

# Minutes

## Ordinary Meeting of Council

**Monday, 26th March 2018**



City of  
**KINGSTON**

*community inspired leadership*

**City of Kingston  
Ordinary Meeting of Council**

**Minutes**

**26 March 2018**

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The meeting commenced at 7.06pm 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  
Megan O'Halloran, Manager Communications & Community Relations  
Phil De Losa, Manager Governance  
Jaclyn Murdoch, Team Leader - Planning Appeals and Compliance  
Tracey Cheeseman, Media Advisor  
Joanne Creedon, 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 Oxley**

**Seconded: Cr Bearsley**

That the Minutes of the Ordinary Meeting of Council held on 26 February 2018 and the Special Meeting of Council held on 13 March 2018 be confirmed.

**CARRIED**

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

Cr Hua foreshadowed a declaration of a conflict of interest in Item 8.3 KP17/705 - 1448 Centre Road Clayton South.

John Nevins, Chief Executive Officer foreshadowed a declaration of a conflict of interest in Item 14.1 2016/17 CEO Performance Review.

**4. Petitions**

**Farm Road Preschool Pedestrian Crossing**

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That the petition be referred to the CEO for response and consultation with concerned residents be undertaken.

**CARRIED**

**5. Presentation of Awards**

**Presentation of Customer Commitment from Community Panel**

Mick Booth a member of the Customer Service Charter Community Panel addressed Councillors in regard to the group's participation in the Community Panel workshop sessions where the group discussed the complex issues, shared ideas, and made recommendations to Council on how it can reach its goal of improved customer service.

Mr Booth presented the Mayor with the Community Panel's recommendations.

The Mayor Cr Staikos thanked the Community Panel for their commitment and contributions to the Customer Service Charter development process.

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

Cr West reported on her attendance at the March 2018 Metropolitan Transport Forum.

The main speaker at the Forum was Jeremy Hanlin from Active Transport Victoria who presented on the Victorian Bicycle Strategy: 2018 – 2028.

Mr Hanlin reported that bicycle are now 2% of all trips – the same as trams and further reported from a survey that:

- 1% of people will ride whatever;
- 7% are enthusiastic – like the new bike lanes
- 33% won't cycle at all
- 60% can be enticed to cycle but need encouragement.

Mr Hanlin also mentioned that;

- TAC & VicRoads have been allocated \$100 million for bike paths, but most has not been spent.
- Decision-making on such matters should give priority to the most vulnerable – children and seniors – and least to those who can do the most damage i.e. drivers
- A need to mandate 'a metre matters' . a 12 months campaign here but in other states it is mandated. This means drivers don't drive closer than a metre

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Cr West mentioned the trouble Kingston is having with the Bay Trail and asked about the impact of narrowing the road and what research was available.

Bicycle Network said in their June submission to Council: *"Some people believe that very wide lanes are safer than standard lanes ... Research has shown ... this is not the case. Throughout Melbourne and ... across the world many roads are being trimmed of their excessive width to make them safer, forcing drivers to slow and take care in the more constrained environment."*

Mr Hanlin said there is a wealth of information regarding the safety benefits of narrowing and perceived narrowing of roads to standard widths and that it has been shown to slow down traffic speeds by about 8kph and that's what the "Towards Zero " campaign is about, i.e. towards zero road deaths.

Cr West replied, "so given that our Bay Trail project is designed to encourage the 60% of cyclists who could be enticed with encouragement to cycle, and given that the main beneficiaries will be the vulnerable children and seniors who will be able to safely use the Bay Trail, should Kingston put up our hands for a share of the \$100m?"

Mr Hanlin said, "well maybe, and I think he had heard about our Bay Trail troubles because he then said: "As soon as we hear dissenting voices, that's the end of it. We need to hear supporting voices, we need to hear consensus."

Cr West said the Metropolitan Transport Forum is again sponsoring Candidate Forums on Transport and that Kingston has a forum on 16 August.

**Moved: Cr West**

**Seconded: Cr Brownlees**

That the delegate's report be received and be included into the minutes.

