

# Minutes

## Ordinary Council Meeting

Monday, 24th March 2025

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Peter Bean  
Chief Executive Officer  
Kingston City Council



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**City of Kingston  
Ordinary Council Meeting**

**Minutes**

**24 March 2025**

The meeting commenced at 7:02pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

**Present:** Cr Georgina Oxley (Mayor)  
Cr Chris Howe (Deputy Mayor)  
Cr Jane Agirtan  
Cr Kirralee Ashworth-Collett (attended online)  
Cr Tony Athanasopoulos  
Cr Georgia Erevnidis  
Cr Chris Hill  
Cr Tess Law  
Cr Sarah O'Donnell  
Cr Hadi Saab  
Cr Caroline White

**In Attendance:** Peter Bean, Chief Executive Officer  
Jonathan Guttmann, General Manager Planning and Place  
Dan Hogan, General Manager Customer and Corporate Support  
Samantha Krull, General Manager Infrastructure and Open Space  
Kate Waters, Acting General Manager Community Strengthening  
Bernard Rohan, Chief Financial Officer  
Jaclyn Murdoch, Manager City Development  
Kelly Shacklock, Manager Governance, Risk and Integrity  
Sharon Lozsan, Team Leader Council Governance  
Jessica Baguley, Governance Officer  
Gabrielle Pattenden, Governance Officer  
Laura McLean, Communications Advisor

**1. Apologies**

There were no apologies submitted to the meeting.

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

**Moved: Cr Agirtan**

**Seconded: Cr Howe**

That the Minutes of the Special Council Meeting held on 24 February 2025 and the Ordinary Council Meeting held on 24 February 2025 be confirmed.

**CARRIED**

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

**AGAINST:** Nil (0)

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

There were no Conflicts of Interest submitted to the meeting.

**4. Petitions**

Nil

**5. Delegates' Reports**

Cr O'Donnell reported on her attendance at the 2025 Municipal Association of Victoria Convention.

Cr Saab reported on his attendance at a meeting of the Local Government Mayoral Taskforce Supporting People Seeking Asylum.

**Councillor Statements**

Cr O'Donnell made a statement regarding a fundraising initiative, Laps for Life, undertaken by young local community members in aid of youth suicide prevention.

Cr Law made a statement acknowledging the following:

- Recent festivals and events including the Mordialloc Jazz Orchestra and Big Bands festival, the Mordi Summer Music and Market festival and Mordifest
- The continuing Mordialloc Aquatic Centre and Level Crossing Removal Project works
- International Women's Day
- Upcoming events including the Pet Expo and Wall to Wall Festival

**Presentation of Awards**

Nil

**Note:** O'Donnell requested through the Chair and was granted an extension of time of two minutes to speak.

**Moved: Cr Hill**

**Seconded: Cr O'Donnell**

That the delegates' reports and Councillor statements be received.

**CARRIED**

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

**AGAINST:** Nil (0)

**6. Question Time**

Question time was held at 7.12pm.

**Note:** 47 questions received and assessed against the Governance Rules. Ten questions were not accepted due to non-compliance; one question was repetitive of a question already asked and answered, two questions were disallowed as submitter did not complete the submission in full, three questions was considered to embarrass an Councillor and four questions exceeded the question limit for an individual. Preambles submitted with questions were not read out. In accordance with clause 39.9 of the Governance Rules, like questions have been grouped together.

Cr Athanasopoulos left the meeting at 7.15pm.

Cr Athanasopoulos returned to the meeting at 7.18pm.

Cr Hill left the meeting at 7:37pm.

**Anna asked,**

*“How is Council addressing the rubbish dumping in particular furniture etc on the streets of Clarinda, residential areas, which become ghastly eye sores, and does Council propose an education campaign about community responsibility for picking up rubbish located on your nature strip and pavement outside your own home?”*

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

*“Council regularly undertakes dumped rubbish removal sweeps in known dumping hotspots, including in the Clarinda area. Council Hard Rubbish and 'No Dumping' brochures are provided in multiple languages and are sent to residents around dumping locations to educate the community. This is also supported by Local Law surveillance and investigations, as required.”*

**Malcolm Kay asked,**

*“What is the process and who is responsible for reviewing Council efficiency/ spend effectiveness and what is the reporting/information sharing mechanism for this review process?”*

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

*“The Chief Finance Officer and the General Manager of Customer and Corporate Support are responsible for corporate reporting at Council. Proposed Council expenditure is provisioned in the annual budget that is subject to public consultation processes. This year the draft budget is proposed to be tabled at the April Ordinary Council Meeting for adoption in the June Ordinary Council Meeting. The actual quarterly performance against budget is then reported to the relevant Council meetings throughout the year. Council separately adopts a Council Plan every four years and an Annual Action Plan of actions to support the delivery of the Council Plan. The progress of Council’s delivery of the annual actions are reported on a quarterly basis in the relevant Council meetings. Council’s performance on a benchmarked basis to other Councils, and over time, is reported on against the Local Government Performance Reporting Framework on the Local Government Victoria website. All of this material – financial performance, action plan progress, and LGPRF indicators – is formally reported on in the Annual Report of Council in the October Ordinary Council Meeting each year.”*

**Jason Allen asked,**

*“What faith does the Mayor have that Council staff executed Councillors’ passed motions?”*

**The Chief Executive Officer Response,**

*“Notice of Motion 10/2024, required a report back to Council in February 2025. This report was presented to the Council Meeting on 24 February and deferred by Council. As outlined in that report and answered via a public question, the cost of developing a comprehensive Masterplan is estimated to be between \$50,000 and \$200,000, dependent on the scope and size of the project. As this matter came before Council via a Notice of Motion, and given it exceeds expenditure of over \$25,000 that is not budgeted for, officers must respond to Council via a further report. Therefore, the report back to Council on this matter adheres to the requirements of the Governance Rules. Pending Council’s consideration of the report at tonight’s meeting, I have full faith the resolution will be executed. Under the Local Government Act, all resolutions of Council must be executed.”*

**Courtney asked,**

*“After 20+ years of operation the Occasional Care Child Minding Service at Waves Leisure Centre will close on 4th April due to low occupancy however most families in the community apparently didn’t understand it was open to the public. Why did Council not undertake any marketing in the last two to three years to promote this service to the wider community before deciding to permanently close it?”*

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

*“Council remains dedicated to supporting families and fostering health and wellbeing throughout our community. The crèche service at Waves was originally established to support aquatics and leisure activities for Kingston members and users at the Waves centre, with discounted rates for this purpose. In recent years, the creche patronage has steadily declined, with only a small number of families currently utilising the service. Efforts were made over a number of years to market the service more broadly to the community as occasional care, but patronage has remained very low. After careful consideration, a decision was made to close the crèche service effective from 4 April 2025. We understand this may impact some families, and we are working closely with current crèche service users to explore alternative childcare opportunities that meet their needs.”*

**Angela Burr asked,**

*“Can Council reconfirm the somewhat surprising information in General Manager Samantha Krull’s letter of 13th March to the Highett Progress Association that based on available planning data, including increased population estimates, it is anticipated that the current supply of three and four year old kindergarten places in Highett Kingston will be adequate to meet demand for the next 10 years - is this correct?”*

**The General Manager Community Strengthening provided the following response,**

*“Yes, that is correct. Officers do regularly review population estimates in line with the Victorian Government’s kindergarten funding model.”*

**Nellie asked,**

*“What is Councils process for Councillors facing criminal charges in terms of their capacity to continue to fulfill their roles while criminal matter is unresolved?”*

**The General Manager Customer and Corporate Support provided the following response,**

*“Section 34(2) of the Local Government Act 2020 sets out multiple scenarios in which a person is not qualified to be a Councillor, but in reference to criminal offences, disqualification is dependent upon the conviction of an offence that meets a minimum sentencing threshold. No further restrictions apply.”*

**Rami asked,**

*“Does preemptively indicating their position on a matter that has not yet come before council contradict the Local Government Inspectorate report that a Councillor must enter debate with an open mind?”*

**The General Manager Customer and Corporate Support provided the following response,**

*“In general, Councillors can express a preliminary view of a matter but must be prepared to reconsider their position if new evidence or arguments are put to them. This concept is particularly important to administrative decisions.”*

**Leo asked,**

*“Regarding item 8.1, what criteria does Council use to ensure grant money support local organisations and individuals and what would be required for an organisation outside of the city receiving grant money for event or activities delivered outside of Kingston?”*

**The General Manager Community Strengthening provided the following response,**

*“The Kingston Grants Program Policy and Guidelines outlines the eligibility and assessment criteria for community grants. The assessment criteria relates to: community need, community benefit, capacity to deliver, capacity for sustainably and other considerations. Organisations not located in Kingston, must have a majority number of Kingston residents – for example, more than 50% of active members or participants, or be able to demonstrate significant benefit to the Kingston community.”*

**Coral Ross AM asked,**

*“Councillor duties are defined on page 2 of the proposed Councillor Support and Reimbursement of Expenses Policy and include meetings of Council and when councillors have a “formal” role to perform as a representative of the Mayor or Council. Does this mean if a councillor is invited to a local sporting event, Neighbourhood Watch meeting, Friend’s group meeting or any community event, but has no formal role to perform, it is not part of a Councillor’s duties?”*

**The General Manager Customer and Corporate Support provided the following response,**

*“The definition of Councillor’s duties is specifically narrow under the recommended policy in order to fulfill a specific policy objective, that is, and I quote, “to “Specify the out-of-pocket expenses for which Councillors are eligible to seek reimbursement.” The broader question of what is the role of a Councillor is set out within the Local Government Act, and recognising the diversity of Council representation, many Councillors choose to do far more than what this policy is concerned with.”*

**Claire Williams asked,**

*“Can you confirm that if a Councillor has children under the age of 16 that the Councillor can be reimbursed for childcare costs where the provision of childcare is reasonably required for a Councillor to perform their role as provided in the Local Government Act 2020 41 2 (c) irrespective of not being a carer within the meaning of the Carers Recognition Act 2012?”*

**The General Manager Customer and Corporate Support provided the following response,**

*“Yes.”*

**Una asked,**

*“In the interests of transparency can the public see the claims for childcare and carer costs and even school charges etc that each Councillor is claiming from Council and which we as ratepayers I’ll end up paying for?”*

**The General Manager Customer and Corporate Support provided the following response,**

*“The proposed policy does not intend to cover school fees, but does recommend that carer expenses will be published in the Annual Report and quarterly on Council’s website.”*

