

Minutes

Ordinary Meeting of Council

Monday, 27th May 2019



**City of Kingston
Ordinary Meeting of Council**

Minutes

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

Present: Cr Georgina Oxley (Mayor)
Cr Tamara Barth
Cr Tamsin Bearsley
Cr Ron Brownlees OAM
Cr David Eden
Cr Geoff Gledhill
Cr George Hua
Cr Steve Staikos
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
Natasha Corponi, Communications and Media Advisor
Phil De Losa, Manager Governance
Stephanie O’Gorman, Governance Officer
Gabrielle Pattenden, Governance Officer

1. Apologies

There were no apologies submitted to the meeting.

2. Confirmation of Minutes of Previous Meetings

Moved: Cr Staikos

Seconded: Cr Eden

That the Minutes of the Ordinary Meeting of Council held on 23 April 2019, the Special Meeting of Council held on 6 May 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.

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr Staikos

That the meeting be adjourned to later in the evening following the conclusion of the Special Meeting of Council.

CARRIED

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4. Petitions

4.1. Request for Support - Oromo Community

Moved: Cr Bearsley

Seconded: Cr Brownlees

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

CARRIED

4.2 Speeding Vehicles - Scarlet Street Mordialloc

Moved: Cr Gledhill

Seconded: Cr Brownlees

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

Cr Bearsley left the meeting at 7:41pm

CARRIED

4.3 The Heath Estate - Lighting

Moved: Cr Brownlees

Seconded: Cr Gledhill

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

There were no delegates reports.

7. Question Time

Question Time was held at 8.12pm. Refer to page 10 of the Minutes.

Block Resolution

Moved: Cr West

Seconded: Cr Staikos

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

- 8.1 Planning Compliance in the Green Wedge - Quarterly Report April 2019
- 10.1 Sale of Land Rear of 9 Holmby Rd Cheltenham
- 10.3 GR Bricker Reserve (West) Master Plan - Adoption
- 10.4 MWRRG Collective Residual Waste Disposal Services Contract
- 10.6 Kingston Integrated Transport Strategy
- 11.1 Investment Portfolio Report - March 2019
- 11.2 Quick Response Grants
- 11.3 Kingston Performance Report, January - March 2019 and Quarterly Financial Statements Report, March 2019
- 11.4 Assembly of Councillors Record Report

Cr Bearsley returned to the meeting at 7:43pm

Cr Gledhill left the meeting at 7:43pm.

CARRIED

8. Planning and Development Reports

8.1 Planning Compliance in the Green Wedge - Quarterly Report April 2019

RECOMMENDATION

That Council receive the report.

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

8.2 Level Crossing Removal Project Update - Public Realm and Asset Management

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Make a capital allocation to a maximum value of \$2,000,000 to provide for the construction of additional open space in the form of expanded decking at the Cheltenham and Mentone level crossing removals;
2. Make a capital allocation to a maximum value of \$900,000 to provide for an expansion of the planned carparking as per option 1 as part of the Level Crossing Removal Project at Cheltenham.
3. Authorise the Chief Executive Officer to do all things necessary to implement Recommendations 1 and 2 above including the execution of all required agreements to give effect to these resolutions;
4. Authorise the Chief Executive Officer to formulate with the Level Crossing Removal Program an agreement to maintain the assets following agreed defects liability periods, identified in the table contained in Appendix 1 in this report; and
5. Instruct Officers to present a further report to Council following advice from the Level Crossing Removal Program on the positioning of the eastern (downline) Cheltenham Station Building by the Level Crossing Removal Project.

Cr Gledhill returned to the meeting at 7:45pm.

