to the satisfaction of the responsible authority, must be submitted to and endorsed by the responsible authority. The waste management measures as contained in the endorsed waste management plan must be implemented and maintained to the satisfaction of the responsible authority.

Acoustic Management

- 14. Concurrent with the endorsement of the plans required under condition 1 of this planning permit, the acoustic report prepared by Efficient Energy Choices, dated 5 February 2026 or as otherwise amended to the satisfaction of the responsible authority, must be submitted to and endorsed by the responsible authority. The acoustic treatments set out in the endorsed acoustic report must be implemented and maintained to the satisfaction of the responsible authority.
- 15. Within three (3) months of the commencement of the use, an updated acoustic

assessment shall be undertaken at no expense to the responsible authority by a suitably qualified acoustic consultant. The acoustic assessment must:

- a. Include noise assessment and specification of any required noise control treatments to address any found impacts from noise generated by the plant serving the land, for conformance with applicable noise limits.
 - b. Verify that the use results in conformance with the Noise Protocol, and noise limits and criteria as specified in the endorsed acoustic report, to the satisfaction of the responsible authority.
 - c. A report containing the result of the testing must be submitted to the satisfaction of the responsible authority.
16. The development and use of the site shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard any nuisance shall be assessed in accordance with the *Environment Protection Regulations 2021* and EPA Publication 1826.4 noise limit relating to the measurement of Environmental Noise and recommended sound levels.

Drainage and Water Sensitive Urban Design

17. 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 Blue Factor 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 16(a), 16(b) and 16(c) above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the responsible authority.
18. 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 6.5L/s.
 - c. All stormwater/drainage works must be maintained to the satisfaction of the responsible authority.

Car Parking

19. Before the commencement of the use, a Traffic and Parking Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed and will form part of the permit. The Plan must include:
 - a) allocation of the on-site staff and visitor car spaces;
 - b) measures to discourage staff parking in surrounding residential streets;
 - c) a process for receiving and responding to parking-related complaints; and
 - d) a mechanism for review and implementation of further reasonable parking management measures if unreasonable impacts on nearby streets are identified.
20. The use must thereafter operate in accordance with the endorsed Parking Management Plan to the satisfaction of the Responsible Authority.
21. Within 6 months of the commencement of the use, or earlier if requested by the Responsible Authority, the permit holder must prepare and submit a parking impact review to the satisfaction of the Responsible Authority. The review must assess the effect of the use on surrounding streets and identify any further reasonable mitigation measures required to address unreasonable parking impacts. Any approved mitigation measures must then be implemented to the satisfaction of the Responsible Authority.

Infrastructure and Road Works

22. Property boundary and footpath levels must not be altered without the prior written consent from the responsible authority.
23. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the responsible authority.
24. All reinstatements and vehicle crossovers must be constructed to the satisfaction of the responsible authority.
25. Vehicle crossovers and other reinstatements must be constructed to Council's industrial strength specifications.
26. All redundant vehicle crossovers must be removed, including redundant portions of vehicle crossovers, to the satisfaction of the responsible authority.

Construction Management

27. Prior to the commencement of any demolition, buildings or works on the land, a construction management plan (CMP), to the satisfaction of the responsible authority, must be submitted to and approved by the responsible authority. The construction management plan must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Management Guidelines. The construction management plan must specify and deal with, but is not limited to, the following elements:
 - a. Public safety, amenity and site security.
 - b. Traffic management.
 - c. Stakeholder management.
 - d. Operating hours, noise and vibration controls.
 - e. Air quality and dust management.
 - f. Stormwater and sediment control.
 - g. Waste and materials re-use.