**Tasos asked,**

*“Can Council please advise how many locations with food vans are legally operating (with required permit) in the area surrounded by Clayton ,Centre, Main and Fairbank Roads? Why is council/staff so stubborn and are not listening or accepting ratepayers’ suggestions in the first place but sometime down the track (12 months or more) they buckle and implement the original suggestion from ratepayer. This causes a lot of anger and frustration not to mention in some occasions wasted money.”*

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

*“Kingston Council has not issued any current licences to Mobile Food Vendors operating in these locations. From time to time food vans will operate in connection with daily events held throughout the Municipality or on private land. Officers endeavour to listen to questions and feedback. For questions relating to mobile Food Vendors, please contact [info@kingston.vic.gov.au](mailto:info@kingston.vic.gov.au) and mark the inquiry to the attention of the Manager of Property Services.”*

**Jessica asked,**

*“1. Can the Council comment on the behaviour and ethics displayed by some councillors during public question time, if council considers this to be acceptable behaviour in regards to a workplace or meeting setting, especially given their responsibility as representatives of the community and the council and if it aligns with the standards of conduct? 2. Can the Council explain why there isn’t a clear, accessible, safe, and confidential process for community members to raise concerns about Councillors, particularly those who publicly share views that are directly conflicting with Council values?”*



**The General Manager Customer and Corporate Support provided the following response,**

*“1. The Governance Rules, available on Council’s website, include Meeting Procedure for Council Meetings, provide, and I quote “for the procedures governing the conduct of Council meetings”. Further, also available on the Council website, the Model Councillor Code of Conduct is prescribed by the Local Government (Governance and Integrity) Amendment Regulations 2024 and outlines the required standards of Councillor behaviour across all Victorian Councils. 2. This is possible, I would recommend visiting the Council website, under Contact us / Complaints to see your options, including anonymous complaints. Our complaints policy also sets out the options for community members wishing to make a complaint about Councillors. I would also recommend visiting the Local Government Inspectorate website, which sets out a Councillor Conduct Framework so members of the community can direct their issues to the correct agency.”*

**Deborah asked,**

*“Was Kingston Council and its responsible Council officers aware, before or at the time of signing contracts, or at any time of the illegal building standards and practices facing ADCO, the contractor awarded the building of the Kingston swimming pool aquatic centre? Was due diligence done in the selection of this company?”*

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

*“At the time of tendering the Mordi Aquatic Centre project, we were aware that there had been a roof collapse at the Kew Recreation Centre and that ADCO was the head contractor on the project. This was public information and widely reported. We were aware that WorkSafe was investigating the matter, which is normal practice when such an incident occurs. Council awarded the contract to ADCO for the Mordi Aquatic Centre in July 2024. Worksafe charged ADCO and another company in relation to the matter in October 2024 – after Council’s contract with ADCO was executed. ADCO recommenced work on the Kew site and has successfully constructed a number of large projects since then, including aquatic centres. The Victorian Building Authority filed charges against ADCO in February 2025. These matters are yet to be heard by the courts. Through the tender process, the tender evaluation panel requested clarification from ADCO on measures that had been put in place subsequently, which showed they had done a thorough review and updated their QA systems. Council’s due diligence undertaken through the tender evaluation process was overseen by an independent probity advisor. Council’s lawyers provided advice and drafted the contract with ADCO.”*

**Question from Thomas Traynor :**

*“While the new alternative communication signs for parks and beaches are a positive initiative, why weren’t other councillors and community members included in the consultation process? Could a broader consultation, such as a survey or poll, have been considered to ensure the needs of the entire community, including those with disabilities, elderly residents, and ESL speakers, were addressed?”*

**The General Manager Community Strengthening provided the following response,**

*All Councillors voted to support the installation of communication boards at the Council Meeting on 24 February. The Notice of Motion seeks a report back to Council and further consultation, as suggested in your question, can be included.”*

**Lynne asked,**

*“Is it correct to state that the private owners of part of the lane which Council wants to take over by registering it as a public highway in item 7.7 tonight, that runs from Balcombe Rd beside Safeway through Florence Street will lose their right of any financial compensation?”*

**Graeme asked,**

*“Doesn’t the attempt by Kingston Council tonight in item 7.7, to register the thoroughfare running through the carpark from Balcombe Road beside Safeway through Florence Street as a public highway mean that this change will create guaranteed public roadway access rights to those landowners in the adjacent surrounding areas of this roadway in the Mentone car park areas giving these landowners a windfall in that their holding become more valuable and ripe for high rise development opportunities?”*

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

*“The report provided to Council tonight indicates that as the Accessway is considered a “road” under the LGA 1989, Council can use its powers under section 204(1) of the LGA 1989, declare all or part of the Accessway to be a public highway. Prior to this declaration, a number of steps need to be undertaken. One of these steps requires that Council give notice to affected parties and provide those parties an opportunity to be heard under section 223 of the LGA 1989. If the Accessway is declared to be a public highway under the LGA 1989, there are no statutory rights to compensation. The Council’s Mentone Structure Plan has, for more than a decade, identified the land in question as a suitable location for a formalised road. Well-established urban design principles would seek to discourage site access from the main pedestrian streets in shopping centres. A landowners ability to develop land is governed by the provisions of the planning scheme. The Mentone Activity Centre has been identified as one of the State Governments priority Activity Centres for housing growth, and it is likely that suitable sites in this Activity Centre will be redeveloped including the ones adjacent to the land in question.”*

**Julia asked,**

*“If Council agrees in principle to provide first aid training services only to multicultural people in the city of Kingston in preference to others as per the motion being put forward by a councillor tonight in 12.2 will the company or companies that will be considered by council to provide this training be put through a formal tender process? For the sake of transparency can we know the name of the company which in the end gains this contract?”*

**The General Manager Community Strengthening provided the following response,**

*“The Notice of Motion asks for a report to be presented to Council. Pending Council’s decision on the Notice of Motion, the report will also include recommendations for other cohorts that could have an interest in first aid training. Should Council resolve to deliver first aid the procurement policy will be adhered to. And yes, the successful company would be made publicly available.”*

**Gil asked,**

*“What is the total amount of money Kingston Council has spent on total Cabcharge contracts and all rideshare vehicles such as uber for staff in aggregated reimbursements to staff? Can you please list separate totals for the past five years?”*

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

*“This question requires a review of separate systems over the requested five year period. Officers will provide a response in writing this week.”*

**Irina asked**

*“Is Council still in the process of going into collaboration or partnership with Mr Damien Williams and his private company ZeroKingston2030inc which was discussed at agenda item 7.8 in the Council meeting of the 11 December 2023 on page 852? Was any financial commitment agreed to or entered into with Mr Damien Williams and his Zero Kingston 2030 ICN by Kingston Council?”*

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

*“Council has at no time made any commitment to go into a collaboration or partnership with Damien Williams. Council has never agreed or entered into any financial agreement with Damien Williams of Zero Kingston 2030.”*

**Robert asked,**

*“Does a person have to prove they are ‘multicultural’ by showing their birth certificate, passport and DNA test to gain access to first aid training by Kingston Council in the motion being put to Council tonight by Cr Ashworth-collet on page 529 at item 12.2? Is it not true that every human being is multicultural in their origin?”*

**The General Manager Community Strengthening provided the following response,**

*“The Notice of Motion asks for a report to be presented to Council. Council does not currently provide first aid training to multicultural groups. However, if we did, a person would not have to prove they are from a multicultural group. The use of the word “multicultural” for the purpose of the Notice of Motion, as it is understood by Officers, is to cater for the unique needs of distinct cultural or ethnic minority groups within a society, as separate from the whole of the humanity, which of course is wonderfully diverse.”*

**Roslyn asked,**

*“Why is the Municipal Association of Victoria pushing its own agenda to make the fences off land next to Mentone station into some social and affordable housing high rise block which is not what the people of Mentone and Kingston would like there?”*

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

*“Unfortunately, we are unable to assist with providing a position on behalf of the Municipal Association of Victoria. Should the questioner wish for this to be followed up with the MAV they are welcome to contact me and I will seek a formal response.”*

**Geoff asked,**

*“Can Councillors and Council officer please liaise with the State Government to take down the ugly fence and unkempt block left on Balcombe Rd after the LXP finished at Mentone station and establish a botanical garden at the Mentone station which could become a beautiful gateway to the city?”*

**The General Manager Planning and Place provided the following response,**  
*“Officers appreciate the feedback from the questioner on the state of the site and would be happy to follow up on the presentation of the land with the relevant State Government Department or Agency. The Council supports the view held by Mr Adams that the site is a very important site in the Mentone Activity Centre given its relationship to the Mentone Station Gardens and the State listed Mentone Heritage Station Buildings. Council has and will continue to advocate to the State Government as the owner of this land about the potential future uses for this land including the suggestion for an open space area. This will include through the recent announcement made by the State Government regarding the prioritisation of the Mentone Activity Centre for Structure Planning as part of its Activity Centres program.”*

**Yvette asked,**

*“Is the vote taken by Councillors to extend the contract of the existing CEO for another five years going to be a blind vote in that no one will see how each Councillor votes?”*

**The General Manager Customer and Corporate Support provided the following response,**

*“The extension of the contract of the CEO is not currently a matter before Council, nor is the concept of a “blind vote” considered with the Governance Rules that determine meeting procedure, indeed Division 10, clause 44 defines that “voting on any matter is by show of hands.”*

**Wandzia French asked,**

*“What does Council intend to do regarding the fact that workers on the demolition site of the former Hella factory Southern Road have discovered the land is contaminated and that methane wells and deposits have been found which put the residents and factory owners of the whole surrounding area at risk together with any future development tenants on this site?”*

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

*“Officers will contact the landowner to inform them of the feedback received through the question. The Council is mindful that Ministerial Direction No. 1 is applicable, and Council should ensure in any decisions it makes regarding future land uses, that this site is not used for any sensitive uses without an Environmental audit of the land being satisfactorily completed. Such an audit would generally be sought when the land was not being used for industrial purposes. In some instances, land will not be capable of being used for a sensitive use following an environmental audit process should the land contain any contamination.”*

**Rose asked,**

*“Will Council consider supporting a new Kingston chamber of commerce which is an association to be run completely independent of Council which aims to encourage networking, knowledge sharing and social events between businesses in the Kingston area?”*

**The General Manager Planning and Place provided the following response,**  
*“Council has a number of Traders Associations and Chambers of Commerce established across its shopping centres including Mordialloc, Chelsea, Parkdale and Highett more recently. Council also runs a range of activities that provide for networking, knowledge sharing and social events between businesses in Kingston. These events provide opportunities for a diverse range of businesses to come together. Support is also provided to a range of different businesses who run networking and social activities that occur in the City where ‘business to business’ relationships are fostered. The Kingston Collective is one such example of where a private business is running ‘networking opportunities’ specifically with the intent to support local businesses and this occurs independently of Council. Council would be pleased to connect the questioner into any of these networks to provide them an opportunity for participation.”*

**7. Planning and Place Reports**

**7.1 Town Planning Application Decisions - February 2025**

**Moved: Cr O'Donnell**

**Seconded: Cr Agirtan**

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

**CARRIED**

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

**AGAINST:** Nil (0)

**7.2 KP-2023/733 - 1239-1241 Nepean Highway, Cheltenham**

It is recorded that Debra Butcher spoke on behalf of the applicant for this item and for Item 7.3.

