

Minutes

Ordinary Meeting of Council

Monday, 10th December 2018

**City of Kingston
Ordinary Meeting of Council**

Minutes

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The meeting commenced at 7.00pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

Present: Cr Georgina Oxley (Mayor)
Cr Tamara Barth
Cr Tamsin Bearsley
Cr Ron Brownlees OAM
Cr David Eden
Cr Geoff Gledhill
Cr George Hua
Cr Steve Staikos (Deputy Mayor)
Cr Rosemary West OAM

In Attendance: John Nevins, Chief Executive Officer
Mauro Bolin, General Manager Community Sustainability
Paul Franklin, General Manager Corporate Services
Daniel Freer, General Manager City Assets and Environment
Jonathan Guttman, General Manager Planning and Development
Ian Nice, Manager City Development
Natasha Corponi, Media Advisor
Phil De Losa, Manager Governance
Stephanie O’Gorman, Governance Officer
Gabrielle Pattenden, Governance Officer

1. Apologies

There were no apologies submitted to the meeting.

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Staikos

Seconded: Cr West

That the Minutes of the Ordinary Meeting of Council held on 26 November 2018 be confirmed.

CARRIED

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

Cr Bearsley foreshadowed a conflict of interest in Item 10.5.

4. Petitions

There were no petitions.

5. Presentation of Awards

Southern United Hockey Club

The Mayor presented a certificate of appreciation to the Southern United Hockey Club in recognition of their historic Premier League Championship win.

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6. Reports from Delegates Appointed by Council to Various Organisations

There were no reports from delegates.

7. Question Time

Question Time was held at 9.06pm. Refer to page 16 of the Minutes.

Block Resolution

Moved: Cr West

Seconded: Cr Staikos

That the following items be block resolved and that the recommendations in each item be adopted

- 8.1 Town Planning Application Decisions - November 2018
- 8.5 Mordialloc Freeway Environmental Effects Statement - Council Submission
- 8.6 Mordialloc Freeway - Draft Landscape and Visual Design Assessment
- 8.7 Response to Notice of Motion 3/2018 - Capital Works Parkdale Shopping Centre
- 10.1 CON 18/50 - Stormwater Drainage Maintenance
- 10.2 Kingston Disc Golf Course Stakeholder Consultation Findings and Next Steps
- 10.3 Parking Management Policy - Online Permit Process
- 10.4 Outcome of Draft Fencing Policy Consultation
- 11.1 Assembly of Councillors Record Report
- 11.2 Quick Response Grants
- 11.3 Appointment of Members to Strategic Advisory Committees
- 11.4 Tenders for Contract No 18/115 - Provision of Internal Audit Services
- 11.5 Legal Advice Report Notice of Motion
- 11.6 Councillor Appointments to Committees and Organisations 2019

CARRIED

8. Planning and Development Reports

8.1 Town Planning Application Decisions - November 2018

RECOMMENDATION

That the report be noted.

Note: Refer to page 4 of the Minutes where this item was block resolved.

8.2 KP-1993/5158 - 19-71 Carroll Road Oakleigh South

It is recorded that Antoinette Tsouparidis spoke on behalf of the objectors in relation to this item.

It is recorded that Cleat Elms spoke on behalf of the applicant in relation to this item.

Moved: Cr Staikos

Seconded: Cr Barth

That consideration of this item be deferred to the January Ordinary Meeting of Council.

CARRIED

8.3 KP-2017/981 - 1 Park Street Mordialloc

It is recorded that Daniel Bowden spoke on behalf of the applicant in relation to this item.

