

Minutes

Ordinary Meeting of Council

Monday, 26th August 2019

**City of Kingston
Ordinary Meeting of Council**

Minutes

26 August 2019

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**City of Kingston
Ordinary Meeting of Council**

Minutes

26 August 2019

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
Cr Rosemary West OAM

In Attendance: Julie Reid, 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
Tracey Cheeseman, Program Leader Strategic Communications & Engagement
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 Brownlees

That the Minutes of the Ordinary Meeting of Council held on 22 July 2019 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.

4. Petitions

There were no petitions tabled.

5. Presentation of Awards

There were no awards presented.

**City of Kingston
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6. Reports from Delegates Appointed by Council to Various Organisations

Cr West reported on attending the MAV Environment Advisory Group meeting.

Moved: Cr Bearsley

Seconded: Cr Barth

That the delegate's report be received.

CARRIED

7. Question Time

Question Time was held at 8.04pm. Refer to page 13 of the Minutes.

Block Resolution

Moved: Cr Gledhill

Seconded: Cr Brownlees

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

- 8.1 Footpath Activities Policy
- 8.3 Elster Creek Catchment Flood Management Plan
- 8.4 Mentone Level Crossing Removal - Heritage Victoria Permit Application Submission
- 9.2 Refurbishment of Former Masonic Lodge - Award of Contract
- 10.1 Outdoor Velodrome, Edithvale Recreation Reserve
- 10.3 Response to Notice of Motion No. 38/2019 - Cr Gledhill - Traffic and Parking - Nepean Highway, Parkdale
- 10.5 Response to Notice of Motion No. 5/2018 - Cr. Staikos - Kingston City Hall Masterplan - Stage 2
- 10.6 Response to Notice of Motion No. 15/2016 - Cr Brownlees - Planning Policy (Parking and Rear Setbacks) and to Notice of Motion No. 20/2018 Cr Hua - Impact of Multi-Unit Development on Parking
- 10.8 Response to Notice of Motion 26/2019 - Cr Gledhill - Recycling Program
- 10.9 South East Melbourne Advanced Waste Resource Recovery Facility
- 11.1 Adoption of the Annual Statements to 30 June 2019
- 11.2 Quick Response Grants
- 11.3 Appointment and Authorisation of Officers under the Planning and Environment Act 1987
- 11.4 Assembly of Councillors Record Report

CARRIED

8. Planning and Development Reports

8.1 Footpath Activities Policy

RECOMMENDATION

That Council:

1. Note the pre-engagement findings regarding cooking on the footpath.
2. Endorse the draft Footpath Activities Policy for public exhibition with a further report to be brought to Council at the conclusion of the exhibition period for consideration of the feedback received and consideration of the final Policy.

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

8.2 C180 - Hawthorn Football Club Proposed Amendment and Planning Permit

Moved: Cr Staikos

Seconded: Cr Gledhill

That Council:

1. Request authorisation from the Minister for Planning to prepare combined Planning Scheme Amendment C180 (Hawthorn Football Club) and Planning Permit KP-2019/359 in accordance with the *Planning and Environment Act 1987*.
2. Exhibit Amendment C180 to the Kingston Planning Scheme and Draft Planning Permit KP-2019/359 in accordance with the *Planning and Environment Act 1987* should authorisation be granted by the Minister for Planning to prepare the amendment.
3. Receive a further report following the close of the exhibition period.

Amendment

Moved: Cr West

That Council:

1. Request authorisation from the Minister for Planning to prepare combined Planning Scheme Amendment C180 (Hawthorn Football Club) and Planning Permit KP-2019/359 in accordance with the *Planning and Environment Act 1987* subject to the following amendments;
 - a. Delete any provision for doctors to treat outside patients at the medical centre, particularly since they are proposing to have 12 doctors treating patients during normal business hours for six days a week.
 - b. Require the access points described at 1(k) to be linked to the shared use path shown on the map and to also be accessible for equestrians.
 - c. Re the indoor recreation facility, which is prohibited in the Green Wedge and is sought here as a measure of support for the community, delete the administration offices and meeting rooms and media rooms which are in no way ancillary uses to this prohibited use.
 - d. Delete the proposed exemption for advertising signage from the

- requirement for planning permits or from prohibition in the Green Wedge.
- e. Delete the 'short stay' residential facility, which for 30 places and 120 days per stay means players could be living there for most if not all of the season.
 - f. Delete any provision to increase parking.
2. Exhibit Amendment C180 to the Kingston Planning Scheme and Draft Planning Permit KP-2019/359 in accordance with the *Planning and Environment Act 1987* should authorisation be granted by the Minister for Planning to prepare the amendment.
 3. Receive a further report following the close of the exhibition period.

