



Minutes of the Ordinary Meeting of Bayside City Council

The Meeting was held in the Council Chambers
Civic Centre, Brighton
on Tuesday 24 June 2014

The Meeting commenced at 7.00pm

PRESENT:

Cr Laurence Evans (Mayor)
Cr Alex del Porto
Cr Felicity Frederico
Cr Michael Heffernan
Cr James Long
Cr Bruce Lowe
Cr Heather Stewart

OFFICERS IN ATTENDANCE:

Adrian Robb	Chief Executive Officer
Shiran Wickramasinghe	Director City Strategy
Mick Cummins	Director Corporate Services
Steven White	Director Infrastructure Services
Matt Kelleher	Manager Urban Strategy
Mark Stockton	Manager Recreation, Events & Social Development
Damien Van Trier	Recreation & Events Co-ordinator
Terry Callant	Governance Manager
Janice Pouw	Governance Officer

The Mayor declared the meeting open at 7.00pm and invited Cr del Porto to read the prayer.

1. Prayer

Cr del Porto read the prayer at the commencement of the meeting.

O God
Bless this City, Bayside,
Give us courage, strength and wisdom,
So that our deliberations,
May be for the good of all,
Amen

The Mayor announced the recent passing of Mr Len Coysh who was a former Mayor of Brighton in 1982/83.

2. Acknowledgement of Original Inhabitants

The Mayor invited Cr Stewart to read the acknowledgement of the original inhabitants of this land.

- ◆ We acknowledge that the original inhabitants of this land that we call Bayside were the Boon wurrung people of the Kulin nation.
- ◆ They loved this land, they cared for it and considered themselves to be part of it.
- ◆ We acknowledge that we have a responsibility to nurture the land, and sustain it for future generations.

3. Apologies – There were no apologies submitted to the meeting.

4. Disclosure of any Conflict of Interest of any Councillor

- Cr del Porto declared an indirect conflict of interest where residential amenity may be altered in item 10.3 given he resides in close proximity to Hurlingham Park and any proposal may impact upon his residential amenity.
- Cr Stewart declared a personal interest in item 10.18 given she has a friend who resides in close proximity to one of the locations identified in the report and the proposal may affect her residential amenity.

5. Adoption and Confirmation of the minutes of previous meeting**5.1 Confirmation of the Minutes of the Ordinary Meeting of Council held on Tuesday 20 May 2014****Moved: Cr Frederico****Seconded: Cr Long**

That the minutes of the Ordinary Meeting of Bayside City Council held on Tuesday 20 May 2014 as previously circulated, be confirmed as an accurate record of proceedings subject to alteration to item 10.1 part 2 to read:

retains the speed cushions on Cochrane Street between May Street and Nepean Highway by installing harder, asphalt flat top speed cushions humps.

CARRIED**5.2 Confirmation of the Minutes of a Special Meeting of Council held on Thursday 12 June 2014.****Moved: Cr del Porto****Seconded: Cr Frederico**

That the minutes of a Special Meeting of Bayside City Council held on Thursday 12 June 2014 as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

6. Public Question Time

In accordance with Section 64 of Council's Governance Local Law No 1, 4 public questions were submitted to the Meeting. In accordance with Section 64 part 15 where a questioner is not present in the Chamber at the time of Public Question Time, the question and response will not be read out at the meeting or recorded in the minutes.

1. Mr K.S. Spencer

The Federal Government in 2009 provided Bayside City Council with a \$500,000 Grant to build a shore based Cerberus Interpretation Centre. As I was informed by council, the grant is now held at present by the National Trust Victoria, while options for the use of the money are being investigated.

- (A) As it is now some five (5) years since receiving the grant. What is the current situation in regard to such options that were to be considered with the costly Cerberus wreck.
- (B) What is the current total amount including interest of this considerable amount of money being prudently held by the National Trust Victoria.

Response

- A) The initial grant funding of \$500,000 for HMVS Cerberus was provided as 'seed' funding to commence raising the required funds to permanently elevate and protect the Cerberus. However, due to the condition of the vessel the funding agreement has been altered to allow for design and installation of bracing to support the turrets of the vessel. Council is working with Heritage Victoria, Friends of the Cerberus and National Trust (Victoria) to identify bracing solutions that will address safety and heritage issues.
 - B) Funds available total approximately \$521,000.
-

2. Mr K.S. Spencer

As is the norm with interested parties that make submissions to major proposals by council, such as the Hurlingham Park upgrade, such parties were normally invited to a meeting with council project managers to fine tune such works and to discuss obvious need for revision of proposed works.

- (A) Why was I not given a written acknowledgement of receipt of my submission to the Hurlingham Park upgrade?
- (B) As my submission should have been regarded as a substantial contribution to the park upgrade, why was I not invited to a meeting with all submitters, stakeholders and council staff managers?

Response

Mr. Spencer hand delivered his submission to Council's Corporate Centre on the 28 April 2014. At this time Mr Spencer was provided the opportunity to discuss his concerns and personally thanked for his submission. Following receipt of the submission and discussion with Mr Spencer it was not considered necessary to send him a written acknowledgement. On Monday 23 June 2014 all submitters, including Mr Spencer, were advised that submissions to the draft Hurlingham Park Master Plan would be considered at Council's 24 June 2014 meeting.

It is not normal practice for Council to conduct a further meeting with submitters to fine tune draft master plan documentation following a public exhibition period. In exceptional circumstances, Council may co-ordinate additional engagement activities in response to substantive and consistent community issues that are raised during the public exhibition process. The submissions received through the public exhibition process of the draft Hurlingham Park Master Plan did not warrant an additional meeting with submitters.



3. Mr B. Brooker

Will Council please explain and clarify its valid grounds for not choosing to implement into the BCC Planning Scheme specific Planning Amendments, pursuant to the P&E Act 1987, that would require the Tribunal into having prudent regard for a current Planning Scheme, rather than say 'wish-like' policy and/or protocols; thereby properly empowering Council and its residents' when presenting case/s to VCAT? Significantly, the unresolved issue of existing rate-paying residents now being at risk of subsidising overseas consortiums in unsustainable flat-like high rise developments, given Bayside's dated infrastructure, is properly alarming and unwarranted.

Response

Victoria's planning system has been designed to be 'performance-based'. As a result, a wide variety of land use and development is permissible in most areas, with decisions to be made on applications according to 'policy' and 'decision guidelines.' The State Government restricts the manner in which planning scheme policies can be written, so that they provide guidance 'should' rather than definitive statements such as 'must'. Council has recently applied more prescriptive zones and overlay controls to improve the certainty of planning outcomes and continues to advocate to improve the certainty of planning outcomes in Bayside.