CARRIED

9. Community Sustainability Reports

9.1 1230 Nepean Highway - Proposed Oakleigh Room & Balcony Building Improvement Works

Moved: Cr Staikos

Seconded: Cr West

That Council:

1. In accordance with the resolution of Council on 26 November 2018, note the attached independent review report undertaken on the refurbishment options and costings for the Oakleigh Room and balcony, which supports officers' previous recommendations to Council;
2. Authorise officers to proceed with Option 2, as outlined in section 3.4.2 of this report, seek new tenders for these works and report back to Council on the outcome of the tender process, with a view to implementing the works during 2019/20 financial year; and
3. Note the approach to be followed in developing an indicative scope of works for the Ground Floor public reception and civic space areas of the 1230 Nepean Highway building, as outlined in part 3.3.3 of this report, and nominate Councillors Staikos, Brownlees, Eden and Oxley to participate in a proposed ground floor refurbishment working group to guide the refurbishment of customer service and Council chambers areas of the building.

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A Division was Called:

DIVISION:

FOR: Crs Brownlees, Staikos, West, Eden, Barth and Oxley (6)

AGAINST: Crs Bearsley and Gledhill (2)

ABSTAINED: Cr Hua (1)

CARRIED

10. City Assets and Environment Reports

10.1 Sale of Land Rear of 9 Holmby Rd Cheltenham

RECOMMENDATION

That Council:

1. Authorise and direct the CEO or his delegate to publish a public notice in accordance with section 189 of the Local Government Act 1989 ("Act") stating Council's intention to sell the land contained in certificate of title Volume 10325 Folio 903 land being land enclosed within 9 Holmby Rd Cheltenham;
2. Authorise and direct the CEO or his delegeete to carry out the necessary administrative procedures to allow Council to carry out its functions under section 223 of the Act;
3. Authorise and direct the CEO or his delegate to convene, if required, a section 223 committee of Council to include Councillors Brownlees, West and Gledhill, General Manager City Assets and Environment and Manager Property and Arts to hear submissions from parties who wish to be heard in support of their written submissions and report back to Council; and
4. Authorise and direct the CEO or his delegate to sell the land enclosed within 9 Holmby Rd Cheltenham, for \$14,880 plus GST all costs associated with the sale in the event no submissions are received.

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

10.2 Response to Notice of Motion No. 3/2019 - New Parks on Melbourne Water Land - Update

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council:

1. Note this report;
2. Authorise officers to draft a Memorandum of Understanding (MOU) for consideration by Melbourne Water to pursue the development of Southern Road and Argus Street Retarding Basins and that the MOU be presented to Council for approval.

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3. Authorise officers to continue to explore the development of the Southern Rd and Argus St retarding basins and report back to Council with indicative costs.

CARRIED

10.3 GR Bricker Reserve (West) Master Plan - Adoption

RECOMMENDATION

That Council:

1. Note the consultation input and feedback received on the Draft GR Bricker Reserve Master Plan (Appendix 1);
2. Adopt the GR Bricker Reserve (West) Master Plan (Appendix 2);
3. Refer the funding for the implementation of the GR Bricker Reserve (West) Master Plan to the development of future Council budgets; and
4. Authorise the Chief Executive Officer to execute funding arrangements with the Victorian State Government for its \$3M commitment towards the development of sports pavilion facilities at GR Bricker Reserve.

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

10.4 MWRRG Collective Residual Waste Disposal Services Contract

RECOMMENDATION

That Council:

1. Advise the Metropolitan Waste and Resource Recovery Group (MWRRG) that it wishes to participate in a collective procurement contract for the provision of Residual Waste Disposal Services;
2. Authorise the CEO to execute a Memorandum of Understanding with Metropolitan Waste and Resource Recovery Group for the procurement of residual waste disposal services for the period commencing 1/4/2021;
3. Advise the MWRRG that Council strongly supports the State government's commitment to maximising recycling and that this objective should be reflected in the tender documentation; and
4. Receive a further report detailing the outcome of the tender process and consideration of entering into a contract for the provision of Residual Waste Disposal Services.