**The Amendment LAPSED for want of a Seconder
The Substantive Motion was put and CARRIED**

8.3 Elster Creek Catchment Flood Management Plan

RECOMMENDATION

That Council:

1. Endorse the Elster Creek Catchment Flood Management Plan 2019 – 2024 (Appendix 1).
2. Authorise the Chief Executive Officer to sign the Elster Creek Catchment Memorandum of Understanding (Appendix 2) on behalf of the City of Kingston.

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

8.4 Mentone Level Crossing Removal - Heritage Victoria Permit Application Submission

RECOMMENDATION

That Council:

1. Endorse the attached submission to Heritage Victoria in relation the Heritage Victoria Permit application submitted by the Level Crossing Removal Project for works associated with the Balcombe Road Level Crossing Removal in Mentone.
2. Formally lodge the submission with the Executive Director, Heritage Victoria.

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

7. Community Sustainability Reports

9.1 2019 Youth Awards Nominations

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr Bearsley

That consideration of this item be deferred to the part of the meeting closed to the public.

CARRIED

9.2 Refurbishment of Former Masonic Lodge - Award of Contract

RECOMMENDATION

That Council:

1. Receive the information and note the outcome of the tender assessment process for Contract 19/68 – Refurbishment of the former Mordialloc Masonic Lodge, as set out in the confidential appendices attached to this report.
2. Award Contract 19/68 – for the refurbishment of the former Mordialloc Masonic Lodge for the final adjusted fixed lump sum price of \$1,995,622.00 (exclusive of GST) to Bowden Corporation Pty Ltd.
3. Approve the allocation of a separate contingency allocation, as set out in the attached confidential appendix and delegate authority to the CEO, or nominee, to expend this allowance to ensure the successful completion of the project.
4. Bring forward \$650K to the 2019/20 Capital Budget from the 2020/21 Building Facilities National Allocation Budget.

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

10. City Assets and Environment Reports

10.1 Outdoor Velodrome, Edithvale Recreation Reserve

RECOMMENDATION

That Council:

1. Endorse Option 3 – Crack Sealing, at an estimated cost of \$85-100,000 funded from the 2019/20 Road Infrastructure Renewal program budget, as the preferred immediate works option;
2. Develop an Asset Management Plan, inclusive of maintenance schedule and life cycle analysis, to assess the future viability of the velodrome; and
3. Investigate the development of a criterium circuit at an alternative site, such as the Delta Site, as a long-term response to the demand for competition cycling in Kingston.

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

10.2 Response to Notice of Motion No. 29/2019 - Waste and Debris - Mordialloc Creek

Moved: Cr Gledhill

Seconded: Cr Bearsley

1. That Council write to Tim Richardson MP to seek written clarification on Victorian State Government's roles and responsibilities specifically related to the management and reduction of pollutants within State controlled creeks and waterways.
2. That Council Officers:
 - (i) Liaise with government departments to advocate for the implementation of measures that will reduce the volume of pollutants, such as litter and silt, flowing into Mordialloc Creek, as outlined under option 1;
 - (ii) Write to Melbourne Water to seek their commitment and time frame to construct a wetland along Mordialloc Creek on the east side of Boundary Road as outlined under option 2;
 - (iii) Investigate the benefits of establishing a central system where the community could report pollution along Mordialloc Creek so that this information could be collected, collated and sent to the responsible authority to take appropriate action as outlined under option 3; and
 - (iv) Undertake a review of a range of improvements to capture and reduce the volume of pollutants, as part of the next version of the Kingston Integrated Water Cycle Strategy, as outlined under option 4.
 - (v) Provide a monthly update at a Councillor Information Session briefing on the progress of this matter.

CARRIED

10.3 Response to Notice of Motion No. 38/2019 - Cr Gledhill - Traffic and Parking - Nepean Highway, Parkdale

RECOMMENDATION

That Council:

1. Upgrade the intersection of Nepean Highway and Fifth Street, Parkdale to improve the intersection operation in the 2020/2021 capital works budget;
2. Consult with the affected residents on a proposed interim speed hump/cushion in the Nepean Highway service road north of Fifth Street;
3. As an interim measure erect 'no stopping' signs along the Nepean Highway service road near Sixth, Fifth and Fourth Street intersections where parking is prohibited due to the width of the road; and
4. Write to residents living at the eastern ends of Sixth, Fifth and Fourth Streets Parkdale to only park on one side of these streets due to the narrow road width.