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

Signage

28. The location and details of the sign(s) as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
29. All signs must be located wholly within the title boundary of the land and must not protrude above the overall height of the building.
30. The sign(s) must not be located within or encroach onto the road reservation.
31. Signs must not be illuminated internally or by external lights except with the prior written consent of the responsible authority.
32. The sign(s) must not be animated and no flashing or intermittent lights may be displayed.
33. This part of the planning permit that relates to signage expires on the cessation of the use hereby permitted. Upon the expiry of this planning permit as it relates to signage, the signs and structures built specifically to support and/or illuminate them must be removed.

General Amenity

34. The amenity of the area must not be detrimentally affected by the development and/or use, through the:
 - a. Transport of materials, goods or commodities to or from the land.
 - b. Appearance of any building, works or materials.
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d. Presence of vermin.
 - e. Any other way.
35. The loading and unloading of goods to and from vehicles must only be carried out on the land.
36. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.

Completion of Works

37. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.
38. The layout and design of all external lighting must achieve the recommended maximum values of illuminance in the Australian Standard 4282 – Control of the obtrusive effects of outdoor lighting
39. Before the occupation of the development hereby permitted, 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.
40. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to the satisfaction of the responsible authority.

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41. Once the development has started, it must be continued and completed to the satisfaction of the responsible authority.

Permit Expiry

42. 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:
- a. The development is not started within three (3) years of the issue date of this permit.
 - b. The development is not completed within five (5) years of the issue date of this permit.
 - c. The use is not commenced within six (6) years of the issue date of this permit.
 - d. The use is discontinued for a period of three (3) years.

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.

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

AGAINST: Cr Ashworth-Collett (1)

ABSTAINED: Crs Athanasopoulos and Saab (2)

CARRIED

8.4 Groves Street Aspendale Level Crossing Removal Project - Advocacy Report

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Athanasopoulos

That Council:

1. Note the community feedback on the Groves Street Aspendale Level Crossing Removal Project and the strong community preference for rail over road design;
2. Acknowledge the constructive role it wishes to continue to play in Level Crossing Removal Projects in Kingston, and adopt the Groves Street Aspendale Level Crossing Removal Project – Advocacy Report, and the Groves Street Aspendale Level Crossing Removal - Urban Design Priority Outcomes Report; and
3. Write to the Minister for Transport Infrastructure, Chief Executive Officer of the Level Crossing Removal Project, and Secretary of the Department of Transport and Planning (DTP) to:
 - a) Inform them of the adoption of the Draft Advocacy Report and reinforce the importance of the nine (9) Key Outcomes identified through community consultation; and
 - b) Request that the Victorian Government review and amend the currently proposed “rail under road” design to a “rail over road” solution, in line with demonstrated community preference and Council’s adopted position.

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

AGAINST: Nil (0)

CARRIED

**8.5 Response to Resolution - Climate & Ecological Emergency Response Plan
(CEERP) - Alternative Climate Mitigating Measures within the City of Kingston**

Moved: Cr O'Donnell

Seconded: Cr White

That Council defer consideration of this item to the July 2026 Council meeting subject to receiving further information (as an Appendix to this report) regarding the cost associated with a consultant being appointed.

AMENDMENT

Moved: Cr Agirtan

That Council defer consideration of this item to the August 2026 Council meeting subject to receiving further information (as an Appendix to this report) regarding the cost associated with a consultant being appointed.

The amendment was accepted by the Mover and Seconder to become the substantive motion.

PROCEDURAL MOTION

Moved: Cr O'Donnell

Seconded: Cr White

That Council defer consideration of this item to the August 2026 Council meeting subject to receiving further information (as an Appendix to this report) regarding the cost associated with a consultant being appointed.