4. Mr B. Brooker

Having regard to public interest concerns, like transparency, accountability and mindful regard for all residents; will Council kindly inform the community what the specific VCAT File Numbers might be, and also provide a copy of said case to me please, in respect of material matters like a considered finding dealing with a Construction Management Plan et al. [Report 4.2], which was mentioned and duly considered at Council's Planning & Amenity Committee Meeting 10 June 2014?

Response

Although the nature of the question is not entirely clear, Item 4.2 of the Agenda for the Planning and Amenity Committee Meeting of 10 June related to an application for the construction of

13 dwellings at 360 New Street, Brighton. The officer recommendation included a condition requiring the submission of a construction management plan. However, the application was refused by Council. Council has not been notified of an application to VCAT to review the Council's decision as yet. Conditions relating to Construction Management Plans are commonly applied by Council's and the VCAT.

7. Petitions to Council

7.1 Petition: 30 - 46 Bay Road, Sandringham

Corporate Services - Governance
File No: FOL/10/207645

Consideration of a petition from residents requesting no further building permits be issued for 30 to 46 Bay Road Sandringham until studies have been undertaken. (89 signatures)

“We the undersigned, hereby petition Bayside City Council to take the necessary steps to defer the granting of any further building permits for numbers 30, 32, 34, 36, 38, 40, 42, 44, 46 Bay Road Sandringham until:

- 1. A thorough study is made of the inadequacies of the narrow lane linking the rear of these sites through to Sims Street.*
- 2. This study include the impact of the traffic increase through this lane on*
 - 1. residents adjoining the lane*
 - 2. the Sandy Beach Community Centre, particularly its childcare centre, and programs for the disabled and aged groups.*
 - 3. pedestrians in Sims Street*
 - 4. other residents of Sims Street*
- 3. And that no such permits be issued until such corrective measures as are found necessary are completed.”*

Moved: Cr Stewart

Seconded: Cr Long

That the petition be received and a report be submitted to Council at the August Council meeting.

CARRIED

7.2 Petition: Dendy Park

Corporate Services - Governance
File No: PSF/14/1234

Consideration of a petition from residents opposing the installation of a fenced a dog socialisation area along Dacey Street in Dendy Park. (168 signatures)

“We the undersigned, hereby petition Bayside City Council not to install a Fenced Dog Socialisation area along Dacey Street in Dendy Park. We strongly oppose this due to concerns about noise, traffic, parking and spoiling of the open plan vista of this area of parkland.”

Moved: Cr Frederico

Seconded: Cr Long

That the petition be received and considered in conjunction with the Dendy Street Masterplan to be submitted to Council at the July Council meeting.

CARRIED

7.3 Petition: Resurfacing of Blanche Street East Brighton

Corporate Services - Governance
File No: PSF/14/230

Consideration of a petition from residents of Blanche Street East Brighton requesting the resurfacing of Blanche Street East Brighton. (7 signatures)

“We the undersigned hereby petition Bayside City Council to immediately commence the resurfacing of Blanche Street Brighton East due to the current poor condition of the road surface and its associated high risk to residents.”

Moved: Cr del Porto

Seconded: Cr Lowe

That the petition be received and dealt with in conjunction with item 13.1 Notice of Motion 232 – Resurfacing of Blanche Street East Brighton.

CARRIED

8. Reports by Advisory Committees

8.1 *Assembly of Councillors Records*

Corporate Services - Governance
File No: FOL/1234

Moved: Cr Frederico

Seconded: Cr Long

That Council notes the Assembly of Councillor records submitted as required by the Local Government Act.

CARRIED

8.2 *Minutes of the Arts and Culture Advisory Committee meeting held on 28 May 2014*

Corporate Services - Governance
File No: FOL/1234

Moved: Cr del Porto

Seconded: Cr Stewart

That Council notes the minutes of the Arts and Culture Advisory Committee meeting held on 28 May 2014.

CARRIED

9. Reports by Special Committees

Moved: Cr Frederico

Seconded: Cr Stewart

That item 9.1 and 9.2 be dealt with as a block motion and the recommendations be adopted.

CARRIED

9.1 *Minutes of a Special Committee to hear submissions in relation to the Council 2013-2017 (2014 Review) and Strategic Resource Plan 2014-15 to 2017-2018 held on 12 June 2014.*

Corporate Services - Governance
File No: COR/1234

That Council notes the minutes of the Special Committee of Council held on 12 June 2014 which heard submissions on the 2014 Review of the Council Plan 2013-2017 and Strategic Resource Plan 2014-2015 to 2017-2018.

NOTE – Item 9.1 was **CARRIED** as part of a block motion.

9.2 *Minutes of a Special Committee to hear submissions in relation to the Proposed 2013/14 Annual Budget held on 12 June 2014*

Corporate Services - Governance
File No: COR/1234

That Council notes the minutes of the Special Committee of Council held on 12 June 2014 which heard submissions in relation to the Proposed 2014/2015 Annual Budget.

NOTE – Item 9.2 was **CARRIED** as part of a block motion.

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REQUESTS TO BE HEARD:

In accordance with Council's Governance Local Law No.1 Clause 69, the following individuals were granted three minutes each to speak to an item indicated below.

Item 10.2 Bathing Box Infill

1. Mr Andrew Monotti
2. Ms Jenny Talbot

Item 10.3 Hurlingham Park Master Plan

1. Mr Noel Pullen
2. Mr Cameron Traum
3. Mr Mike Halstead-Lyons
4. Mr K.S. Spencer

Item 10.4 Beach Road Weekend No Stopping Zones

1. Mr Pete Dowe

Item 10.6 Strategic Needs Assessment of Stadium Facilities – Basketball and Netball

1. Mrs Alison Horton
2. Mr Steven Lunardon
3. Mrs Rebecca Hardiman
4. Mr Parveen Batish
5. Ms Ella Quinlan
6. Ms Wendy Wroblewski
7. Mr Kai Owens
8. Ms Kelsy Tranter

Item 10.7 Response to Petition: Anzac Centenary 2015 – Improvement works at Green Point Brighton Cenotaph

1. Mr K.S. Spencer

Item 10.17 Bayside Small Activity Centre Strategy and Recommended Planning Scheme Implementation (Amendment C126)

1. Ms Chris Martin
2. Mr Travis Finlayson
3. Ms Tracey King
4. Mr James Dun
5. Ms Jaclyn Murdoch
6. Mrs Marian Woolf
7. Mr Robert Schulberg
8. Mrs Marian Woolf on behalf of Mr Andrew Woolf
9. Mrs Pam Rolls

10.1 Proposal to sell 461 - 463 Bluff Road Hampton

Corporate Services – Commercial Services
File No: FOL/10/77335

Moved: Cr Lowe

Seconded: Cr del Porto

That Council:

1. resolves to give public notice under section 189 and 223 of the Local Government Act 1989 of the intention to sell the land at 461 - 463 Bluff Rd Hampton;
2. establishes a Special Committee of Council in accordance with section 223 of the Local Government Act 1989 consisting of all Councillors with a quorum of (4) Councillors to consider any submissions received pursuant to Section 223 of the Local Government Act 1989 at a meeting to be held at 6.30pm on Thursday 7 August 2014 in the Council Chambers, Boxshall Street, Brighton in relation to the proposed sale of the land at 461-463 Bluff Rd Hampton;
3. in the event that no submissions are received under section 223 of the Local Government Act 1989 to the proposed sale of the land, delegates authority to the Director Corporate Services to sell the land by public auction with a reserve price at the market value in the confidential attachment;
4. in the event that the reserve price is not achieved, authorises the Director Corporate Services to negotiate the sale privately with the highest bidder in the first instance, at a price no less than 5% below the reserve price;
5. in the event of negotiations being unsuccessful with the highest bidder, authorises the Director Corporate Services to negotiate with unsuccessful bidders in the first instance privately at a price no less than 5% below the reserve price;
6. authorises the Director Corporate Services to sign and seal all documentation associated with the proposed sale and transfer of the land on behalf of Council for the price in accordance with points 4 or 5 above;
7. transfers the net proceeds of the sale to the Infrastructure Reserve to be used towards specific projects involving early childhood facilities; and
8. receives a further report on specific projects in relation to the use of the net proceeds .

CARRIED

10.2 Bathing Box Infill

Corporate Services – Commercial Services
File No: FOL/10/3578

It is recorded that Mr Andrew Monotti and Ms Jenny Talbot spoke in relation to this matter.

Moved: Cr del Porto

Seconded: Cr Frederico

That Council

1. constructs three further bathing boxes south of bathing box 82 (Option 1, Attachment 3) and carry out a public process to licence these boxes;
2. constructs a further five bathing boxes south of the Kinane Street toilet block (Option 2, Attachment 3) subject to further consultation with the Brighton Beach Bathing Box Association;
3. notes the potential for a further two boxes between boxes 82 and 89 that will affect vegetation and require planning approval;
4. sources replacement plants from local stock if necessary;
5. undertakes the construction of a further two bathing boxes in the 2014/15 financial year; and
6. reinvests the net proceeds from the sale of bathing boxes back into the Dendy Street Beach Precinct.

CARRIED

It is recorded Cr del Porto declared an indirect conflict of interest where residential amenity may be altered in item 10.3 given he resides in close proximity to Hurlingham Park and any proposal may impact upon his residential amenity.

Cr del Porto was not present in the Chamber when this item was considered and vacated the Chamber at 7.37pm.

10.3 Hurlingham Park Master Plan

Community Services – Youth, Recreation and Events
File No: FOL/13/34702

It is recorded that Mr Noel Pullen, Mr Cameron Traum, Mr Mike Halstead-Lyons and Mr K.S. Spencer spoke in relation to this matter.

Moved: Cr Heffernan

Seconded: Cr Frederico

That Council:

1. adopts the Hurlingham Park Master Plan as set out as Attachment A to the report;
2. advises submitters of the outcome of Council's consideration of the Hurlingham Park Master Plan; and
3. authorises the Director of Community Services to make minor editorial changes to the Hurlingham Park Master Plan.

CARRIED

It is recorded that Cr del Porto vacated the Chamber immediately prior to the discussion on this item and was not present in the Chamber whilst the vote was taken on this matter.

It is recorded Cr del Porto re-entered the Chamber at 8.02pm following the consideration of the above item.

10.4 Beach Road Weekend No Stopping ZonesInfrastructure Services – Infrastructure Assets
File No: FOL/13/324011234

It is recorded that Mr Pete Dowe spoke in relation to this matter.

It is recorded that Cr Long vacated the Chamber at 7.42pm and re-entered at 7.44pm.

It is further recorded that Cr Stewart vacated the Chamber at 8.14pm and re-entered at 8.16pm

Moved: Cr Frederico**Seconded: Cr Heffernan**

That Council:

1. resolves to retain the Beach Road weekend 6am to 10am 'No Stopping' zones for the period June 2014 – July 2015;
2. continues to advocate the benefits of the outstanding short term actions in the Beach Road Corridor Strategy and to seek State Government funding for the outstanding short term actions; and
3. advocates to the Transport Accident Commission that serious cycling injury and crashes on Beach Road be included in the Transport Accident Commission Enhanced Crash Investigation Study.

The Motion was Put and a **DIVISION** was called.

DIVISION: **FOR:** Crs Stewart, Frederico, Heffernan, Lowe and Evans (5)
 AGAINST: Crs del Porto and Long (2)

CARRIED

**10.6 Strategic Needs Assessment of Stadium Facilities –
Basketball and Netball**

Community Services – Youth, Recreation & Events
File No:CON/13/31

It is recorded that Mrs Alison Horton, Mr Steven Lunardon, Mrs Rebecca Hardiman, Mr Parveen Batish, Ms Ella Quinlan, Ms Wendy Wroblewski, Mr Kai Owens and Ms Kelsy Tranter spoke in relation to this matter.

Moved: Cr Frederico

Seconded: Cr Stewart

That Council:

1. receives the *Strategic Needs Assessment of Stadium Facilities – Basketball and Netball* Report;
2. undertakes a feasibility study, including the preparation of concept plans, a cost plan, funding model and management plan, to construct four additional courts at the Sandringham Family Leisure Centre;
3. undertakes a feasibility study, including the preparation of concept plans, a cost plan, funding model and management plan, to construct two additional courts at the Thomas Street Netball Facility and considers in that feasibility study the inclusion of pavilion facilities to meet the needs of the Sandringham Athletic Club;
4. receives a future report presenting the findings from the feasibility studies; and
5. writes to Southern Basketball Association and Sandringham & District Netball Association to thank them for their support and participation on the Stadium Needs Assessment – Basketball and Netball Project Reference Group.

The Motion was Put and a **DIVISION** was called.

DIVISION: **FOR:** Crs Stewart, Long, Frederico, Heffernan, Lowe and Evans (6)
AGAINST: Cr del Porto (1)

CARRIED

10.7 Response to Petition: Anzac Centenary 2015 – improvement works at Green Point Brighton Cenotaph

Corporate Services - Governance

File No:FOL/11/684

It is recorded that Mr K.S. Spencer spoke in relation to this matter.

Moved: Cr Frederico**Seconded: Cr del Porto**

That Council:

1. notes the report on the response to the petition relating to improvement and additions to the war memorial located at Green Point Brighton as present to the Ordinary Meeting of Council on 20 May 2014;
2. considers the installation of two additional bench seats within the surrounds of the war memorial following the installation of flag poles;
3. investigates the opportunity to illuminate each side of the war memorial column whilst undertaking the installation and illumination of flag poles;
4. determines that the cannon remain in its current location in accordance with the heritage assessment undertaken in 2012;
5. refers the matter regarding a proposed bronze sculpture depicting the Anzac spirit at Green Point to the Arts and Culture Advisory Committee for assessment and discussion; and
6. writes to the first named petitioner advising of Council's decision in response to the petition.



