

Minutes

Ordinary Meeting of Council

Monday, 25th June 2018

**City of Kingston
Ordinary Meeting of Council**

Minutes

25 June 2018

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The meeting commenced at 7.02pm in the Council Chamber, 1230 Nepean Highway, Cheltenham.

Present: Cr Steve Staikos (Mayor)
Cr Tamara Barth
Cr Tamsin Bearsley
Cr Ron Brownlees OAM
Cr David Eden
Cr Geoff Gledhill
Cr George Hua
Cr Georgina Oxley
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
Caroline Reidy, Manager Finance
Tracey Cheeseman, 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 Barth

Seconded: Cr Hua

That the Minutes of the Ordinary Meeting of Council held on 28 May 2018 and the Special Meeting of Council held on 18 June 2018 be confirmed.

CARRIED

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

There were no Conflicts of Interest submitted to the meeting.

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4. Petitions

4.1 Chelsea Yacht Club – Lift

Moved: Cr Bearsley

Seconded: Cr Oxley

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

CARRIED

4.2 Laneway Between 5 & 7 Northcliffe Road Edithvale

Moved: Cr Bearsley

Seconded: Cr Oxley

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

CARRIED

5. Presentation of Awards

There were no awards presented.

6. Reports from Delegates Appointed by Council to Various Organisations

Cr West reported on having attended the Community Airport Consultative Group Meeting.

Moved: Cr West

Seconded: Cr Oxley

That the delegate's report be received.

CARRIED

7. Question Time

Question Time was held at 7.45pm.

Block Resolution

Moved: Cr West

Seconded: Cr Gledhill

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

- 9.1 CON18/9 – Establishment of Specialist Sports Lighting Contractor Panel
- 9.2 CON18/28 - Planning For Emergencies in Buildings
- 9.3 CON17/88 - Essential Safety Measures
- 9.6 Request for Support by City of Greater Dandenong for an Advocacy Campaign Regarding the Resolution Support Services Program
- 10.1 Waterways Maintenance Agreement Transition
- 10.3 Biodiversity Strategy Update
- 10.4 Response to Notice of Motion No. 2/2018 - Cr Oxley - "Seal the Loop" Fishing Bins
- 10.6 Mordialloc Tennis Club Court and fencing renewal
- 10.7 Request for Approval for a Planning Permit Application Authorisation for Moorabbin Reserve Redevelopment - Stage 2.
- 10.8 Outcome of the Parkdale Yacht Club EOI
- 10.10 Mordialloc Bowls Request for Exemption from Leasing Policy Regarding the Proposed New Lease
- 11.1 2018/19 Industrial Special Risks Insurance
- 11.2 Quick Response Grants
- 11.3 Meeting Procedures Local Law Amendment
- 11.4 Procurement Policy Update - Financial Year 2017/18
- 11.6 Assembly of Councillors Record Report

CARRIED

8. Planning and Development Reports

8.1 State Government Review of Green Wedge Planning Provisions

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr Gledhill

That consideration of this item be deferred to the July Ordinary Meeting of Council and that survey (Appendix 1) be submitted to the Department of Environment, Land, Water and Planning as a draft.

CARRIED

9. Community Sustainability Reports

9.1 CON18/9 – Establishment of Specialist Sports Lighting Contractor Panel

RECOMMENDATION

That Council:

1. Receive the information;
2. Appoint the following contractors to Council's Specialist Sports Lighting Contractors Panel (Contract 18/9) until 30 June 2021:

IPower (VIC) Pty Ltd (t/a Power Street Electrics)
Sonec Services Pty Ltd (t/a Ultraelec Electrical Services)
Pulse Technical Services (t/a D&A Lighting Systems)
Commlec Services Pty Ltd
High Access Cabling Pty Ltd
Wallgates Pty Ltd (t/a Wallgates Electrical Services)
High Profile Engineering Pty Ltd

3. Note the confidential tender evaluation matrix for Con 18/9 attached to this report for Council's information (Appendix A).

Note: Refer to page 5 of the Minutes where this item was block resolved

9.2 CON18/28 - Planning For Emergencies in Buildings

RECOMMENDATION

That Council:

1. Note the outcome of the tender evaluation process for Contract 18/28 - Planning for Emergencies in Buildings, as set out within the attached confidential appendix.
2. Award Contract 18/28 – Planning for Emergencies in Buildings to First 5 Minutes for an initial three year term, at a cost \$151,310.00.00 (ex GST).
3. Delegate authority to the Chief Executive, or his nominee, to extend the operation of Contract 18/28 beyond the initial three year contract term for a further two (2) periods of two (2) years, i.e. up to a maximum contract term of seven (7) years from the contract commencement date, subject to satisfactory ongoing performance of the appointed contractor.