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

AGAINST: Crs Hill, Ashworth-Collett and Saab (3)

ABSTAINED: Cr Athanasopoulos (1)

CARRIED

8.6 Footpath Activities Policy

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

That Council:

1. Note the outcomes of the community consultation on the draft Footpath Activities Policy and Standards.
2. Adopt the Footpath Activities Policy (Version 7) (Appendix 2), being a document incorporated into and forming part of the Kingston City Council Community Local Law 2025 pursuant to clause 7.2 of the Community Local Law.
3. In accordance with sections 76(2) and (3) of the *Local Government Act 2020*, authorise the Chief Executive Officer to publish notice that the Footpath Activities Policy has been amended, such notice to be published on Council's Internet site and in any other manner prescribed by the regulations.
4. In accordance with section 76(4) of the *Local Government Act 2020*, ensure that a copy of the Footpath Activities Policy (Version 7) is available for inspection at Council's office and on Council's Internet site.
5. Note the Footpath Activities Standards (Appendix 3) as the supporting operational document to the Policy, which may be amended from time to time by the Chief Executive Officer to reflect contemporary practice and operational needs.

Cr White left the meeting at 8.14pm.

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

AGAINST: Nil (0)

CARRIED

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9. Community Strengthening Reports

9.1 Kingston Grants Program - Funding Recommendations for Round 1 Community Bi-annual Grants 2026-27

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Saab

That Council approve the funding recommendations, as determined by the Kingston Grants Program Assessment Panel, for Round 1 of the 2026-27 Community Bi-annual Grants.

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

AGAINST: Nil (0)

CARRIED

Cr White returned to the meeting at 8.15pm.

9.2 Kingston Grants Program - Funding Recommendations for Operational & Partnership - Multicultural & Seniors Grants, and all Funding Allocations for all Operational & Partnership Grant Categories 2026-27

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr Saab

That Council:

1. Approve the funding recommendations, as assessed using the Funding Formula and recommended by the Kingston Grants Program Assessment Panel, for the 2026-27 (Year 3) Operational & Partnership Grants - Multicultural and Seniors Groups.
2. Note the 2026-27 (Year 3) funding allocations for all Operational & Partnership Grants.

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

AGAINST: Nil (0)

CARRIED

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Cr Saab declared a general conflict of interest in Item 9.3 due to being a member of the executive committee of one of the groups referred to in the report, and left the meeting at 8.16pm prior to any discussion on the matter.

9.3 Kingston Grants Program - Funding Allocations for Community Festivals, Events & Creative Activities Grants 2026-27

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr White

That Council note the 2026-27 (Year 3) funding allocations for the Community Festivals, Events & Creative Activities Grants.

Cr O'Donnell called a Point of Order regarding Clause 37.2.3 of the Governance Rules during Cr Athanasopoulos' speech.

The Chair ruled against the Point of Order.

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

AGAINST: Nil (0)

ABSTAINED: Cr White (1)

CARRIED

9.4 Gambling Policy 2026-2030

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

That Council:

1. Note the outcomes of the community engagement for the draft Gambling Policy 2026-2030; and
2. Adopt the Gambling Policy 2026-2030 subject to the amendment of Position Statement 2 to the following:

Council will not accept financial or in-kind contributions from gambling venues/operators and will not promote community contributions offered by local gambling venues/operators (grant programs, donations, sponsorships), unless there is 'significant community benefit' demonstrated.

Cr Saab returned to the meeting at 8.25pm.

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

AGAINST: Nil (0)

ABSTAINED: Cr Ashworth-Collett (1)

CARRIED

Cr White left the meeting at 8.26pm and did not return.

9.5 Cultural Assets Reserve Review

COUNCIL RESOLUTION

Moved: Cr Howe

Seconded: Cr O'Donnell

That Council:

1. Note the options presented in relation to future allocations into the Cultural Assets Reserve.
2. Endorse Option 3: for continuation of a 2% allocation of project construction costs for open space and building projects over \$1M in value into the Cultural Assets Reserve for a further 5- year period, commencing in Financial Year 2027/28 with the final year being Financial Year 2031/32.