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

10.4 Formation of a Section 223 Committee Proposed Discontinuance and Sale of Road Golden Lane

Moved: Cr Eden

Seconded: Cr Bearsley

1. That Council appoint a committee in accordance with section 223 of the Local Government Act 1989
2. That the committee comprise Councillors Oxley, Eden and Bearsley, the General Manager City Assets and Environment and Manager Property and Arts.
3. That the section 223 Committee convene at 5.00 pm on Monday 7 October 2019 to hear submissions and subsequently report to Council.

CARRIED

10.5 Response to Notice of Motion No. 5/2018 - Cr. Staikos - Kingston City Hall Masterplan - Stage 2

RECOMMENDATION

That Council:

1. Note the report and actions to date and the revised timeline;
2. Receive a preliminary report in October 2019 on indicative costs to enable potential funding opportunities to be explored; and
3. Receive a report at the Ordinary Meeting of Council 9 December 2019, on the Draft Stage 2 Master Plan that details resource, functionality, user and timing implications for consideration.

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

10.6 Response to Notice of Motion No. 15/2016 - Cr Brownlees - Planning Policy (Parking and Rear Setbacks) and to Notice of Motion No. 20/2018 Cr Hua - Impact of Multi-Unit Development on Parking

RECOMMENDATION

That Council:

1. Receive feedback on results of public consultation regarding an application to the State Government to amend the Planning Scheme.
2. Not proceed with the Planning Scheme Amendment process to manage residential parking and pursue alternative ways to achieve similar outcomes.

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

10.7 Review of Sandbelt Open Space Project Development Plan

Moved: Cr Staikos

Seconded: Cr West

That Council:

1. Approve the submission to the State Government's review of the Sandbelt Open Space Project Development Plan (Appendix 1); subject to the following changes
 - a. Page 1, 2nd paragraph 5th line: replace the word 'identified' with '*to identify.*'
 - b. 3rd paragraph, replace the final sentence
 - "the properties within the overlay to the east of Clayton Road";
 - *the land and infrastructure needed for the Chain of Parks Trail*
 - *to cross the Dingley Bypass and to link with Caruana Reserve and the Springs Road parkland and to Braeside Park (the original Chain of Parks Trail route);*
 - *to link with the shared path down the Mordialloc Freeway to link with Dingley Village and Braeside Park.*
 - c. 3rd paragraph replace *layer* with *overlays*.
 - d. Page 2, first paragraph, third line: replace '*and as much as possible minimise its impact*' with '*without impacting*' on the Chain of Parks.
 - e. Page 2, delete the second paragraph
2. Receive a further report on the draft Chain of Parks trail plans (Appendices 2 to 8) for further consideration following community consultation.

CARRIED

10.8 Response to Notice of Motion 26/2019 - Cr Gledhill - Recycling Program

RECOMMENDATION

That Council:

1. Maintain an individual contract with at least one Material Recycling Facility operator until June 30th 2021. This recognises that there are no collaborative contract options available to Council at present.
2. Participate in further engagement with State Government and continue to remain involved in the collaborative procurement process for collection and processing of large scale recycling contracts.
3. Advocate to State Government for the implementation of a Container Deposit Scheme to assist in dealing with the environmental problems created through

the use of hard plastic waste.

4. Advocate to State Government the requirement for Circular Economy principles to be prioritised and adopted for all stages of the recycling industry, including the use of recycled products through procurement policy, ensuring local industries exist to utilise the volumes of recycled material produced and that recycled products can compete for market share.
5. Increase awareness and provide further education to the broader community regarding the collective and individual responsibilities in the recycling process.
6. Write to State Government requesting further transparency in Landfill Levy Collections and increase the disbursement of funding back to Council's for dealing with any non-recoverable increases in recycling costs.
7. Receive a report on the City of Yarra and Macedon Ranges Shire implementation of a fourth kerbside collection bin for glass products.

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

10.9 South East Melbourne Advanced Waste Resource Recovery Facility

RECOMMENDATION

That Council:

1. Authorise the Chief Executive Officer or their delegate to execute a Management Deed agreement to continue its participation in the Advanced Waste Resource Recovery Facility.
2. Receive a further report that gives consideration to its continuation in the collaborative process prior to commencing tender phase.