**CARRIED**

**Block Resolution**

**Moved: Cr Barth**

**Seconded: Cr Eden**

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

- 8.1 Town Planning Application Decisions - January 2018
- 8.2 Town Planning Application Decisions - February 2018
- 8.4 Amendment C165 - Environmentally Sustainable Development (ESD) Local Policy
- 8.6 Response to Notice of Motion No. 53/2017 - Landscape Plans
- 8.9 Land Use Terms Advisory Committee - Council Submission
- 9.1 Individual Development Grant Application - Potential Conflict of Interest
- 10.1 Edithvale Public Golf Course - Future Management Arrangements
- 11.1 Assembly of Councillors Record Report
- 11.2 Quick Response Grants
- 11.3 Confidentiality Status of Legal Proceedings Matter
- 11.4 Strategic Advisory Committees Review
- 11.6 Re-appointment of External Members to the Audit Committee – Claire Filson and Hugh Parkes

**CARRIED**

**7. Question Time**

Question time took place at 7.56pm.

Please refer to page 16 of the minutes.

**8. Planning and Development Reports**

**8.1 Town Planning Application Decisions - January 2018**

**RECOMMENDATION**

That the report be noted.

**Note:** Refer to page 6 of the Minutes where this item was block resolved.

**8.2 Town Planning Application Decisions - February 2018**

**RECOMMENDATION**

That the report be noted.

**Note:** Refer to page 6 of the Minutes where this item was block resolved.

**8.3 KP17/705 - 1448 Centre Road Clayton South**

Cr Hua disclosed a direct conflict of interest in Item 8.3 - KP17/705 - 1448 Centre Road Clayton South as he is a director of the trustee company developing the land and left the meeting at 7.21pm prior to any discussion on the matter.

It is recorded that David Lyall spoke on behalf of the applicant.

**Moved: Cr Barth**

**Seconded: Cr Gledhill**

That Council determine to support the proposal and issue a Planning Permit to Develop the land for the construction of three (3) dwellings at 1448 Centre Road, Clayton South, 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 the 28<sup>th</sup> November, 2017, but modified to show:
  - a. the provision of a landscape plan in accordance with the submitted development plan and with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority 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 trees, provided at adequate planting densities (i.e. plants 1m width at maturity, planted 1m apart);
    - vi. the provision of two (2) suitable canopy trees capable of growing to minimum mature dimensions of 12m height and 6m width, to be planted in the front setback of the property, with the species chosen to be approved by the Responsible Authority, and;
    - vii. the provision of one (1) suitable canopy tree capable of growing to minimum mature dimensions of 8m height and 4m width, to be planted in the secluded private open space of each dwelling, with the species chosen to be approved by the Responsible Authority;

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- viii. 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;
  - ix. no trees with a mature height over five (5) meters are to be planted over proposed or existing easements;
  - x. 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;
  - xi. the location of tree protection measures illustrated to scale and labelled with a notation referring to the endorsed Tree Management Plan as required by this permit;
  - xii. 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. all requirements specified by VicRoads to be met and notate on the plan, as specified under Condition 3 of this permit
  - c. the “rumpus” room of Dwellings 2 & 3 reduced in size so as to minimise the likelihood of being converted into a third bedroom and to increase solar access to the private open space, to Council’s satisfaction
  - d. the provision of a glass panel or window directly adjacent to the front entry area of Dwelling 2 and Dwelling 3
  - e. each storage area nominated as a minimum area of 6m<sup>3</sup>
  - f. the location of tree protection measures illustrated to scale and labelled on the Ground Floor Plan (and basement plan if there is one) and a notation referring to the endorsed Tree Management Plan as required by this permit
  - g. a Tree Management and Retention Plan as required by Condition 6 of this permit;
  - h. the surface material of all driveways/accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar
  - i. the location of all external heating and/or cooling units for the proposed dwellings
  - j. the provision of a full colour palette, finishes and building materials schedule for all external elevations and driveway/s of the development.

**Endorsed Plans**

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

**Conditions required by VicRoads**

- 3. Prior to the commencement of use or occupation, a sealed access crossover as to at least 3 metres wide at the property boundary with the crossover angled at 60 degrees to the road reserve boundary, at least for the first 3 metres from the edge of the road must be constructed to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.
- 4. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or



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compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).