Note: Refer to page 5 of the Minutes where this item was block resolved

9.3 CON17/88 - Essential Safety Measures

RECOMMENDATION

That Council:

1. Receive the information and note the outcome of the tender assessment process for Con 17/88 Essential Safety Measure, as set out in the confidential appendix attached to this report;
2. Award Contract 17/88 – Essential Safety Measures services as follows:-
 - (i) Contract 17/88 (a) – Emergency Lighting & Exit Signs to National Fire Solution Pty Ltd. at a cost of \$128,184.00 (ex GST) for an initial three year term;
 - (ii) Contract 17/88 (b) – Fire Services, Portable and Fixed Equipment to National Fire Solution Pty Ltd at a cost of \$121,056.00 (ex GST) for an initial three year term;
 - (iii) Contract 17/88 (c) – Exit Doors, Paths of Travel & Passive ESM Elements to National Fire Solution Pty Ltd (VIC) Pty. Ltd. at a cost of \$251,040.00 (ex GST) for an initial three year term; and
3. Delegates authority to the Chief Executive, or his nominee, to extend the operation of the elements making up Contract 17/88 beyond the initial three year contract term for a further two (2) periods of two (2) years, i.e. up to a maximum contract term of seven (7) years from the contract commencement date, subject to satisfactory ongoing performance of the appointed contractor(s).

Note: Refer to page 5 of the Minutes where this item was block resolved

9.4 Response to Notice of Motion 16/2018 - Cr Oxley - Woman of the Year Award

Moved: Cr Oxley

Seconded: Cr Bearsley

That Council:

1. Endorse the *Woman of the Year Award* proposal.
2. Receive this report and endorses the Award scheme development and outlined criteria to facilitate the Kingston Woman of the Year Award to be presented at the International Women's Day event 8 March 2019.
3. Review the scheme after the first year of implementation to assess effectiveness and opportunities for improvement.

CARRIED

Question Time

Ian Baldock of Parkdale asked the following questions:

Question 1.

"Council makes extensive use of legal practitioners, however the annual reports summarise the amounts charged under the broad heading of 'Finance and Legal', with no further detail of breakdowns. In addition, there are no estimates of future contingencies since it is stated that the matters are yet to be finalised.

These amounts exceed \$2.5 million and due to many adverse VCAT findings against Kingston City Council makes one question the quality of legal advice provided to Kingston.

My questions are:

1. *Could future Kingston Council Annual Reports provide greater detail in regards to the amount spent on legal advice and break down the amounts by legal provider?*
2. *Does Council regularly perform review of its legal advice providers and how do they evaluate them to ensure we are receiving advice which ensures we have the best change of legal success?"*

The CEO provided the following response,

"By way of introduction in 2016/17 only 59 planning matters were appealed to VCAT out of over 1000 planning decisions made. Most of these matters are resolved before the hearing. For this reason a link should not be drawn between VCAT decisions and the quality of legal advice.

1. *Annual Reports must follow the template determined by the Victorian Auditor General's Office (VAGO) and Local Government Victoria. Previous attempts to provide further disclosures have not been accepted by VAGO and have had to be taken out of the Financial Statements. It is therefore highly unlikely that the*

additional disclosures requested by Mr Baldock can be included in the Financial Statements.

2. *Yes, Council regularly reviews the performance of its legal service providers. Assessment includes quality advice; timeliness of advice; value add such as training, seminars; legislation updates etc.*

Contingency provisions are provided in Council's Audited Financial Statements, however, these provisions must and are in accordance with the Australian Accounting Standards.

Question 2.

"Four years ago I requested that the northern footpath along Lower Dandenong Road below Moorabbin Airport be declared a shared cycle, with the result that riders older than twelve years would be legally permitted to ride their bikes along it. I was subsequently advised that the dimensions were such that it was not large enough to be declared a shared cycle path. Since then there has been extensive industrial development along Lower Dandenong Road, making any attempts to cycle along this road increasingly hazardous, with the increase in heavy, industrial traffic.

My question is:

1. *Since the footpaths have been rebuilt and realigned due to the extensive industrial construction in the airport grounds, could Council ensure that the footpaths to the south of Moorabbin Airport (along Lower Dandenong Road) be formally declared and signed as shared cycling paths, in order to allow Kingston residents to ride along them, being safely separated from existing higher speed traffic?"*

The CEO provided the following response,

"As Lower Dandenong Road is an "Arterial Road" Council will again approach VicRoads as the Coordinating Road Authority to determine if the path can be declared as a shared cycling path in the context of the information provided by Mr Baldock in this question."

Denise Williams of Dingley Village asked,

'Is Kingston Council lobbying the State Government for a new government secondary school in Dingley or in nearby suburbs? With Dingley likely to grow in population, with children in Waterways growing older and with families in the new part of Keysborough, there is a need for a new government secondary school in the area.'

