

**Minutes of the Annual Meeting of
Bayside City Council**

Meeting held in the Council Chambers
Civic Centre, Brighton
on Tuesday 10 November 2015
commencing at 7.00pm

In accordance with Local Law No. 1 – Governance Local Law, the Chief Executive Officer is Chairperson (Pro-tem).

PRESENT: Cr Alex del Porto
Cr Laurence Evans
Cr Felicity Frederico
Cr Michael Heffernan
Cr James Long BM JP
Cr Bruce Lowe
Cr Heather Stewart

OFFICERS IN ATTENDANCE:

Adrian Robb	Chief Executive Officer
Shiran Wickramasinghe	Director City Planning & Amenity
Mick Cummins	Director Corporate Services
Steven White	Director Environment & Infrastructure
Kaylene Conrick	Director Community Services
Terry Callant	Manager Governance & Performance Reporting
Janice Pouw	Governance Officer

The Chairperson declared the meeting open at 7.00pm and advised members of the public gallery that the Council meeting is being recorded and streamed live on the internet to enhance the accessibility of Council meetings to the broader Bayside Community. The recordings will be archived for a period of twelve months and will be available on Council's website.

The Chairperson acknowledged the attendance of former Mayors and Councillors present at this meeting. The Chairperson also advised of apologies received from former Mayors, State and Federal Members of Parliament who were unable to attend this meeting.

The Chairperson invited Cr del Porto to read the prayer.

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*

ACKNOWLEDGEMENT OF THE ORIGINAL INHABITANTS

Cr Evans 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.*

1. **APOLOGIES**

There were no apologies submitted to the meeting.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest submitted to the meeting.

3. **FIXING OF MAYORAL AND COUNCILLOR ALLOWANCES FOR 2014/15**

3.1 **Councillors Allowance**

Moved: Cr del Porto

Seconded: Cr Evans

That in accordance with Section 73B of the Local Government Act 1989, Council reconfirms its decision of 19 March 2013 that the Councillors allowance be set as a category 2 Council at the maximum level of \$23,539 per annum payable by monthly instalments in advance and be adjusted as a result of any State Government annual adjustment to the allowance.

CARRIED

3.2 **Mayoral Allowance**

Moved: Cr Heffernan

Seconded: Cr Frederico

1. That in accordance with Section 73B of the Local Government Act 1989, Council reconfirms its decision of 19 March 2013 that the Mayoral allowance be set as a category 2 Council at the maximum level of \$72,834 per annum payable by monthly instalments in advance and be adjusted as a result of any State Government annual adjustment to the allowance.
2. That it be noted that a Mayoral vehicle is provided in accordance with the Section 4.8 of the Councillor Support and Expense Policy (August 2012).

CARRIED

4. **RECEIPT OF NOMINATIONS FOR THE ELECTION OF MAYOR**

The Chief Executive called for nominations for the Office of Mayor.

Nomination received from Cr Evans Seconded by Cr Stewart

That Councillor Stewart be nominated as Mayor of Bayside City Council for the 2015/2016 Council Year.

Cr Stewart accepted the nomination.

Nomination received from Cr Heffernan Seconded by Cr Long

That Councillor Long be nominated as Mayor of Bayside City Council for the 2015/2016 Council Year.

Cr Long accepted the nomination.

Moved: Cr Frederico

Seconded: Cr del Porto

That candidates for the position of Mayor be granted 4 minutes each to speak on the attributes they intend to bring to the role of Mayor.

CARRIED

The candidates were invited to speak in the order the nominations were received. Cr Stewart to speak followed by Cr Long.

In accordance with Local Law No 1, the Chief Executive Officer put the nominations to the vote in the order in which they were received.

Councillor Stewart - Number of votes - 3

Councillor Long - Number of votes - 4

5. **ELECTION OF MAYOR**

The Chief Executive declared Cr Long elected as Mayor of Bayside City Council for the 2015/2016 Council year.

Cr del Porto offered congratulations to the incoming Mayor, Cr Long.

Cr Long made an acceptance speech in his role as Mayor.

Moved: Cr Evans

Seconded: Cr del Porto

That a letter of appreciation under the seal of Council be presented to the immediate past Mayor Cr Felicity Frederico in recognition of her Mayoral term of office.

CARRIED

It is recorded that Crs Long, Evans, Heffernan and del Porto congratulated the former Mayor for her achievements in her term as Mayor. The enormous number of sporting events, functions and meetings Cr Frederico attended as Council's representative was testament to the passion and dedication to the Bayside community.

The Chief Executive Officer expressed his appreciation to the former Mayor, Cr Frederico for her leadership and frank advice on ways to improve the organisation. The CEO commented on Cr Frederico's consistent advocacy for Bayside, the Grass Ceiling Campaign that began at a Councillor Workshop and is now on the national stage being discussed in Federal Government.