5. Vehicles must enter and exit the land in a forward direction at all times.

**Tree Management and Protection Plan**

6. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

a. The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

b. The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:

i. The Tree Protection Zone and Structural Root Zone for all for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.

ii. The location of tree protection measures to be utilised.

7. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.

8. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.

**Street Trees**

9. Tree Protection Fencing is to be established around the *Lophostemon confertus* (Brush Box) street tree located in the Centre Road nature strip prior to demolition and maintained until all works on site are complete.

a. The fencing is to be a 1.8 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting

b. The fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree.

**Construction Management**

10. 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.

#### Drainage and Water Sensitive Urban Design

11. 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 11a), 11b) & 11c), above must be implemented on-site, unless an alternative agreement is reached with the Responsible Authority.
12. 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 6.3L/s.
  - c. All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.

Parking and Traffic Management

13. Prior to the occupation of each dwelling hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, 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 to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority.

Infrastructure and Road Works

14. Any redundant vehicular crossing must be removed and the nature strip, kerb and channel, and footpath must be reinstated to the Responsible Authority's standard specifications and to the satisfaction of the Responsible Authority.
15. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.
16. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Centre Road and all internal driveways must align with the existing/proposed vehicle crossing.
17. Prior to the commencement of development, property boundary, footpath and vehicle crossing levels must be obtained from Council's Roads and Drains Department with all levels raised or lowered to the satisfaction of the Responsible Authority.
18. Any reinstatements and vehicle crossings are to be constructed to the satisfaction of the Responsible Authority.
19. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
20. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
21. All front and side fences must be constructed wholly within the title property boundaries of the subject land.

General amenity conditions

22. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must be concealed from the street, unless with the further written consent of the Responsible Authority.
23. 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.

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24. Service units, including air conditioning/heating units, where incorporated, must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority and if located on the roof of a building, suitable screening and baffling must be provided to the satisfaction of the Responsible Authority.

**Lighting**

25. Exterior lighting must be installed in such positions as to effectively illuminate all communal areas to the satisfaction of the Responsible Authority. Such lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land, to the satisfaction of the Responsible Authority.

**Completion of Works**

26. Prior to the occupation of each dwelling hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
27. Prior to the occupation of each dwelling hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.
28. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

**Time Limits**

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

In accordance with Section 69 of The Act, the responsible authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six (6) months after the permit expiry date, where the development allowed by the permit has not yet started; or
- within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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

**Note:** The proposed development requires the construction of a crossover. Separate approval under the Roads Management Act for this activity may be required from VicRoads. Please contact VicRoads prior to commencing any works.

**Note:** It is noted the development includes a fence to be built over the rear easement.

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Separate consent from Council and any other relevant service authority is required to build over the easement and will need to be obtained prior to the issue of a Building Permit.

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

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

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

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

**Note:** Council's Rates Department is responsible for determining and assigning property address details, which include dwelling/unit/apartment and street numbers and/or street names. The onus is on the Permit Applicant/Land Owner to contact Council's Rates Department to determine dwelling/unit/apartment and street numbers, and street name details for the approved development. Any reference to dwelling numbers on endorsed plans is indicative and should not be relied upon for dwelling/unit/apartment and street numbers and/or street name purposes.

**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*).

**CARRIED**

Cr Hua returned to the meeting at 7.31pm.

**8.4 Amendment C165 - Environmentally Sustainable Development (ESD)  
Local Policy**

**RECOMMENDATION**

That Council:

1. Request authorisation from the Minister for Planning to prepare Planning Scheme Amendment C165 to the Kingston Planning Scheme.
2. Subject to receipt of authorisation from the Minister for Planning, commence public exhibition of Planning Scheme Amendment C165 in line with the requirements of Section 19 of the *Planning and Environment Act 1987*.
3. Receive a further report following the close of the exhibition process.