Note: In accordance with clause 18(4) of the Meeting Procedures Local Law, this question will be responded to in writing as the questioner was not present in the gallery.

9.5 Request from Edithvale Fire Brigade for Financial Support for the fit-out of the new Edithvale Community Fire Station

Moved: Cr Bearsley

Seconded: Cr Eden

That Council approve funding of \$30,000 from the 2017/18 Community Grants budget to support the fit-out of the new Edithvale Community Fire Station.

CARRIED

9.6 Request for Support by City of Greater Dandenong for an Advocacy Campaign Regarding the Resolution Support Services Program

RECOMMENDATION

That Council:

1. Respond to the letter of concern from the Mayor of City of Greater Dandenong and express support for joint advocacy against the proposed funding cuts to SRSS Program.
2. Write a letter to Hon. Peter Dutton MP, Minister for Home Affairs, and express concern about the proposed cuts to the SRSS Program.

Note: Refer to page 5 of the Minutes where this item was block resolved

9.7 Redevelopment of Parkdale Yacht Club

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council:

1. Proceed with the redevelopment of the Parkdale Yacht Club (PYC) building including the following actions:
 - detailed design development;
 - obtaining relevant statutory approvals;
 - undertaking further community consultation;
 - relevant tender process;
2. Develop a lease / licence as appropriate for PYC, and other relevant community groups as directed by Council, following consideration of the report on the outcome of the EOI process for proposed shared use of the PYC building;
3. Officers to report back on the outcome of the tender process; and
4. Notes funding implications arising from this report, as outlined in Table 2 at clause 4.3, and refers these to the 2019/20 budget setting process for consideration.

CARRIED

10. City Assets and Environment Reports

10.1 Waterways Maintenance Agreement Transition

RECOMMENDATION

That Council:

1. Note the status of actions in response to the resolution of 19 September, 2016;
2. Note that Melbourne Water has proposed transferring to Council the responsibility for additional structural assets within Waterways that are located on Melbourne Water land. These assets are currently not maintained by Council or the Owners Corporation.
3. Notify Melbourne Water and the Waterways Owners Corporation that Council will not take on additional responsibility for structural assets within Waterways located on Melbourne Water land, with the exception of mowing the grass and maintaining structural assets as part of the Melbourne Water owned sewerage easement that runs diagonally through Waterways from Governor Road to Springvale Road, and one art piece located on the island within the lake opposite Deepwater Drive.
4. Notify the Waterways Owners Corporation that Council will continue to maintain assets on Council land within the Waterways Estate to a standard commensurate with Kingston's open space in other areas.

Note: Refer to page 5 of the Minutes where this item was block resolved

10.2 Response to Notice of Motion No. 6/2016 - Cr Gledhill - Draft Mooring Policy for Mordialloc Creek

Procedural Motion

Moved: Cr Gledhill

Seconded: Cr Brownlees

That consideration of this item be deferred to the July Ordinary Meeting of Council to allow for a meeting to be convened with the stakeholders in question.

CARRIED

10.3 Biodiversity Strategy Update

RECOMMENDATION

That Council:

1. Approve the draft Biodiversity Strategy 2018-2023 and Biodiversity Strategy Technical Report for community consultation;
2. Receive a further report following the consultation period to consider the adoption of the draft Biodiversity Strategy 2018-2023 and Biodiversity Strategy

Technical Report.

Note: Refer to page 5 of the Minutes where this item was block resolved

10.4 Response to Notice of Motion No. 2/2018 - Cr Oxley - "Seal the Loop" Fishing Bins

RECOMMENDATION

That Council:

1. Note the report.
2. Support the proposed branding of existing large capacity Kingston waste bin stations with "Seal the Loop" decals at the key fishing sites including:
 - Mordialloc Pier;
 - Patterson River (Carrum);
 - Patterson River (Bonbeach); and
 - Governor Road Boat Ramp, Mordialloc.

Note: Refer to page 5 of the Minutes where this item was block resolved

10.5 Response to Notice of Motion 26/2017 - Cr West - Trees for Nepean Highway

Moved: Cr West

Seconded: Cr Brownlees

That:

1. Officers develop a brief for the engagement of a landscape design consultant to develop plans and costings for the outer separators north of Mc Donald Street, Mordialloc. The plans will respond to the Notice of Motion from the ordinary meeting of Council 24 July, 2017. The anticipated timeline is for development of brief July/August; award contract for design late August; design September/November and report back to Council November/December 2018 in accordance with the Council resolution of July 2017, including specifically: .

The objectives of the landscape design are to be:

- compliance with the design requirements of Vic Roads when undertaking landscape improvements along the Nepean Highway
 - maintaining and enhancing the existing native trees along the Highway with further complementary native and indigenous planting
 - maintaining and enhancing plantings through activity centres and adjacent to parks; including the Norfolk Island and Hoop Pines
 - maintaining and enhancing existing plantings and fill gaps with plantings as seen through Parkdale
2. Council receive a further report following the development of compliant

landscape plans for the outer separators north of Mc Donald Street, Mordialloc to enable consideration of future funding of landscape works to be implemented and maintained along the Nepean Highway.