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

**10.5 Response to Notice of Motion No 11/2019 - Cr Brownlees - Kingston
Heath Reserve Sporting Precinct**

Moved: Cr Brownlees

Seconded: Cr Gledhill

That Council:

1. Endorse a staged approach with the planning for future hockey and baseball facilities that includes the:
 - a) Completion of a detailed baseball and hockey sporting needs analysis including the establishment of a Hockey and Baseball Working Group as outlined in Appendix 1;
 - b) Report back to Council on the outcomes and implications of this work.
2. Write to local and peak stakeholder hockey and baseball groups inviting them to participate upon a Hockey and Baseball Working Group;
3. Consider updating the Kingston Heath Master Plan, following the determination of a future direction for the Southern United Hockey Club and Cheltenham Baseball Club.

Amendment

Moved: Cr West

Seconded: Cr Staikos

That Council:

1. Endorse a staged approach with the planning for future hockey and baseball facilities that includes the:
 - a) Completion of a detailed baseball and hockey sporting needs analysis including the establishment of a Hockey and Baseball Working Group as outlined in Appendix 1;
 - b) Report back to Council on the outcomes and implications of this work.
2. Write to local and peak stakeholder hockey and baseball groups inviting them to participate upon a Hockey and Baseball Working Group;
3. Consider updating the Kingston Heath Master Plan, following the determination of a future direction for the Southern United Hockey Club and Cheltenham Baseball Club provided the provision of the present masterplan to maintain the balance between active and passive recreation is maintained.

The Amendment was CARRIED

The Amendment became the Motion

The Motion was put and CARRIED

Question Time

Simon of Parkdale asked the following question:

"I refer to the Assembling of Councillors Record published on Public Agenda Ordinary Meeting of Council 25 March 2019. Item 12 on Matters Discussed states 'Amendment C179 – Ormond Street Mordialloc Interim Neighbourhood Character Overlay'. I also refer to the Minutes of the Planning Meeting dated 20 March 2019. Under Item 5, 'Confidential Items' number 5.1 there is 'Amendment C179 – Ormond Street, Mordialloc Interim Neighbourhood Character Overlay'. It says the agenda item is confidential in accordance with the Local Government Act section 89(2). I have looked for a copy of this overlay in the minutes and online and I can't find it. How can I get a copy of this as I have friends that live in the street?"

The CEO provided the following response,

"Council officers are happy to meet with Simon and the people he knows in Ormond Street, Mordialloc to discuss this matter. The recently released Draft Housing Strategy and Neighbourhood Character Study identifies part of Ormond Street, Mordialloc as having significant Neighbourhood Character and worthy of consideration for inclusion in a Neighbourhood Character Overlay."

Simon Johnson of Parkdale asked the following questions:

Question 1.

"Residents regularly pick up plastic bottles, used cigarettes, plastic plants and polystyrene balls along the Foreshore at Parkdale and other beaches in Kingston. This is a major environmental issue and it's getting worse. What steps can Kingston Council take to reduce this pollution going into the bay?"

- a. *Can you look at implementing a ban on smoking along the beach, so cigarettes are not dumped on the grass and thrown in the sand?*
- b. *Can you look at the sale of cheap plastic goods from \$2 shops and the like?*
- c. *Increase enforcement?*
- d. *Increase clean-up resources?*
- e. *Industrial filters to catch plastic outflow drains?*
- f. *Industrial filters to catch plastic on outflow drains?*

Can you please come back to the community at the next Council meeting with your thoughts around this issue?"

The CEO provided the following response,

"A response will be provided in writing."

Question 2.

"People working on the Level Crossing Removal project have told me that the State Government is looking at options for both Parkdale and Mordialloc Train Stations. Over the past few months, locals have been surveyors and teams of people identifying assets along the railway lines at both stations. Documents sent to e show the State Government has sought advice from Agencies in this regard. Have Council officers been contacted to provide advice? If Council officers are contacted, what is the process to inform ratepayers, or would Officers be under non-disclosure?"

The CEO provided the following response,

"Council have had ongoing discussions with PTV and recently LXRTP regarding commuter parking at Parkdale. No discussions have been held regarding the removal of level crossings at Parkdale and Mordialloc."