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

AGAINST: Nil (0)

CARRIED

9.6 Creative & Learning Strategy 2026-2030

COUNCIL RESOLUTION

Moved: Cr Howe

Seconded: Cr Hill

That Council:

1. Note the findings from the final stage of community consultation on the draft Creative and Learning Strategy 2026-2030;
2. Adopt the Creative & Learning Strategy 2026-2030; and
3. Note that the following strategies will be rescinded:
 - a) Creative Kingston 2018–2022; and
 - b) Library Strategy 2019-2030.

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

AGAINST: Nil (0)

CARRIED

9.7 Response to Resolution - Notice of Motion 8/2026 - Australia Day Celebrations

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr O'Donnell

That Council:

1. Note the results of the community consultation.
2. Endorse Option 1 which includes:
 - a) A continuation of the current highly successful Australia Day Citizenship Ceremony and Civic Reception;
 - b) Enhanced promotion and awareness of the funding already available through Council's Kingston Grants Program and Event Sponsorship Program;
 - c) Event Based Community Stories which will provide local sportspeople, interfaith leaders, multicultural representatives and outstanding community members an opportunity to opt in and share their perspectives and experiences; with a defined focus on promoting unity, inclusion and pride in being Australian;
 - d) Lighting of the Kingston City Hall Clock Tower in colours representative of the Australian Flag as a significant nighttime reminder of Australia Day at a busy intersection and entranceway into Kingston and exploring options for projecting the Australian flag onto the Clock Tower and/or City Hall building in subsequent years;
 - e) Trialling the distribution of up to 10,000 small Australian flags, for Australia Day 2027, to community groups and individuals across the municipality, significantly growing the visibility of the Australian Flag within Kingston on Australia Day;
 - f) Significant promotion of the opportunity for informal gatherings, including BBQs, across Kingston's wide array of parks and leisure spaces; and
 - g) An enhanced communications package that supports all of the above and provides space for Councillors to share personal reflections on the significance of Australia Day.

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

AGAINST: Crs Hill, Ashworth-Collett and Saab (3)

ABSTAINED: Cr Athanasopoulos (1)

CARRIED

10. Infrastructure and Open Space Reports

10.1 CON-25/119 Supply and Maintenance of Gym Equipment to Kingston's Aquatic Centres

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Howe

That Council:

1. Endorse the award of contract CON-25/119 Supply and Maintenance of Gym Equipment for Mordi Aquatic Centre and Waves Leisure Centre, to Life Fitness Australia Pty Ltd for an initial five (5) year term as a lump sum contract of \$1,073,190 (excl. GST), with an option to extend for two (2) additional one-year periods for a maximum seven (7) year term, to a total maximum value of \$1,077,990 excl. GST;
2. Authorise the Chief Executive Officer or their delegate to execute the contract and any extension options, subject to satisfactory performance; and
3. Approve a \$20,000 (excl. GST) contingency to cover minor equipment variations, additional maintenance, spare part requirements, and unforeseen adjustments over the contract term.

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

AGAINST: Nil (0)

CARRIED

10.2 Delegation of Authority to Chief Executive Officer to Award CON-26/023 Kingston Heath Pitch Five - Construction

COUNCIL RESOLUTION

Moved: Cr Agirtan

Seconded: Cr Howe

That Council:

1. Delegate authority to the Chief Executive Officer to award Contract CON-26/023 Kingston Heath Pitch Five - Construction up to a maximum value of \$2,000,000; and
2. Receive a report at the July 2026 Ordinary Council Meeting presenting the outcomes of the tender evaluation process.