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council determine to support the proposal and issue a Notice of Decision to Grant a Permit **to develop the land for the construction of five (5) dwellings** at No. 1 Park Street, Mordialloc, subject to the following conditions:

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on archsigh, Job No 17322, Sheets TP1.0 to TP5.0 and SH1.0 to SH8.0 (Revision C) received on 16 October and 8 November 2018, but modified to show:
 - a. the provision of an improved landscape plan and associated planting schedule for the site showing the proposed location, species type, mature height and width, pot sizes and number of species be planted on the site, with such plans to be prepared by a suitably qualified landscape professional and incorporating:
 - i. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - ii. A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
 - iii. A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;
 - iv. The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
 - v. A range of plant types from ground covers to large shrubs and

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- trees, provided at adequate planting densities (e.g. plants 1m width at maturity planted 1m apart); with the species chosen to comprise of 100% coastal indigenous species by plant type and total quantities;
- vi. The provision of four (4) canopy trees capable of growing to minimum mature dimensions of 6m height and 4m width to be planted within the front setback of the property along Albert Street, with the species chosen to be approved by the Responsible Authority, and;
 - vii. The provision of two (2) canopy trees capable of growing to minimum mature dimensions of 10m height and 6m width to be planted within the front setback of the property along Park Street, with the species chosen to be approved by the Responsible Authority, and;
 - viii. The provision of two (2) canopy trees capable of growing to minimum mature dimensions of 6m height and 4m width to be planted within the front setback of the property along Park Street, with the species chosen to be approved by the Responsible Authority, and;
 - ix. 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;
 - x. No trees with a mature height over five (5) meters are to be planted over proposed or existing easements;
 - xi. The provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;
 - xii. The location of any tree protection measures including for street trees accurately drawn to scale and labelled;
 - xiii. 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
- b. the provision of minimum 2000 litre rainwater tank clearly nominated for each dwelling with water re-used for toilet flushing
 - c. vehicle crossings must constructed at a 90 degree alignment with the kerb on Albert Street and all internal driveways be aligned with the existing / proposed vehicle crossing.
 - d. a note on the ground floor plan stating "The proposed vehicle crossing not to be within the prohibited zone (6 metres from the tangent of the corner)"
 - e. the provision of a swept path analysis to show the garages can be accessed and exit in a forward direction
 - f. provision of operable external shading to North, East and West facing glazing (not shaded by balconies or shading devices) to prevent glare and overheating

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- g. all relevant commitments identified within the Sustainable Design Assessment (including comments from Council's ESD Officer), required under condition 11 of this permit, shown on plans
- h. all the boundary and internal fences height and type nominated on the ground floor plan corresponding with the elevation plan
- i. the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar
- j. a notation that confirms property boundaries, footpaths and vehicle crossing levels are to be raised to the satisfaction of Council's Roads and Drains Department

Endorsed Plans

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

Street Tree

- 3. Tree Protection Fencing is to be established around the *Callistemon viminalis* (Weeping Bottlebrush) located in the Albert Street nature strip and the *Eucalyptus leucoxylon* (Yellow Gum) located in the Park Street nature strip, prior to demolition and maintained until all works on site are complete. The fencing must:
 - i. 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
 - ii. encompass the entire nature strip with each end 3 metres from the base of the tree.

Construction Management

- 4. Prior to the commencement of any buildings and works on the land (including demolition), 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, July 2015 and Construction Management Guidelines, 1 November 2015 (and any superseding versions and / or documents). 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.

In the event of damage during construction to any adjacent Council roads, footpaths and park land, such damage will be required to be repaired by and at the full cost to the developer, to the satisfaction of the Responsible Authority.

Drainage and Water Sensitive Urban Design

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

Infrastructure and Road Works

7. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
8. All reinstatements and vehicle crossings must be constructed to the

satisfaction of the Responsible Authority.

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

Parking and Traffic Management

10. Prior to the occupation of the dwellings hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
 - a. Constructed to the satisfaction of the Responsible Authority.
 - b. Properly formed to such levels that they can be used in accordance with the plans.
 - c. Surfaced in accordance with the endorsed plans under this permit or in an all weather coloured concrete seal-coat, to the satisfaction of the Responsible Authority.
 - d. Drained and maintained to the satisfaction of the Responsible Authority.