10.17 Bayside Small Activity Centre Strategy and Recommended Planning Scheme Implementation (Amendment C126)

City Strategy – Urban Strategy
File No: FOL/13/34883

It is recorded that Ms Chris Martin, Mr Travis Finlayson, Ms Tracey King, Mr James Dun, Ms Jaclyn Murdoch, Mrs Marian Woolf, Mr Robert Schulberg, Mrs Marian Woolf on behalf of Mr Andrew Woolf and Mrs Pam Rolls spoke in relation to this matter.

It is recorded Cr Stewart vacated the Chamber at 9.44pm and re-entered at 9.46pm

Moved: Cr Stewart

Seconded: Cr del Porto

That Council:

1. notes the community and stakeholder feedback received in response to the draft Bayside Small Activity Centres Strategy and analysis at Attachment 4;
2. confirms the recommended Council position in response to the submissions as outlined in Attachment 4;
3. adopts the Bayside Small Activity Centres Strategy (June 2014) as provided in the form of Attachment 6 subject to the following changes:
 - (a) Dendy Village Small Neighbourhood Activity Centre – rezones the Council car park located at 767A Hampton Street, Brighton East from Residential 1 Zone to Commercial 1 Zone
 - (b) Nepean Highway and Union Street Small Neighbourhood Activity Centre – rezones the car park at 479 Nepean Highway associated with packaged liquor outlet (Dan Murphy's) from Residential 1 Zone to Commercial Zone 1
 - (c) Nepean Highway and North Road, Brighton Strategic Redevelopment Site – rezones the site from Residential 1 Zone to General Residential Zone schedule 7 and apply an Environmental Audit Overlay to the site
 - (d) East Brighton Shopping Centre (Centre #2) - amends the urban design assessment & guidelines (Appendix 3) by reducing the overall building height to 2 storeys (9 metres); reducing the maximum street wall height to 2 storeys (9 metres) and reallocating the centre capacity to low capacity for change;
 - (e) Balcombe Park, Beaumaris (Centre #13) - amends the urban design assessment & guidelines (Appendix 3) by reducing the overall building height to 2 storeys (9 metres); reducing the maximum street wall height to 2 storeys (9 metres) and reallocating the centre capacity to low capacity for change;
 - (f) Seaview Shopping Centre (Centre #11) - amends the urban design assessment & guidelines (Appendix 3) by reducing the overall building height to 2 storeys (9 metres); reducing the maximum street wall height to 2 storeys (9 metres) and reallocating the centre capacity to low capacity for change;

4. seeks authorisation from the Minister for Planning under Section 8(A) (3) of the *Planning and Environment Act 1987* to prepare an Amendment (C126) to the Bayside Planning Scheme in the form of Attachment 9, subject to:
- (a) reducing the maximum building and street wall heights of the ~~which includes an individual Design and Development Overlay schedule 16 (DDO16) prepared for the East Brighton Shopping Centre that responds to the specific heritage and movement recommendations contained within this report;~~
 - (b) applying the proposed Design and Development Overlay Schedule 13 (DDO13) to the Balcombe Park and Seaview Shopping Centres in Beaumaris, instead of proposed DDO14, to provide for a maximum building and street wall height of 2 storeys (9 metres).
 - (c) removes the site at the corner of North Road and Nepean Highway from the proposed DDO15 for four storey building height in response to part 3 (c).
5. authorises the Director City Strategy to make any necessary editorial changes; and
6. thanks all submitters for contributing to the development of the Bayside Small Activity Centres Strategy.

The Motion was Put and a **DIVISION** was called.

DIVISION: **FOR:** Crs Stewart, Long, Frederico, Heffernan, del Porto, Lowe and Evans (7)
 AGAINST: Nil (0)

CARRIED

10.8 ***Proposed Beaumaris Sports Club at Banksia Reserve – Update No.7***

Community Services – Youth, Recreation & Events
File No: A/20066

Moved: Cr Frederico

Seconded: Cr Stewart

That Council

1. notes the Beaumaris Sports Club fundraising update; and
2. receives a further report that verifies the Beaumaris Sports Club's funding position and confirms cash in bank at the 19 August 2014 Council meeting.

CARRIED

10.9 ISAF Sailing World Cup 2014 – Sail Melbourne – Yachting VictoriaCity Strategy – Urban Strategy
File No: PSF/14/1481

Moved: Cr Frederico**Seconded: Cr Stewart**

That Council:

1. notes the report on the outcomes of the 2013 ISAF Sailing World Cup as provided in the 2013 Post Event Report (Attachment 1);
2. provides in-kind sponsorship sought for the 2014 Cup comprising free access to Trey Bit Reserve between 1 December and 19 December 2014 and 20 temporary parking permits for event staff to use during the event;
3. provides the in-kind sponsorship subject to a written undertaking from Sail Melbourne / Yachting Victoria to the reinstatement of Trey Bit Reserve following the event;
4. be provided with a post evaluation report by Sail Melbourne, which details the economic impact of the event on the local Bayside economy and that this be reported to Council by July 2015; and
5. for the 2015, 2016 and 2017 ISAF Sailing World Cup events delegates the Director City Strategy to assess in-kind sponsorship requests subject to requirements being placed on sponsorship support for the provision of an annual evaluation report within 6 months of the event being completed and that the use of any open space provided be satisfactorily reinstated upon the conclusion of each event.

CARRIED**Moved: Cr del Porto****Seconded: Cr Stewart**

That items 10.10, 10.11, 10.12, 10.13, 10.14, 10.15 and 10.16 be dealt with as a block motion and the recommendations be adopted.

CARRIED

10.10 CON1424 Green Point Car Park (B4) Brighton DevelopmentInfrastructure Services – City Works
File No: CON/14/24

That Council:

1. awards the contract to Vcrete Concrete Contractors Pty Ltd (ABN 40 055 492 683) for the provision of Contract Number CON1424 Green Point Car Park (B4), Brighton Development – Option 1: Civil and landscaping works for the lump sum price of \$428,551.74 exclusive of GST and \$471,406.91 inclusive of GST, following the issuing of the planning permit;
2. authorises the Chief Executive Officer to sign all necessary documentation related to Contract Number CON1424 Green Point Car Park (B4), Brighton Development; and
3. advises the unsuccessful tenderers accordingly

NOTE – Item 10.10 was **CARRIED** as part of a block motion.