FOR: Crs Hill, Athanasopoulos, Ashworth-Collett, Howe, Saab and Agirtan (6)

AGAINST: Cr Oxley (1)

ABSTAINED: Crs O'Donnell and Erevnidis (2)

CARRIED

10.3 Endorsement of State and Federal Government Grant Funded Projects for the 26/27 Capital Program

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Hill

That Council:

1. Endorse the inclusion of the Southern Road Sports Reserve sports lighting project and the Bricker Reserve athletics track lighting project in the 2026/27 Capital Program;
2. Endorse the resubmission of the Dolamore Reserve athletics track lighting project to the 2026/27 Sport and Recreation Victoria Local Sports Infrastructure Fund grant program;
3. Approve an additional council funding contribution of \$500,000 in the 2026/27 Capital Program, comprising \$250,000 for the Bricker Reserve athletics track lighting project and \$250,000 for the Dolamore Reserve athletics track lighting project, should the grant application be successful; and
4. Note the recent grant funding provided to Kingston sporting clubs through the Suburban Rail Loop Authority Community Support Grants Program.

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

AGAINST: Nil (0)

CARRIED

10.4 Sportsgrounds and Facilities Allocation Policy

COUNCIL RESOLUTION

Moved: Cr Howe

Seconded: Cr O'Donnell

That Council:

1. Note the community consultation feedback on the draft Sportsgrounds and Facilities Allocation Policy;
2. Note the amendments made to the Sportsground and Facilities Allocation Policy; and
3. Adopt the Sportsground and Facilities Allocation Policy.

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

AGAINST: Nil (0)

ABSTAINED: Cr Saab (1)

CARRIED

6. Customer and Corporate Support Reports

11.1 Governance and Compliance Report

COUNCIL RESOLUTION

Moved: Cr O'Donnell

Seconded: Cr Erevnidis

That Council:

1. 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;*
2. Receive and note the Councillor expenses and reimbursements for January to March 2026;
 3. Receive and note the Chief Executive Officer and General Manager expenses for January to March 2026; and
 4. Receive and note the Informal Meetings of Councillors records.

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

AGAINST: Nil (0)

CARRIED

7. Chief Finance Office Reports

12.1 Parking Infringement Reimbursement Scheme Update

COUNCIL RESOLUTION

Moved: Cr Howe

Seconded: Cr Erevnidis

That Council approve the closure of the Parking Infringement Reimbursement Scheme on 31 August 2026 with any remaining funds to be retained by Council.

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

AGAINST: Nil (0)

CARRIED

12.2 Rates Hardship and Debt Collection Policies

COUNCIL RESOLUTION

Moved: Cr Howe

Seconded: Cr O'Donnell

That Council approve the updated:

1. Rates Hardship Policy (including the Rates Hardship Application Process); and
2. Debt Collection Policy.

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

AGAINST: Nil (0)

CARRIED

13. Notices of Motion

13.1 Notice of Motion No. 15/2026 - Cr Erevnidis - Climate Resilience

COUNCIL RESOLUTION

Moved: Cr Erevnidis

Seconded: Cr O'Donnell

That Council:

1. Receive a report on the implications of renaming the current Climate Ecological Emergency Response Plan (CEERP) to the Climate Resilience Plan for the August 2026 council meeting; and
2. The report to include consideration of consequential amendments to Council's strategic documents and associated references, including the replacement of the term 'climate emergency' where it appears in relevant Council strategies, policies, and plans.

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

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

ABSTAINED: Nil (0)

CARRIED

9. Urgent Business

There were no items of urgent business.

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10. Confidential Items

Moved: Cr Athanasopoulos

Seconded: Cr O'Donnell

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 Response to Resolution - Support for the Homeless - Future Use of Council Owned Former Aged Care Facilities

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

- because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (section 3(1)(g(ii))), and
- The specified grounds apply due to the commercial in confidence nature of the EOI process.

15.2 CEO Employment Matters

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 and attachments relate to the Chief Executive Officer's employment..

Cr Ashworth-Collett left the meeting at 8.52pm and did not return.

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

AGAINST: Nil (0)

CARRIED

The meeting was closed to members of the public at 8.52pm.

Moved: Cr Athanasopoulos

Seconded: Cr O'Donnell

That the meeting be opened to members of the public.

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

AGAINST: Nil (0)

CARRIED

The meeting was opened to members of the public at 9.00pm.

The meeting closed at 9.00pm.