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

**Moved: Cr O'Donnell**

**Seconded: Cr Agirtan**

That Council determine to support the proposal and issue a notice of decision to grant a planning permit to construct and put up for display an electronic major promotion high wall panel sign at No. 1239-1241 Nepean Highway, Cheltenham, subject to the following conditions:

**Endorsed Plans**

1. The location, type, details and dimensions of the sign including the supporting structure as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

**Lighting Impact Assessment**

2. Prior to the commencement of the installation works, an amended Lighting Impact Assessment (LIA) generally in accordance with the LIA prepared by 'Electrolight' (dated 08/03/2024, revision C) to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the report will be endorsed and will form part of the permit. The report must be updated to include the following information:
  - a) Details from the signage supplier of how the lighting control systems for the sign will be programmed and commissioned to verify that the signage outputs (luminance's) comply with the relevant Department of Transport guidelines and AS4282 for all ambient light conditions; and
  - b) The threshold increment (TI) calculation points be added to the report.
3. The permit holder must provide to Council written confirmation from a qualified lighting expert demonstrating that the requirements of the endorsed lighting impact assessment required under condition 2 have been met within three (3) months of completion of works and at any other time requested by Council.

**Operational requirements**

4. The sign must not exceed a maximum average luminance level of 150 cd/m<sup>2</sup> between 11:00pm to 12:00am (midnight), except with the prior written consent of the Responsible Authority.
5. The sign must not operate between the hours of 12:00am (midnight) to 6:00am, except with the prior written consent of the Responsible Authority.

**General amenity**

6. Light emissions from the sign must comply with AS4282 - Control of the Obtrusive Effects of Outdoor Light and/or any other equivalent policy or regulation.
7. The intensity of the external lighting and lighting in the signage must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.
8. The signage must be wholly located within the subject property.
9. No flashing, intermittent or changing colour lights is permitted to be displayed, except with the prior written consent of the Responsible Authority.
10. The sign must not:
  - a) Dazzle or distract drivers due to its colouring;
  - b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles;
  - c) Be able to be mistaken as an instruction to drivers.to the satisfaction of the responsible authority.

**Transport for Victoria conditions**

11. During the operation of the sign, the maximum average luminance and threshold increment values as specified in below must not be exceeded:
  - Maximum average luminance:
    - Full sun on face of signage: no limit
    - Daytime luminance: 6000 cd/m<sup>2</sup>
    - Morning and evening twilight and overcast weather: 700 cd/m<sup>2</sup>
    - Night time: High District Brightness 350
  - Threshold increment max %:
    - Night time: 20%
  - Adaptation luminance:
    - Night time: 5
12. The signs must be dimmable and have a suitable control system to enable maximum lighting levels to be set or adjusted if deemed necessary by the Responsible Authority and the Head, Transport for Victoria.
13. Where illuminated during the day, the sign must be fitted with Photocell/s (light sensor/s) that measure the ambient light and control system technology that enables the luminance of the sign to automatically adjust relative to the measured ambient light level.
14. Any change in brightness levels must be applied during an image transition, not

while an image is being displayed.

15. Where the graphical content or colours can change (such as for digital/electronic signage), any changes in image must occur in 0.1 seconds or less.
16. The sign must operate in accordance with the Lighting Impact Assessment Report submitted with the application prepared by Electro Light Australia, 7 December 2023 (ref: 1096.778B) to the satisfaction of and at no cost to the Head, Transport for Victoria and the Responsible Authority.
17. Prior to the operation of the sign, a Lighting Compliance Report must be submitted to and approved by the Responsible Authority and the Head, Transport for Victoria. The Lighting Compliance Report must demonstrate that the sign has been commissioned according to the requirements of the Lighting Impact Assessment Report. The Compliance Report must include the following:
  - i. On site luminance measurements for Daytime, Evening/Morning Twilight and Night Time, based on a 100% white screen set to the maximum value for each lighting condition.
  - ii. Date and times of luminance measurements for the relevant lighting conditions.
  - iii. Details of the luminance meter used, including serial number. The luminance meter must have been calibrated by an appropriately certified Lab within the last 12 months. The date of calibration and Calibration Report Number shall be provided.
  - iv. A description of the luminance methodology used, including location and orientation of the luminance meter relative to sign, the image/content displayed on sign and number of measurement points taken. The signage should be measured with a 100% white image displayed, unless signage is a fixed colour/design.
  - v. Photos of the sign for each sky condition measured, taken from the meter location.
  - vi. Indicative elevation plans of the signage showing the values of luminance at each measurement point.
  - vii. A summary showing the final average luminance of the signage for each relevant sky condition.
  - viii. A certification signed by a suitably qualified lighting consultant to undertake luminance measurements.
18. The operator must keep a Compliance Record of the operation of the sign. This must be provided to the Head, Transport for Victoria within 5 days of a written request. The Compliance Record must include:
  - i. The sign's luminance ( $\text{cd/m}^2$  or as a percentage of its maximum luminance) in minimum 10-minute intervals.
  - ii. The sign's photocell (light sensor) reading of the ambient light in minimum 10-minute intervals.
  - iii. The dwell time and transition time between successive images.

All record information must be time and date stamped to show the time of measurement.

Compliance Records must be maintained for a minimum of 12 months.



**City of Kingston  
Ordinary Council Meeting**

**Minutes**

**24 March 2025**

19. Electronic signage must have an Upward Light Ratio (ULR) of less than 50% and the design must include facilities (such as integral baffles) to mitigate upward waste light.
20. No advertisement must be displayed for less than 30 seconds.
21. The transition from one advertisement to another must be instantaneous.
22. The sign must not display content, images or text:
  - i. Giving the illusion of continuous movement.
  - ii. Capable of being mistaken for traffic signals or traffic control devices, including red, amber or green circles, octagons, crosses or triangles.
  - iii. Capable of being mistaken as an instruction to a road user, including the wording stop, give way, slow down, turn left or turn right.
  - iv. With a flashing background, flashing text, flashing images, blinking or fading elements that create the illusion of movement.
  - v. Contain any animation.
  - vi. Capable of being interpreted as projections beyond the face of the advertising screen such as through 3D technology.
  - vii. Consisting of present time or other contemporary update information relating to news, weather or time.
  - viii. Containing video, movie or television broadcasts.
23. The advertising area must not be split into two screens with different messages.
24. The sign and any displayed advertisement must not include any ancillary extension, embellishment or accessorisation within or outside the permitted advertising area unless the Head, Transport for Victoria has agreed to in writing prior to its installation.
25. The use of sound or motion to activate the sign is not permitted.
26. The use of sound to interact with road users is not permitted.
27. The sign must not dazzle or distract road users due to its colouring.
28. In the event of an attack by a computer hacker or similar resulting in unauthorised display of visual images or any other display malfunction, the electronic sign must shut down and cease any form of visual output until the malfunction is repaired.
29. This permit expires 15 years from the date of issue, at which time the sign and all supporting structures must be removed, and the site made good to the satisfaction of the Responsible Authority.

**Construction Management Plan**

30. Prior to 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. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Guidelines. The CMP 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

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

**Permit expiry**

- 31. The sign must be constructed and maintained to the satisfaction of the Responsible Authority.
- 32. Once the erection of the sign has commenced it must be continued and completed to the satisfaction of the Responsible Authority.
- 33. This permit (as it relates to the sign) expires 15 years from the date of issue, at which time the sign and all supporting structures must be removed, and the site made good to the satisfaction of the Responsible Authority.

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

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

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

**CARRIED**

**FOR:** Crs Agirtan, Athanasopoulos, Hill, Howe, Law, O'Donnell and Saab (7)

**AGAINST:** Crs Ashworth-Collett, Erevnidis, Oxley and White (4)

**7.3 KP-2023/735 - 1239-1241 Nepean Highway, Cheltenham**

**Moved: Cr Agirtan**

**Seconded: Cr O'Donnell**

That Council determine to support the proposal and issue a notice of decision to grant a planning permit to construct and put up for display an electronic major promotion high wall panel sign at No. 1239-1241 Nepean Highway, Cheltenham, subject to the following conditions:

**Endorsed Plans**

- 1. The location, type, details and dimensions of the sign including the supporting structure as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

**Lighting Impact Assessment**

- 2. Prior to the commencement of the installation works, an amended Lighting Impact Assessment (LIA) generally in accordance with the LIA prepared by 'Electrolight' (dated 18/03/2024, revision F) to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the report will be endorsed and will form part of the permit. The report must be updated to include the following information:

- a) Details from the signage supplier of how the lighting control systems for the sign will be programmed and commissioned to verify that the signage outputs (luminance's) comply with the relevant Department of Transport guidelines and AS4282 for all ambient light conditions.
3. The permit holder must provide to Council written confirmation from a qualified lighting expert demonstrating that the requirements of the endorsed lighting impact assessment required under condition 2 have been met within three (3) months of completion of works and at any other time requested by Council.

**Operational requirements**

4. The sign must not exceed a maximum average luminance level of 150 cd/m<sup>2</sup> between 11:00pm to 12:00am (midnight), except with the prior written consent of the Responsible Authority.
5. The sign must not operate between the hours of 12:00am (midnight) to 6:00am, except with the prior written consent of the Responsible Authority.