Dorothy Booth of Mentone asked,

- “1. What steps have been taken to inform the greater number of residents in the City of Kingston of the Housing Strategy & Neighbourhood Character Study?*
- 2. How is Council going to contact and explain the complexities and ongoing ramifications to every household in the City of Kingston? When as Ethos Urban has stated that they have consulted with approx. 3,000 residents and we have a population of 160,000 people each being affected in some way?*
- 3. When did the proposed Neighbour Character Study also become a Housing Strategy as well?*
- 4. Why was it necessary to produce a complex and sometimes contradictory 125 page document, which only a handful of residents have seen? When in April 2014 an excellent very easily understood 15 page document was able to be produced and distributed widely?”*

The CEO provided the following response,

- 1. Council was advised through its report to the April Council Meeting that the following engagement was proposed:*
 - Direct contact with over 4,000 people through YourKingston YourSay and established Housing and Neighbourhood Character Study communication channels*
 - Feature profile on website and Social Media*
 - Local Paper Advertisements*
 - Establishment of online tool allowing property owners to compare existing and proposed zoning.*

Consultation is running for 6 weeks from 6 May to 16 June and has/will involve

Ward based drop-in information sessions:

- 9 May – 6.00pm – 8.00pm (Moorabbin town hall)*
- 14 May – 10.00am – 12.00pm (Westall Hub)*
- 28 May – 10.00am – 12.00pm (Mentone office)*
- 30 May – 6.00pm – 8.00pm (Cheltenham office)*
- 5 June – 6.00pm – 8.00pm (Chelsea activity hub)*
- 6 June – 10.00am – 12.00pm (Patterson Lakes community centre)*

Community Panel:

- 16 May – 6.00pm – 8.00pm (our office)*

Neighbourhood Character Advisory Group:

- 23 May - 6.00pm – 8.00pm (our office)*

Ward Committees:

- 13, 14 and 18 June*

- 2. In addition to the responses provided in response to Question 1, officers are also engaging with community members who raise queries with Council regarding this work.*
- 3. Council resolved to prepare a new Housing Strategy and Neighbourhood Character study on 22 February 2016. Council resolved at the 23 April 2019 Ordinary Meeting to ‘Endorse the draft Housing Strategy and Neighbourhood Character Study for the purpose of Community Consultation.’*
- 4. A range of documents were prepared to assist the community. This includes in addition to the draft Housing Strategy*

Stephen Calvert-Smith of Mentone asked the following questions:

Question 1.

“Why have new traffic lights been installed at the corner of Balcombe Road and Davies Street, which nobody asked for and which have greatly increased congestion by including an unnecessary right turn red arrow which stops the east-bound traffic 70% of the total green time and does not satisfy the justification requirements of VicRoads?”

The CEO provided the following response,

“These works were outlined in the Mentone Renaissance project and were undertaken in accordance with VicRoads requirements.”

Question 2.

“Why have two new roundabouts (on Mentone Parade and Florence Street) been installed which nobody asked for – while no roundabout has been installed in the one place in Mentone where the need for a roundabout is a hundred times greater – the corner of Balcombe Road and Swanston Street, where there is perpetual queue jumping and consequent bottlenecking west of Swanston Street, which a roundabout could solve simply by releasing one vehicle at a time in the west direction?”

The CEO provided the following response,

“These works were undertaken in accordance with the Mentone Renaissance project. Ongoing assessment will be required particularly with the removal of the level crossing.”

Question 3.

Why does this Question Time Form ‘require’ an email address in order to be submitted? What if we don’t have one or don’t want it to be used?”

The CEO provided the following response,

“Questions are generally answered in the Council Chamber provided the questioner is present in the gallery in accordance with clause 18(4) of the Meeting Procedures Local Law. Council requires an email address be provided when submitting an online question form to ensure Council can contact the questioner and provide a written response in the event that they are not present in the gallery.”

Vern Costelow of Parkdale asked,

“The planting of nature strip trees along Beach Road should be separated from the Bay Trail issue. This is because they are separate issues with different arguments and outcomes. Also, the issue of trees on nature strips was not part of the Council’s bay trail plans or consultation process it was an afterthought by some Councillors. There has been no consultation on the nature strip issue.”