3. Officers continue maintaining and enhancing the planting of local foreshore species on both sides of the highway south of Mordialloc Creek.
4. Officers continue working with LXRA to develop suitable plans and landscape treatments incorporating native and indigenous plants to be implemented along the rail corridor as part of the design for the removal of five level crossings between Aspendale and Carrum.
5. Officers continue to undertake regular horticultural maintenance activities including replacement planting and reinforce Date Palm theme as required along Main Street, Mordialloc.

CARRIED

10.6 Mordialloc Tennis Club Court and fencing renewal

RECOMMENDATION

That Council:

1. Receive a further report outlining the results of further site investigations and possible funding options, with the intent to undertake fencing and court renewal works in early 2019; and
2. Determine that the financial implications of the above be referred to Council's 2018/19 mid year budget review.

Note: Refer to page 5 of the Minutes where this item was block resolved

10.7 Request for Approval for a Planning Permit Application Authorisation for Moorabbin Reserve Redevelopment - Stage 2.

RECOMMENDATION

That Council;

1. As landowner authorise the St Kilda Football Club to lodge an application for a planning permit at the Moorabbin Reserve, Linton St Moorabbin; and
2. Note that such approval in no way predetermines the outcome of any subsequent planning process by Council as the responsible authority or as land owner.

Note: Refer to page 5 of the Minutes where this item was block resolved

10.8 Outcome of the Parkdale Yacht Club EOI

RECOMMENDATION

That Council:

1. Note the outcome of the EOI for the shared use of the Parkdale Yacht Club.
2. Thank the submitters for their submissions.
3. Authorise officers to enter into a licence with the Mentone Girl Guides for use of the Parkdale Yacht Club.
4. Authorise officers to enter into a licence with Beach Patrol Australia for use of the Parkdale Yacht Club.

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

10.9 Outcome of the Former Westall Kindergarten EOI

Moved: Cr Barth

Seconded: Cr Hua

That Council:

1. Note the outcome of the EOI for the occupation of the former Westall Kindergarten;
2. Thank the submitters for their submissions;
3. Authorise the CEO or his delegate to commence lease negotiations with Fitra Community School;
4. Receive a further report in July 2020 providing an update on the Victorian Registration and Qualifications Authority approvals and consideration of future the user of the former Westall Kindergarten site.

CARRIED

10.10 Mordialloc Bowls Request for Exemption from Leasing Policy Regarding the Proposed New Lease

RECOMMENDATION

That Council:

1. Approve the Club's request to redirect proceeds from the '2% bar clause' to a new sinking fund account that will be used for the sole purpose of facility improvements;
2. Approve the Club's request for a lease term of 15 years in recognition of the significant capital expenditure on the bowling greens;
3. Authorise and direct the CEO or his delegate to publish a notice in accordance

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with Section 190 of the Local Government Act 1989 advising of Council's intention to enter into a lease with the Mordialloc Bowls Club including the following terms:

- Rent: \$3,922 per annum plus GST plus 2% of 'Gross Bar Takings' from previous financial year to be directed to the club's new annual sinking fund;
 - Review: Annual 2% increases compounding annually; and
 - Term: 15 years (7+4+4);
4. Appoint Cr West, Cr Brownlees, Cr Gledhill, General Manager City Asset & Environment and Manager Property, Arts & Leisure to hear any submissions received and that any submission be heard at 4.30pm on 30 July 2018 or other suitable time; and
 5. In the event no submissions are received, authorise and direct the CEO or his delegate to execute a lease on the advertised terms.

Note: Refer to page 5 of the Minutes where this item was block resolved

10.11 Indoor Court Facilities - Feasibility Planning Update No. 3

Moved: Cr Eden

Seconded: Cr Oxley

That Council:

1. Note the information within this report.
2. Continue to explore Commonwealth and State funding opportunities that support the development of indoor court facilities to meet sporting needs of Kingston residents in the medium to longer term.
3. Engage with Mordialloc College and the relevant state departments to progress high ball courts and bring a report back to Council detailing use, access, etc.
4. Authorise officers to commence detailed planning with respect to Courts at Mordialloc College and have a quantity surveyor prepare an accurate costing figure concurrently with point 3.