**General amenity**

6. Light emissions from the sign must comply with AS4282 - Control of the Obtrusive Effects of Outdoor Light and/or any other equivalent policy or regulation.
7. The intensity of the external lighting and lighting in the signage must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.
8. The signage must be wholly located within the subject property.
9. No flashing, intermittent or changing colour lights is permitted to be displayed, except with the prior written consent of the Responsible Authority.
10. The sign must not:
  - a) Dazzle or distract drivers due to its colouring;
  - b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles;
  - c) Be able to be mistaken as an instruction to drivers.to the satisfaction of the responsible authority.

**Transport for Victoria conditions**

11. During the operation of the sign, the maximum average luminance and threshold increment values as specified in below must not be exceeded:
  - Maximum average luminance:
    - Full sun on face of signage: no limit
    - Daytime luminance: 6000 cd/m<sup>2</sup>
    - Morning and evening twilight and overcast weather: 700 cd/m<sup>2</sup>
    - Night time: High District Brightness 350
  - Threshold increment max %:
    - Night time: 20%
  - Adaptation luminance:
    - Night time: 5

12. The signs must be dimmable and have a suitable control system to enable maximum lighting levels to be set or adjusted if deemed necessary by the Responsible Authority and the Head, Transport for Victoria.
13. Where illuminated during the day, the sign must be fitted with Photocell/s (light sensor/s) that measure the ambient light and control system technology that enables the luminance of the sign to automatically adjust relative to the measured ambient light level.
14. Any change in brightness levels must be applied during an image transition, not while an image is being displayed.
15. Where the graphical content or colours can change (such as for digital/electronic signage), any changes in image must occur in 0.1 seconds or less.
16. The sign must operate in accordance with the Lighting Impact Assessment Report submitted with the application prepared by Electro Light Australia, 7 December 2023 (ref: 1096.118A) to the satisfaction of and at no cost to the Head, Transport for Victoria and the Responsible Authority.
17. Prior to the operation of the sign, a Lighting Compliance Report must be submitted to and approved by the Responsible Authority and the Head, Transport for Victoria. The Lighting Compliance Report must demonstrate that the sign has been commissioned according to the requirements of the Lighting Impact Assessment Report. The Compliance Report must include the following:
  - i. On site luminance measurements for Daytime, Evening/Morning Twilight and Night Time, based on a 100% white screen set to the maximum value for each lighting condition.
  - ii. Date and times of luminance measurements for the relevant lighting conditions.
  - iii. Details of the luminance meter used, including serial number. The luminance meter must have been calibrated by an appropriately certified Lab within the last 12 months. The date of calibration and Calibration Report Number shall be provided.
  - iv. A description of the luminance methodology used, including location and orientation of the luminance meter relative to sign, the image/content displayed on sign and number of measurement points taken. The signage should be measured with a 100% white image displayed, unless signage is a fixed colour/design.
  - v. Photos of the sign for each sky condition measured, taken from the meter location.
  - vi. Indicative elevation plans of the signage showing the values of luminance at each measurement point.
  - vii. A summary showing the final average luminance of the signage for each relevant sky condition.
  - viii. A certification signed by a suitably qualified lighting consultant to undertake luminance measurements.
18. The operator must keep a Compliance Record of the operation of the sign. This must be provided to the Head, Transport for Victoria within 5 days of a written request. The Compliance Record must include:
  - i. The sign's luminance (cd/m<sup>2</sup> or as a percentage of its maximum

luminance) in minimum 10-minute intervals.

- ii. The sign's photocell (light sensor) reading of the ambient light in minimum 10-minute intervals.
- iii. The dwell time and transition time between successive images.

All record information must be time and date stamped to show the time of measurement.

Compliance Records must be maintained for a minimum of 12 months.

- 19. Electronic signage must have an Upward Light Ratio (ULR) of less than 50% and the design must include facilities (such as integral baffles) to mitigate upward waste light.
- 20. No advertisement must be displayed for less than 30 seconds.
- 21. The transition from one advertisement to another must be instantaneous.
- 22. The sign must not display content, images or text:
  - i. Giving the illusion of continuous movement.
  - ii. Capable of being mistaken for traffic signals or traffic control devices, including red, amber or green circles, octagons, crosses or triangles.
  - iii. Capable of being mistaken as an instruction to a road user, including the wording stop, give way, slow down, turn left or turn right.
  - iv. With a flashing background, flashing text, flashing images, blinking or fading elements that create the illusion of movement.
  - v. Contain any animation.
  - vi. Capable of being interpreted as projections beyond the face of the advertising screen such as through 3D technology.
  - vii. Consisting of present time or other contemporary update information relating to news, weather or time.
  - viii. Containing video, movie or television broadcasts.
- 23. The advertising area must not be split into two screens with different messages.
- 24. The sign and any displayed advertisement must not include any ancillary extension, embellishment or accessorisation within or outside the permitted advertising area unless the Head, Transport for Victoria has agreed to in writing prior to its installation.
- 25. The use of sound or motion to activate the sign is not permitted.
- 26. The use of sound to interact with road users is not permitted.
- 27. The sign must not dazzle or distract road users due to its colouring.
- 28. In the event of an attack by a computer hacker or similar resulting in unauthorised display of visual images or any other display malfunction, the electronic sign must shut down and cease any form of visual output until the malfunction is repaired.
- 29. This permit expires 15 years from the date of issue, at which time the sign and all supporting structures must be removed, and the site made good to the satisfaction of the Responsible Authority.

**Construction Management Plan**

- 30. Prior to 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. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Guidelines. The CMP 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

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

**Permit expiry**

31. The sign must be constructed and maintained to the satisfaction of the Responsible Authority.
32. Once the erection of the sign has commenced it must be continued and completed to the satisfaction of the Responsible Authority.
33. This permit (as it relates to the sign) expires 15 years from the date of issue, at which time the sign and all supporting structures must be removed, and the site made good to the satisfaction of the Responsible Authority.

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

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

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

**CARRIED**

**FOR:** Crs Agirtan, Athanasopoulos, Hill, Howe, O'Donnell and Saab (6)

**AGAINST:** Crs Ashworth-Collett, Erevnidis, Law, Oxley and White (5)

**7.4 KP-2024/488 - Epsom Wetlands, 57-63 Governor Road, Mordialloc**

**Moved: Cr Law**

**Seconded: Cr Howe**

That Council determine to support the proposal and issue a Planning Permit for the **Error! No document variable supplied.** at **Error! No document variable supplied.**, subject to the following conditions:

**Amended Plans**

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be substantially in accordance with the plans Epsom Estate, Mordialloc - Proposed SUP Stage 2: Jack Holt Way to Crown Avenue, Study Area Plan, dated August 2024, prepared by City of Kingston, Epsom Estate, Mordialloc - Proposed SUP Stage 2: Jack Holt Way to Crown Avenue (1), dated October 2024, prepared by City of Kingston, Epsom Estate, Mordialloc - Proposed SUP Stage 2: Jack Holt Way to Crown Avenue (2), dated October 2024, prepared by City of Kingston, and Vegetation Removal Plan, drawing no. ARB-01-A Rev B, dated 7 October 2024, prepared by Arboriculture Pty Ltd and modified to show:
  - a) the provision of an amended Proposed Shared User Path Plan in accordance with the submitted *Epsom Estate, Mordialloc - Proposed SUP Stage 2: Jack Holt to Crown Avenue (1) prepared by City of Kingston (Dated October 2024)* with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
    - i. Tree protection fencing for trees nominated as T7, T8 & T12 *Eucalyptus camaldulensis* (River Red Gum) on the Vegetation Removal Plan, dated 7 October 2024 prepared by *Arboriculture Pty Ltd*, and located north-west of the existing gross pollutant trap drains along the eastern boundary of the site and,
    - ii. Street trees accurately drawn to scale and labelled as per the endorsed Tree Management & Protection Plan.
    - iii. Up to three (3) indigenous canopy trees for each Swamp Paperbark tree to be removed from the site, to be provided at a minimum height of 2 metres at the time of planting and within close proximity of the trees being removed from the site to the satisfaction of the responsible authority.
  - b) The location of tree protection measures illustrated to scale and labeled on the Tree Removal Survey Plan as per the endorsed Tree Management & Protection Plan.
  - c) Any changes as required by Condition 5.
2. 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
3. Provision of a vegetation offset comprising of 0.014 general habitat units purchased from a registered offset broker consistent with the findings of the Ecological Assessment prepared by Biosis (*Dated 30 October 2024*)

**Trees to be retained**

4. The retention of trees identified as T7, T8 & T12 *Eucalyptus camaldulensis* (River Red Gum) on the Vegetation Removal Plan, dated 7 October 2024 prepared by *Arboriculture Pty Ltd* and located north-west of the existing gross pollutant trap drains along the eastern boundary of the site.

**Tree Management and Protection Plan**

5. Concurrent with the endorsement of plans, an amended Tree Protection Plan generally consistent with the Tree Protection Plan prepared by *Arboriculture Pty Ltd* (*Date: 14/10/2024, Rev. A*) and prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the Responsible Authority incorporating:
  - a) A Tree Protection Plan (scale drawing) must provide details of:
    - i. Tree Protection Fencing encompassing all street trees.
6. All protection measures identified in the Tree Management & Protection Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Plan, to the satisfaction of the Responsible Authority.
7. Tree Protection Fencing is to be established around the street trees prior to demolition and maintained until all works on site are complete.
  - a) The fencing is to be a 1.8 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting.
  - b) The fencing is to encompass the entire nature strip with each end 4 metres from the base of the tree.

**Off-set requirement**

8. To offset the permitted clearing in accordance with *Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)*, the permit holder must secure general offset of 0.014 general habitat units:
  - a) located within the Port Phillip and Westernport Catchment Management boundary or Kingston municipal area.
  - b) with a minimum strategic biodiversity score of at least 0.208.
9. Concurrent with the endorsement of plans, evidence that the required off-set has been secured must be provided to the satisfaction of the Responsible Authority. This evidence is one or both of the following:
  - a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or,
  - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

**Endorsed Plans**

10. The extent of native vegetation removal as shown on the endorsed plans must



not be altered without the written consent of the Responsible Authority.

**Completion of Works**

11. Once the vegetation removal has started it must be continued and completed to the satisfaction of the Responsible Authority.

**Permit Expiry**

12. 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 works are not started before two (2) years from date of this permit.
  - The works are not completed before four (4) 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.

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

**Note:** Any buildings and works to be located within an easement require separate consent from Council and/or the relevant service authority. This will need to be obtained prior to the issue of any building permit that maybe required.