10.11 CON1439 Annual Pavement Resurfacing Program for 2014/15 and 2015/16Infrastructure Services
File No: COR1439

That Council:

1. awards the contract to Alex Fraser Asphalt Pty Ltd (A. B. N. 60 083 841 963) for the provision of Contract Number contract CON1439 Annual Pavement Resurfacing Program for 2014/15 and 2015/16 commencing 1 July 2014 for the specified schedule of rates as outlined in confidential attachment 2;
2. authorises the Chief Executive Officer to sign all necessary documentation related to Contract Number CON1439 Annual Pavement Resurfacing Program for 2014/15 and 2015/16; and
3. advises the unsuccessful tenderers accordingly.

NOTE – Item 10.11 was **CARRIED** as part of a block motion.

10.12 CON1442 Annual Residential Concrete Footpaths Replacement Works for 2014/15 and 2015/16

Infrastructure Services – City Works
File No: CON14442

That Council:

1. awards the contract to DDN Paving Pty Ltd (ABN: 67 101 916 232) for the provision of CON1442 Annual Residential Concrete Footpaths Replacement works for 2014/15 and 2015/16 commencing 1 July 2014 for the specified schedule of rates as outlined in confidential attachment 2;
2. authorises the Chief Executive Officer to sign all necessary documentation related to CON1442 Annual Residential Concrete Footpaths Replacement Works for 2014/15 and 2015/16; and
3. advises the unsuccessful tenderers accordingly.

NOTE – Item 10.12 was **CARRIED** as part of a block motion.

10.13 CON1443 Annual Residential Asphalt Footpaths Replacement Works for 2014/15 and 2015/16

Infrastructure Services – City Works
File No: CON1443

That Council:

1. awards the contract to Fulton Hogan Industries Pty Ltd (ABN: 54 000 538 689) for the provision of CON1443 Annual Residential Asphalt Footpaths Replacement Works for 2014/15 and 2015/16 commencing 1 July 2014 for the specified schedule of rates as outlined in confidential attachment 2;
2. authorises the Chief Executive Officer to sign all necessary documentation related to CON1443 Annual Residential Asphalt Footpaths Replacement Works for 2014/15 and 2015/16; and
3. advises the unsuccessful tenderers accordingly.

NOTE – Item 10.13 was **CARRIED** as part of a block motion.

10.14 CON1444 Annual Kerb and Channel Replacement Works for 2014/15 and 2015/16

Infrastructure Services – City Works
File No: CON1444

That Council:

1. awards the contract to Paper Street Pty Ltd trading as Metroplant & Civil (ABN 81 152 055 359) for the provision of CON1444 Annual Kerb and Channel Replacement Works for 2014/15 & 2015/16 commencing 1 July 2014 for the specified schedule of rates as outlined in confidential attachment 2;
2. authorises the Chief Executive Officer to sign all necessary documentation related to CON1444 Annual Kerb and Channel Replacement Works for 2014/15 & 2015/16; and
3. advises the unsuccessful tenderers accordingly.

NOTE – Item 10.14 was **CARRIED** as part of a block motion.

10.15 Bayside Tourism Network Membership

City Strategy – Urban Strategy
File No: PSF/14/48

That Council:

1. grants Ms Alexandra Eastgate a leave of absence for 12 months effective immediately;
2. reappoints to the Bayside Tourism Network the following renominating members each for a full two year term:
 - Mr Sebastian Fontanarossa
 - Ms Jessica Derham
 - Mr Kel Costello
3. appoints Ms Karen Sedgwick for the 12 month vacancy created by Ms Eastgate's leave of absence;
4. appoints Ms Debbie Tizi for a full two year term;
5. thanks Dr Leonie Lockstone-Binnie who is retiring, for her contribution to the Bayside Tourism Network; and
6. notes the report.

NOTE – Item 10.15 was **CARRIED** as part of a block motion.

10.16 Review of Fraud Prevention Policy

Corporate Services - Governance
File No: FOL/11/1118

That Council adopts the Fraud Prevention Policy dated June 2014 version 2 as attached to the report.

NOTE – Item 10.16 was **CARRIED** as part of a block motion.

10.17 Bayside Small Activity Centre Strategy and Recommended Planning Scheme Implementation (Amendment C126)

City Strategy – Urban Strategy
File No: FOL/13/34883

This item was dealt with at an earlier stage of the meeting.

It is recorded Cr Stewart declared a personal interest in item 10.18 given she has a friend who resides in close proximity to one of the locations identified in the report and the proposal may affect her residential amenity.

Cr Stewart was not present in the Chamber when this item was considered and vacated the Chamber at 10.43pm.

10.18 Sport and Recreation Victoria, Community Facility Funding Program – 2015/16 Grant Applications

Community Services – Youth, Recreation & Events
File No: FOL/12/1772

Moved: Cr Frederico

Seconded: Cr Long

That Council:

1. endorses the submission of full applications to the Victorian Government's Department of Transport, Planning and Local Infrastructure - Sport and Recreation Victoria's 2015/2016 Community Facility Funding Program for the following projects:
 - Simpson Reserve Sportsground Lighting;
 - Boss James Sportsground Lighting; and
 - Brighton Beach Bowls Club – Synthetic Green.
2. refers the allocation of Council funding towards the Sportsground Lighting projects at Simpson Reserve and Boss James Reserve to Council's 2015/2016 budget development process

CARRIED

It is recorded that Cr Stewart vacated the Chamber immediately prior to the discussion on this item and was not present in the Chamber whilst the vote was taken on this matter.

It is recorded Cr Stewart re-entered the Chamber at 10.44pm following the consideration of the above item

10.19 Council Plan 2013 – 2017 (2014 Review) and Strategic Resource Plan 2014 - 2018

Corporate Services - Governance
File No: CON 1234

Moved: Cr Stewart

Seconded: Cr Long

That Council:

1. having considered the submission received in accordance with Section 223 of the Local Government Act 1989 in relation to the Strategic Resource Plan 2014-2018, adopts:
 - a. the Council Plan 2013-2017 (2014 Review) incorporating changes as outlined in the report; and
 - b. the Strategic Resource Plan 2014-2018 as presented;
2. forwards to the Minister of Local Government a copy of the Council Plan 2013-2017 (2014 Review) and the Strategic Resource Plan 2014-2018 by 30 June 2014 in accordance with legislative requirements; and
3. thanks and advises submitters of the reasons for the adoption of the Council Plan 2013-2017 (2014 Review) and Strategic Resource Plan 2014-2018.

CARRIED

10.20 Adoption of the 2014/15 Budget and Long Term Financial Plan

Corporate Services - Finance
File No: DOC/14

Part A

Moved: Cr Frederico

Seconded: Cr Lowe

That in response to the budget submission received from Yachting Victoria, Council includes into the 2014/2015 Annual Budget as part of the operational budget the following item:

- ISAF Sailing World Cup – Sponsorship \$5,000 and negotiate an appropriate sponsorship package.

The Motion was Put and a **DIVISION** was called.