Amendment

Moved: Cr Bearsley

That Council:

1. Note the information within this report.
2. Continue to explore Commonwealth and State funding opportunities that support the development of indoor court facilities to meet sporting needs of Kingston residents in the medium to longer term.
3. Engage with Mordialloc College and the relevant state departments to progress high ball courts and officers prepare a report to Council detailing use, access, etc, and
4. Authorise officers to commence detailed planning with respect to Courts at Mordialloc College and have a quantity surveyor prepare an accurate costing figure concurrently with point 3.
5. Engage with Chelsea Basketball Association and the relevant state departments

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to progress high ball courts and officers prepare a report to Council detailing use, access, etc.

6. Authorise officers to commence detailed planning with respect to Courts at Bonbeach Reserve, and have a quantity surveyor prepare an accurate costing figure concurrently with point 5.

The Amendment was accepted by the Mover and Seconder

Note: It was requested by Cr Oxley and agreed to by the Chairperson that each parts 1 and 2; parts 3 and 4 and parts 5 and 6 of the Motion be put to the vote separately.

The Motion was resolved as follows:

Moved: Cr Eden

Seconded: Cr Oxley

That Council:

1. Note the information within this report.
2. Continue to explore Commonwealth and State funding opportunities that support the development of indoor court facilities to meet sporting needs of Kingston residents in the medium to longer term.

CARRIED

3. Engage with Mordialloc College and the relevant state departments to progress high ball courts and officers prepare a report to Council detailing use, access, etc.
4. Authorise officers to commence detailed planning with respect to Courts at Mordialloc College and have a quantity surveyor prepare an accurate costing figure concurrently with point 3.

CARRIED

5. Engage with Chelsea Basketball Association and the relevant state departments to progress high ball courts and officers prepare a report to Council detailing use, access, etc.
6. That Council authorise officers to commence detailed planning with respect to Courts at Bonbeach Reserve, and have a quantity surveyor prepare an accurate costing figure concurrently with point 5.

CARRIED

11. Corporate Services Reports

11.1 2018/19 Industrial Special Risks Insurance

RECOMMENDATION

That Council:

1. Enter into a three (3) year Long Term Agreement with Berkshire Hathaway Specialty Insurance (BHSI), in conjunction with XL Catlin Insurance Company Ltd (XL Catlin) for the provision of Industrial Special Risks (ISR) insurance, at a total year one cost of \$348,446.90 (including GST and all government charges);
2. Authorise the General Manager Corporate Services to enter the three (3) year Long Term Agreement immediately upon this item being resolved by Council; and
3. Authorise the General Manager Corporate Services or delegate to approve payment of any supplementary premiums incurred as a result of revaluation processes undertaken, or addition of new assets to Council's property portfolio during the period of the three (3) year Long Term Agreement.

Note: Refer to page 5 of the Minutes where this item was block resolved

11.2 Quick Response Grants

RECOMMENDATION

1. That Council approve the following grant applications:
 - Victorian Square Dancing Association - \$500.00
 - Acacia Avenue Preschool - \$1391.50
 - Arts Access Victoria - \$1000.00
 - Aspendale Tennis Club - \$1000.00
 - Clayton South Primary School - \$400.00
2. That Council not approve the following grant applications:
 - World Challenge Parkdale Secondary College
 - Shoal Court Owners' Corporation
3. That the application from the Unified Filipino Elderly Association be deferred until the July Ordinary Meeting of Council to allow officers to obtain further information.

Note: Refer to page 5 of the Minutes where this item was block resolved

11.3 Meeting Procedures Local Law Amendment

RECOMMENDATION

That Council:

1. Adopt the proposed Meeting Procedures (Amendment) Local Law as shown in Appendix 1 for consultation.
2. Authorise commencement of the statutory process for the making of the proposed Local Law, in accordance with Part 5 of the Local Government Act 1989 (the Act), by giving public notice of its intention to make the proposed Local Law and inviting submissions under section 223 of the Act; and
3. Determine to appoint a committee in accordance with section 223 of the Act, comprising of the Mayor Cr Staikos; Cr West and Cr Oxley to hear the submissions in relation to the proposed Local Law, at a meeting to be determined and to report to Council on these submissions.
4. In the event that no submissions are received, receive a report to adopt the Meeting Procedures (Amendment) Local Law.

Note: Refer to page 5 of the Minutes where this item was block resolved

11.4 Procurement Policy Update - Financial Year 2017/18

RECOMMENDATION

That Council adopt the unchanged Procurement Policy pursuant to the requirements of Section 186A of the *Local Government Act 1989*.

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

11.5 Adoption of Budget 2018/19

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council note that 18 formal submissions were received on the 2018/19 Budget for consideration prior to the adoption of the Budget and the declaration of rates and charges at the Ordinary Meeting of Council meeting on 25 June 2018.

That Council:

1. Adopt the 2018/19 Budget and statutory information (including fees and charges) as attached to this report and subject to:
2. In respect of Rates and Charges declare:
 - a) A differential rate for rateable land having the characteristics specified in the Schedules in Appendix A of the Budget document, which

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characteristics will form the criteria for each differential rate so declared:

- 8.1 General Land (refer to Schedule A)
- 8.2 Agricultural Land (refer to Schedule B)
- 8.3 Extractive and Landfill Land (refer to Schedule C);
- 8.4 Retirement Village Land (refer to Schedule D);
- 8.5 Residential Heritage Land (refer to Schedule E) and that the rate of (based on the cents in the dollar of Capital Improved Value set out below) be;

Category	Rate in the \$
General Land Rate	0.0018018
Agricultural Land	0.0014414
Extractive and Landfill Land Rate	0.0054054
Retirement Village Land	0.0016216
Residential Heritage Land	0.0016216

- b) A Municipal Charge of \$100 per rateable property; and
- c) Waste Service Charges as follows:

Service Choice A - 120 litre garbage, 240 litre recycling and 240 litre green waste bins including recovery of costs attributable to the State Government Landfill Levy	\$255
Service Choice B – 80 litre garbage, 240 litre recycling and 240 litre green waste bins including recovery of costs attributable to the State Government Landfill Levy	\$215
Service Choice C – 120 litre garbage, 240 litre recycling and 120 litre green waste bins including recovery of costs attributable to the State Government Landfill Levy	\$235
Service Choice D – 80 litre garbage, 240 litre recycling and 120 litre green waste bins including recovery of costs attributable to the State Government Landfill Levy	\$201
Service Choice E – 120 litre garbage and 240 litre recycling bins including recovery of costs attributable to the State Government Landfill Levy	\$190
Service Choice F – 80 litre garbage and 240 litre recycling bins including recovery of costs attributable to the State Government Landfill Levy	\$160
Service Choice G – 240 x 2 Share Garbage, 240 Recycle including recovery of costs attributable to the State Government Landfill Levy	\$150
Service Choice H – 240 x 3 Share Garbage, 240 Recycle including recovery of costs attributable to the State Government Landfill Levy	\$120
Service Choice I – 240 x 4 Share Garbage, 240 Recycle including recovery of costs	\$108

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attributable to the State Government Landfill Levy	
Service Choice P – 120 x 2 Share Garbage, 240 Recycle including recovery of costs attributable to the State Government Landfill Levy	\$108
Service Choice W – Additional 120 Green Waste Bin	\$48
Service Choice X – Additional 240 Green Waste Bin	\$60
Service Choice Y – Additional 240 Garbage Bin including recovery of costs attributable to the State Government Landfill Levy	\$148
Service Choice Z – Additional 120 Garbage Bin including recovery of costs attributable to the State Government Landfill Levy	\$139

3. Grant a waiver of \$100.00 of general rates for the property subject to the State Government Municipal Rates Concession in accordance with Section 171 of the Local Government Act 1989.
4. Determine to allow;
 - 4.1. in accordance with Section 167(1) and (2), payment of rates and charges by four approximately equal instalments paid on or before 30 September 2018, 30 November 2018, 28 February 2019 and 31 May 2019;
 - 4.2. in accordance with Section 167(2A) and (2B) payment of rates and charges by lump sum on or before 15 February 2019;
 - 4.3. payment of rates and charges by ten approximately equal direct debit payments from 1 September 2018 until 1 June 2019.
5. Determine that no incentive be declared for early payment of general rates, municipal charge and waste service charge.
6. Determine that the Chief Executive Officer of Council be authorised to give public notice of the adoption of the Budget and Statutory Information in accordance with Sections 130(2) of the Local Government Act 1989.
7. Requires any person to pay interest on any amounts of rates and charges which:
 - a. that person is liable to pay; and
 - b. have not been paid by the dates specified for their payment.
8. Determine that the interest for the 2018/19 rating year is to be calculated at the rate fixed under Section 2 of the Penalty Rate Act 1983 that is applicable at 1 July 2018 pursuant to Section 172(2) of the Local Government Act 1989 as amended by the Local Government (Further Amendment) Act 1997.
9. Determine that the Manager, Finance and Corporate Performance, be authorised to levy and recover the general rates, municipal charge and annual waste service charges in accordance with the Local Government Act 1989.
10. Having considered all submissions made in accordance with Sections 129 and 223 of the Local Government Act 1989 provide written responses to each of the submitters of the decision and the reasons as outlined in Section 3 of this report.

Amendment

Moved: Cr Eden

Seconded: Cr Bearsley

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That the recommendation be adopted subject to:

1. Bringing forward \$100,000 from future years to 18/19 to fund additional solar panel installations in the said budget.
2. Council funding in the budget all the works/items requested in the Aspendale Senior Citizens submission from its draft 2018/19 budget and report back any funding issues and options to Council's mid-year budget review.
3. Officers allocating funding from the 2018/19 budget to commence planning of the requested works from the Chelsea Yacht Club in their budget submission and to report back to Council with any funding issues and options in Council's mid-year budget review.