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

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

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

**CARRIED**

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

**AGAINST:** Nil (0)

**7.5 KP-2023/153 - 1148-1150 Centre Road, Oakleigh South**

It is recorded that Rubin Winograd spoke on behalf of the applicant.

**Moved: Cr Athanasopoulos**

**Seconded: Cr Saab**

That Council determine to support the proposal and issue a notice of decision to grant a planning permit for the construction of a six (6) storey mixed use building comprising retail and medical centre uses, alter access to a road in a Transport Zone 2 and a reduction in the standard car parking requirements at 1148-1150 Centre Road, Oakleigh South, subject to the following conditions:

**Amended Plans**

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 Drawing No's. TP001 Rev E, dated 4 June 2024, TP003 Rev C, TP004 to TP006 Rev B, TP008 Rev B, all dated 30 May 2024, TP009 and TP010 Rev D, TP011 Rev E and TP020 Rev B, all dated 3 June 2024, TP097 Rev J, dated 4 June 2024, TP098 Rev J, TP099 Rev K, TP100 Rev L, all dated 4 June 2024 (Amended with notations added 20 November 2024), TP101 to TP103 Rev H, TP104 Rev G, TP105 Rev H and TP106 Rev G, TP200 and TP201 Rev D, TP202 and TP203 Rev C, TP204 Rev B, TP205 Rev B, TP300 and TP301 Rev D, TP302 Rev E, TP303 Rev D, TP400 to TP406 inclusive Rev D, TP500 Rev B, TP600 and TP601, Rev B, all dated 3 June 2024, prepared by Peddle Thorp Architects, but modified to show:

The ground floor layout as shown on the 'without prejudice' floor plan

- a) The landscape plans L-TP01 dated May 2024 and L-TP02, dated June 2024 prepared by John Patrick Landscape Architects Pty Ltd amended by a suitably qualified landscape professional to the satisfaction of the Responsible Authority to include:
  - i. Uniformity with the development plans.
  - ii. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - iii. A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart); with the species chosen to comprise of a minimum 50% species that are indigenous to the City of Kingston by plant type and total quantities.
  - iv. Substitute the *Syzygium australe* 'Resilience' along the southern boundary for a row of indigenous canopy trees capable of growing to a minimum 8 metres in height at maturity; and including suitable indigenous under-storey planting throughout this position.
  - v. Four (4) *Angophora costata* (Sydney Red Gum) planted in the open area within the Clarinda Road frontage.
  - vi. Suitable landscaping within the planter box area along the front of the 'Retail' premises.
  - vii. A climbing frame installed on each pillar within the planter boxes adjoining the driveway, with a suitable climbing species planted by each frame.
  - viii. Ten (10) additional small canopy trees included within the planter boxes along the northern and western sides of Level 3 (approximately 5 trees planted per side).
  - ix. Boston Ivy (*Parthenocissus tricuspidata*) or a similar self-adhering climbing species planted within the planter boxes along the western side of Level 3.
  - x. All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm.

**City of Kingston  
Ordinary Council Meeting**

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- xi. Notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
- xii. Tree protection measures including for street trees accurately drawn to scale and labelled as per the endorsed Tree Management Plan.
- xiii. Include a cross-sectional diagram of the planter boxes to be installed at Ground Floor Level and Level 3, with details of the substrate type and depth to be utilised in each position, the irrigation and drainage systems to be installed, and any other maintenance measures required to maintain the landscaping to be planted in this position.
- b) The location of tree protection measures illustrated to scale and labeled on the Ground Floor Plan as per the endorsed Tree Management Plan.
- c) A 'dry basement' or other method to be agreed in advance, that does not dewater the adjoining soil is to be utilized at this site, to minimize impact to the neighbouring vegetation.
- d) A planter box with a minimum substrate depth and width of 0.5 metres is to be included along part of the frontage of the ground floor retail space between the main entrance to the building and the first structural column north of it.
- e) Planter boxes consistent with the planter boxes shown on landscape plans L-TP01 dated May 2024 and L-TP02, dated June 2024 prepared by John Patrick Landscape Architects Pty Ltd, are to be included on Level 3, with the planter boxes along the northern and western sides of this level expanded by a minimum 75m<sup>2</sup> to allow for the planting of ten (10) additional small canopy trees within this position.
- f) The planter boxes at ground floor and Level 3 are to include a minimum substrate depth and width of 0.5 metres where shrub and ground covers are to be planted, and a minimum 1 meter in depth and width where canopy trees are to be planted.
- g) Any changes as required by Condition 6.
- h) Two bicycle parking spaces located at ground floor.
- i) Elevation details generally at a scale of 1:50 or sufficient to illustrate the enhancement of the west elevation of the building with tactile or sensory or artistic detailing including example prototypes of precedents that demonstrate the intended design outcome.
- j) Annotation to rainwater tank indicating size and connection to toilet flushing as proposed in the SMP and BESS assessment.
- k) All roofs and exposed concrete driveway to be specified with light coloured or reflective finishes / materials (Solar Reflective Index >50 or Solar Absorptance < 0.6) to help mitigate the urban heat island effect.
- l) BESS Credit 'Waste 2.2 - Operational Waste - Convenience of Recycling' - demonstrate that the waste store on each level has adequate space alongside general waste for all recycling streams committed to.
- m) Annotation to indicate parking bays where EV infrastructure will be provided.
- n) Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Clarinda Road and all internal driveways must align with the

- existing / proposed vehicle crossing.
- o) The internal driveway must be at least 500mm from the side boundary at the front boundary.
  - p) The proposed vehicle crossing must not be within the prohibited zone, (6 metres from the tangent of the corner).
  - q) The footpath must be reconstructed to Council's commercial standards to the satisfaction of the Responsible Authority.
  - r) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in elevations or renders from key viewpoints, to show the materials and finishes linking them to a sample board with coding.
  - s) A notation 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".
  - t) All relevant commitments identified in the Sustainable Management Plan required by condition 10 of this planning permit.
  - u) All relevant commitments identified in the Green Travel Plan required under condition 13 of this planning permit.
  - v) All requirements of the Head, Transport for Victoria, in accordance with condition 15 of this planning permit.
  - w) Uniformity for the arrangements for waste storage identified in the Waste Management Plan required under Condition 38 of this planning permit.

**Endorsed Plans**

- 2. The development and/or use 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 plant are to be replaced.
- 4. The planter boxes installed on site are to be in accordance with the details provided for them on the endorsed landscape plan and maintained to the satisfaction of the responsible authority.

**Use**

- 5. The retail premises must not be used as a "shop" as defined by clause 73.03 of the Kingston Planning Scheme (KPS). But can included retail uses that fall within section 1 in the table of uses at clause 33.01-1 of the KPS.

**Tree Management and Protection Plan**

- 6. Concurrent with the endorsement of plans, a Tree Management Plan prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the responsible authority and incorporating:
  - a) A Tree Management Plan (written report) must provide details of:
    - i. The Tree Protection Zone and Structural Root Zone, calculated in accordance with AS4970-2009, for all trees to be retained on the site

- and for all trees on neighbouring properties where the Tree Protection Zone falls partially within the subject site.
- ii. The location of tree protection fencing, or ground protection where required, provided in accordance with AS4970-2009.
- b) A Tree Protection Plan (scale drawing) must provide details of:
- i. Specifications for the tree protection fencing, or ground protection where required.
  - ii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
  - iii. How excavation impacts, including soil level changes, on trees to be retained will be managed.
  - iv. Proposed footings and construction methods for any buildings or structures within the Tree Protection Zone nominated on the Tree Protection Plan.
  - v. How the canopy of trees nominated on the Tree Protection Plan will be protected.
  - vi. Maintenance of the area(s) within the Tree Protection Zone in accordance with AS4970-2009.
  - vii. Any pruning to be undertaken being in accordance with AS4373-2007.
  - viii. Any other measures required to demonstrate the successful ongoing retention and viability post-construction of any trees nominated on the Tree Protection Plan.
7. All protection measures identified in the Tree Management Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Plan, to the satisfaction of the responsible authority.
8. Prior to the commencement of works, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the responsible authority.

### **Street Trees**

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

### **Environmentally Sustainable Design**

10. Prior to the endorsement of the plans required pursuant to condition 1 of this planning permit, an amended Sustainable Management Plan (SMP), generally in accordance with the SMP prepared by "ecoresults", Report no: 2024-3756-SMP dated 5 June 2024, must be submitted to and approved by the responsible authority. The SMP must demonstrate that the project maintains or increases the proposed 59% overall score and minimums in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS to demonstrate best practice

in sustainable design. Considering your response to the points below, should any category fall short of the minimum targets, adjustments will need to be made to demonstrate that the project meets the BESS minimums.

- a) Commit to net zero operational emissions via the following:
    - i. Provision of a rooftop solar PV system with a minimum capacity of 25W per square metre of the development's site coverage.
    - ii. Commitment to purchase offsite renewable energy for the residual energy use through GreenPower or similar.
  - b) Provide further detail to support the occupancy assumptions for Ground Floor to Level 2 entered in STORM.
  - c) BESS Credit 'IEQ 3.4 Thermal comfort - Shading - Non-Residential' - evidence needed to support points claimed under this credit. Claiming points for 'showing an improvement to the development' is not sufficient, and these numbers must be removed unless they can be substantiated.
  - d) Reflect the quantum of bicycle parking provided on site.
11. Prior to the occupation of any building approved under this permit, written confirmation from the author of the endorsed SMP is to be submitted to and approved by the Responsible Authority detailing that all of the required measures specified in the SMP have been implemented, to the satisfaction of the responsible authority.
  12. All works must be undertaken in accordance with the endorsed SMP to the satisfaction of the responsible authority. No alterations to the SMP may occur without prior written consent of the responsible authority.

**Green Travel Plan**

13. Prior to the endorsement of plans required under condition 1 of this permit, a Green Travel Plan (GTP) generally in accordance with the GTP prepared by *Traffix Group Pty Ltd*, G34210G-01A, Issue B dated 4 June 2024, to the satisfaction of responsible authority must be submitted to and approved by the responsible authority.
14. All works must be undertaken in accordance with the endorsed GTP to the satisfaction of the responsible authority. No alterations to the GTP may occur without the prior written consent of the responsible authority.

**Head, Transport for Victoria Conditions**

15. Prior to the commencement of the works, the access must be designed and approved to the satisfaction of and at no cost to the Head, Transport for Victoria. The access design must include but not be limited to the post Clarinda Road widening to ensure that safety is not compromised.

