

Minutes

Special Meeting of Council

Monday, 14th October 2019

**City of Kingston
Special Meeting of Council**

Minutes

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	<i>[Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.]</i>	
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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: Julie Reid, Chief Executive Officer
Mauro Bolin, General Manager Community Sustainability
Megan O'Halloran, Acting General Manager Corporate Services
Daniel Freer, General Manager City Assets and Environment
Jonathan Guttman, General Manager Planning and Development
Michelle Devanny, Media Advisor
Phil De Losa, Manager Governance
Stephanie O'Gorman, Governance Officer
Lindsay Holland, Governance Officer

1. Apologies

There were no apologies submitted to the meeting.

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

There were no Conflicts of Interest submitted to the meeting.

3. Notices of Motion

Moved: Cr Hua

Seconded: Cr Staikos

That Council, in light of the recent moon scaping and destruction of vegetation on the Kingswood Golf Course, determine that:

1. An urgent investigation be undertaken to find out why Council's policy requiring a controversial application to be scrutinised by Council was not a trigger for the permit application by Australian Super / ISPT, which was issued under officer delegation without notifying the Councillors.
2. Council immediately:
 - a. inspect the Kingswood site to ensure compliance with the permit including trees and vegetation removal;
 - b. discover the impact of the use of toxic pesticides particularly given the Kingswood site is in close proximity to residential homes;
 - c. make sure dust suppression measures are put in place immediately and if in place, whether they are being adhered to;
 - d. issue any stop work orders if necessary as well as any remediation works orders which may be required.
3. Regular inspections be conducted by officers to ensure that flora and fauna are protected until such time as the final decision has been made by the Minister as to the rezoning application of the site. Further that Councillors and up to five community members also be afforded an opportunity to inspect the site along with officers.
4. Council commission Dr. Jeff Yugovic, or if unavailable, an expert ecologist of comparable experience, to assess the biodiversity of golf courses in the Kingston municipality, beginning with the Kingswood Golf Course. Consideration should be given to the possibility of including golf courses as Kingston Natural Resource Areas.
5. The commissioned work assess any threats to biodiversity including the recent actions of ISPT and Australian Super on the Kingswood site, and report as to how Council and other levels of government may protect flora and fauna, particularly those native to Australia.
6. Further consideration should be given to the fact that the Kingswood Golf Course directly abuts the Kingston Green Wedge and the Kingston Chain of Parks which would benefit from the protection of biodiversity on the Kingswood Golf Course.
7. Any provisions in the Kingston Biodiversity Strategy including actions which could be used to aid this assessment be enacted forthwith.
8. Council write to the owners of the former Kingswood Course site, ISPT and Australian Super expressing Council's deep frustration with their decision to de-vegetate sections of the site.
9. Council immediately undertake the following actions:
 - a. Commission an expert arborist and an ecologist to audit the extent of tree removal and ground poisoning that has occurred to date, and assess the loss of biodiversity at the Kingswood Golf Course site,
 - b. Commission soil testing to understand the potential contamination both within the Kingswood Golf Course site, and on neighbouring properties where possible,

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- c. Commission a wildlife expert to assess the damage to local fauna habitat and the need to potentially relocate affected wildlife, and to undertake necessary work,
- 10. Should it be found that illegal tree removals have occurred, Council receive an immediate briefing (within 7 days) advising on options including criminal and or civil penalties against those responsible, including the company, its employees / directors and / or contractors.
- 11. The instrument of delegation be amended to escalate any planning or local laws application for 10 or more tree removals for Council decision.
- 12. Officers prepare a report to be presented to the December 2019 Ordinary Meeting of Council detailing how to prevent future large scale vegetation removals of this nature occurring again without consultation with Councillors and the community.

Procedural Motion

Moved: Cr Bearsley

Seconded: Cr Gledhill

That Cr Hua be granted an extension of time.

CARRIED

The Substantive Motion was put and CARRIED

A Division was Called:

DIVISION:

FOR: Crs Oxley, Barth, Bearsley, Eden, Gledhill, Hua, Staikos and West
(8)

AGAINST: Nil (0)

ABSTAINED: Cr Brownlees (1)

CARRIED

4. Confidential Items

There were no confidential items.

The meeting closed at 7.44pm.

Confirmed.....

The Mayor 28 October 2019