Presentations

- The Mayor invited the immediate former Mayor, Cr Frederico to come forward to receive a presentation.
- All parties returned to their seats.

6. APPOINTMENT OF DEPUTY MAYOR

Nomination received from Cr Stewart Seconded by Cr Heffernan

That Councillor Evans be nominated as Deputy Mayor of Bayside City Council for the 2015/2016 Council Year and Acting Mayor in the absence of the Mayor for the purposes of Section 73(3) of the Local Government Act, unless Council resolves otherwise.

Cr Evans accepted the nomination.

Given that there were no further nominations for Deputy Mayor, the Mayor duly declared Cr Evans elected as Deputy Mayor for the 2015/2016 Council year and Acting Mayor in the absence of the Mayor for the purposes of Section 73(3) of the Local Government Act, unless Council resolves otherwise.

7. Appointment of Committees

7.1 Planning and Amenity Committee

Moved: Cr del Porto

Seconded: Cr Lowe

1. That a Special Committee pursuant to Section 86 of the Local Government Act 1989, known as the **Planning and Amenity Committee**, be established, for the purpose of considering all matters relating to statutory planning, tree removal applications and traffic and parking matters. This Committee will not determine upon any policy or strategy matters.
2. That the members of the Committee be all of the Councillors, and that the quorum of this Committee be a majority of the Council members.
3. That the following powers be delegated to the Planning and Amenity Committee to be exercised only in accordance with an Instrument of Delegation pursuant to Section 86(3) of the Local Government Act 1989:
 - *All of the powers, discretions and functions conferred by or under the Planning and Environment Act 1987;*
 - *The power to determine upon any Tree Removal applications; and*
 - *The power to determine upon any specific local traffic and parking matters*
5. That the Instrument of Delegation relating to the Planning and Amenity Committee effective as from this resolution be signed and sealed by Council.
6. That except as provided in the Local Government Act 1989 and subject to any local laws and any subsequent resolution of Council, meetings of the Planning and Amenity Committee shall as far as is practicable be conducted as if they were meetings of the Council.

CARRIED

7.2 Appointment of Planning and Amenity Committee Chairperson

Moved: Cr Stewart

Seconded: Cr del Porto

That Councillor Evans be appointed as Chairperson of the Planning and Amenity Committee for the 2015/16 Council year.

CARRIED

7.3 Audit Committee

Moved: Cr Frederico

Seconded: Cr del Porto

1. That an Advisory Committee pursuant to Section 139 of the Local Government Act 1989 known as the Audit Committee be reconstituted.
2. The terms of reference of the Audit Committee be those set out in the Audit Committee Charter adopted by Council on 26 May 2015, or as amended from time to time;
3. That Council re-affirm the appointments of the external independent members as follows:
 - Mr Brian Keane for a term expiring on 30 September 2016
 - Dr John (AJ) Purcell for a term expiring on 30 September 2017
 - Mr Mick Ulbrick for a term expiring on 30 September 2018.
 - Ms Lisa Woolmer for a term expiring on 30 September 2018
4. That the meeting fee be increased by CPI to \$1,478 per meeting for external members and the meeting fee for the Chairperson be increased by CPI to \$1,876 per meeting effective from the first meeting to be held in November 2015.
5. That in accordance with the Audit Committee Charter appointment of Councillor representatives be for a term of two years, Council appoints Cr Laurence Evans and Cr Bruce Lowe to the Audit Committee for the 2015/2016 Council year.

CARRIED

7.4 CEO Employment Matter Committee

Moved: Cr del Porto

Seconded: Cr Frederico

That further to Council's decision of 21 May 2015 to continue the appointment of Ms Paula Giles as the suitably qualified Chairperson to the Chief Executive Officer's Employment Matters Committee for 2015/16 year, noting that the contract will expire on July 2017, that Council sets the meeting fee at \$1,876 per meeting effective from the first meeting to be held in February 2016.

CARRIED

8. Determining the Meeting Cycle of Council Meetings & Committee Meetings

Moved: Cr Stewart

Seconded: Cr Evans

1. That Council reaffirms the meeting schedule for the remainder of 2015 and adopts the Council and Committee Meeting Cycle commencing 19 January 2016 to 20 December 2016.

Remainder of the Meeting Schedule for 2015 previously resolved by Council on 5 November 2014.