**Car parking and Traffic**

16. The ground floor car parking area shall be available for use by staff/ patrons of the retail premises, at the end of the business operating hours of the Medical Centre in the PM only, unless otherwise agreed in writing by the responsible authority.
17. Before occupation of the development hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:

- a) Constructed to the satisfaction of the responsible authority.
- b) Properly formed to such levels that they can be used in accordance with the plans.
- c) Surfaced with an all-weather sealcoat to the satisfaction of the responsible authority.
- d) Drained to the satisfaction of the responsible authority.
- e) Line-marked to indicate each car space, all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the responsible authority.
- f) In accordance with any Council adopted guidelines for the construction of car parks.

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

**Drainage and Water Sensitive Urban Design**

18. Unless with prior written consent of the Responsible Authority, before the development commences 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, a 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) The water sensitive urban design treatments as per conditions 18a and 18b above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
  - d) 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.
19. 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 11.7L/s.

- c) All stormwater (drainage) works must be maintained to the satisfaction of the Responsible authority.
20. A flood proof apex (ridge level) protecting the property from any overland flows must be provided in accordance with Kingston City Council's 'Basement Policy Guidelines'. This apex is to be a minimum of 200mm above the existing kerb and channel invert along the entire road frontage of the subject site. This apex is to continue through any driveways or pathways that may cross it. The apex is to be a permanent structure (e.g. rise in concrete driveway/pathway, sleeper retaining wall, solid brick fence/wall). Low mounded soil on its own is unlikely to be acceptable due to the likelihood of future disturbance.
21. A groundwater assessment report (GAR) must be prepared by a qualified hydro-geologist 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.
22. The basement structure must be designed to respond to the findings of the GAR and GMP required under condition 21 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.
23. In any case where the basement design and construction, as required by conditions 21 & 22 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.

**Infrastructure and Roadworks**

24. Any relocation of pits/ power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the responsible authority, at the cost of the owner/ developer.
25. Property boundary and footpath levels must not be altered without the prior written consent from the responsible authority.
26. All reinstatements and vehicle crossovers must be constructed to the satisfaction of the responsible authority.
27. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the responsible authority.
28. Vehicle crossovers and other reinstatements must be constructed to Council's



industrial strength specifications.

29. All redundant vehicle crossovers must be removed (including redundant portions of vehicle crossovers) and reinstated to the satisfaction of the responsible authority.

**Site Environmental Assessment**

30. Prior to the commencement of the development, an environmental assessment report or a preliminary risk screening assessment (**PRSA**) under the *Environment Protection Act 2017* must be submitted to, and be to the satisfaction of, the responsible authority. The environmental assessment report or a preliminary risk screening assessment is to be conducted by a competent professional practitioner with relevant experience in the field. The owner must comply with the findings of the site assessment to the satisfaction of the responsible authority. The environmental assessment report or a preliminary risk screening assessment must be subject to, in the case of a preliminary risk screening assessment, the requirements of the *Environment Protection Act 2017* in relation to preliminary risk screening assessments:
- a) Specify the name and qualifications of the person who has conducted the report.
  - b) Provide comment on the potential for off-site contamination to have migrated to the subject land from neighbouring land. Soil sampling and analysis of the subject site may be required where access to definitive information regarding neighbouring land is not obtainable or is inconclusive.
  - c) Specify the potential subsurface presence and migration of landfill gasses by addressing the direct measurement of LFG using appropriately installed subrace minoring bores, if necessary.
  - d) Specify the industrial process or activity, waste or substance in respect of which the report was conducted.
  - e) Specify the segment of the environment in respect of which the report was conducted.
  - f) Include an evaluation of the environmental quality of the relevant segment of the environment.
  - g) Include an assessment of any clean up that is necessary, including recommendations relating to the carrying out of the clean up and any compliance requirements to enable the land owner to ensure that the land is suitable for the proposal.
  - h) Include a further recommendation to the responsible authority as to whether the condition of the land is such that an Environmental Audit should be conducted taking into consideration the proposed use.

**Environmental Audit, if required**

31. If pursuant to condition 30 of this planning permit an environmental audit is recommended then, prior to the commencement of the development, an environmental audit in accordance with the *Environment Protection Act 2017* must be submitted to, and be to the satisfaction of, the responsible authority. At a minimum, the scope of the environmental audit must include:
- a) The identity of the site or activity the audit covers.
  - b) The elements of the environment the audit assesses, such as land, water,

- air and noise.
- c) Consideration of the standards and reference documents in the audit.
  - d) Any exclusion from the audit and the reason known at the time of scoping the audit.
32. After the completion of the environmental audit, the auditor must prepare and provide to the responsible authority:
- a) An environmental audit statement in accordance with the *Environment Protection Act 2017* that the environmental conditions of the land are suitable for the development that is the subject of this permit; and
  - b) An *environmental* audit report in accordance with the *Environment Protection Act 2017*.
33. Where an environmental audit statement is issued for the land, and any condition of that statement requires any maintenance or monitoring of an ongoing nature, the owner(s) must enter into an agreement with Council pursuant to Section 173 of the *Planning and Environment Act 1987*. Where a Section 173 agreement is required, the agreement must be executed prior to the commencement of the use. All expenses involved in the drafting, negotiating, lodging, registering and execution of the agreement, including those incurred by the responsible authority, must be met by the owner(s).
34. Prior to any remediation works (if required) being undertaken in association with the environmental audit statement, a 'remediation works' plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The plan must detail all excavation works as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed in the approved remediation works plan are permitted to be carried out prior to the issue of an environmental audit statement.
35. No works to construct the development hereby approved shall be carried out on the land and no building contract to construct the development hereby approved may be entered into, other than in accordance with a building contract that stipulates that works must not be commenced until such time as conditions 30 and 31 are satisfied.
36. Where a statement of environmental audit is issued for the land, the buildings and works and the use(s) of the land that are the subject of this permit must comply with all directions and conditions contained within the statement.
37. Where a statement of environmental audit is issued for the land, prior to the commencement of the use and prior to the issue of an occupancy permit under the Building Act 1993, a letter prepared by an environmental auditor appointed under the Environment Protection Act 2017 must be submitted to the responsible authority to verify that the directions and conditions contained within the statement have been satisfied.

**Waste Management**

38. Concurrent with the endorsement of plans required by condition 1 of this planning permit, a waste management plan (WMP) generally in accordance with the WMP prepared by *Traffix Group Pty Ltd*, Ref: G34210R-02B, Issue B dated 3 June 2024, to the satisfaction of the responsible authority, must be submitted to and approved by the responsible authority. When approved, the WMP will be endorsed and will then form part of the permit. The WMP must include, but is not limited to the following:

- a) Reflect the layout of the approved development.
  - b) Demonstrate that the waste store on each level has adequate space alongside general waste for all recycling streams committed to.
39. The WMP must be implemented to the satisfaction of the responsible authority and must not be modified unless with the prior written consent of the responsible authority.

**General Amenity**

40. 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.
41. 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.
42. 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.
43. The development and / or 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.
44. The loading and unloading of goods to and from vehicles must only be carried out on the land.
45. 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.
46. 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.

**Airports Regulations 1996**

47. Prior to the commencement of development, evidence must be provided to confirm that the proposal (including the use of cranes) meets with the requirements of the *Airports (Protection of Airspace) Regulations 1996* and is within the relevant Obstacle Limitation Surface (OLS), unless with the written consent of the relevant authority.

**Construction Management**

48. Prior to 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. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Guidelines. The CMP 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 plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

### **Completion of Works**

49. Once the development has started it must be continued and completed to the satisfaction of the responsible authority.
50. Prior to the occupation of the building hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the responsible authority. Thereafter the landscaping shall be maintained (except where that landscaping is on public land) to the satisfaction of the responsible authority.

### **Permit Expiry**

51. 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 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 not commenced within two (2) years of completion of the development.
  - 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:** The Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

**Note:** The proposed development requires works within the road reserve. Separate approval under the *Road Management Act 2004* for this activity may be required from the Head, Transport for Victoria. Please contact DoT (Roads) prior to commencing any works.

**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

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building surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

**Note:** Please note for information on how City of Kingston approaches the construction of building and other structures with below ground elements for the benefit of the whole community please refer to City of Kingston 'Basement and Deep Building Construction Policy' and 'Basements and Deep Building Construction Guidelines'. <http://www.kingston.vic.gov.au/Property-and-Development/Engineering-Assessments>

**Note:** Please note that during basement construction Council does not permit the discharge of surface water or ground water into the Council drainage system unless a Temporary Discharge Permit (TDP) has been obtained. Application form and other construction related permits can be obtained from the following link:

<http://www.kingston.vic.gov.au/Property-and-Development/Construction>

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

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

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

**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 in writing to [property@kingston.vic.gov.au](mailto:property@kingston.vic.gov.au).

If the permit applicant/landowner 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:** 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 cultural heritage management plan must be held on site during the construction activity.

Cr White left the meeting at 8:01pm.

Cr White returned to the meeting at 8.03pm.

**CARRIED**

**FOR:** Crs Agirtan, Ashworth-Collett, Athanasopoulos, Hill, Law, Oxley, O'Donnell, Saab and White (9)

**AGAINST:** Crs Erevnidis and Howe (2)

**7.6 Response to Resolution - Notice of Motion 1/2025 - Pet Registration**

**Moved: Cr Erevnidis**

**Seconded: Cr Howe**

That Council support the implementation of a 75% discount for pet registration fees for pensioners, commencing for the 2026 animal registration period.

**CARRIED**

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

**AGAINST:** Nil (0)

**7.7 Mentone Car Park**

**Moved: Cr Hill**

**Seconded: Cr Howe**

That Council:

1. Commence the statutory procedures to declare a road (the Accessway) in its municipal district to be a public highway for the purposes of the *Local Government Act (Vic) 1989* and to publish a public notice inviting submissions under section 223 of the *Local Government Act 1989*; and
2. Submit a further report to Council following the section 223 process.

**CARRIED**

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

**AGAINST:** Cr White (1)

**ABSTAINED:** Cr Erevnidis (1)

**8. Community Strengthening Reports**

**8.1 Kingston Grants Program - Councillor Application Review Process**

**Moved: Cr O'Donnell**

**Seconded: Cr Agirtan**

That Council note that all grant applications for Community Bi-annual grants, Operational & Partnerships grants and Community Festivals, Events & Creative Activities grants are made available to Councillors, as part of the Councillor briefing cycle, to inform Councillor decision making.