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

Sustainable Design Assessment

11. Prior to the endorsement of the plans required pursuant to Condition 1 of this permit, the provision of a Sustainable Design Assessment (SDA) to be prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The SDA must include, but is not limited to, detailing initiatives for stormwater harvesting, insulation, building materials, daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation and car washing, energy efficient concepts, glazing and internal ventilation and the like.

Completion of Works

12. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
13. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with, unless with the further prior written consent of the Responsible Authority.
14. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
15. All piping and ducting above the ground floor storey of the development (other than rainwater guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.
16. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Expiry

17. This permit as it relates to **development (buildings and works)** will expire if one of the following circumstances applies:
- a. The development is not started within two (2) years of the issue date of this permit.
 - b. The development is not completed within four (4) years of the issue date of this permit.

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

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

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

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

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

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

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

Note: Permit applicant/owner to contact United Energy in relation to the proposed crossover.

CARRIED

8.4 Amendment C149 - Anomalies

Moved: Cr West

Seconded: Cr Staikos

That consideration of this item be deferred to the January Ordinary Meeting of Council.

CARRIED

8.5 Mordialloc Freeway Environmental Effects Statement - Council Submission

RECOMMENDATION

That Council:

1. Endorse the submission at Appendix 3 in relation the Environmental Effects Statement for the Mordialloc Bypass (Freeway) project.
2. Request to be heard at the Advisory Committee Hearing currently scheduled for early 2019.

Note: Refer to page 4 of the Minutes where this item was block resolved.

8.6 Mordialloc Freeway - Draft Landscape and Visual Design Assessment

RECOMMENDATION

That Council:

1. Note the community feedback received during the consultation period.
2. Adopt the 'Mordialloc Freeway – Priority Project Outcomes' report at Appendix 1.

Note: Refer to page 4 of the Minutes where this item was block resolved.

8.7 Response to Notice of Motion 3/2018 - Capital Works Parkdale Shopping Centre

RECOMMENDATION

That Council:

1. Support the proposal to implement capital works as detailed in sections 3 and 4 to improve pedestrian safety, streetscape and infrastructure around the intersection of Como Parade West and Parkers Road.
2. Continue to advocate to Public Transport Victoria to increase supply of commuter parking along the railway reservation in Parkdale.

Note: Refer to page 4 of the Minutes where this item was block resolved.

9. Community Sustainability Reports

9.1 Aspendale Senior Citizen Works - Financial Impact

Moved: Cr Eden

Seconded: Cr Bearsley

That Council note the financial implications associated with the Council resolution to fully fund works contained within the Aspendale Senior Citizens Club 2018/19 budget submission.

CARRIED

10. City Assets and Environment Reports

10.1 CON 18/50 - Stormwater Drainage Maintenance

RECOMMENDATION

That Council:

1. Award contract No.18/50 Drainage Inspection and Cleaning, to a panel of two companies, Veolia and GMA Waste Water Pty Ltd as a combination of a lump sum component and schedule of rates contract for three years with a further two, two-year options at Council's discretion as per pricing, for a total contract sum of \$650,000 per year; and
2. Authorise the Chief Executive Officer or their delegate to execute this contract and award a further one-year option subject to the contractors' satisfactory performance.

Note: Refer to page 4 of the Minutes where this item was block resolved.

10.2 Kingston Disc Golf Course Stakeholder Consultation Findings and Next Steps

RECOMMENDATION

1. That Council note the feedback received from the community in response to the establishment of the proposed disc golf course at Bald Hill Park;
2. That Council confirm Bald Hill Park, Clarinda as the preferred site for the establishment of a Disc Golf Course; and
3. That the establishment and activation of a disc golf course at Bald Hill Park be initiated in the current financial year's funding for the purchase of 'City of Kingston' branded discs for a six month trial loan program through Council's library services (primarily at Clarinda and Westall libraries), Council's aquatic centres and the Clayton Bowls Club.

Note: Refer to page 4 of the Minutes where this item was block resolved.