**Note:** Refer to page 6 of the Minutes where this item was block resolved.

**8.5 Response to Notice of Motion No. 52/2017 - Conservation Planner**

**Moved: Cr West**

**Seconded: Cr Oxley**

That Council:

1. Seek the advice of expert ecologists for Planning Permit Applications made on land in all zones that exceeds 4,000 square metres;
2. Seek the advice of ecological experts or Council's Vegetation Management Officers in circumstances where a Planning Permit is applied for on land less than 4,000 square metres in area and has not been previously developed;

**CARRIED**

3. Seek external advice from expert ecologists where there is a permit sought for the removal of remnant or significant native vegetation identified by a Vegetation Management Officer.

**LOST**

4. Vegetation Management Officers continue to inspect residential land where planning permit applications have been made and provide advice regarding arboriculture matters and where necessary seek ecological advice to assist Planning Officers as required; and
5. Receive briefings from the Manager of City Development at the monthly Planning Councillor Information Sessions regarding applications where approval to remove native vegetation pursuant to Clause 52.17 is sought.

**CARRIED**

**Note:** It was requested by Crs Oxley and Gledhill and accepted by the Chairperson that Parts 1 and 2, 4 and 5 and then Part 3 of the Motion be put to the vote separately.

**Moved: Cr West**

**Seconded: Cr Oxley**

That Council continue to seek external advice from expert ecologists where there is a permit sought for the removal of native vegetation (pursuant to clause 52.17).

**CARRIED**

### **8.6 Response to Notice of Motion No. 53/2017 - Landscape Plans**

#### **RECOMMENDATION**

That Council:

1. Note the proposal to investigate the appropriateness of increasing the penalty units for Clauses 42 (42.1 and 42.2), 43 and 45 to 15 penalty units each during the 2018 review of the Community Local Law; and
2. Support the creation of a new full time Band 5 position for a trial period of 2 years to proactively seek compliance with the approved landscape plans (specifically the retention of trees and provision of new canopy trees) where planning permits have been issued for developments.

**Note:** Refer to page 6 of the Minutes where this item was block resolved.

### **8.7 Beaumaris Bay - National Heritage Nomination**

**Moved: Cr Barth**

**Seconded: Cr West**

That Council submit the letter of support at Appendix 1 in relation to the Beaumaris Bay Consortium's National Heritage List nomination for Beaumaris Bay with the understanding that the access road to the Beaumaris Motor Yacht Club will not be included in the application.

**CARRIED**

### **8.8 Planning Scheme Amendment C166 - St Kilda Football Club Signage**

**Moved: Cr Gledhill**

**Seconded: Cr Brownlees**

That Council:

1. Subject to receipt of a Lux Plan Diagram illustrating the light spill from all illuminated signage, request Authorisation from the Minister Planning to prepare combined Planning Scheme Amendment C166 and Planning Permit application (KP18/121).
2. Exhibit Planning Scheme Amendment C166 to the Kingston Planning Scheme and Planning Permit application (KP18/121) in accordance with the Planning and Environment Act 1987 if authorisation is granted by the Minister for Planning to prepare the amendment.

**CARRIED**

**Question Time**

**Russell Bathard of Chelsea asked:**

*“Concerning the video recordings of Council meetings. At the February 26, 2018 Council Meeting, the Mayor addressed a member of the gallery and praised her for work to have netball courts established at Regents Park. I wished to quote this, but the event has been removed from the video. This is clearly evident if you watch the video from the 27 minute mark to the 28 minute mark. Council meetings are not being accurately presented to the public.*

*My questions are;*

- 1. Why was this section removed?*
- 2. Who is responsible?*
- 3. Is it standard practice to change videos of Council meetings?”*

**The CEO provided the following response:**

*“Council does not edit recordings of Council meetings but please note that comments made are only recorded if the speaker is using a microphone. The recordings are hosted by a third party and Council does not have access to those servers. Nevertheless, officers will investigate the matter raised by Mr Bathard and provide him a response in writing to his question. ”*

**8.9 Land Use Terms Advisory Committee - Council Submission**

**RECOMMENDATION**

That Council:

1. Note the context in which submissions can be made to the Advisory Committee.
2. Provide the submission included in Appendix 2 to the Advisory Committee.
3. Write to the Minister for Planning, outlining the importance of further consultation with Local Government on the outcomes of the Advisory Committee work in relation to future changes to the Victorian Planning Provisions.