**CARRIED**

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

**AGAINST:** Nil (0)

**8.2 Response to Resolution - Notice of Motion 10/2024 - Mordialloc Community Centre**

**Moved: Cr Law**

**Seconded: Cr Hill**

That Council:

1. Note Notice of Motion 10/2024, that was adopted in August 2024 in relation to the Mordialloc Community Centre;
2. Note the development of the Community Infrastructure Framework, and its influence on Mordialloc Community Centre's future planning recognising the anticipated strong case for Mordialloc Community Centre;
3. Note Council officers will work with the Mordialloc Community Centre to identify their long-term vision as an organisation and future programming priorities for a needs analysis/business case; and
4. Receive a report about Mordialloc Community Centre's future option for a Masterplan.

**Amendment**

**Moved: Cr Law**

That the Motion be adopted subject to the following at points 3 and 4:

3. Commence an options and constraints analysis of the Mordialloc Community Centre and surrounds;
4. Receive a report about the Mordialloc Community Centre's future option for a Masterplan, no later than April 2026, with the combined outcomes of the Community Infrastructure Framework, including an options and constraints analysis, and work with the Mordialloc Community Centre to identify their long-term vision as an organisation and future programming priorities; and

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

**Procedural Motion**

**Moved: Cr O'Donnell**

**Seconded: Cr Agirtan**

That Council defer consideration of this item until the completion of the community infrastructure framework to allow for broader consideration of the immediate needs of the Mordialloc Community.

**Note:** Cr Law requested through the Chair and was granted an extension of time of two minutes to speak on the matter.

**Amendment**

**Moved: Cr Athanasopoulos**

That they Procedural Motion be adopted with the addition of the following:

“and that a report be presented to the earliest possible Council Meeting upon completion of the framework.”

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

**The Procedural Motion was put and CARRIED**

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

**AGAINST:** Crs Ashworth-Collett, Athanasopoulos, Hill, Law and Saab (5)

**The Resolution reads as follows:**

**Moved: Cr O'Donnell**

**Seconded: Cr Agirtan**

That Council defer consideration of this item until the completion of the community infrastructure framework to allow for broader consideration of the immediate needs of the Mordialloc Community and that a report be presented to the earliest possible Council Meeting upon completion of the framework.

**CARRIED**

**8.3 Municipal Public Health and Wellbeing Plan: Year 4 Health Plan Action Plan - Six Month Progress and Achievements Report**

**Moved: Cr Hill**

**Seconded: Cr Agirtan**

That Council note the mid-year achievements of the Year 4 implementation of the Municipal Public Health and Wellbeing Plan 2021-25.

Cr Agirtan left the meeting at 8:38pm.

**CARRIED**

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

**AGAINST:** Nil (0)



**8.4 Community Awards 2025 - Nominations and Confirmation of Winners**

**Moved: Cr White**

**Seconded: Cr Howe**

That Council:

1. Confirm the 2025 'Citizen of the Year' and 'Community Group of the Year' winners as presented in Confidential Appendix 1.
2. Determine, pursuant to Section 125 of the Local Government Act 2020, that the identities of all award recipients be made publicly available on 21 May 2025, except for the notification of the award winners by the Mayor prior to 21 May 2025.

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

**CARRIED**

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

**AGAINST:** Nil (0)

**8.5 Update to the Central Registration Scheme for Funded Kindergarten Policy**

**Moved: Cr Law**

**Seconded: Cr Agirtan**

That Council endorse the updated Central Registration Scheme for Funded Kindergarten.

**CARRIED**

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

**AGAINST:** Nil (0)

**9. Infrastructure and Open Space Reports**

**9.1 Award of Contract CON-24/097 - Stormwater Drain Cleaning & CCTV Services Panel**

**Moved: Cr Agirtan**

**Seconded: Cr Howe**

That Council:

1. Award Contract No. 24/097 – Stormwater Drain Cleaning & CCTV Services Panel, as a Schedule of Rates contract to a panel of two (2) contractors based on their tendered rates and anticipated work quantities for the initial contract period of three (3) years at an estimated total Year 1 cost of \$1,600,000 exclusive GST, with a maximum (5 years) contract term cost of \$8,000,000 excluding GST comprising of:
  - a) Part A (Programmed Maintenance) to GMA Environmental Services Pty Ltd; and
  - b) Part B (Reactive Maintenance) to Citywide Service Solutions Pty Ltd and GMA Environmental Services Pty Ltd; and
2. Authorise the Chief Executive Officer, or their delegate, to exercise the two (2) twelve-month contract extension options upon completion of the initial three (3) year contract term subject to satisfactory performance for a maximum potential contract term of five (5) years from the commencement date.

**CARRIED**

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

**AGAINST:** Nil (0)

**9.2 Fencing Policy 2025**

**Moved: Cr White**

**Seconded: Cr Athanasopoulos**

That Council adopt the Fencing Policy 2025 as attached in Appendix 2, with the following amendments as outlined in Option 2 in this report:

- a) removal of the exclusionary clause in Section 4.2 of the Policy that states “Council will not contribute to construction, repair, or replacement costs of a dividing fence of a commercial private property adjoining a public park or public reserve”; and
- b) removal of the word “residential” from clause 4.3 of the Policy.

**CARRIED**

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

**AGAINST:** Crs Ashworth-Collett and Law (2)

**10. Customer and Corporate Support Reports**

**10.1 Governance and Compliance Report**

**Moved: Cr White**

**Seconded: Cr Law**

That Council:

1. In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolve that:
  - a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument, that includes in the conditions and limitations that Council is to be notified where section 12(2)(b) of *The Road Management Act 2004* is exercised.
  - b) The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.
  - c) On the coming into force of the instrument, the previous delegation to members of Council staff (other than the Chief Executive Officer) are revoked.
  - d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt;
2. Adopt the Councillor Internal Resolution Procedure;
3. Adopt the Councillor Support and Reimbursement of Expenses Policy; and
4. Receive and note the Informal Meetings of Councillors Records.

**Amendment**

**Moved: Cr Law**

**Seconded: Cr Hill**

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

3. Adopt the Councillor Support and Reimbursement Policy with the following at point 3:
  - a) Definitions of Councillor duties to include:
    - Council appointments to Committees
    - Attendance at community events where there is a formal role representing Council

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

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

**LOST**

- b) In addition to definitions of a Carer
  - Primary care includes the caring of children up to 16 years of age and other dependents as defined in the Carers Recognition Act 2012.

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

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

**ABSTAINED:** Cr Oxley (1)

**LOST**

c) Section 6.1 to include:

- provision that Councillors be provided with wireless headphones and a car phone holder for handsfree driving upon request

**FOR:** Crs Hill and Law (2)

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

**ABSTAINED:** Crs Ashworth-Collett, Athanasopoulos and Saab (3)

**LOST**

d) Section 7.2:

- to include: the Chief Executive Officer as the approver for non-mandatory training requests
- to remove "Meets the budget determined by Council"
- be amended to: Councillors are required to present a report to a briefing session outlining their learnings from the conference/training and are encouraged to utilise Councillor statement in Council meetings

Section 7.2.1 to include:

- Women for election
- Commission for Gender Equality in the Public Sector
- Planning Institute of Australia

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

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

**ABSTAINED:** Cr Oxley (1)

**LOST**

Cr Hill left the meeting at 9:19pm.

Cr Hill returned to the meeting at 9:20pm.

**The Substantive Motion was put and CARRIED**

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

**AGAINST:** Cr Law (1)

**ABSTAINED:** Crs Ashworth-Collett and Athanasopoulos (2)

**Note:** It was requested by Cr Saab and agreed to by the Chairperson that each part of the Amendment be put to the vote separately.

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

**Note:** Cr Saab requested through the Chairperson and was granted an extension of

time of two minutes to speak on the matter.

**The Resolution reads as follows:**

**Moved: Cr White**

**Seconded: Cr Law**

That Council:

1. In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolve that:
  - a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument, that includes in the conditions and limitations that Council is to be notified where section 12(2)(b) of *The Road Management Act 2004* is exercised.
  - b) The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.
  - c) On the coming into force of the instrument, the previous delegation to members of Council staff (other than the Chief Executive Officer) are revoked.
  - d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt;
2. Adopt the Councillor Internal Resolution Procedure;
3. Adopt the Councillor Support and Reimbursement of Expenses Policy; and
4. Receive and note the Informal Meetings of Councillors Records.

**CARRIED**

**10.2 Motions for May 2025 MAV State Council Meeting**

**Moved: Cr Athanasopoulos**

**Seconded: Cr O'Donnell**

That Council:

Review the suggested draft motions and puts forward to the MAV Agenda Committee motions as follows:

Road funding/maintenance

*That the MAV:*

*Calls on the Victorian Government to review its current approach to maintenance of major roads, and in particular the increased tolerance shown by the Department of Transport and Planning for allowing damaged roads to go unrepaired for very long periods.*

- *Calls on the Victorian Government to urgently address the growing safety issue caused by unrepaired potholes, ruts, corrugations, cracking and unmown verges, and*
- *Calls on the Victorian Government to end the practice of offering roadside mowing contracts to councils at below cost, in effect another form of cost shifting.*

Cost of Living

*That the MAV calls on the Victorian Government to act to ease cost of living pressures on Victorian ratepayers by:*

- *Eliminating the fixed charge embedded with the Emergency Services and Volunteers Fund Levy so that it is less regressive towards ratepayers on lower incomes.*
- *Increasing the financial support provided to households to replace their gas appliances with electric ones under the Victorian Energy Upgrades program.*
- *Avoiding pressure for a sharp increase in municipal rates in 2027 by cancelling the requirement for councils to introduce a fourth rubbish bin for glass recycling.*
- *Maintaining and increasing the amount of the school savings bonus for parents of government school children.*
- *Providing the State Government with other cost of living relief options as researched by institutions and think tanks*

Support for infrastructure in activity centres.