DIVISION: **FOR:** Crs Frederico, Heffernan, Lowe and Evans (4)
 AGAINST: Crs Heffernan, Long and del Porto (3)

CARRIED

Part B

Moved: Cr Frederico

Seconded: Cr Heffernan

That in response to the budget submission received from the Hampton Street Traders Association, Council includes into the 2014/2015 Annual Budget as part of the New Initiative Program the following item:

- Development of a Business Plan for Hampton Street Traders Association, \$15,000 on the basis the association seeks additional funding from external sources.

The Motion was Put and a **DIVISION** was called.

DIVISION: **FOR:** Crs Frederico, Heffernan and Lowe (3)
 AGAINST: Crs Stewart, Long, del Porto and Evans (4)

LOST

Part B

Moved: Cr Long

Seconded: Cr del Porto

That in response to the budget submission received from the Hampton Street Traders Association, Council includes into the 2014/2015 Annual Budget as part of the New Initiative Program the following item:

- Development of a Business Plan for Hampton Street Traders Association, \$20,000.

The Motion was Put and a **DIVISION** was called.

<u>DIVISION:</u>	FOR:	Crs Stewart, Long, Frederico, Heffernan, del Porto, Lowe and Evans (7)
	AGAINST:	Nil (0)

CARRIED

Moved: Cr Frederico

Seconded: Cr Long

That the meeting be extended for a further period of 30 minutes.

CARRIED

Part C**Moved: Cr Stewart****Seconded: Cr Long**

That Council includes into the 2014/2015 Annual Budget as part of the operational budget the following item:

- 1st Beaumaris Sea Scouts Jetty Contribution \$20,000 - subject to a Council report being presented at the July Council meeting

CARRIED**Part D****Moved: Cr Stewart****Seconded: Cr Long**

That Council:

1. notes the changes to the 2014/15 Budget incorporating the most recent valuation data (Valuer-General 7A certification) with no impact to rates and charges revenue;
2. having considered submissions received pursuant to Section 223 of the Local Government Act 1989, adopt the 2014/15 Budget (as attached) for the financial year ending 30 June 2015 with the following changes:
 - a) The inclusion of \$20,000 towards the development of a Business Plan for the Hampton Traders Association.
 - b) The inclusion of \$5,000 for the sponsorship of the ISAF Sailing World Cup.
 - c) The inclusion of \$20,000 contribution towards the 1st Beaumaris Sea Scouts Jetty construction subject to a report being presented to the July Council Meeting
 - d) That the above inclusions in the 2014/15 Budget be funded from a reduction in the budgeted Workcover Premium
3. gives public notice of its decision to adopt the Budget in accordance with Sections 130 of the Local Government Act 1989;
4. forwards a copy of the 2014/15 Budget to the Minister in accordance with the Local Government Act 1989;
5. thanks the submitters for their submissions and advise of the reasons for the adoption of the 2014/15 Budget;
6. adopts the Long Term Financial Plan 2014/15 – 2023/24;
7. adopts the Schedule of Discretionary Fees and Charges attached to the 2014/2015 Budget; and
8. thanks and advises submitters of the reasons for the adoption of the 2014/15 Budget and the Long Term Financial Plan 2014/15 – 2023/24.

CARRIED

10.21 Declarations of Rates and Charges

Corporate Services - Finance
File No: FOL/14/2

Moved: Cr Stewart

Seconded: Cr Frederico

That the following resolution be adopted by Council to formally declare the Rates and Charges for the 2014/15 Rating Year.

1. Amount Intended To be Raised

That an amount of \$78,070,291 be declared as the amount which Council intends to raise by general rates, municipal charge, annual service charge and an amount in lieu of rates (in accordance with the Cultural and Recreational Lands Act 1963) described later in this Resolution, which amount is calculated as follows:-

General Rates	\$63,836,540
Municipal Charge	\$5,795,002
Annual Service Charge (Waste)	\$8,166,368
Amount in lieu of rates in accordance with Cultural and Recreational Lands Act	<u>\$272,381</u>
TOTAL	<u>\$78,070,291</u>

2. General Rates

- 2.1 That a General Rate be applied at a uniform rate of 0.139710 cents for each dollar of Capital Improved Value be declared in respect of the 2014/15 Financial Year.
- 2.2 That in accordance with the Cultural and Recreational Lands Act 1963, the amounts payable as rates be the amounts set out in the attached "Cultural and Recreational Lands Summary" in respect of the 2014/15 Financial Year for all land to which that Act applies.

3. Municipal Charge

- 3.1 That a Municipal Charge is declared in respect of the 2014/15 Financial Year.
- 3.2 That the Municipal Charge is declared for the purpose of covering some of the administrative costs of Council.
- 3.3 That a Municipal Charge in the sum of \$136.10 for each rateable land (or part thereof) in respect of which a municipal charge may be levied is declared in respect to the 2014/15 financial year.
- 3.4 That it is confirmed that the Municipal Charge is declared in respect of all rateable land within the municipal district in respect of which a Municipal Charge may be levied.

4. Annual Service Charges

- 4.1 That pursuant to the provisions of Section 162 of the Local Government Act 1989 an Annual Service Charge relating to Waste Management, less any rates concession, be declared for each rateable property:
- 4.1.1 The Annual Service Charge is levied on each rateable property (excluding Domestic Use Bathing Boxes, Electricity Substations and Telecommunication Towers) in the sum of \$197.50 for a 140-litre mobile garbage bin or \$150.00 for a 80-litre mobile garbage bin.
- 4.1.2 That an amount of \$90.00 be charged as a waste contribution if no waste service is provided
- 4.1.3 That an amount of \$150.00 be charged as a waste availability service charge where no waste service is provided by Council but such a service is available.
- 4.1.4 The Annual Service Charge is declared in respect of the 2014/15 Financial Year.
- 4.2 That pursuant to the provisions of Section 221 of the Local Government Act 1989 an Annual Service Charge relating to Waste Management is declared on each non-rateable property where the service is provided:
- 4.2.1 The Annual Service Charge is levied on each non-rateable property in the sum of \$197.50 for a 140-litre mobile garbage bin or \$150.00 for a 80-litre mobile garbage bin.
- 4.2.2 The Annual Service Charge is declared in respect of the 2014/15 Financial Year.

5. Incentives

An incentive is given at the rate of 2.0 percent discount in relation to the total amount payable for the sum of the General Rates, Municipal Charge, the Annual Service Charges and Bathing Box licence fee if full payment is received by 31 August 2014.

6. Rate Payments

- 6.1 Rates are payable in four equal instalments due by 30 September 2014, 30 November 2014, 28 February 2015 and 31 May 2015.
- 6.2 Where no instalment has been paid by 30 September 2014, rates are due in a lump sum and payable by 15 February 2015.

7. Consequential

- 7.1 It be recorded that Council requires any person to pay interest on any amounts of rates and charges which:
- That person is liable to pay; and
 - Have not been paid by the date specified for their payment.
- 7.2 The Revenue Coordinator is authorised to levy and recover the general rates, municipal and annual service charges described earlier in this Resolution in accordance with the Local Government Act 1989.