**Note:** Refer to page 6 of the Minutes where this item was block resolved.



**9. Community Sustainability Reports**

**9.1 Individual Development Grant Application - Potential Conflict of Interest**

**RECOMMENDATION**

That Council approve an Individual Development Grant of \$600 to George Tzintzis to participate in the 2018 International Cheerleading Union World Championships in April 2018.

**Note:** Refer to page 6 of the Minutes where this item was block resolved.

**9.2 Request for Australian and Aboriginal Flags at Mordialloc Life Saving Club / Gathering Place**

**Moved: Cr Gledhill**

**Seconded: Cr Brownlees**

That Council amend its Aboriginal Policy and Action Plan Clause 2.2 to include the Mordialloc Life Saving Club / Derrimut Weelam Gathering Place as a site in which the Aboriginal flag is permanently flown.

**CARRIED**

**9.3 Family & Domestic Violence Action Plan - Extension**

**Moved: Cr Oxley**

**Seconded: Cr Bearsley**

That Council:

1. Receives this report and supports the request from the Family and Domestic Violence Working Group (FVWG) to undertake a broader community consultation process to inform the development of actions within the Action Plan.
2. Endorse the FVWG's request for an extension of time so that the draft Action Plan would be presented to Council in the August 2018 cycle.

**CARRIED**

**10. City Assets and Environment Reports**

**10.1 Edithvale Public Golf Course - Future Management Arrangements**

**RECOMMENDATION**

That Council:

1. Endorse a new sub-lease agreement to be offered to Australasian Golf Club Inc. for its continued occupancy of the Edithvale Public Golf Course, including the following terms:
  - Rent: \$1pa (on demand); and
  - Term: 7 years 6 months (due to expire in December 2025 at same time as Council's Head Lease with Melbourne Water).
2. Endorse partnership grant funding of \$120,000 per annum increasing by CPI each year to the Australasian Golf Club Inc. for its continued maintenance and management of the Edithvale Public Golf Course;
3. Authorise the General Manager, City Assets and Environment to prepare and execute a service and/or funding agreement with the Australasian Golf Club Inc;
4. Refer funding of the partnership grant to the Australasian Golf Club Inc. to the preparation of Council's 2018/19 budget process; and
5. Prepare an asset management plan and a compliance risk assessment for the Edithvale Public Golf Course.

**Note:** Refer to page 6 of the Minutes where this item was block resolved.

**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 6 of the Minutes where this item was block resolved.

**11.2 Quick Response Grants**

**RECOMMENDATION**

That Council approve the following grant applications:

- Parkdale Mordialloc Combined Pensioners Association - \$400.00
- Aspendale Lifesaving Swimming and Youth Club Inc. - \$1000.00
- Edithvale Aspendale Sporting Club - \$1000.00
- Ms Fiona Madigan - \$700.00
- Mordialloc Life Saving Club - \$1000.00
- St Andres Calisthenics - \$500.00

**Note:** Refer to page 6 of the Minutes where this item was block resolved.

**11.3 Confidentiality Status of Legal Proceedings Matter**

**RECOMMENDATION**

That Council:

1. Receive the report and note that the resolution of Item 3.1 – Legal Proceedings Matter at the Special Meeting of Council on 22 January is no longer designated confidential; and
2. Make public Appendix 1 – Confidential Resolution of Special Meeting of Council 22 November 2017.

**Note:** Refer to page 6 of the Minutes where this item was block resolved.

**11.4 Strategic Advisory Committees Review**

**RECOMMENDATION**

1. That Council endorse the continuation of the following Advisory Committees and adopt the terms of reference contained in Appendix 1 of this report:
  - Arts and Cultural Advisory Committee
  - Business and Economic Development Advisory Committee
  - Community Safety Advisory Committee
  - Public Spaces and Environment Advisory Committee
  - Sport and Recreation Advisory Committee
2. That Council endorse the continuation of the Access and Equity Advisory Committee and adopt the updated committee terms of reference contained in Appendix 2 of this report.
3. That Council endorse the continuation of the Youth Advisory Committee and undertake a review of the committee's terms of reference.
4. That the Festivals and Events Advisory Committee be reclassified as a Network Committee.
5. That the current membership of the Advisory Committees be extended until 30 June 2019 and a recruitment process undertaken to fill current vacancies that exist on committees (with an appointment until 30 June 2020).