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

11. Corporate Services Reports

11.1 Adoption of the Annual Statements to 30 June 2019

RECOMMENDATION

That Council:

1. Note the recommendation from Council's Audit Committee;
2. Adopt the 2018/19 Annual Performance Statement and Annual Financial Report (Annual Statements) as Council's "in principle" statements for 2018/19;
3. Authorise Cr Oxley (Mayor), Cr Gledhill and Julie Reid (Chief Executive Officer) to sign the final audited 2018/19 Annual Statements; and
4. Authorise Cr Oxley (Mayor) and Julie Reid (Chief Executive Officer) to sign the Governance and Management Checklist.

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:

- Cheltenham Chinese Cultural Group C/- Southern Community Church of Christ - \$200.00
- Oakleigh Coptic Senior Social Club - \$500.00
- Dingley Primary School - \$250.00

That Council not approve the following grant applications:

- Citizen Theatre
- Horn of Africa Welfare and Development

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

11.3 Appointment and Authorisation of Officers under the Planning and Environment Act 1987

RECOMMENDATION

1. That Council, in the exercise of the powers conferred by s 224 of the *Local Government Act 1989* and by s147(4) of the *Planning and Environment Act 1987*, resolves that Gavin Davies, Luisa Makris, Ceinwyn Jane Ubrihien and Madeleine Grant be appointed and authorised as set out in the attached Instruments of Appointment and Authorisation.
2. Each Instrument comes into force immediately on resolution and remains in force until such time as the officer is no longer employed, contracted or otherwise engaged to undertake the duties on behalf of Kingston City Council, unless varied or revoked earlier.

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

11.4 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.

12. Notices of Motion

12.1 Notice of Motion No. 40/2019 - Cr Gledhill - Level Crossing Funding

Moved: Cr Gledhill

Seconded: Cr Brownlees

1. That Council review its decision to provide a financial contribution to the Level Crossing Removal Projects at either Cheltenham or Mentone.

CARRIED

2. That Council write to the Minister to express our concerns and request a meeting with the Minister to discuss such concerns at both Cheltenham and Mentone as a result of the Level Crossing Removal Works, specifically parking concerns.

CARRIED

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

Question Time

Cr Staikos left the meeting at 8:12pm.

Cr Staikos returned to the meeting at 8:12pm.

Michael Hall of Cheltenham asked,

1. *“How many submissions were received regarding the new residential zones?”*
2. *“What is the Council’s timelines for a response and would there be any amendments to the proposed zones?”*
3. *“Will you still accept submissions from affected parties?”*

The General Manager Planning and Development provided the following responses,

1. *“There were 1485 submissions and 612 surveys completed.*
2. *Submissions are being tallied to provide to Councillors shortly. Officers are hoping to provide a further report to Council later this year seeking its direction.*
3. *Submissions have closed by there will be another opportunity provided at a future Planning Scheme Amendment stage.”*

Michael Hall of Cheltenham asked,

“The Housing Strategy has been designed around activity centres. What background research has been done to ascertain infrastructure capacity and general sustainability of these areas. Has VicRoads been consulted in regard to long term strategic planning? Has CitiPower and South East Water provided any input?”

The General Manager Planning and Development provided the following response,

“The background research that has been undertaken includes urban design, engineering and related Council Strategies. Work has been referred to VicRoads and officers will advise Mr Hall on whether CitiPower and South East Water have provided input.”

Michael Hall of Cheltenham asked,

“At the most recent Ward Meeting it was tabled that Bayside Council had managed to get a General Residential Overlay. Council has always stated that the reason for residential zone changes in Cheltenham is due to State Government enforcing increased density. Why are these changes unique to Kingston? Why doesn't Council take responsibility in determining what is best for Kingston?”

The General Manager Planning and Development provided the following response,

“The changes are not unique to Kingston. Council has been consulting how growth is managed in the City of Kingston. Consultation is under further review by Councillors. Kingston will then seek to advance a Planning Scheme Amendment for further community consultation.”

Robyn Daley of Mentone asked,

“How many submissions have been received regarding zoning? In light of the number of submissions what is the timeline on finalising the rezoning? Given a large number of ratepayers still are unaware of rezoning, can more information go out similar to information bulleting that came last week, addressed to us personally listing clearly what is going on? When is a traffic plan being implemented on reopening Como Parade/Mentone Parade Junction? Is there a finish date?”

The General Manager Planning and Development provided the following response,

“The number of submissions received was answered in the earlier response to Mr Hall. We are not aware of the bulletin referred to but Council did write to everyone and included the consultation process. Road resurfacing works are scheduled to be undertaken in September with asphaltting and major civil infrastructure works to occur overnight to minimise trader disruption. The works will be completed by the end of September.”