CULTURAL & RECREATIONAL LANDS SUMMARY 2014/15

Description	Total Payment
Basterfield Tennis Club	\$ 1,278.35
Beaumaris Bowls Club	\$ 3,420.94
Beaumaris Community Centre Tennis Club	\$ 3,013.54
Beaumaris Lawn Tennis Club	\$ 4,639.77
Beaumaris Motor Yacht Squadron	\$ 3,688.34
Beaumaris Yacht Club	\$ 565.83
Black Rock Bowling & Tennis Club	\$ 4,052.99
Black Rock Yacht Club	\$ 1,430.91
Brighton Beach Bowling Club	\$ 2,263.30
Brighton Croquet Club	\$ 2,893.67
Cheltenham Golf Club	\$ 12,909.20
Cheltenham Golf Club	\$ 1,326.97
Dendy Park Bowls Club Inc.	\$ 5,130.15
Dendy Park Lawn Tennis Club	\$ 6,395.92
Elsterwick Park Sports Club	\$ 3,424.29
Elsterwick Tennis Club	\$ 3,316.99
Gray Court Reserve P/L	\$ 749.40
Hampton Bowls Club	\$ 5,431.92
Hampton Sailing Club	\$ 1,198.71
Hampton Tennis Club	\$ 2,036.97
Highbett Bowls Club	\$ 2,900.38
Highbett Tennis Club	\$ 947.23
Hurlingham Park Tennis Club	\$ 2,812.36
Royal Brighton Yacht Club	\$ 10,649.26
Royal Melbourne Golf Club	\$ 85,100.16
Royal Melbourne Golf Club	\$ 23,890.41
Sandringham Angling Club	\$ 641.27
Sandringham Athletic Club Inc.	\$ 607.74
Sandringham Bowls Club	\$ 3,009.35
Sandringham Club	\$ 5,901.35
Sandringham Croquet Club	\$ 1,450.19
Sandringham Football Club Beach Oval	\$ 2,162.71
Sandringham Yacht Club	\$ 9,789.20
Sandringham Youth Club	\$ 792.16
Scouts Association	\$ 322.73
Stella Maris Tennis Club	\$ 1,991.71
Victoria Golf Club	\$ 41,493.87
Victorian Amateur Football Association	\$ 1,290.92
West Brighton Club	\$ 7,459.68
	\$ 272,380.85

CARRIED

10.22 Dendy Street Pavilion Design Development

Community Services – Youth, Recreation & Events
File No: FOL/13/34765

Moved: Cr Frederico

Seconded: Cr Long

That Council:

1. undertakes a design development process that involves publicly advertising for Expressions of Interest as provided in Option 2 within the report: and
2. endorses the design components of the Dendy Street Beach Pavilion not to exceed 1600 m² over two levels, and including facilities to accommodate the Brighton Lifesaving Club, cafe and kiosk, Bayside Swim Club, public toilets and shared multipurpose spaces.

CARRIED

Moved: Cr del Porto

Seconded: Cr Stewart

That Item 13.1 be dealt with at this stage of the meeting.

CARRIED

13.1 Notice of Motion No: 232 – Resurfacing of Blanche Street East Brighton

Corporate Services - Governance
File No: COR 1234

Moved: Cr del Porto

Seconded: Cr Heffernan

That Council:

1. notes that Blanche Street, Brighton was last resurfaced in 1989 and in the last three years has experienced sewer and water main renewal works that have resulted in a very poor road surface with approximately 100 patches over what is a 300 metre long street; and
2. resolves to include the resurfacing of Blanche Street Brighton as part of the 2014/15 summer road resurfacing program within the 2014/15 Budget given of the urgency of this matter.

The Motion was Put and a **DIVISION** was called.

DIVISION: **FOR:** Crs Stewart, Long, Frederico, Heffernan, del Porto, Lowe and Evans (7)
 AGAINST: Nil (0)

CARRIED

Moved: Cr Frederico**Seconded: Cr Stewart**

That items 10.23, 10.24, 10.25, 10.26, 10.27 and 10.28 be dealt with as a block motion and the recommendations be adopted.

CARRIED

10.23 Proposed new clauses for Local Law No. 2 – Feeding of Birds on Private and Public Land

Infrastructure Services – Amenity Protection
File No: PSF/12/2146

That Council:

1. commences the statutory process for the making of the new bird feeding clauses, and for these clauses to be incorporated into the Principal Local Law: Consolidated Local Law No 2 ‘Neighbourhood Amenity’ (**Attachment 1**);
2. gives public notice of the exhibition of the draft bird feeding clauses proposed to be incorporated into the Principal Local Law: Consolidated Local Law No 2 ‘Neighbourhood Amenity’, and invites public submission under section 223 of the Local Government Act;
3. establishes a Special Committee of Council in accordance with section 223 of the Local Government Act 1989 consisting of all Councillors with a quorum of four Councillors to consider any submissions received pursuant to Section 223 of the Local Government Act 1989 at a meeting to be held at 6.30pm on Tuesday 26 August 2014 in the Council Chambers, Boxshall Street, Brighton in relation to the clauses proposed to be incorporated into the Principal Local Law: Consolidated Local Law No.2 Neighbourhood Amenity’; and
4. considers the final clauses and amendments to Local Law No. 2 at its Ordinary Meeting of Council on 16 September, 2014.

NOTE – Item 10.23 was **CARRIED** as part of a block motion.

10.24 Litterbin Collection Services – Extension of Contract 091031

City Strategy – Environmental Sustainability & Open Space
File No: FOL/13/433

That Council awards the extension option term of 2 years to Selkrig Enterprises Pty Ltd commencing 3 March 2015 concluding 2 March 2017.

NOTE – Item 10.24 was **CARRIED** as part of a block motion.

10.25 Discontinuance and Sale of Roads, Right of Ways and Drainage Reserves

Corporate Services – Commercial Services
File No: FOL/11/3522

That Council adopt the Discontinuance, Sale of Roads, Right of Ways and Drainage Reserves Policy version 1 as attached to the report.

NOTE – Item 10.25 was **CARRIED** as part of a block motion.

10.26 Financial Report for ten (10) months to 30 April 2014

Corporate Services - Finance
File No: Apr 13 Financials

That Council notes the financial report for operating and capital for the ten months ending 30 April 2014.

NOTE – Item 10.26 was **CARRIED** as part of a block motion.

10.27 VCAT Decisions

City Strategy – Statutory Planning
File No: COR/1234

That the report on the VCAT decision on the planning application handed down since the last Council Meeting be received and noted.

NOTE – Item 10.27 was **CARRIED** as part of a block motion.

10.28 Council Action Awaiting Report

Corporate Services - Governance
File No: FOL/1234

That Council notes the Council Action Awaiting Report.