The CEO provided the following response,

“Tonight’s Special Meeting of Council treats them as separate issues.”

June Weston asked,

“Despite the fact that Council has proposed to plant trees on Beach Road nature strips can Council categorically state, in a way that is unambiguous, explicit and direct,

- a. When they received permission from VicRoads to do so; and*
- b. Is that permission in writing for residents to view?*

The CEO provided the following response,

“When received, Council will provide a copy of this correspondence on its website.”

Noelene Hager asked,

“1. Have any Councillors ever observed the damage that tree roots have done to many areas of the Coles Mentone car park?

2. Can Council guarantee that similar hazardous situations will not be repeated along Beach Road when trees are planted in nature strips?”

The CEO provided the following response,

“Officers will inspect the Coles Mentone car park to observe their status and species type. Tree root barriers will be assessed if it is required as part of any future planting on Beach Road giving consideration to local infrastructure.”

Tony Falkingham of Mentone asked,

“As outlined in the City of Kingston’s 2019/20 Draft Budget, there is a massive increase of 9.7% in the ‘rate in the dollar’ which is used in the calculation of Council rates. How can Council justify this increase, when the current projected annual CPI is around 1.3%? The City of Kingston has had for many years considerably higher percentages of ‘rate in the dollar’ when compared to other like Councils. With the current fall in the market value of residential property, can Kingston residents expect to see more extraordinary increases in the ‘rate in dollar’ which will further increase the cost of Council rates. The level of Kingston’s rates is already placing many low-income earners and senior residents who are on fixed incomes in a very challenging financial position.”

The CEO provided the following response,

“Current falls in property values is something very unusual. Usually it is increasing property values and falling rate in the dollar. That said, Council is in compliance with the provisions of the rate cap legislation i.e. a 2.5% increase in the average rates and municipal charge. The rate in the dollar is the result of the valuation and the amount of rates and municipal charge to be raised. Therefore, as the overall valuations provided by the Valuer-General have fallen, the rate in the dollar has to be increased to achieve the compliant amount of revenue. Our modelling indicates that approximately 45,000 properties will have capped rate increases of less than 2.5% and approximately 29,000 will have an increase by more than the average. Council rates have always had a variable rate in the dollar, unlike the state land tax methodology.”

10.6 Kingston Integrated Transport Strategy

RECOMMENDATION

That Council:

1. Endorse the project methodology outlined in Section 3.3.1 of this report
2. Endorse the Kingston Integrated Transport Strategy Vision, Objectives and Themes in Appendix 1.
3. Endorse the community engagement strategy, including:
 - a. Broad online community engagement through Your Kingston Your Say,
 - b. Targeted engagement with external stakeholder groups
 - c. Engagement with Kingston's Ward Committees

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

11. Corporate Services Reports

11.1 Investment Portfolio Report - March 2019

RECOMMENDATION

That Council note that its funds as at 31 March 2019 are invested in line with the risk management profile prescribed in Council's Investment policy.

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

11.2 Quick Response Grants

RECOMMENDATION

That Council approve the following grant applications:

- Clarinda Senior Social Group - \$400.00
- Cheltenham 7th Scout Group - \$1500.00
- Chelsea Heights Primary School - \$500.00

That Council not approve the following grant applications:

- Olivia Kerr
- Lemnian Community Seniors Group
- Greek Senior Pensioners of Clayton and District Inc
- Brendan Matheson

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

11.3 Kingston Performance Report, January - March 2019 and Quarterly Financial Statements Report, March 2019

RECOMMENDATION

That Council receive the Kingston Performance Report January-March 2019 and the Quarterly Financial Statements Report, March 2019.