10.3 Parking Management Policy - Online Permit Process

RECOMMENDATION

That Council:

1. Endorse an amendment to the Parking Management Policy under *Section 4.1 Residential Parking Permits: Duration of Residential Parking Permits* to read: "Residential parking permits are valid for 12 months and must be renewed annually, including any applicable fees";
2. Endorse an amendment to the Parking Management Policy under *Section 4.1 Residential Parking Permits: Fees* to read: "Where fees for a residential parking permit apply, the cost will be in accordance with the *User Fees and Charges* in Council's annual budget to cover the administration cost of issuing the permit and managing the resident parking permit schemes";
3. Note the transition from a paper-based to online application and processing of forms; and
4. Receive a further report in 2019 following a full review of the Parking Management Policy to be undertaken following the completion of the Kingston Parking Study to inform the strategic direction of the Policy.

Note: Refer to page 4 of the Minutes where this item was block resolved.

10.4 Outcome of Draft Fencing Policy Consultation

RECOMMENDATION

That Council adopt the revised Fencing Policy.

Note: Refer to page 4 of the Minutes where this item was block resolved.

**10.5 Sports Fields Feasibility Consultation Findings and Next Steps -
Aspendale Gardens**

Cr Bearsley declared an indirect conflict of interest due to residential amenity in Item 10.5 as she lives in close proximity to the subject site and left the meeting at 7.44pm prior to any discussion on the matter.

Moved: Cr Eden

Seconded: Cr Gledhill

That Council:

1. Note the findings of the consultation process for proposed development of additional sports field facilities at Kerr Crescent, Aspendale Gardens;
2. Note that the proposed site for the proposed additional sports field facilities at Kerr Crescent, Aspendale Gardens is subject to Amendment C149, which is currently under consideration by Council;
3. Receive a further report with a revised design development option that responds to the key feedback themes identified from the consultation findings and presents next steps for the development of additional outdoor sports facilities at Kerr

Crescent, Aspendale Gardens; and

4. Continue to engage with stakeholders and interested local residents with the planning for the proposed development of additional sports field facilities at Kerr Crescent, Aspendale Gardens through the posting of project updates on Council's website and onsite signage.

CARRIED

Cr Bearsley returned to the meeting at 7:55pm.

10.6 Bentleigh Greens Soccer Club's Proposed Scoreboard Upgrade

Moved: Cr Staikos

Seconded: Cr Barth

That Council;

1. Approve funding of \$45,000, to match the contribution of the Bentleigh Green Soccer Club, for the purpose of purchasing an upgraded scoreboard for Pitch 1 at the Kingston Heath Regional Soccer Complex;
2. Approve the allocation of resources to meet the project delivery costs, including project management, regulatory approvals and environmental management i.e. soil management to upgrade of the scoreboard for Pitch 1 at the Kingston Heath Regional Soccer Complex;
3. Confirm the funding contribution with the Bentleigh Greens Soccer Club in the form of a Funding Agreement to be authorised by the General Manager City Assets and Environment; and
4. Refers funding allocation to upgrade the Pitch 1 scoreboard at the Kingston Heath Regional Soccer Complex to Council's 2018/19 mid-year budget review process.

Procedural Motion

Moved: Cr Gledhill

Seconded: Cr Brownlees

That consideration of this item be deferred to the January Ordinary Meeting of Council.

LOST

Amendment

Moved: Cr Bearsley

Seconded: Cr Brownlees

That Council;

1. Approve funding of \$15,000, to match the contribution of the Bentleigh Greens Soccer Club, for the purpose of purchasing an upgraded scoreboard for Pitch 1 at the Kingston Heath Regional Soccer Complex;
2. Approve the allocation of resources to meet the project delivery costs, including project management, regulatory approvals and environmental management i.e. soil management to upgrade of the scoreboard for Pitch 1 at the Kingston Heath Regional Soccer Complex;
3. Confirm the funding contribution with the Bentleigh Greens Soccer Club in the form of a Funding Agreement to be authorised by the General Manager City

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Assets and Environment; and

4. Refer funding allocation to upgrade the Pitch 1 scoreboard at the Kingston Heath Regional Soccer Complex to Council's 2018/19 mid-year budget review process.
5. Determine That should there be an increase in the cost over \$60,000 then this will have to be managed by the club.

CARRIED

The Amendment became the Motion

The Motion was put and CARRIED

10.7 Foreshore Shared Path Construction Project 1 - Naples Road, Mentone to Rennison Street, Parkdale

Moved: Cr Staikos

Seconded: Cr West

That Council:

1. Authorise the Chief Executive Officer or their delegate to negotiate terms and award Contract No. 18/63 Foreshore Shared Path Construction Project 1 Naples Road, Mentone to Rennison Street, Parkdale on a Lump Sum basis to CDN Constructors Pty Ltd for the tendered price of \$3,369,000 ex GST for the Shared Path;

2. Approve a Contingency Allowance of \$336,900 ex GST (10% of contract sum) from civil infrastructure capital allocation to cover unexpected financial variations relating to works or contract negotiations;

3. Direct the Chief Executive Officer or their delegate to inform VicRoads that Kingston City Council does not agree to resurface Beach Road and Council advocate to the State Government for the removal of the pavement re-sheeting requirement for this section of Beach Road, and seek a similar outcome as achieved by the City of Bayside when they constructed their section of the bay trail and altered the line markings in order to narrow their road lanes.

4. Implement the re-vegetation of this section of the Kingston foreshore, including a boulevard style street tree planting program along both sides of Beach Road with a preference for Coastal Banksias, Drooping Sheoak, Bottle Brush or Coastal Manna Gums, subject to ecological advice about what species is most suitable and about beach-side plantings. Further that the boulevard style planting be done with 1 species, and be planted with trees of local provenance, with at least 2 per nature strip, or 1, should issues prevent such plantings. Further that all residential-side trees be planted no later than the end of April, 2019. Beach side trees to be planted, except where there is Sand Heathland or Coastal Headland Scrub immediately adjacent to the Bay Trail, as soon as the Bay Trail works are completed.

During the establishment of the boulevard; should damage occur the trees are to be immediately replaced and the tree vandalism policy is to be discharged in full.

5. Further reiterate that foreshore revegetation to compensate for the 8,500 square meters of vegetation that will be removed is to be located as close as possible as to

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where it has been removed from the foreshore.

6. Determine that the Bay Trail and Beach Road Boulevard be designated a social and cultural path that will celebrate Council's local history, including and not limited to, local indigenous community, Kingston's Citizens of the Year, local artists and artworks and/or social causes championed by the City of Kingston. Further that a report on the best way to do this be presented to the February 2019 Ordinary Council Meeting.

Procedural Motion

Moved: Cr Bearsley

Seconded: Cr Gledhill

That consideration of this item be deferred to the January Ordinary Meeting of Council.
LOST

A Division was Called:

DIVISION:

FOR: Crs Bearsley, Brownlees, Gledhill and Hua (4)

AGAINST: Crs Barth, Eden, Oxley, Staikos and West (5)

LOST

Procedural Motion

Moved: Cr Bearsley

Seconded: Cr Brownlees

That Cr Gledhill be granted an extension of time to speak on this item.

CARRIED

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Barth

That Cr West be granted an extension of time to speak on this item.

CARRIED

The Substantive Motion was put and CARRIED

A Division was Called:

DIVISION:

FOR: Crs Barth, Eden, Oxley, Staikos and West (5)

AGAINST: Crs Bearsley, Brownlees, Gledhill and Hua (4)

CARRIED

Question Time

Robyn and Gavin Nolan asked,

"Why are Council officers and Crs West, Oxley, Staikos, Eden and Barth relentlessly pushing through the Bay Trail proposal and Beach Road narrowing when Council's own ecologists have confirmed there is no significant vegetation. Why are Council officers and these five Councillors totally ignoring 93% of the community on this issue?"

The CEO provided the following response,

"This question was the subject of discussion in Item 10.7."

Renato Frighetto of Aspendale Gardens asked,
*“Re: Aspendale Gardens Sports Ground
Why is the Council voting on this when the consultation process is ongoing? Residents have been advised that consultation is ongoing. Also, Aspendale Gardens rate payers Association AGRA provided a response to the proposal which has not been included in the officer’s presentation. Has this responses been considered?”*

The CEO provided the following response,
This question was the subject of discussion in Item 10.5. In addition, please note AGRA’s submission was included in Appendix 3 of the agenda item’s report.

Cr Gledhill left the meeting at 9.06pm.

Cr Gledhill returned to the meeting at 9.08pm.

11. Corporate Services Reports

11.1 Assembly of Councillors Record Report

RECOMMENDATION

That Council note the contents of this report for the public record.

Note: Refer to page 4 of the Minutes where this item was block resolved.

11.2 Quick Response Grants

RECOMMENDATION

That Council approve the following grant applications:

- Chelsea Kindergarten - \$1000.00
- Bayside Cricket Club - \$1000.00
- Highmoor Uniting Tennis Club - \$1000.00

That Council not approve the following grant application:

- The Pyjama Foundation

Note: Refer to page 4 of the Minutes where this item was block resolved.

11.3 Appointment of Members to Strategic Advisory Committees

RECOMMENDATION

That Council:

1. Appoint the following applicants to the Sport and Recreation Advisory Committee until 30 June 2020:
 - Nicole Adamson; and
 - Darren McLeod.

Note: Refer to page 4 of the Minutes where this item was block resolved.

11.4 Tenders for Contract No 18/115 - Provision of Internal Audit Services

RECOMMENDATION

1. That Council award Contract 18/115 to Pitcher Partners Pty Ltd to a schedule of rates contract at an estimated sum of \$170,000 per annum (excluding GST) based on an internal audit program of approximately 1300 hours for an initial 3 year period concluding on 30 June 2022.
2. That one 3 year contract extension be exercised at the discretion of the Chief Executive Officer or delegate.

Note: Refer to page 4 of the Minutes where this item was block resolved.

11.5 Legal Advice Report Notice of Motion

RECOMMENDATION

That Council determine that a copy of all invoices received from any law firm is no longer required to be provided to a Councillor Information Session each month as part of the Report on Legal Advice.

Note: Refer to page 4 of the Minutes where this item was block resolved.

11.6 Councillor Appointments to Committees and Organisations 2019

RECOMMENDATION

1. That Council resolve to make the following Councillor appointments to each of the committees listed in the table below for 2019.

Legislative Committees	2019 Appointee
Planning Committee	All
Audit Committee	Mayor Cr Gledhill
Municipal Emergency Planning Committee	Cr Gledhill

Advisory Committees	2019 Appointee
Access and Equity	Cr Barth
Arts and Culture	Cr Bearsley
Business and Economic Development	Cr Hua Cr Gledhill
Community Safety	Appointment deferred
Public Spaces and Environment	Cr West
Sport and Recreation	Cr Gledhill Cr Oxley Cr Staikos
Youth	Cr Eden Cr Oxley

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Consultative Committees	2019 Appointee
LF Payne Hall Usage Committee	Cr Eden Cr Bearsley Cr Oxley
Kingston Charitable Fund (KCF) Community Grants Panel	Mayor Cr Brownlees
Kingston Interfaith Network	Cr Bearsley
Kingston Historic Network	Cr Gledhill Cr West (alternate)

External Committees/Organisations	2019 Appointee
Association of Bayside Municipalities	Cr West Cr Gledhill (alternate)
Friends of Manatuto Committee	Cr Staikos Cr West (alternate)
Inter Council Aboriginal Consultative Committee	Cr Barth Cr West (alternate)
Local Government Waste Management Forum	Cr Hua Cr Staikos (alternate)
Metropolitan South Eastern Region MAV Representatives and Mayors	Mayor
Metropolitan Transport Forum	Cr Gledhill Cr West (alternate)
Moorabbin Airport Consultative Committee	Cr Brownlees Cr West Cr Staikos
Municipal Association of Victoria	Mayor
Municipal Association of Victoria Environment Committee	Cr West
Municipal Association of Victoria Planning Committee	Cr West
Victorian Local Governance Association	Cr Staikos

2. Further that the Councillor appointment to the Community Safety Advisory Committee be deferred pending receipt of an officer report regarding the future status of the Committee.