NOTE – Item 10.28 was **CARRIED** as part of a block motion.

Moved: Cr Frederico

Seconded: Cr Lowe

That the meeting be adjourned at 11.29pm and will be reconvened on Tuesday 1 July 2014 at 6.30pm at the Corporate Centre Royal Avenue, Sandringham to consider the remainder of business on the agenda dated 24 June 2014.

CARRIED

Moved: Cr Frederico

Seconded: Cr Long

That the 24 June 2014 Ordinary Meeting of Council be reconvened.

CARRIED



Minutes of the Reconvened Ordinary Meeting of Bayside City Council

The Meeting was held at the Corporate Centre
Royal Avenue, Sandringham
on Tuesday 1 July 2014

The Meeting commenced at 6.30pm

PRESENT:

Cr Laurence Evans (Mayor)
Cr Felicity Frederico
Cr Michael Heffernan
Cr James Long
Cr Bruce Lowe
Cr Heather Stewart

OFFICERS IN ATTENDANCE:

Adrian Robb	Chief Executive Officer
Shiran Wickramasinghe	Director City Strategy
Mick Cummins	Director Corporate Services
Steven White	Director Infrastructure Services
Kaylene Conrick	Director Community Services
Matt Kelleher	Manager Urban Strategy
Terry Callant	Governance Manager
Janice Pouw	Governance Officer

1. Apologies – An apology from Cr del Porto was submitted to the meeting.

Moved: Cr Long

Seconded: Cr Lowe

That the apology of Cr del Porto be received and noted and leave of absence is in accordance with Council's resolution dated 29 April 2014.

CARRIED

2. Disclosure of any Conflict of Interest of any Councillor

At the commencement of 24 June 2014 Ordinary Meeting of Council, Councillors declared the following Conflicts of Interest

- Cr del Porto declared an indirect conflict of interest where residential amenity may be altered in item 10.3 as he resides in close proximity to Hurlingham Park and any proposal may impact upon his residential amenity.
- Cr Stewart declared a personal interest in item 10.18 as she has a friend who resides in close proximity to one of the locations identified in the report and the proposal may affect her residential amenity.

There were no declarations of interest made at the reconvened meeting held on Tuesday 1 July 2014.

10.29 Late Report – New Residential Zones Update

City Strategy – Urban Strategy
File No: FOL/12/5563-05

Moved: Cr Frederico

Seconded: Cr Stewart

That Council:

1. notes the outcomes of the meeting with the Minister for Planning held on 18 June 2014;
2. writes to the Minister for Planning confirming its support for the Minister to initiate a Section 20(4) Amendment process to introduce the Local Planning Policy Framework (LPPF) changes sought by Amendment C106 and an increase in the permeability standard as part of the schedule to the Neighbourhood Residential Zone to 25 per cent; and
3. informs the community of the Minister's approval and gazettal of Amendment C106.

The Motion was Put and a **DIVISION** was called.

DIVISION: **FOR:** Crs Lowe, Frederico, Heffernan, Long, Stewart and Evans (6)
AGAINST: Nil (0)

CARRIED

11. Reports by Delegates

Reports by Delegates from the following organisations:

1. **Association of Bayside Municipalities** – Cr Frederico
Cr Frederico reported on her attendance at the Association of Bayside Municipalities meeting held on 22 May 2014. Notes from the meeting were provided to Councillors.
2. **MAV Environment Committee** – Director City Strategy
The Director City Strategy reported on his attendance at the inception meeting of the MAV Environment Committee held on 5 June 2014 where the protocols were discussed.
3. **Metropolitan Transport Forum** – Cr Long
Cr Long reported on his recent attendance at the Metropolitan Transport Forum meeting. Cr Long advised that discussion included the future of public transport and the transport network including the CBD.
4. **Municipal Association of Victoria** – Cr Frederico
Cr Frederico reported on her recent attendance and forwarded a summary of notes to all Councillors.
5. **Victorian Local Governance Association** – Governance Manager
The Governance Manager reported that the Mayor, Chief Executive Officer and Governance Manager recently met with the President and Chief Executive Officer of the VLGA to discuss the future direction of the VLGA.
6. **Inner South Metropolitan Mayors' Forum** – Cr Evans
No report submitted.
7. **Metropolitan Waste Management Forum** – Cr Frederico
Cr Frederico was unable to attend the recent Metropolitan Waste Management Forum due to a clash with the hearing of the Budget submissions at the Section 223 Hearing however a Council Officer attended the meeting.

Cr Lowe reported on his recent attendance at the ALGA Conference held in Canberra where he met with the President of the Indian Myna Action Group.
Cr Lowe advised that a report will be submitted to Council later in the year to explore options available to Council.

Moved: Cr Long

Seconded: Cr Heffernan

That the Councillors' reports be received and noted.

CARRIED

12. Urgent Business

12.1 Merindah Park Update – Legal Matters

Infrastructure Services
File No: FOL/12/1628

Moved: Cr Frederico

Seconded: Cr Heffernan

That the matter relating to Merindah Park Update – Legal Matters be considered and dealt with as a matter of urgent business in camera.

CARRIED

12.2 Appointment of a substitute representative to the Arts & Culture Advisory Committee

Corporate Services
File No: FOL/1234

Moved: Cr Long

Seconded: Cr Stewart

That the matter relating to the appointment of a substitute Councillor representative to the Arts and Culture Advisory Committee be considered and dealt with as a matter of urgent business.

CARRIED

Moved: Cr Frederico

Seconded: Cr Lowe

That Cr Stewart be appointed as substitute representative to the Arts and Culture Advisory Committee in the absence of the Chairman Cr del Porto.

CARRIED

14. Confidential Business

Moved: Cr Frederico

Seconded: Cr Heffernan

That pursuant to Section 89(2) of the Local Government Act 1989, the Council resolves that so much of this meeting be closed to members of the public, as it involves Council consideration of matters coming within some or all of the following categories listed in Section 89(2) of such Act.

- (a) Personnel matters;*
- (b) The personal hardship of any resident or ratepayers;*
- (c) Industrial matters;*
- (d) Contractual matters;*
- (e) Proposed developments;*
- (f) Legal advice;*
- (g) Matters affecting the security of Council property;*
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;*
- (i) A resolution to close the meeting to members of the public.*

CARRIED

Table of Contents

- 14.1 Confidential Contractual Attachments – CON/091031, CON/1424, CON/1439, CON/1442, CON/1443, CON/1444 (LGA 1989 Section 89(2)(d) Contractual matter)
- 12.1 Urgent Business - Merindah Park Update – Legal Matters

It is recorded that the public gallery was vacated to enable Council to consider the above listed items in Confidential Business.

Following consideration of Confidential Business the Chairperson declared the meeting closed at 6.53pm.

CONFIRMED THIS 22 DAY OF JULY 2014

CHAIRPERSON:

