

Minutes

Council Meeting

Monday, 26th July 2021



Table of Contents

1.	Apologies	3
2.	Confirmation of Minutes of Previous Meetings	3
3.	Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest	3
	<i>[Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.]</i>	
4.	Petitions	3
5.	Presentation of Awards	4
6.	Reports from Delegates Appointed by Council to Various Organisations.....	4
7.	Question Time.....	4
8.	Planning and Development Reports	4
9.	Community Sustainability Reports.....	23
10.	City Assets and Environment Reports	24
11.	Corporate Services Reports	27
12.	Notices of Motion	29
13.	Urgent Business.....	31
14.	Confidential Items	31

The meeting commenced at 7.02pm via the Zoom platform and live streamed.

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

In Attendance: Tim Tamlin, Interim Chief Executive Officer
Steve Lewis, Manager Community Buildings
Tony Ljaskevic, General Manager Corporate Services
Samantha Krull, General Manager City Assets and Environment
Jonathan Guttmann General Manager Planning and Development
Phil De Losa, Manager Governance
Patrick O’Gorman, Governance Officer
Gabby Pattenden, Governance Officer
Lindsay Holland, Facilities Officer

1. Apologies

There were no apologies submitted to the meeting.

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Davies

Seconded: Cr Howe

That the Minutes of the Council Meeting held on 28 June 2021 be confirmed.

CARRIED

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

Cr Davey-Burns foreshadowed a Conflict of Interest in Item 8.2 - KP-2011/579/C - 1 - 5 Taylor Avenue, Aspendale.

Cr Bearsley foreshadowed a Conflict of Interest in Item 9.1 - Community Grants Program 2021 - 2022 Funding Recommendations for Partnership Grants and Annual Grants Allocations.

4. Petitions

4.1 Add 10 Car Parks on Charman Road, Cheltenham

Moved: Cr Davey-Burns

Seconded: Cr Hill

That the petition be referred to the CEO for response.

CARRIED

5. Presentation of Awards

Nil

6. Reports from Delegates Appointed by Council to Various Organisations

Nil

7. Question Time

Question Time was held at 7.09pm.

Moved: Cr Oxley

Seconded: Cr Saab

That notwithstanding the requirement of the Governance Rules, answers be read out to all questions submitted online given the current measures responding to the Covid-19 Coronavirus.

CARRIED

Silvana Anthony asked,

1. *“Earlier this year Council unanimously voted to oppose the location of the SRL stabling yard in the Kingston Green Wedge Chain of Parks site. Why is it now discussing a community mitigation strategy when it should be focusing its efforts on highlighting the risks of the Delta site to the State government and the alternative sites?”*

The Interim CEO provided the following response,

“This matter is subject to consideration by the Council as part of Item 8.9 on tonight’s agenda. Council’s position on the matter has not changed, but it is required to participate in the Environmental Effects Statement Process and in so doing needs to carefully consider the proposal which will be exhibited and seek to consider the best methods to protect and enhance the residents’ amenity should the project be granted approval to proceed in this location.”

2. *“How will the Council present a strong position against the Delta site in the EES process when it is consulting on options for mitigation? Doesn’t this agenda item undermine the Council’s position and sends a signal to the State Government that is it not serious in its campaign against this location?”*

The Interim CEO provided the following response,

“The Council will consider a report later this year regarding the EES material once it is publicly exhibited. As identified in the previous question the Council’s position has not changed but it needs to carefully consider issues associated with residents amenity in preparation for the EES hearing.”

Ian Baldock of Parkdale asked,

“Dear Sir, at the April Council meeting, I asked a question to the Mayor, requesting the overhanging tree in Parkdale Secondary College be examined for potential shedding of limbs. The tree was assessed in May, & I finally got a written reply 4 weeks ago. I immediately replied, requesting some further information about the examination & Council’s recommendations, as well as a copy of the assessment report. After waiting 3 weeks for a response to my email request, I sent a follow-up email, asking when I could expect a response to my enquiry. To date I have had no response to either email. I am still waiting upon a written response addressing my query - when does Council intend to send it to me please?”

The Interim CEO provided the following response,

“I am aware that the tree is on Council’s Significant tree register and Council has had an inspection undertaken and are liaising with the school. I apologise for the delay in responding and I will take the question on notice. I will follow up first thing tomorrow and have a response to you at the earliest opportunity but no later than the end of the week.”

Antony Falkingham of Mentone asked,

“Anti-Vaxxers and COVID conspiracy theorists have been letterboxing residences and placing posters and stickers on public infrastructure throughout the Kingston municipality. This has the potential to undermine the community’s fight against COVID, and confuse or scare vulnerable residents, What is Council doing to support the State and Federal Government’s COVID vaccine program and Chief Health Officer’s restrictions?”

The Interim CEO provided the following response,

“Thank-you for your question regarding Council’s support for the State and Federal Government’s COVID Vaccination program and the Chief Health Officer’s restrictions. Council shares your concern and disappointment regarding the anti-vaccination material distributed in Kingston and other areas recently. Council strongly supports the vaccination program and restrictions and takes a range of actions including:

Promoting the vaccine rollout via:

- *sharing approved content from the Australian and Victorian health departments on Council’s social media channels*

For example, this afternoon we shared the latest infographic on the progress of the vaccination rollout and the link to the Federal Government website which includes information on the program, including an FAQ and myth busting section

- *providing information on the rollout via the Kingston your City magazine, the Kingston News e-newsletter*

- *a dedicated COVID-19 section on the Kingston corporate website which include links to Victorian/Australian information on vaccinations*
- *focusing on high-risk groups, including the elderly by providing information and promoting vaccination via the Your Voice magazine for seniors, multiple flyers/information sheets for AccessCare's 5000+ elderly/vulnerable clients on vaccination and keeping yourself safe, offering transport assistance to GPs for vaccination appointments to AccessCare clients etc*
- *Kingston Staff have also been encouraged to get vaccinated with internal staff communications promoting leaders who have been vaccinated, information on vaccination locations etc*

Promoting the current level of Chief Health Officer restrictions via:

- *ensuring all Council services and staff are operating according to the current restrictions*
- *widely advertising the current restrictions and the impact on Council services via a multitude of channels over the past 16 months including e-newsletters (Library Members, Waves Leisure Centre members, sporting clubs, Kingston news), dedicated COVID-19 section on website, numerous social media posts, signage on Council buildings, Kingston Your City magazine (including promoting use of masks in photographs)."*

Tom Maher asked,

"Last year Kingston Council promoted presentations on why it is cheaper and better environmentally for households to have all-electric homes. Can the council explain why the Solar PV system for the Mentone Lifesaving Club is so small? It is half of what the average household installation is. It could be ten times bigger. Furthermore, can the council explain why it is installing Gas into the Mentone Lifesaving Club ? Besides the emissions increase – which the Council publicises it will reduce, Gas prices are forecast to continue increasing. Meanwhile wholesale electricity prices are falling."

The Interim CEO provided the following response,

"The solar system at Mentone Life Saving Club is designed to meet a significant proportion of the projected electrical demand from the new facility, as well as to accommodate the provision of a publicly accessible roof deck for the community which limits Council's ability to add significant additional panels.

The PV panels have to be located well away from the public deck in order to avoid vandalism, ensure public safety and to provide compliant circulation space for maintenance/servicing access.

In terms of the use of gas appliances within the building, in this instance, Council has had to strike a balance between its objective to maximise the use of electricity in the facility against the environmental dis-benefit of having to accommodate a large electricity sub-station in this sensitive foreshore location."

En Bloc Resolution

Moved: Cr Hua

Seconded: Cr Howe

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

- 8.1 Town Planning Application Decisions - June 2021
- 9.2 Dingley Village Community Precinct - Stage 2: Outcome of Community Consultation
- 10.2 Australasian Golf Club - Partnership Grant Funding Agreement
- 10.5 Pre-school Development Leasing Proposal at 87 Davey Street, Parkdale
- 10.6 52 and 60 Victory Road, Clarinda - Short Term Occupancy Options
- 11.1 Audit and Risk Committee Minutes - 16 June 2021
- 11.2 Bi Annual Report from the Audit and Risk Committee
- 11.3 Informal Meetings of Councillors
- 11.4 Quick Response Grants
- 11.5 Authorisation of Officers under the Planning and Environment Act 1987

CARRIED

8. Planning and Development Reports

8.1 Town Planning Application Decisions - June 2021

RECOMMENDATION

That the report be noted.

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

8.2 KP-2011/579/C - 1 - 5 Taylor Avenue, Aspendale

Cr Davey-Burns declared a material Conflict of Interest in this item as a direct family member has peripheral involvement in this matter and left the meeting at 7.22pm prior to any discussion on the matter.

Moved: Cr Bearsley

Seconded: Cr Cochrane

That Council determine to support the proposal and issue a Notice of Decision to Grant an Amended Planning Permit for the construction of one shop and 25 dwellings, use of the land for dwellings, and waiver of the requirement for a loading bay at 1 – 5 Taylor Avenue, Aspendale, subject to subject to following conditions, to the satisfaction of the Responsible Authority.

- 1. Before the development continues works 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 amended plans prepared by SACBW, Job number SAC – 18417 dated 19/5/2021, revision I, Issue E., but modified to show:

- a) abasement ramp longitudinal section with gradients, levels to Australian Height Datum and clearance heights;
- b) *Deleted*
- c) habitable room windows treated with obscure glazing nominated as fixed to a height of 1.7 metres above finished floor level;
- d) details of the balcony screening on the north elevation, to consist of 1700mm high screening along the northern edge of the first floor balconies, and along the northern half of the western edge of those balconies;
- e) the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar;
- f) the location of any external clothes drying facilities, with these screened from public view;
- g) full details and dimensions of the proposed bicycle parking area in the basement, with specifications of any proposed racks;
- h) *Deleted*
- i) any changes to the bin store area and access areas as required by the Waste Management Plan at Condition 13 of this Permit;
- j) Relocation of the bin storage area for the shop to the basement. If necessary it would be appropriate to remove one car parking space from the basement to achieve this outcome;
- k) Deletion of the external doors to the goods store associated with the shop, and dedication of the space located between the shop and the eastern boundary of the site to a landscaped setback;
- l) An increased rear first floor setback of 4.714 metres and modified balcony design located above the projecting ground floor elements, and other amendments to the ground and first floors and elevations as set out in the amended plans TP-06, TP-07 and TP-09 issue date 15 February 2013 tabled during the Tribunal hearing;
- m) Widening of the bicycle access bay to a minimum of 2.2 metres, and associated reduction of the width of Visitor Space 1 to 2.6 metres if required;
- n) The provision of full height windows facing Taylor Avenue to the living rooms for Apartments 1, 2 & 3 and the Bedroom 1 for Apartment 4;
- o) Location of substation, if one is required;
- p) An updated, comprehensive detailed drainage strategy of the site incorporating Water Sensitive Urban Design Treatments including rainwater re-use for toilet flushing, to the satisfaction of the Council;
- q) An updated sustainable design initiatives outlined in the endorsed Sustainable Management Plan (SMP) required by Condition 8 of this Permit;
- r) the proposed fence on the west property boundary clearly illustrated as a new 2.6m high boundary fence;
- s) The existing fence on the east property boundary to be clearly illustrated,

- annotated and dimensioned on the plans;
- t) The condensers to remain in the locations as shown per Revision I, Issue E of the plans prepared by SACBW, Job number SAC – 18417 but with the inclusion of acoustic fences enclosing each of the units;
 - u) The proposed north boundary fence to be at least 1.8m high above finished floor level of the ground floor and designed to be no more than 25% transparent, with all other aspects of its design and finish to be determined as per *Fences Act 1968*;
 - v) The first 5 metres of the basement ramp to have a gradient no steeper than of 1:10 to comply with Design standard 3 of Clause 52.06-9;
 - w) Only the 'block wall' fence option on TP205;
 - x) The north east facing ground floor wall associated with Apartment 11 lowered to 2.3m in height; and
 - y) the provision of landscape plans substantially in accordance with the Memla Landscape Concept Plans 1 & 2 of 2 dated 19/11/2020, with such plans to be prepared to the satisfaction of the Responsible Authority and amended to show:
 - i) the deletion of the compacted layer at the base of the rear garden bed so that the substrate is directly on top of the natural ground;
 - ii) the *Banksia integrifolia* adjacent to the basement entrance ramp and the *Banksia marginata* located in the south-west corner of the site to swap places;
 - iii) the location of the two remaining *Banksia integrifolia* east of the basement entrance ramp to be moved west by one (1) metre;
 - iv) the plant list amended to so that the scheduled planted size of the two (2) *Banksia integrifolia* east of the entrance ramp is 4 metres;
 - v) Proposed front fences to be constructed on isolated pier footings systems (e.g. concrete stumps, steel columns);
 - vi) Paving located in the front setback of Unit 4 to be reduced in size to provide an additional 2 m² of garden area;
 - vii) Tree protection fencing for the three (3) *Banksia integrifolia* (Coast *Banksia*) street trees accurately drawn to scale and labelled.

All to the satisfaction of the Responsible Authority.

Endorsed Plans

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

Vegetation Conditions

3. The two (2) *Banksia integrifolia* east of the entrance ramp are to be planted at a minimum of 4 metres in height; and
4. The landscaping works as shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority. Landscaping must then be maintained to the satisfaction of the Responsible Authority, including any dead, diseased or damaged plants are to be replaced.
5. *Deleted*
6. *Deleted*

7. *Deleted*

Environmental Sustainable Development

8. Prior to the endorsement of the amended plans an updated Sustainability Management Plan (SMP) that is generally in accordance with the SMP prepared by Efficient Energy Choices, revision 2 dated 24/9/2014 that demonstrates compliance with Clause 22.13 of the Kingston Planning Scheme, is to be prepared by a suitably qualified professional and be submitted to and approved by the Responsible Authority.

9. *Deleted*

Construction Management Plan

10. Before the commencement of any buildings and 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. When approved, the plan will be endorsed as evidence of its approval and will then form part of the permit and shall thereafter be complied with to the satisfaction of the Responsible Authority. The CMP must specify and deal with, but is not limited to, the following:
- a) a detailed schedule of works including a full project timing;
 - b) a traffic management plan for the site, including when or whether any access points would be required to be blocked; an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and preferred routes for trucks delivering to the site;
 - c) the location for the parking of all construction vehicles and construction worker vehicles during construction;
 - d) delivery of materials including times for loading/unloading and unloading points; expected frequency; and details of where materials will be stored and how concrete pours would be managed;
 - e) proposed traffic management signage indicating any inconvenience generated by construction;
 - f) a fully detailed plan indicating where construction hoardings would be located;
 - g) a waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing;
 - h) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site;
 - i) business operations on the site during construction;
 - j) site security;
 - k) public safety measures;
 - l) construction times, noise and vibration controls;
 - m) restoration of any Council assets removed and/or damaged during construction;
 - n) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);

- o) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
 - p) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - q) traffic management measures to comply with provisions of AS 17 42.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads; and
 - r) all contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
11. Prior to the commencement of any buildings and works on the land, a pre-construction site and immediate surrounds inspection and condition assessment of all road ways and footpaths abutting the development is to be submitted to and approved in writing by the Responsible Authority. This must occur in a media (photos/video) which is able to accurately illustrate the full condition of all potentially impacted assets prior to the construction commencing. In the event of damage during construction, such damage will be required to be repaired by the developer, at the developer's cost and to the satisfaction of the Responsible Authority.
12. During the construction, the following must occur:
- a) any stormwater discharged into the stormwater drainage system is to comply with EPA guidelines;
 - b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
 - c) vehicle borne material must not accumulate on the roads abutting the site;
 - d) the cleaning of machinery and equipment must take place on site and not on adjacent footpaths, roads or parks;
 - e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
 - f) all site operations must comply with the EPA Publication TG302/92 (including all revisions or replacement guidelines).

Waste Management Plan

13. Prior to the endorsement of plans pursuant to Condition 1, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Three copies of the plan must be submitted. The plan must include but is not limited to:
- a) The manner in which waste will be stored and collected including: type, size and number of containers.
 - b) Spatial provision for on-site storage.
 - c) Details whether waste collection is to be performed by Council's services or privately contracted.
 - d) The size of the collection vehicle and the frequency, time and point of collection.

The waste management plan must be implemented to the satisfaction of the

Responsible Authority. The waste management plan must not be modified unless without the written consent of the Responsible Authority.

14. *Deleted*

15. *Deleted*

16. *Deleted*

Roads and Drains Conditions

17. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.

18. The replacement of all footpaths, including offsets between the property boundary and footpath, must be constructed to the satisfaction of the Responsible Authority.

19. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority, with the vehicle crossing to be constructed to Council's specifications.

20. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.

Car Parking

21. Prior to the occupation of the dwellings 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 in accordance with the endorsed plans under this permit.
- d) Drained and maintained to the satisfaction of the Responsible Authority.
- e) Line-marked to indicate each car space and all access lanes, with the basement ramp line-marked to indicate two way traffic.
- f) Provided with wheel stops to the front of each car parking space designed to meet Australian Standards AS2890.1 – 2004, Parking Facilities: Off-street parking.

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

22. Prior to the commencement of the use, a Parking Management Plan must be submitted to and approved by the Responsible Authority. The Parking Management Plan must include, but is not limited to:

- a) The allocation of car spaces to residents, visitors and shop staff.
- b) Details of the signing and line marking of parking spaces.
- c) Details of car park control equipment which must show the location of any intercom or other security device at the entry and method of accessing the basement by visitors.
- d) Providing unobstructed access to the visitor spaces during the shop opening hours.
- e) Lighting and security arrangements for the car park.

When approved, the Parking Management Plan will be endorsed and will then form part of the permit.

23. The approved Parking Management Plan must be implemented and followed to the satisfaction of the Responsible Authority, and may be amended from time to time with the written approval of the Responsible Authority.

General Amenity

24. Exterior lighting must be installed in such positions as to effectively illuminate all communal areas. Such lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.
25. The obscure glazing shown on the endorsed plans must be through frosted glass or similarly treated glass, and thereafter maintained to the satisfaction of the Responsible Authority. Adhesive film or the like that can be removed must not be used.
26. All fixed external screening to prevent overlooking marked on the endorsed plans shall be maintained by the owner of the land to the satisfaction of the Responsible Authority.
27. 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.
28. 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.
29. Service units, including air conditioning/heating units, must not be located where they will be visible from any public area, and must not be located near bedrooms of immediately adjacent existing dwellings.
30. Prior to the occupation of any building approved under this permit, written confirmation from the author of the endorsed Sustainable Management Plan is to be submitted to the Responsible Authority that all of the required measures specified in the SMP have been implemented.
31. 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. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
32. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with, unless with the further prior written consent of the Responsible Authority.
33. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Expiry

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

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.

Water Sensitive Urban Design

35. Unless with prior written consent of the Responsible Authority, before works recommence on site the following Integrated Stormwater Management (drainage) documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority:
 - a) Prior to submitting detailed plans, an updated comprehensive stormwater management (drainage) strategy for the site must be prepared that addresses the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
 - b) The stormwater management (drainage) strategy must include a report with MUSIC modelling results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives. 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.
 - c) Stormwater Management (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 works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details
 - d) The water sensitive urban design treatments as per conditions 35a, 35b, & 35c above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
36. Stormwater (drainage) works must be implemented in accordance with the approved stormwater management (drainage) plan and to the satisfaction of the Responsible Authority including the following:
 - a) All stormwater (drainage) works must be provided onsite so as to prevent overflows onto adjacent properties.
 - b) The implementation of stormwater (drainage) detention system which restricts stormwater discharge to the maximum allowable flowrate of 15L/s.
 - c) All stormwater (drainage) works must be maintained to the satisfaction of the Responsible authority.
37. A groundwater assessment report (GAR) must be prepared by a qualified hydrogeologist to assess any possible impacts the proposed development has on the ground water table, surrounding land and buildings to the satisfaction of Responsible Authority. Should the findings of the submitted GAR demonstrate that the site is likely to experience issues associated with ground water management, a ground water management plan (GMP) must be submitted to and approved by the responsible authority.
38. The basement structure must be designed to respond to the findings of the GAR and GMP required under condition 37 and constructed to the satisfaction of the responsible authority in accordance with the following:
 - a) the basement must be a fully-tanked dry basement with no ground water

including agricultural (AG) drain collection or disposal into stormwater system and with an allowance made for any hydrostatic pressures in accordance with Council's "Basements and Deep Building Construction Policy 2014" and "Basements and Deep Building Construction Guidelines 2014", or

- b) in the event it is demonstrated that a fully tanked dry basement cannot be achieved or if a wet basement system is proposed, no groundwater including AG drain from the site shall be discharged into the stormwater system. Council does not accept any groundwater (including AG drain) into the stormwater system. Sub-surface water (groundwater) is the responsibility of the property owner to dispose of on site or reach an agreement with the local sewer authority.

39. In any case where the basement design and construction, as required by Conditions 37 and 38 of this permit, does not accord with the plan(s) approved under this permit, the endorsed plan(s) must be amended to the satisfaction and with the written consent of the Responsible Authority.

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

Note: Any buildings and works (including eaves) to be located within an easement requires separate consent from Council and/or the relevant service authority. This will need to be obtained prior to the issue of a building permit.

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: 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 owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.

Note: All buildings and works must be carried out in accordance with the approved Cultural Heritage Management Plan as required by the *Aboriginal Heritage Act 2006*. A copy of the approved CHMP must be held on site during the construction activity.

THIS PERMIT WAS ISSUED AT THE DIRECTION OF VCAT AS FOLLOWS:

**City of Kingston
Council Meeting**

Minutes

26 July 2021

Date of Order

18 March 2013

Planning Permit KP-579/2011 was issued in accordance with the order of the Victorian Civil and Administrative Tribunal, reference: P1381/2012.

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>Section 72 amendment that amends the plans to :</p> <ul style="list-style-type: none"> • decrease the overall building height by 3.06m from an endorsed height of 13.73 AHD to 10.67 A.H.D. • increase of the height of the second story (parapet) by 70mm incorporating the following changes: <ul style="list-style-type: none"> ➢ Increase to the ground floor finished floor level (FFL) by 470mm. ➢ Reduction to the thickness between ground floor and first floor of 50mm. ➢ Reduction to the thickness of the roof by 350mm. • delete the rooftop atrium and deck. • increase FFL of the alfresco areas by 470mm. • provide a fence on the boundary that is at least 1.8m above the finished floor level of the ground floor, to act as a visual barrier to adjoining 	City of Kingston

		<p>properties to the north;</p> <ul style="list-style-type: none"> • provide a 750mm overlooking screen to the top of the living room windows; and • supersede the endorsed landscape plan with an amended landscape plan prepared by Memla Pty. Ltd., project number LC2449 Drawing 1 and 2 of 2, dated 12/6/2020. <ul style="list-style-type: none"> ○ Conditions 1, 3 and 8 amended ○ Condition 1b, 1h, 5-7, 9 and 14-16 deleted ○ Condition 1p-y and 35-39 added to the permit ○ Subtitles added to the permit for clarity 	
--	--	--	--

CARRIED

Cr Davey-Burns returned to the meeting at 7.27pm

8.3 KP-2021/179 - Unit 12 605 Nepean Highway, Bonbeach

It is recorded that Kenneth Glyde spoke on behalf of objectors.

It is recorded that Paul Truong spoke on behalf of the applicant.

Moved: Cr Howe

Seconded: Cr Cochrane

That Council determine to issue a Notice of Refusal to Grant a Permit for the development of land for alterations and additions to the existing dwelling on a lot less than 300 square metres at Unit 12 605 Nepean Highway, Bonbeach, on the following grounds:

1. The proposal fails to meet the objectives and strategic directions of the Municipal Strategic Statement in relation to Clause 21.06 (Built Environment and Heritage) by unreasonably affecting the amenity of adjoining residential properties through overlooking.
2. The proposal does not satisfy the requirements of Clause 22.06 (Residential Development Policy) of the Kingston Planning Scheme, failing to overlooking of adjoining properties.
3. The proposal fails to comply with the objectives and standards of Clause 54.04-6 (Overlooking) of the Kingston Planning Scheme by failing to limit views into adjoining properties.

CARRIED

8.4 KP-2020/537 - 191-199 Spring Road Dingley Village

Moved: Cr Hua

Seconded: Cr Davies

That Council determine to support the proposal and issue a Notice of Decision to grant a permit for the use of the land for a Plant Nursery and to develop the land for the construction of a shed associated with the use of the land generally in accordance with the submitted plans at 191-199 Spring Road Dingley Village, 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. The plans must be substantially in accordance with the plans submitted to Council on 23 February 2021, but modified to show:
 - a) the provision of a landscape plan and associated planting schedule for the site showing the proposed location, species type, mature height and width, pot sizes and number of species to be planted on the site, with such plans to be prepared by a suitably qualified landscape professional and incorporating:
 - i) minimum 3 metre high at maturity plantings native or indigenous to Kingston creating a landscaped screen along the entire southern boundary, with shrubs planted at minimum 1 metre high
 - b) the location of existing and proposed artificial lighting on site.
 - c) the proposed shed of 'woodland grey' to be shown with an alternative lighter colour to better respond to urban cooling;
2. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Before completion 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.

Use

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

Monday to Sunday: 6.00am to 6.00pm

Or otherwise as approved by the Responsible Authority in writing.

5. No clients or customers are permitted on site.
6. The deliveries of any plant stock must occur through online wholesale only.
7. The 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 Australian Standards AS1055 and AS2107 relating to the measurement of Environmental Noise and recommended sound levels.
8. The permit holder must ensure that trucks do not deposit mud onto the road

network adjacent to the site. Should this become an issue, then at the direction of the Responsible Authority, the operator must arrange for a contractor to clean the road at no cost to Council.

9. The amenity of the area must not be detrimentally affected by the development and 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.
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. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
12. The removal of the existing buildings needs to occur within one (1) month after the completion of the new shed.
13. 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 use and development is not started before two (2) years from date of this permit.
 - The development is not completed before four (4) years from the date of permit issue.
 - The use is discontinued for a period of two (2) 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.

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

CARRIED

8.5 Free Plant Voucher Scheme

Moved: Cr Davey-Burns

Seconded: Cr Oxley

That Council:

1. Note the success of the changed online registration process for the Free Plant Voucher scheme undertaken during Autumn 2021 in response to COVID restrictions.
2. Revise program delivery to permanently utilise online registrations and an electronic voucher system in an annual Autumn plant giveaway.
3. Update the flyer to this report to be included in the rates notice as shown in Appendix 1 to also promote registration of the program through Council's 1300 653 356 number to assist those community members who do not have access to a means of registering online.
4. Continue to promote the Free Plant Voucher program and online registration process through Council's rates notice, website and social media channels.

CARRIED

8.6 Fire Pits Consultation Results

Moved: Cr Davies

Seconded: Cr Cochrane

That Council:

1. Note the feedback received through the community consultation period.
2. Note the survey result that overwhelmingly supports repealing the current fire pits restriction.
3. Review "Part 9 – Fire" of the Community Local Law in its entirety in accordance and subject to the Local Law Amendment Procedure, with the intent of including the ability of a person to light a fire on private property in the open air in a purpose built, constructed, or manufactured fireplace or allow a fire to be lit or remain alight on private property in the open air in a purpose built, constructed or manufactured fireplace for the purpose of heating. And clarity be provided to:
 - a) Clear differentiation of materials, design and gas/electric type of incinerator, purpose built or constructed barbeque, grill, oven, chiminea, brazier, and manufactured fireplace
 - b) Retaining the ban on incinerators
 - c) Retaining the ban on burning off offensive or dangerous materials
 - d) Retaining the permission of fire burning for the purpose of cooking for cultural activities or religious observance
 - e) Outlining a safe distance requirement from other property
 - f) Instances where a total fire or other restrictions are in place
 - g) Situations where the permission would cease immediately if offensive material is burnt or if offensive smoke, smell, or odour or a smoke hazard,

- dust, grit, ashes is caused.
- h) Retaining the current directive powers by authorised officers to direct immediate extinguishing of the fire
 - i) Ensuring consistency with all relevant laws
4. Commit to undertaking further community education in relation to the negative health, amenity and environmental impacts of wood smoke through implementation of the communication and engagement program as outlined in Appendix 3.

CARRIED

8.7 Big Housing Build and Homes for Homes

Moved: Cr Hill

Seconded: Cr Davey-Burns

That Council:

1. Advocate to Homes Victoria to explore the delivery of social and affordable housing at the State Government sites provided in Appendix 1 to this report as part of the Victorian Government's Big Housing Build.
2. Note that both Kingston and Bayside Councils in January and February 2020 adopted the 'Cheltenham Park Interface Document' and emphasise to Homes Victoria that this policy should apply to any proposed development at the Cheltenham Station Precinct.
3. Undertake further work as identified in Kingston's Social and Affordable Housing Strategy July 2020 to identify Department of Families, Fairness and Housing land suitable for redevelopment.
4. Actively support and promote the Homes for Homes program, and
5. Receive a further report that explores the option of making the Homes for Homes initiative a mandatory requirement on all planning permits issued for multi dwelling developments.

Cr Cochrane left the meeting at 8.11pm

Cr Cochrane returned to the meeting at 8.16pm

CARRIED

8.8 Response to Climate and Ecological Emergency Declaration

Moved: Cr Davey-Burns

Seconded: Cr Saab

That Council:

1. Note the changes proposed to the draft Climate and Ecological Emergency Response Plan in response to community feedback received.
2. Adopt the final version of the Climate and Ecological Emergency Response Plan.
3. Make a formal pledge to the Minister for Energy, Environment and Climate Change, Lily D'Ambrosio which requires:
 - A statement of Council's commitment.

- A list of the key actions Council will implement over the 2021-25 period to reduce emissions
- an estimate of the emissions reductions that are expected to result from Council-oriented actions

Cr Davies left the meeting at 8.22pm

Cr Hill left the meeting at 8.22pm

Cr Davies returned to the meeting at 8.23pm

Cr Hill returned to the meeting at 8.23pm

CARRIED

8.9 Suburban Rail Loop - Design Advocacy - Community Consultation

Moved: Cr Saab

Seconded: Cr Davey-Burns

That:

1. Council undertake community consultation on the initial design principles and opportunities (Appendix 1) for the Cheltenham Suburban Rail Loop Station.
2. Council defer community consultation on the proposed Southern Stabling Facility, pending further discussions with key local groups including Move the Train Yard Group, Heatherton Residents Against Inappropriate Development, Defenders of the South East Green Wedge and other interested community members, noting Council's position as adopted on 27 January 2021 has not changed as a result from the letter received from Minister Allan.
3. Following consideration of any community feedback received, a further report and detailed advocacy documents be presented to Council for consideration in late 2021.

Amendment

Moved: Cr Oxley

That:

1. Council undertake community consultation on the initial design principles and opportunities (Appendix 1) for the Cheltenham Suburban Rail Loop Station.
2. Council defer community consultation on the proposed Southern Stabling Facility, pending further discussions with key local groups including Move the Train Yard Group, Heatherton Residents Against Inappropriate Development, Defenders of the South East Green Wedge and other interested community members, noting Council's position as adopted on 27 January 2021 has not changed as a result from the letter received from Minister Allan.
3. Following consideration of any community feedback received, a further report and detailed advocacy documents be presented to Council for consideration in late 2021.
4. Council reiterate its previous position of strongly opposing the Delta site for use as a stabling yard and continue its advocacy to the State Government to find a more suitable site that does not have such negative amenity impacts for local

residents.

**The Amendment was accepted by the Mover and Seconder
The Motion was put and CARRIED unanimously**

9. Community Sustainability Reports

9.1 Community Grants Program 2021 - 2022 Funding Recommendations for Partnership Grants and Annual Grants Allocations

Cr Bearsley declared a material conflict of interest in this item as one of the beneficiaries of the grant is the Aspendale Residents' Association and her husband and sister are on the committee and left the meeting at 8.57pm prior to any discussion on the matter.

Moved: Cr Oxley

Seconded: Cr Howe

That Council:

1. Approve the Partnership Grants and Annual Grants' funding allocations as recommended in Appendices 1- 3.
2. Approve the transfer of identified Annual Grants' recipients to Partnership Agreements as recommended in Appendix 4.
3. Approve the late applications as listed in Appendix 6 and allocates \$63,748.88 Annual and Partnerships Grants' funding as recommended.
4. Approve funding of \$26,400 to Scouts Victoria to install security systems at its eight facilities in Kingston.
5. Approve additional Partnership Grant funding of \$10,000 to Pantry 5000 to help cover costs of increased demands on its welfare services.

CARRIED

Cr Bearsley returned to the meeting at 9.06pm

9.2 Dingley Village Community Precinct - Stage 2: Outcome of Community Consultation

RECOMMENDATION

That Council:

1. Note the community consultation process and emerging themes in response to the proposed concept for Dingley Village Community Precinct – Stage 2.
2. Note the budget implications for Stage 2 works, as previously detailed within the Draft Capital Works plan and to authorise officers to submit relevant grant funding submissions for State Government early year's infrastructure funding to support the delivery of the project,
3. Authorise officers to continue to progress the Stage 2 works, including:
 - confirmation of concept plan (buildings only),
 - detailed design development,

- obtaining relevant statutory approvals,
- developing future leasing/licencing arrangements for the redeveloped facility,
- undertake further assessment of the scope and siting options for the community basketball court, and to present this back to Council within a subsequent report.

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

9.3 Response to Council Resolution - Request for Additional Works - 7th Cheltenham Scouts (Argus Street) & 7th Chelsea Aspendale Scouts (Browns Lane)

Moved: Cr Oxley

Seconded: Cr Davey-Burns

That Council:

1. Receive this report noting:
 - a. the estimated cost of additional works is \$221,380.
 - b. the scope of the additional works is the responsibility of Scouts Victoria under the terms of the Schedule 3 Maintenance agreement contained within the executed leases for each building.
 - c. the DDA compliance upgrades at Argus St and Browns Lane are nearing completion, at a cost of \$455,332.
2. Acknowledge:
 - a. the important community role Scouts Victoria undertakes in delivering its activities and programs; and,
 - b. the adverse impact Covid-19 has had and continues to have on the capacity to fund raise and deliver its activities and programs.
3. Commit to undertaking the additional works and that the delivery of works is progressed in two stages:
 - a. Stage 1 - comprising all listed works, with the exception of the storage shed at Argus St (\$156,380 excl GST)
 - b. Stage 2 – provision of a storage shed at Argus St is to be considered within the context of whole of site development (\$65,000 excl GST)
4. Include \$276,725 excl GST inclusive of a 25% contingency of \$55,345 excl GST for latent conditions and/or minor scope modifications, in the 2021/22 mid-year budget review process to fund the additional works.

CARRIED

10. City Assets and Environment Reports

10.1 Response to Council Resolution - Traffic Management in Chelsea

Moved: Cr Oxley

Seconded: Cr Eden

That consideration of this item be deferred until the August Council Meeting.

CARRIED

10.2 Australasian Golf Club - Partnership Grant Funding Agreement

RECOMMENDATION

That Council:

1. Endorse the renewal of the partnership grant funding agreement with the Australasian Golf Club Incorporated for its continued maintenance and management of the Edithvale Public Golf Course for a further 4 years, ending in 2025 in line with the expiry of the lease agreement with Melbourne Water;
2. Pay the Australasian Golf Club Incorporated \$125,000 per annum increasing by CPI each year for the life of the agreement; and
3. Authorise the General Manager City Assets and Environment to prepare and execute the funding agreement with the Australasian Golf Club Incorporated.

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

10.3 Kingston Heath Reserve - Hockey and Baseball Needs Analysis And Feasibility

Moved: Cr Davies

Seconded: Cr Hua

That Council:

1. Note the findings from the Stage 2 – Facility Analysis and Site Assessment Investigations for hockey and baseball facilities as set out in Appendix 4;
2. Provide in-principle endorsement of Kingston Heath Reserve as a future site for the development an additional hockey pitch;
3. Invite feedback from the tenant sporting, community clubs and other interested parties such as the Friends of Kingston Heath on the potential development of an additional hockey pitch and remodelling of baseball facilities at Kingston Heath Reserve;
4. Authorise officers to prepare detailed concept plans for the development of an additional hockey pitch and remodelling of baseball facilities at Kingston Heath Reserve to support consultation activities with the tenant sporting, community clubs and other interested parties;
5. Receive a report summarising the feedback from the tenant sporting and community clubs and other interested parties; and
6. Prioritise investigations to strategically increase the amount of open space area within the surrounding locality of Kingston Heath Reserve and that Council receive a report by the November 2021 Council Meeting that provides options on how to deliver this.

Moved: Cr Oxley

Seconded: Cr Eden

That consideration of this item be deferred until Council has consulted with all the relevant stakeholders including the Friends of Kingston Heath Reserve, baseball club, cricket club, and general community users about the proposed plans.

LOST

A Division was Called:

DIVISION:

FOR: Crs Eden and Oxley (2)

AGAINST: Crs Staikos, Saab, Bearsley, Cochrane, Davey-Burns, Davies, Hill, Howe and Hua (9)

LOST

Procedural Motion

Moved: Cr Hua

Seconded: Cr Bearsley

That the meeting be extended for one hour until 11.00pm

CARRIED

The Substantive Motion was put and CARRIED

10.4 Kennedy Community Centre Proposal - Hawthorn Football Club

Moved: Cr Hua

Seconded: Cr Davies

That Council:

1. Endorse the Memorandum of Understanding (MOU) (Appendix 1) and authorise the CEO to execute the MOU to progress Council's capital commitment to the planned community oval and pavilion at the Kennedy Community Centre in Dingley Village; and
2. Endorse in principle the financial contribution of \$5M to the project subject to Council receiving a further report detailing:
 - a) A legally binding agreement to confirm funding and community access and use of the community oval and pavilion at the Kennedy Community Centre; and
 - b) A capital contribution allocation of \$5M towards the community oval and pavilion at the Kennedy Community Centre in Dingley Village in the Long-Term Financial Strategy spread over the 22/23 and 23/24 financial years, subject to State Government funding being received by Hawthorn Football Club for the project.

Cr Howe left the meeting at 10.01pm

Cr Cochrane left the meeting 10.03pm

Cr Howe returned to the meeting at 10.05pm

Cr Cochrane returned to the meeting at 10.05pm

CARRIED

Moved: Cr Oxley

Seconded: Cr Eden

That consideration of this item be deferred until a cost-benefit analysis is completed comparing the community benefits from direct investment by Council into Council owned facilities compared to a private facility owned and managed by Hawthorn Football Club and a formal binding agreement is reached between Council and Hawthorn Football Club on the minimum number of community hours of access (being usable hours).

LOST

The Substantive Motion was put and CARRIED

10.5 Pre-school Development Leasing Proposal at 87 Davey Street, Parkdale

RECOMMENDATION

That Council:

1. Authorise officers to give public notice, in accordance with Council's Community Engagement Policy, on Council's intention to grant a lease to the Elenora Pre-School Association for an initial term of seven (7) years plus two further terms each of seven (7) years over Council's property at 87 Davey St Parkdale 3195 on the terms and conditions outlined in this report, and to invite submissions;
2. Endorse that in the instance that submissions are received that require Council consideration, a committee will be convened, comprising of the Mayor, the Deputy Mayor, Ward Councillor, General Manager City Assets and Environment, Manager Property & Arts and Team Leader Property Services;
3. Endorse that in the instance that no submissions are received that require Council consideration, grant a lease to the Elenora Pre-School Association on the terms and conditions outlined in the report; and
4. Authorise officers to continue progressing the tender for the installation of a modular facility at 85-87 Davey Street, Parkdale, including a future report to Council of the outcome of the tender process.

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

10.6 52 and 60 Victory Road, Clarinda - Short Term Occupancy Options

RECOMMENDATION

That Council offer the sitting tenants at 52 and 60 Victory Road, Clarinda new leases for a maximum tenure of two years whilst a definitive future use has been identified for the land holding.

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

11. Corporate Services Reports

11.1 Audit and Risk Committee Minutes - 16 June 2021

RECOMMENDATION

That the minutes of the Audit and Risk Committee meeting held on 16 June 2021 be noted.

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

11.2 Bi Annual Report from the Audit and Risk Committee

RECOMMENDATION

That Council note the Annual Report of the Audit and Risk Committee.

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

11.3 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.

11.4 Quick Response Grants

RECOMMENDATION

That Council approve the following Quick Response Grant applications:

- Parkdale Vultures Amateur Football Club - \$1500.00
- Chelsea Men's Shed - \$1500.00
- Mordialloc Motor Yacht Club - \$1500.00
- Aspies: Find Your Tribe Inc. - \$1500.00

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

11.5 Authorisation of Officers under the Planning and Environment Act 1987

RECOMMENDATION

That:

1. In the exercise of the powers conferred by s147(4) of the *Planning and Environment Act 1987*, Kingston City Council resolves that the members of Council staff referred to in each instrument attached (refer to appendices) be appointed and authorised as set out in the instrument.
2. Each instrument comes into force immediately on resolution and remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless Council determines to vary or revoke it earlier.

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

11.6 Naming Proposal of Pavilion at Rowan Reserve, Dingley Village

Moved: Cr Davies

Seconded: Cr Howe

That Council commence a process of consultation regarding the proposed naming including the proposal of 'Lynne Fleming Pavilion'.

Cr Eden left the meeting at 10.29pm

CARRIED

12. Notices of Motion

12.1 Notice of Motion No. 11/2021 - Cr Oxley - Female Friendly and Disability Compliant Facilities

Moved: Cr Oxley

Seconded: Cr Davey-Burns

That Officers provide a report to Council at the August Council Meeting outlining which council sporting facilities do not have dedicated female change rooms/female friendly change rooms and which Council facilities do not have a dedicated disability compliant toilet/change room.

Cr Hua left the meeting at 10.32pm

Cr Eden returned to the meeting at 10.33pm

Cr Hua returned to the meeting at 10.34pm

CARRIED

12.2 Notice of Motion No. 12/2021 - Cr Oxley - Chelsea Men's Shed

Moved: Cr Oxley

Seconded: Cr Bearsley

That officers provide a report to the August Council Meeting outlining the options and funding/budget requirements for moving the Chelsea Men's Shed to the Council owned former kinder site at Catherine Avenue.

CARRIED

12.3 Notice of Motion No. 13/2021 - Crs Howe, Bearsley & Davey-Burns - Public Art Budget

Moved: Cr Howe

Seconded: Cr Davey-Burns

That Council:

1. Receive a report at the November 2021 Council meeting that:
 - a) Outlines opportunities to create a network of contemporary arts and cultural trails throughout Kingston, featuring artistic works by recognised professional artists along high-profile cultural trails including the Patterson River trail;
 - b) Outlines a multi-year funding plan to integrate public art as part of the 5 year capital works programme and operational budget, including the allocation of 2% of the budget for open space and building projects over \$1,000,000 and ongoing funding for curation, staffing and maintenance of the works;
 - c) Proposes project timelines and a community engagement process, with a priority to implementing at least 3 works at the Patterson River trail;
 - d) Identifies potential external funding opportunities; and
2. Receive a further report at a future Council meeting that investigates the establishment of a public art strategy and ongoing annual budget, which adequately services the growing internal and external demand for public art across the municipality now and into the future.

Procedural Motion

Moved: Cr Saab

Seconded: Cr Davey-Burns

That the meeting be extended by 15 minutes until 11.15pm

CARRIED

The Substantive Motion was put and CARRIED

13. Urgent Business

There were no items of urgent business.

14. Confidential Items

Nil

The meeting closed at 11.02pm.

Confirmed.....

The Mayor 23 August 2021