The Mover and Seconder accepted parts 2 and 3 of the Amendment

Part 1 of the Amendment was moved separately as the Amendment

The Amendment was put and CARRIED

The Amendment became the Motion

The Motion was put and CARRIED Unanimously

Note: In accordance with clause 28(5) of the Meeting Procedures Local Law, as parts 2 and 3 of the Amendment were accepted by the Mover and Seconder, such alteration is not regarded as an Amendment to the Motion.

The Resolution reads as follows:

That Council notes that 18 formal submissions were received on the 2018/19 Budget for consideration prior to the adoption of the Budget and the declaration of rates and charges at a Council meeting to be held on 25 June 2018.

That Council:

1. Adopt the 2018/19 Budget and statutory information (including fees and charges) as attached to this report subject to:
 - a) The inclusion of all the works/items requested in the Aspendale Senior Citizens submission from its draft 2018/19 budget submission and that officers report back any funding issues and options to Council's mid-year budget review.
 - b) The inclusion of funding in the 2018/19 budget to commence planning of the requested works from the Chelsea Yacht Club in their budget submission and that officers report back to Council with any funding issues and options in Council's mid-year budget review.
 - c) The inclusion of \$100,000 in the 2018/19 budget to fund additional solar panel installations in the said budget (brought forward from future years).
2. In respect of Rates and Charges declare:
 - a) A differential rate for rateable land having the characteristics specified in the Schedules in Appendix A of the Budget document, which characteristics will form the criteria for each differential rate so declared:

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- 8.1 General Land (refer to Schedule A)
- 8.2 Agricultural Land (refer to Schedule B)
- 8.3 Extractive and Landfill Land (refer to Schedule C);
- 8.4 Retirement Village Land (refer to Schedule D);
- 8.5 Residential Heritage Land (refer to Schedule E) and that the rate of (based on the cents in the dollar of Capital Improved Value set out below) be;

Category	Rate in the \$
General Land Rate	0.0018018
Agricultural Land	0.0014414
Extractive and Landfill Land Rate	0.0054054
Retirement Village Land	0.0016216
Residential Heritage Land	0.0016216

- b) A Municipal Charge of \$100 per rateable property; and
- c) Waste Service Charges as follows:

Service Choice A - 120 litre garbage, 240 litre recycling and 240 litre green waste bins including recovery of costs attributable to the State Government Landfill Levy	\$255
Service Choice B – 80 litre garbage, 240 litre recycling and 240 litre green waste bins including recovery of costs attributable to the State Government Landfill Levy	\$215
Service Choice C – 120 litre garbage, 240 litre recycling and 120 litre green waste bins including recovery of costs attributable to the State Government Landfill Levy	\$235
Service Choice D – 80 litre garbage, 240 litre recycling and 120 litre green waste bins including recovery of costs attributable to the State Government Landfill Levy	\$201
Service Choice E – 120 litre garbage and 240 litre recycling bins including recovery of costs attributable to the State Government Landfill Levy	\$190
Service Choice F – 80 litre garbage and 240 litre recycling bins including recovery of costs attributable to the State Government Landfill Levy	\$160
Service Choice G – 240 x 2 Share Garbage, 240 Recycle including recovery of costs attributable to the State Government Landfill Levy	\$150
Service Choice H – 240 x 3 Share Garbage, 240 Recycle including recovery of costs attributable to the State Government Landfill Levy	\$120
Service Choice I – 240 x 4 Share Garbage, 240 Recycle including recovery of costs	\$108

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attributable to the State Government Landfill Levy	
Service Choice P – 120 x 2 Share Garbage, 240 Recycle including recovery of costs attributable to the State Government Landfill Levy	\$108
Service Choice W – Additional 120 Green Waste Bin	\$48
Service Choice X – Additional 240 Green Waste Bin	\$60
Service Choice Y – Additional 240 Garbage Bin including recovery of costs attributable to the State Government Landfill Levy	\$148
Service Choice Z – Additional 120 Garbage Bin including recovery of costs attributable to the State Government Landfill Levy	\$139

3. Grant a waiver of \$100.00 of general rates for the property subject to the State Government Municipal Rates Concession in accordance with Section 171 of the Local Government Act 1989.
4. Determine to allow;
 - 4.1. in accordance with Section 167(1) and (2), payment of rates and charges by four approximately equal instalments paid on or before 30 September 2018, 30 November 2018, 28 February 2019 and 31 May 2019;
 - 4.2. in accordance with Section 167(2A) and (2B) payment of rates and charges by lump sum on or before 15 February 2019;
 - 4.3. payment of rates and charges by ten approximately equal direct debit payments from 1 September 2018 until 1 June 2019.
5. Determine that no incentive be declared for early payment of general rates, municipal charge and waste service charge.
6. Determine that the Chief Executive Officer of Council be authorised to give public notice of the adoption of the Budget and Statutory Information in accordance with Sections 130(2) of the Local Government Act 1989.
7. Requires any person to pay interest on any amounts of rates and charges which:
 - a. that person is liable to pay; and
 - b. have not been paid by the dates specified for their payment.
8. Determine that the interest for the 2018/19 rating year is to be calculated at the rate fixed under Section 2 of the Penalty Rate Act 1983 that is applicable at 1 July 2018 pursuant to Section 172(2) of the Local Government Act 1989 as amended by the Local Government (Further Amendment) Act 1997.
9. Determine that the Manager, Finance and Corporate Performance, be authorised to levy and recover the general rates, municipal charge and annual waste service charges in accordance with the Local Government Act 1989.
10. Having considered all submissions made in accordance with Sections 129 and 223 of the Local Government Act 1989 provide written responses to each of the submitters of the decision and the reasons as outlined in Section 3 of this report.

11.6 Assembly of Councillors Record Report

RECOMMENDATION

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

Note: Refer to page 5 of the Minutes where this item was block resolved

12. Notices of Motion

12.1 Notice of Motion No. 20/2018 - Cr Hua - Impact of Multi-Unit Developments on Parking

Moved: Cr Hua

Seconded: Cr Oxley

That the officers prepare a report on the impact of multi-units development on street parking, local traffic and emergency services. In addition, the report shall also include policy recommendation on:

1. Improved car parking requirement to be incorporated into future Kingston Planning Scheme;
2. Policy for street parking restriction for those streets that jammed with units development;
3. That Council advocate to the State Government for changes to the Planning Scheme to ensure Mandatory Parking requirements in areas of most need.
4. Other measures we could put in place to solve these problems.

Cr Oxley WITHDREW as Seconder of the Motion

Cr Staikos left the meeting at 9:32pm.

The Deputy Mayor assumed the Chair for part of Item 12.1.

Cr Staikos returned to the meeting at 9.35pm.

Cr Barth left the meeting at 9.32pm and did not return.

Cr Gledhill left the meeting at 9.40pm.

Cr Gledhill returned to the meeting at 9.41pm.

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Moved: Cr Hua

Seconded: Cr West

That the officers prepare a report on the impact of multi-unit development on street parking, local traffic and emergency services. Further that the report also include policy recommendation on:

1. Improved car parking requirements to be incorporated into future Kingston Planning Scheme;
2. Policy for street parking restrictions for those streets that are jammed with unit development;
3. That Council advocate to the State Government for changes to the Planning Scheme to ensure Mandatory Parking requirements in areas of most need.
4. Other measures that could be put in place to solve these problems.

CARRIED

5. That officers request Council's traffic consultant to consider these issues as part of the Parking Study and that a report on the estimated cost of the extra consultancy be reported back to Councillors at a Councillor Information Session.

CARRIED

Note: It was requested by Cr Gledhill and agreed to by the Chairperson that parts 1-4 and part 5 of the Motion be put to the vote separately.

Procedural Motion

Moved: Cr Bearsley

Seconded: Cr Hua

That the meeting be extended to 10.30pm.

CARRIED

13. Urgent Business

There were no items of urgent business.

14. Confidential Items

Moved: Cr Oxley

Seconded: Cr Gledhill

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 Notice of Motion No. 13/2018 - Cr West - Engagement of Lawyers

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)

14.2 Open Space Opportunity - Moorabbin Activity Centre

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

Confidential Appendices

**9.1 CON18/9 – Establishment of Specialist Sports Lighting Contractor Panel
Appendix 1, Con 18-09 Sports lighting panel - tender evaluation matrix - June 2018**

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

**9.2 CON18/28 - Planning For Emergencies in Buildings
Appendix 1, Con 18-28 Confidential Tender Evaluation Matrix**

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

**9.3 CON17/88 - Essential Safety Measures
Appendix 2, CON-17/88 - Essential Safety Measures ESM - Outcome of Initial Short-listing**

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

**9.3 CON17/88 - Essential Safety Measures
Appendix 3, CON-17/88 - Essential Safety Measures ESM - Final Assessment Post Interview**

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

**9.3 CON17/88 - Essential Safety Measures
Appendix 4, CON 17-88 Evaluation Summary Comments**

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

**9.7 Redevelopment of Parkdale Yacht Club
Appendix 2, Parkdale Yacht Club QS estimate**

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

11.1 2018/19 Industrial Special Risks Insurance

Appendix 1, CON-18/48 - 2018/19 ISR Insurance - Tender Evaluation Report

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 9.58pm.

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr Gledhill

That the meeting be opened to members of the public

CARRIED

The meeting was opened to members of the public at 10.01pm.

The meeting closed at 10.01pm.

Confirmed.....

The Mayor 23 July 2018