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

12. Notices of Motion

12.1 Notice of Motion No. 15/2019 - Cr West - Impact of the Mordialloc Freeway

That Council expresses concern about the failure of the Major Road Projects Authority and its predecessor VicRoads to show reasonable regard for the wishes and interests of the Kingston Council and community in its planning for the Mordialloc Freeway, such as:

1. Failing to provide a road overpass for the Dingley Freeway near the intersection of the freeway to provide an at-grade crossing for the Chain of Parks Trail, which Council's planning scheme and Green Wedge Management Plan indicate should accommodate pedestrians, cyclists, equestrians and a habitat corridor linking Karkarook Park with Braeside Park. State Government has recently committed \$25 million for the construction of the Chain of Parks only for the MRPV plans to result in the Chain of Parks Trail coming to a halt at a T-junction at the Dingley Freeway.
2. The impact of the proposed closure of Woodlands Drive on the landowners and tenants of Woodlands Industrial Estate, a number of whom made submissions in December saying they feared they would lose business and/or need to move if the works went ahead as originally planned. At the eleventh hour after a Council motion expressing concern, MRPV decided the closure of Woodlands Drive was not necessary and produced an alternative.
3. Their failure to take into account the potential health impact of the freeway on residents of adjoining suburbs, which was not even mentioned in the initial EES document.
4. Their failure to provide an acoustic fence for the length of Braeside Park despite having heard a senior park ranger estimate that the Park would lose a third of its half million human visitors a year.

They relented only when their own bird experts (along with Council's) indicated that without high, opaque, acoustic fences the birds that use the freeway reservation as a flyway between the various nearby wetlands would be at risk of roadkill and that the endangered Australasian Bittern could be driven to extinction, (which Council's expert indicated may be the consequence if the freeway goes ahead anyway as high fauna walls will impact on their connectivity.)

5. A similar disregard for human connectivity, by opposing the construction of underpasses proposed by Council to allow residents to cross the freeway reservation midway between road crossings at Braeside Park and Chadwick Grove.

If the Minister decides to permit the Mordialloc Freeway to go ahead after receiving the Inquiry and Advisory Committee report on EES submissions, Council hopes he will require the aforementioned measures and considerations to be heeded.

The Notice of Motion was WITHDRAWN

12.2 Notice of Motion No. 23/2019 - Cr Gledhill - Mentone Traffic Treatments

Moved: Cr Gledhill

Seconded: Cr Brownlees

That officers prepare a report to:

1. Immediately restore the ability for all southbound traffic to turn right from Como Parade West into Mentone Parade through the provision of additional signage and the removal of current road markings;
2. immediately reconsider the design of the traffic island at the intersection of Como Parade West and Mentone Parade to allow a safe left hand turn for northbound traffic wishing to enter Mentone Parade from Como Parade West;
3. The lane configuration in Balcombe Road Mentone be reviewed in order to improve traffic flow and reduce congestion; and
4. That any changes made remain in place until the level crossing removal is completed at which time a full review of traffic movement and parking in the Mentone retail precinct be undertaken.

CARRIED

12.3 Notice of Motion No. 24/2019 - Cr Bearsley - Melbourne Water - Longbeach Drain

Moved: Cr Bearsley

Seconded: Cr Hua

That Council write to Melbourne Water requesting that they improve the water capacity of Melbourne Water's drain running beside the Longbeach trail (to mitigate the risk of flooding) and that they provide us with timelines and plans when available.

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Amendment

Moved: Cr West

Seconded: Cr Staikos

That Council receive a report regarding writing to Melbourne Water requesting that they improve the water capacity of Melbourne Water's drain running beside the Longbeach trail (to mitigate the risk of flooding) and that they provide us with timelines and plans when available.

The Amendment was Withdrawn

The Substantive Motion was put and CARRIED

**12.4 Notice of Motion No. 25/2019 - Cr Bearsley - Tree in Bradina Court
Chelsea Heights**

Moved: Cr Bearsley

Seconded: Cr Gledhill

That Council remove the tree outside 10 Bradina Court Chelsea Heights and, after consultation with neighbouring residents, replace with a more appropriate native tree.

Cr Hua left the meeting at 8:44pm.

Cr Hua returned to the meeting at 8:48pm.

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Gledhill

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

CARRIED

12.5 Notice of Motion No. 27/2019 - Cr West - Review of the Heritage Overlay

Moved: Cr West

Seconded: Cr Staikos

1. Ask the industrial heritage consultant who provided Council's submission on the Pompei Boatworks to the February Heritage Council hearing to provide a recommendation to Council in response to the Heritage Council's recommendation that Council consider a local heritage listing;

LOST

A Division was Called:

DIVISION:

FOR: Crs Staikos, West, Eden and Oxley (4)

AGAINST: Crs Brownlees, Gledhill and Hua (3)

ABSTAINED: Crs Bearsley and Barth (2)

LOST

2. Council seek legal advice regarding how best to stay any demolition on the Pompei Boatworks site until Council has made a decision on the Heritage Council recommendation or has approved a development application for the site.

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LOST

A Division was Called:

DIVISION:

FOR: Crs Staikos, West, Eden and Oxley (4)

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

ABSTAINED: Cr Barth (1)

LOST

3. Seek a second opinion from an expert heritage consultant other than Council's regular heritage consultant on the following buildings and features currently subject to development applications or approval, including:

a. 422 Nepean Highway, Parkdale (said by residents to be the original farmhouse)

LOST

b. 15 Station Street, Aspendale (house of pioneer farmer Hugh Brown)

LOST

c. The staircase in the Mordialloc Masonic Hall

LOST

Cr Gledhill left the meeting at 9:05pm.

Cr Gledhill returned to the meeting at 9:08pm.

Cr Bearsley left the meeting at 9:09pm.

Cr Bearsley returned to the meeting at 9:11pm.

Cr Hua left the meeting at 9:13pm.

Cr Hua returned to the meeting at 9:14pm.

Procedural Motion

Moved: Cr Staikos

Seconded: Cr Bearsley

That Cr West be granted an extension of time to speak on the matter.

CARRIED

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12.6 Notice of Motion No. 28/2019 - Cr West - Need for a Public Meeting on the Housing Strategy and Neighbourhood Character Study

Moved: Cr West

Seconded: Cr Staikos

That Council holds a town hall or café-style public meeting for residents to be fully informed about and enabled to ask questions and to provide feedback on the draft housing strategy and neighbourhood character study.

Procedural Motion

Moved: Cr Bearsley

Seconded: Cr Gledhill

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

LOST

The Substantive Motion was put and LOST

A Division was Called:

DIVISION:

FOR: Crs Staikos, West and Eden (3)

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

ABSTAINED: Crs Barth and Oxley (2)

LOST

Procedural Motion

Moved: Cr Staikos

Seconded: Cr West

That the meeting be extended to 10.30pm.

CARRIED

Procedural Motion

Moved: Cr Staikos

Seconded: Cr West

That Cr West be granted an extension of time to speak on the matter.

LOST

Cr Staikos left the meeting at 10:03pm.

12.7 Notice of Motion No. 29/2019 - Cr Gledhill - Waste and Debris - Mordialloc Creek

Moved: Cr Gledhill

Seconded: Cr Eden

1. That a meeting be organised for interested Councillors, Melbourne Water, Council officers and members of Mordialloc creek community to discuss concerns over how Kingston is contributing to the waste and debris being collected through our drainage systems and washed out into Mordialloc Creek and Port Phillip Bay. The meeting should take place within 3 weeks from today.
2. That officers prepare a report to be included in the July cycle on the debris and rubbish collected through Kingston's drainage and how we can stop it from reaching our waterways and bay.

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Cr Barth left the meeting at 10:04pm.
Cr Staikos returned to the meeting at 10:04pm.
Cr Staikos left the meeting at 10:05pm.
Cr Staikos returned to the meeting at 10:06pm.
Cr West left the meeting at 10:06pm.
Cr West returned to the meeting at 10:08pm.

CARRIED

12.8 Notice of Motion No. 26/2019 - Cr Gledhill - Recycling Program

Moved: Cr Gledhill

Seconded: Cr Hua

That officers prepare a report on how Kingston Council may act individually or in collaboration with other Councils in order to secure the integrity of councils recycling program.

The report should cover all aspects of the process from collection to the end use of the recycled material.

The report should also include a consideration of the coordinating role of the MAV, Sustainability Victoria, the Metropolitan Waste, Resource and Recovery Group, Regional Council Groupings and any other relevant bodies.

The report would also provide details of costs that would be incurred.

CARRIED

Procedural Motion

Moved: Cr Brownlees

Seconded: Cr Staikos

That the meeting be extended to 11.00pm.

CARRIED

13. Urgent Business

There were no items of urgent business.

14. Confidential Items

Moved: Cr Staikos

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 Response to Notice of Motion No. 12/2019 - Cr. Oxley - South Ward Open Space

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

14.2 KP-1993/5158A - 19 - 71 Carroll Road, Oakleigh South - VCAT Appeal Lodged and Compulsory Conference Position Sought

This agenda item is confidential in accordance with the Local Government Act

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s89(2) as it relates to proposed developments (s89 2e)

14.3 Land Acquisitions Tootal Road Dingley Village

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

**8.1 Planning Compliance in the Green Wedge - Quarterly Report April 2019
Appendix 1, Planning Compliance in the Green Wedge Spreadsheet -
Update April 2019**

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

**8.2 Level Crossing Removal Project Update - Public Realm and Asset
Management**

Appendix 3, Forward Capital Works Budget Projections Post 2019/20

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 10.23pm.

Procedural Motion

Moved: Cr West

Seconded: Cr Staikos

That the meeting be opened to members of the public

CARRIED

The meeting was opened to members of the public at 10.45pm.

The meeting closed at 10.45pm.

Confirmed.....

The Mayor 24 June 2019

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four levels of carpark. This has been considered at a preliminary level by the LXRП and are outlined below:

	Base Case	Option 1 Expansion	Option 2 Expansion	Option 3 Expansion	Option 4 Extra Deck
Council \$ Capital cost	\$0	\$900,000	\$4,600,000	\$5,200,000	\$4,500,000
LXRП Car spaces	218	218	218	218	218
Council Mortuary Remaining car spaces	38	28	19	14	38
Council Multideck Additional car spaces	0	36	64	88	50
Total Council car spaces	38	64	83	102	88
Total car spaces (LXRП + Council)	256	282	301	320	306
Effective Extra cost to Council / car space	N/A	\$34,615	\$102,222	\$81,250	\$90,000

	Extra Council Car Spaces	\$ Capital Cost to Council	% Increase in Council Car Spaces	% increase in Council \$ Capital Cost Relative to Option 1
Base Case vs Option 1	26	\$.9m	68.42%	Base \$.9m Contribution
Base Case vs Option 2	45	\$4.6m	118.42%	511.11%
Base Case vs Option 3	64	\$5.2m	168.42%	577.78%
Base Case vs Option 4	50	\$4.5m	131.58%	500.00%

The primary cost drivers are the shape of Council's Mortuary car park land and the need to meet design standards required for a commuter carparking lighting and security.

Although the estimated costs are significant, the opportunity is consistent with Council's adopted Cheltenham Structure Plan Update which in part reflected the following factors:

- Recognition of the increased demand being placed on Cheltenham for carparking to cater for an increasing range of non-commuter related land use activities (retail, residential and commercial).
- Council owns the land in question which removes the 'land purchase' cost to Council to expand the carparking.
- Given the LXRП are proposing a four storey car park immediately adjacent to the Council land (on its northern side) the redevelopment potential (even just to increase car parking) over the Council land would be significantly compromised, unless integrated into the LXRП work.

3.3.2(b) Option 4: Additional level to LXRП 4 Storey Multi Deck Carpark

In briefing Councillors at the 20 May CIS, on these works and LXRП discussions the option of adding an additional level to the LXRП's ground/semi-basement plus 4 levels carpark project was raised. After this on Tuesday, 21 May LXRП was asked to cost this option.

As at the time of issuing this report, Friday morning 24 May, LXRП were still finalizing and costing this option. The LXRП advice was that this information would be provided by COB Friday, 24 May. When received it