Clare McPhee of Chelsea asked,

“I bring to your attention non-compliance to the landscape plan at 70 Ella Grove, Chelsea.. in particular the understorey. Council approved landscape plan required 12 species of indigenous/native plants to be provided...200 plants. From street view, some of the species are non-existent, others merely token gesture. The front setback is full of 12 different varieties of succulents...30 in total. Two species are aborescent one species an environmental weed. These numerous succulents will outgrow, suppress and possibly lead to the death of the native species. This is biodiversity going backwards. When will Council instruct full compliance and removal of succulents? Adversely, if you have, or intend to grant an amendment to allow these succulents to remain, please details to me your reasoning, bearing in mind, one is an Ag. Vic. Weed.”

The General Manager City Assets and Environment provided the following response,

“I thank Ms McPhee for her question. Council officers will undertake a review of the site at 70 Ella Grove, Chelsea to examine its compliance with the approved Landscape Plan.”

Clare McPhee of Chelsea asked,

“As per your response letter dated 2 July 2019, I did not receive a response to the following two requests in my Draft Budget 2019 Submission:

- 1. Request Council to create public open space in the acknowledged deleted area on the Edithvale/Chelsea border.. please respond.*
- 2. Request Council to increase resources to undertake and implement an increase in street tree planting...please respond.*

The General Manager Corporate Services provided the following response,

“Further information will be provided to Ms McPhee to correct the oversight on these two requests.”

Ron Gordon of Mentone asked,

“In relation to Item 10.4 from 22 July 2019 relating to the response to Notice of Motion 23/2019 – Mentone Traffic Movements, it was announced on Friday 23 August 2019 that the right hand turn from Como Parade West into Mentone Parade will be reinstated along with implementing a T-intersection at Mentone Parade and Florence Street:

- 1. Can this be confirmed as correct?*
- 2. Can a commencement and completion date be provided for these much anticipated works please?*
- 3. And can Council outline what its preferred process will be to accept submissions on returning the left hand turn from Como Parade West into Mentone Parade to further relieve the amount of traffic using Commercial Road?*

The General Manager City Assets and Environment provided the following responses,

- 1. This is correct;*
- 2. Works will be completed in September, commencement is scheduled with asphalt supply and Public Transport Victoria requirements for bus interruptions, date to be confirmed with Mr Gordon once finalised but at this stage it is anticipated for the week commencing 19 September; and*
- 3. Officers will continue to monitor traffic movements following these changes and welcome direct feedback to our Traffic and Transport team.*

Ron Gordon of Mentone asked,

“In relation to Agenda Item 10.4 from 22 July 2019 relating to the response to Notice of Motion 23/2019 – Mentone Traffic Movements, it was announced on Friday 23 August 2019 that the right hand turn from Como Parade West into Mentone Parade will be reinstated along with implementing a T-intersection at Mentone Parade and Florence Street to reinstate sensible traffic flow to the centre of Mentone.

- 1. Can Council publicly thank the residents of Commercial Road, Mentone on behalf of everyone who lives in and uses Mentone for their generosity in having their residential street overused during the extended period of time that the unrealistic traffic changes were imposed on the centre of Mentone?*

The General Manager City Assets and Environment provided the following response,

“This has been an evolving issue and we are well aware of the impact on residents and we expect that the changes that were supported by the Council at the last Ordinary Meeting of Council will greatly relieve the impact on residents in Commercial Road.”

Stephen Calvert-Smith of Parkdale asked,

“Is Council aware that the traffic situation on Balcombe Road where it approaches the railway line in a westerly direction is extremely frustrating because:

- 1. There are no lane markings on Balcombe Road where it approaches Swanston Street in a westerly direction.*
- 2. There is perpetual conflict between Swanson Street and the railway line where two lanes of west-bound traffic are attempting to squeeze into one – a distance of just 50 metres.*
- 3. Since most of this traffic wants to continue in a westerly direction, they must decide between changing lanes from left to right and jumping the queue or risk getting stuck behind an unseen right-turning blinker.”*

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.

Stephen Calvert-Smith of Parkdale asked,

“Is Council aware that:

- a. A simple solution to this would be to mark the right lane where it approaches Swanston Street as mandatory right-turning*
- b. A longer term solution would be to install a roundabout to replace the traffic lights*

Will Council commit to either of these solutions?”

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.

12.2 Notice of Motion No. 41/2019 - Cr Gledhill - Baytrail Works Over Summer

Moved: Cr Gledhill

Seconded: Cr Brownlees

That Council receive a report at the September Ordinary Meeting of Council on the implementation of construction works for the Bay Trail, giving consideration to:

- Impact on users of the foreshore, roadway, beach access, club activities, carparks
- Construction methodology
- Financial impacts of delaying works
- Construction impacts of delaying work
- Communications Plan

CARRIED

12.3 Notice of Motion No. 42/2019 - Cr West - LXP Tree Removals and Failure to Replace Parking Spaces

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Expresses deepest concern to the Level Crossings Removal Authority and the State Government for:
 - Failing to honour their undertaking to the communities of Mentone and Parkdale to ensure no net loss of parking facilities for Mentone and Cheltenham Stations;
 - Arbitrarily ordering the removal of hundreds of mature trees, including the flowering gums opposite Mentone Grammar, to make way for parking and other purposes.

CARRIED

2. Respectfully ask the State Government to direct the LXP to:
 - immediately cease the removal of trees pending discussions with Council on alternative means of providing adequate parking;
 - Not remove any more trees than is necessary for the rail under road trench construction for the level crossing north or south of Mordialloc Creek.
 - Note that Council has offered LXP the use of the Kingston Heath Reserve carpark for their staff and construction vehicles during construction.
 - Note that the paved parking LXP is providing alongside the railway line between Mentone and Parkdale does not provide extra or replacement parking as residents were already parking there.

CARRIED

3. Council officers will urgently consult with residents about removing the four-hour parking restrictions from one side of the roads south of Cheltenham Activity Centre that currently have restrictions on both sides of the road in order to provide more all day parking and prepare a report as soon as possible.

CARRIED on the casting vote of the Chairperson

4. Consider engaging in negotiations for a land-swap to enable LXP to construct their promised multi-deck car park on current Council-owned land behind the Mentone shops, as an alternative to their original proposed location on the downside railway carpark, which should transfer to Council ownership, with an officer report to be provided before any final decision is made.

LOST

Cr Staikos left the meeting at 8:43pm

Cr Staikos returned to the meeting at 9:00pm

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

12.4 Notice of Motion No. 43/2019 - Cr Gledhill - CCTV Code of Practice

Moved: Cr Gledhill

Seconded: Cr Bearsley

That officers provide a report outlining exactly how the City of Kingston Public and Corporate CCTV Systems Program Code of Practice is going to be implemented for organisations that currently monitor the public spaces surrounding their facility. The report should specifically address who will be responsible for the security of each location within Kingston.

Further that the report should be available within the September cycle.

CARRIED

8. Urgent Business

Moved: Cr Oxley

Seconded: Cr Staikos

That an item of urgent business be considered in the meeting closed to the public in relation to the financial hardship of ratepayer/s.

CARRIED

9. Confidential Items

Moved: Cr Gledhill

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:

Urgent Business Item – Financial Hardship of Ratepayer/s

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to personnel matters (s89 2b)

9.1 2019 Youth Awards Nominations

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to personnel matters (s89 2h)

14.1 Final Report to Council: CEO Appointment

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to personnel matters (s89 2a)

14.2 Recycling Contractual Update

This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to contractual matters (s89 2d)

14.3 Notice of Motion No. 44/2019 - Cr West - Heritage Protection for Boatworks Shed on Pompei Landing

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

- 9.2 Refurbishment of Former Masonic Lodge - Award of Contract
Appendix 1, Tender Evaluation Matrix**
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)
- 9.2 Refurbishment of Former Masonic Lodge - Award of Contract
Appendix 2, Tender Breakdown**
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)
- 10.6 Response to Notice of Motion No. 15/2016 - Cr Brownlees - Planning Policy
(Parking and Rear Setbacks) and to Notice of Motion No. 20/2018 Cr Hua -
Impact of Multi-Unit Development on Parking
Appendix 2, Car Parking Overlay - Legal Advice**
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2f)
- 10.9 South East Melbourne Advanced Waste Resource Recovery Facility
Appendix 1, SE Metro Advanced Waste Processing Procurement - Management
Deed**
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d,f)
- 10.9 South East Melbourne Advanced Waste Resource Recovery Facility
Appendix 2, Maddocks review - AWART Management Deed**
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 9.04pm.

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Eden

That the meeting be opened to members of the public

CARRIED

The meeting was opened to members of the public at 9.42pm.

The meeting closed at 9.42pm.

Confirmed.....

The Mayor 23 September 2019