Note: Refer to page 4 of the Minutes where this item was block resolved.

12. Notices of Motion

12.1 Notice of Motion No. 36/2018 - Cr Eden - Native Tree Vouchers

Moved: Cr Eden

Seconded: Cr West

That a report be presented to the February Ordinary Meeting of Council that details the options available for providing residents and ratepayers a free native tree voucher with each rates notice / or upon request.

Further that Council officers consider any community groups that grow native trees, departments internally to Kingston Council or not for profits that Council could partner with.

CARRIED

12.2 Notice of Motion No. 37/2018 - Cr Staikos - Community Sponsorship Program

Moved: Cr Staikos

Seconded: Cr Barth

That Council note:

1. We live in a world where people have no option but to flee their homes and countries, and that globally, resettlement places for these people are rare and over-subscribed;
2. All countries, especially the wealthiest, like Australia, need to do their fair share by welcoming refugees in any way they can;
3. Refugees and migrants have made a positive contribution to our community; and
4. We need to create more opportunities for safe and legal entry into Australia, and one way to do this is through community led sponsorship.

Further, that Council determine:

1. Kingston is a community which welcomes refugees;
2. Kingston supports an expanded and improved Community Sponsorship Program; and
3. Calls on the federal government to improve and expand the Community Sponsorship Program to ensure the program:
 - a. Does not take places from others in need
 - b. Provides adequate support and services
 - c. Limits the costs on sponsors
 - d. Allows community, family and businesses to act as sponsors
 - e. Creates more places for people in need of protection to settle in Australia

CARRIED

Cr Bearsley left the meeting at 9:10pm.

Cr Gledhill left the meeting at 9:14pm.

Cr Gledhill returned to the meeting at 9:16pm.

Cr Hua left the meeting at 9:17pm.

Cr Hua returned to the meeting at 9:21pm.

13. Urgent Business

There were no items of urgent business.

14. Confidential Items

**City of Kingston
Ordinary Meeting of Council**

Minutes

10 December 2018

Moved: Cr Staikos

Seconded: Cr Brownlees

That in accordance with the provisions of section 89(2) of the *Local Government Act 1989*, the meeting be closed to members of the public for the consideration of the following confidential items:

14.1 Open Space Opportunity

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to proposed developments (s89 2e)

14.2 Australia Day Award Nominations 2019

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

Confidential Appendices

10.1 CON 18/50 - Stormwater Drainage Maintenance

Appendix 1, CON 1850 Schedule of Items Analysis for Drain Cleaning and Inspection

This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)

10.7 Foreshore Shared Path Construction Project 1 - Naples Road, Mentone to Rennison Street, Parkdale

Appendix 1, Foreshore Shared Path - Naples to Rennison - Face Sheet of drawing CON-1863

This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)

10.7 Foreshore Shared Path Construction Project 1 - Naples Road, Mentone to Rennison Street, Parkdale

Appendix 2, Contract 18-63 Foreshore Shared Path Naples to Rennison - Signed Tender Evaluation Summary

This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)

**11.4 Tenders for Contract No 18/115 - Provision of Internal Audit Services
Appendix 1, CON-18 115 - Tender Evaluation Matrix**

This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)

CARRIED

The meeting was closed to members of the public at 9.21pm.

**City of Kingston
Ordinary Meeting of Council**

Minutes

10 December 2018

Procedural Motion

Moved: Cr Staikos

Seconded: Cr West

That the meeting be opened to members of the public.

CARRIED

The meeting was opened to members of the public at 9.44pm.

The meeting closed at 9.44pm.

Confirmed.....

The Mayor 29 January 2019