*That the MAV:*

- *Calls on the Victorian Government to work closely with councils in which there are declared Activity Centres and strategic development sites and precincts, and actively collaborate to support, encourage and if necessary, fund:*
  - *Useable, flexible and green open space to offset densification*
  - *Measures to ensure the safety and accessibility of public spaces in areas of higher density*
  - *The construction of liveable and high-quality dwellings which can provide a genuine stepping stone for home buyers*
  - *The development of greenfield building sites created by the Level Crossing Removal Authority at locations such as Mentone and Cheltenham which would be ideal for large numbers of social and affordable housing dwellings and are currently idle.*

Support to kindergarten funding

That the MAV:

- *Calls on the Victorian Government to outline its future plans for financially supporting the **Best Start, Best Life** kindergarten reforms program and commit to providing adequate funding to ensure the sustainability of early years programs in the face of growing demand and pressure on facilities created by the introduction of Free Kindergarten, Pre-prep and population growth.*

Port Phillip management issues

That the MAV:

- *Notes that many municipalities around the shores of Port Phillip now face a risk of inundation as a result of sea level rise that will grow worse over time. The MAV calls on the Victorian Government to:*
  - *Adequately fund repairs to beach and foreshore damage as it happens, including the renourishment of sand on eroded beaches where natural forces do not repair the beaches naturally.*
  - *Simplify and streamline the various agencies with responsibility for Port Phillip Bay environmental and infrastructure management*
  - *Adequately fund and support flood prevention and adaptation measures along the Port Phillip coastline.*

**CARRIED**

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

**AGAINST:** Nil (0)

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

**Moved: Cr Athanasopoulos**

**Seconded: Cr Saab**

That Council endorses the following motion for submission to the ALGA National General Assembly in June:

**Ensuring the sustainability of in-home aged care services**

The National General Assembly calls on the Australian Government to consider a range of adjustments and enhancements to Commonwealth support for local government as a major provider of in-home aged care.

We urge the Commonwealth to engage with us to address issues which currently threaten the viability of in-home aged care services, including, but not limited to:

- Inadequate funding of case management
- Excessive focus on compliance administration, at the cost of time available to provide direct care
- Counter-intuitive pricing of package levels, which provide no incentive to offer the necessary level of care to high-needs clients
- The lack of any dementia supplement within the Support At Home program
- Pressure on providers to seek individual pricing consent with no mechanism for dealing with situations where consent is not provided

- The difficulties and barriers to providing services to clients with higher acuity, complex mental health needs, housing or financial issues
- The enforcement-focused model which provides few if any positive incentives to improve performance against standards
- The failure to share any of the significant costs of transition and service transformation
- The absence of any measures which assist in growing the attractiveness of employment in the in-home care sector.

**Addressing the cost of living crisis**

The National General Assembly calls on the Australian Government to acknowledge the role that local governments play in addressing the cost-of-living crisis through the sector's support for community food banks, homelessness services and the shifting of many of the costs of in-home aged care to local government.

- In particular, we urge the Commonwealth to increase the real value of all social security payments so that recipients can afford to buy food after their unavoidable living expenses have been met.
- We urge the Commonwealth to recognise the important role of food banks by increasing the funding available to charities working with local government to provide food to those living in poverty due to joblessness, ill health, disability, age or social isolation.
- Provide the Federal Government with other Cost of Living Relief options as researched by institutions and think tanks.

**CARRIED**

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

**AGAINST:** Nil (0)

**10.4 Quarterly Advocacy Update**

**Moved: Cr Agirtan**

**Seconded: Cr Hill**

That Council receives the December 2024 Advocacy update report.

Cr Athanasopoulos left the meeting at 9:40pm.

**CARRIED**

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

**AGAINST:** Nil (0)



**11. Chief Finance Office Reports**

**11.1 Investment Policy Review**

**Moved: Cr Agirtan**

**Seconded: Cr White**

That Council adopt the updated Investment Policy.

**CARRIED**

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

**AGAINST:** Nil (0)

**11.2 Contaminated Land Policy**

**Moved: Cr Agirtan**

**Seconded: Cr Howe**

That Council adopt the updated Contaminated Land Policy.

**CARRIED**

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

**AGAINST:** Nil (0)

Cr Athanasopoulos returned to the meeting at 9:42pm.

**Procedural Motion**

**Moved: Cr Athanasopoulos**

**Seconded: Cr Hill**

That the meeting be extended for one hour until 11.00pm.

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

**AGAINST:** Nil (0)

**CARRIED**

**12. Notices of Motion**

**12.1 Notice of Motion No. 4/2025 - Cr Howe - Williams Grove, Bonbeach**

**Moved: Cr Howe**

**Seconded: Cr Agirtan**

That Council:

1. Accept the extrinsic fact that visitation to its coastline and beaches is increasing.
2. Note Bonbeach foreshore's main car park at Williams Grove has no shower or tap for user groups or visitors; and that a 'foreshore infrastructure' budget exists for such upgrades.
3. Be presented with officer report no later than June, with the direction to consult, budget and install a public shower and tap at the Williams Grove foreshore car park within FY25/26.
4. Within the above-mentioned officer report review the site for improvements to lighting, seating, landscaping and civil maintenance issues at the Williams Grove foreshore car park.

**CARRIED**

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

**AGAINST:** Nil (0)

**ABSTAINED:** Cr Ashworth-Collett (1)

**12.2 Notice of Motion No. 5/2025 - Cr Ashworth Collett - Multicultural Communities in Relation to Their Interest in Participating in First Aid Training**

**Moved: Cr Ashworth-Collett**

**Seconded: Cr Law**

That Council:

1. Note the diverse and multicultural communities in the City of Kingston.
2. Consult with multicultural communities in relation to their interest in participating in first aid training.
3. Receive a report, no later than June 2025, with the outcomes of the consultation and pending demand for first aid training, recommendations, including but not limited to:
  - current options for available first aid training
  - options to deliver the training including consideration of language, type
  - of first aid training and provider models
  - Council's role in the delivery of first aid training
  - other cohorts that could have an interest in first aid training
  - financial considerations

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Cr White left the meeting at 9:54pm.

Cr White returned to the meeting at 9:56pm.

Cr Howe left the meeting at 9.58pm and did not return.

**Moved: Cr Erivnidis**

That the Motion be adopted with the addition of the following additional point:

- the role of partners and other organisation such as RTOs and community centres in supporting communities to access first aid training.

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

**The Substantive Motion was put and CARRIED**

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

**AGAINST:** Cr White (1)

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

**The Resolution reads as follows:**

**Moved: Cr Ashworth-Collett**

**Seconded: Cr Law**

That Council:

1. Note the diverse and multicultural communities in the City of Kingston.
2. Consult with multicultural communities in relation to their interest in participating in first aid training.
3. Receive a report, no later than June 2025, with the outcomes of the consultation and pending demand for first aid training, recommendations, including but not limited to:
  - current options for available first aid training
  - options to deliver the training including consideration of language, type
  - of first aid training and provider models
  - Council's role in the delivery of first aid training
  - other cohorts that could have an interest in first aid training
  - financial considerations
  - the role of partners and other organisation such as RTOs and community centres in supporting communities to access first aid training.

**CARRIED**

**12.3 Notice of Motion No. 7/2025 - Crs O'Donnell & Oxley - Women and Girls in Kingston Networking**

**Moved: Cr O'Donnell**

**Seconded: Cr Agirtan**

That Council receive a report no later than May 2025 – outlining options for women's breakfast, gatherings, networking opportunities for women and girls in Kingston to continue to build on the success of Kingston's Women of the Year Awards.

**Amendment**

**Moved: Cr Law**

That the Motion be adopted with the addition of the following:

That this report is referred to the Access and Equity Advisory Committee for consultation before being presented to Council for consideration.

**The Amendment was not accepted by the Chairperson as it was deemed under clause 25.3 of the Governance Rules that it would deprive the motion of its effect due to the timing of the next Committee meeting.**

Cr Agirtan left the meeting at 10:05pm.

Cr Agirtan returned to the meeting at 10:06pm.

Cr O'Donnell left the meeting at 10:06pm.

Cr O'Donnell returned to the meeting at 10:07pm.

**Amendment**

**Moved: Cr Law**

That the Motion be adopted subject to the changing of "May" to "June".

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

**Amendment**

**Moved: Cr Law**

That the Motion be adopted with the addition of the following:

"That this report is referred to the Access and Equity Advisory Committee for consultation before being presented to Council for consideration."

**The Amendment was accepted by the Mover and Seconder**

Cr Ashworth-Collett left the meeting at 10:15pm

Cr Ashworth-Collett returned to the meeting at 10:16pm

**The Motion was put and CARRIED**

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

**AGAINST:** Nil (0)

**The Resolution reads as follows:**

**Moved: Cr O'Donnell**

**Seconded: Cr Agirtan**

That Council:

1. Receive a report no later than June 2025 outlining options for women's breakfast, gatherings, networking opportunities for women and girls in Kingston to continue to build on the success of Kingston's Women of the Year Awards.
2. Refer the above report to the Access and Equity Advisory Committee for consultation before being presented to Council for consideration.

**12.4 Notice of Motion No. 8/2025 - Cr O'Donnell - Transparency and Councillor Involvement for Awarding Grants**

**Moved: Cr O'Donnell**

**Seconded: Cr Agirtan**

That Council:

1. Acknowledge the substantial concerns around the awarding of grants in June 2024 under the previous Council;
2. Refer the matter and any relevant information to the Local Government Inspectorate for review;
3. Establish a working group of the Mayor, Deputy Mayor and two Councillors to review issues and make recommendations to improve governance in relation to grants, conflicts of interest and other matters. For example: reviewing processes to strengthen conflict of interest declarations to prevent Councillors lobbying behind the scenes or 'horse-trading' support for other issues;
4. Note that this working group may consult with and seek advice from relevant integrity agencies, local government peak bodies and legal advice; and
5. Develop online training modules for Councillors with respect to recognising and preventing fraud and corruption, and conflict of interest training, with senior Council staff to also complete such training where appropriate.

Cr Hill left the meeting at 10:20pm.

Cr Hill returned to the meeting at 10:22pm.

Cr O'Donnell left the meeting at 10:24pm.

Cr O'Donnell returned to the meeting at 10:24pm.

**Procedural Motion**

**Moved: Cr Oxley**

**Seconded: Cr O'Donnell**

That the Mayor Cr Oxley be granted an extension of time of two minutes to speak on the matter.

**CARRIED**

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

**AGAINST:** Nil (0)

**ABSTAINED:** Crs Law and Saab (2)

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**THE Substantive Motion was CARRIED on the casting vote of the Chairperson**

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

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

**ABSTAINED:** Crs Athanasopoulos and Hill (2)

**13. Urgent Business**

There were no items of urgent business.

**14. Confidential Items**

There were no confidential items.

The meeting closed at 10.53pm.