**Note:** Refer to page 6 of the Minutes where this item was block resolved.

**11.5 Review of Ward Councillor Forum Policy**

**Moved: Cr West**

**Seconded: Cr Bearsley**

That Council adopt the Ward Forum Policy contained in Appendix 1 subject to changing the name of the policy to Ward Meetings Policy and references in the policy from "forum" to "meetings".

**CARRIED**

**11.6 Re-appointment of External Members to the Audit Committee - Claire Filson and Hugh Parkes**

**RECOMMENDATION**

That Council:

1. Re-appoint Ms Claire Filson as an external member of the Audit Committee for a term to expire on 30 June 2021 and;
2. Reappoint Mr Hugh Parkes as an external member and Chair of the Audit Committee for a term to expire on 30 June 2021.

**Note:** Refer to page 6 of the Minutes where this item was block resolved.

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**12. Notices of Motion**

**12.1 Notice of Motion No. 6/2018 - Cr West - Signs for Parks**

**Moved: Cr West**

**Seconded: Cr Bearsley**

That officers prepare a report regarding placing information signs near the entrance of all multi-use parks and reserves providing details of the various clubs and other facilities and attractions on the reserve.

**CARRIED**

**12.2 Notice of Motion No. 10/2018 - Cr West - Heritage Act**

**Moved: Cr West**

**Seconded: Cr Brownlees**

That consideration of Items 12.2, 14.2, 14.3 and 14.4 be deferred to the next Ordinary or Special Meeting of Council or Planning Committee Meeting.

**CARRIED**

**13. Urgent Business**

**Moved: Cr Bearsley**

**Seconded: Cr Gledhill**

That an item of urgent business in relation to a Junior Council Program be considered.

**CARRIED**

**Moved: Cr Bearsley**

**Seconded: Cr West**

That Council:

1. Endorse the Chelsea Rotary Club proposal to establish a Junior Council for 2018 with minimal officer involvement in the project and that Chelsea Rotary encourage other Rotary Clubs to participate, especially with the selection of Junior Council members from other wards; and
2. Receive an evaluation of the project following the completion of the 2018 program.

**CARRIED**

**Moved: Cr Bearsley**

**Seconded: Cr Eden**

That an item of urgent business be considered in relation to a Bonbeach Reserve netball courts be considered.

**CARRIED**

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**Moved: Cr Bearsley**

**Seconded: Cr Gledhill**

That Council engage with Bonbeach Football and Netball Club and surrounding residents on potential solutions to community concerns and immediately source alternative court facilities for any effected netball clubs.

Further that officers report back on possible solutions and immediate contract implications.

**CARRIED**

**14. Confidential Items**

**Moved: Cr Gledhill**

**Seconded: Cr Hua**

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 2016/17 CEO Performance Review**

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

**14.2 Notice of Motion No. 7/2018 - Cr West - Mentone Hotel**

*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)*

**14.3 Notice of Motion No. 9/2018 - Cr West - Mentone Hotel**

*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)*

**14.4 Notice of Motion No. 8/2018 - Cr West - Mentone Hotel**

*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**

**11.3 Confidentiality Status of Legal Proceedings Matter**

**Appendix 1, Confidential Resolution - Special Meeting of Council - 22 November 2017**

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

**11.6 Re-appointment of External Members to the Audit Committee - Claire Filson and Hugh Parkes**

**Appendix 1, Claire Filson CV - Kingston March 2018**

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

**11.6 Re-appointment of External Members to the Audit Committee - Claire Filson and Hugh Parkes**

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**Appendix 2, Hugh Parkes Curriculum Vitae - March 2018**

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

**CARRIED**

The meeting was closed to members of the public at 8.39pm.

**Moved: Cr Gledhill**

**Seconded: Cr West**

That the meeting be opened to members of the public.

**CARRIED**

The meeting was opened to members of the public at 8.52pm.

The meeting closed at 8.52pm.

**Confirmed.....**

**The Mayor 23 April 2018**