Planning & Amenity Committee	Tuesday 17 November 2015
Council Meeting	Tuesday 24 November 2015
Councillor Briefing	Tuesday 1 December 2015
Planning & Amenity Committee	Monday 7 December 2015
Council Meeting	Tuesday 15 December 2015

Schedule of Meetings for 2016

2016	Meeting Date
Planning & Amenity Committee	Tuesday 19 January 2016
Council Meeting	Wednesday 27 January 2016
Councillor Briefing	Tuesday 2 February 2016
Planning & Amenity Committee	Tuesday 9 February 2016
Councillor Strategic Workshop	Saturday 13 February 2016 Sunday 14 February 2016
Strategic Issues Discussion	Tuesday 16 February 2016
Council Meeting	Tuesday 23 February 2016

Councillor Briefing	Tuesday 1 March 2016
Planning & Amenity Committee	Tuesday 8 March 2016
<i>Budget Briefing</i>	Thursday 10 March 2016
Strategic Issues Discussion	Tuesday 15 March 2016
<i>Budget Briefing</i>	Thursday 17 March 2016
Council Meeting	Tuesday 22 March 2016
Good Friday (Public Holiday)	Friday 25 March 2016
Easter Monday (Public Holiday)	Monday 28 March 2016
Councillor Briefing / Budget Briefing	Tuesday 29 March 2016

<i>Spare Week – No meetings - (Second Week School Holidays)</i>	<i>4 to 8 April 2016</i>
Planning & Amenity Committee	Tuesday 12 April 2016
Strategic Issues Discussion	Tuesday 19 April 2016
Council Meeting	Tuesday 26 April 2016 Adopt Budget in Principle

Councillor Briefing	Tuesday 3 May 2016
Planning & Amenity Committee	Tuesday 10 May 2016
Strategic Issues Discussion	Tuesday 17 May 2016
<i>Community Budget Briefing</i>	Thursday 19 May 2016
Council Meeting	Tuesday 24 May 2016
Councillor Briefing	Tuesday 31 May 2016

<i>S223 Committee Meeting - Hearing of Budget Submissions</i>	Thursday 2 June 2016
Planning & Amenity Committee	Tuesday 7 June 2016
Strategic Issues Discussion	Tuesday 14 June 2016
<i>Council Meeting</i>	Tuesday 21 June 2016 Adopt Budget
Councillor Briefing	Tuesday 28 June 2016

<i>Spare Week – No meetings (Second week school holidays)</i>	<i>4 – 8 July 2016</i>
Planning & Amenity Committee	Tuesday 12 July 2016
Strategic Issues Discussion	Tuesday 19 July 2016
Council Meeting	Tuesday 26 July 2016

Councillor Briefing	Tuesday 2 August 2016
Planning & Amenity Committee	Tuesday 9 August 2016
Strategic Issues Discussion	Tuesday 16 August 2016
Council Meeting	Tuesday 23 August 2016
Councillor Briefing	Tuesday 30 August 2016

Planning & Amenity Committee	Tuesday 6 September 2016
Strategic Issues Discussion	Tuesday 13 September 2016
Council Meeting	Tuesday 20 September 2016
<i>Spare Week – No meetings - (Second Week School Holidays)</i>	<i>26 – 30 September 2016</i>

Councillor Briefing	Tuesday 4 October 2016
Planning & Amenity Committee	Tuesday 11 October 2016
Council Meeting	Tuesday 18 October 2016
Local Government Election – Election Day	Saturday 22 October 2016
Induction Meeting	Tuesday 25 October 2016
Annual (Statutory) Meeting	Thursday 27 October 2016

<i>Cup Day - (Public Holiday)</i>	<i>Tuesday 1 November 2016</i>
Councillor Briefing	Wednesday 2 November 2016
Induction Meeting	Thursday 3 November 2016
Planning & Amenity Committee	Tuesday 8 November 2016
Induction Meeting	Thursday 10 November 2016
Strategic Issues Discussion	Tuesday 15 November 2016
Induction Meeting	Thursday 17 November 2016
Council Meeting	Tuesday 22 November 2016
Induction Meeting	Thursday 24 November 2016
Councillor Briefing	Tuesday 29 November 2016

Induction Meeting	Thursday 1 December 2016
Induction Meeting	Tuesday 5 December 2016
Planning & Amenity Committee	Monday 12 December 2016
Induction Meeting	Thursday 15 December
Council Meeting	Tuesday 20 December 2016

2. That all Council and Committee Meetings (excluding Councillor Briefings and Strategic Issues Discussion) be held in the Council Chamber, Civic Centre, Brighton unless otherwise determined by resolution of Council or notice given by the Mayor in accordance with Governance Local Law No: 1; and.
3. That all meeting (excluding Councillor Briefings and Strategic Issues Discussion and Special Council or Committee meetings) commence at 7.00pm.

CARRIED

9. Appointment of Councillor representatives

9.1 External Representation

9.1.1 Municipal Association of Victoria (Representative)

Moved: Cr del Porto

Seconded: Cr Evans

That Council appoints the following nominated Councillor as Council's representative to the Municipal Association of Victoria:

<i>No: of Appointees Required</i>	<i>2015/16 Councillor Appointment</i>
1 Representative	Cr Felicity Frederico

CARRIED

9.1.2 Municipal Association of Victoria (Substitute Representative)

Moved: Cr del Porto

Seconded: Cr Evans

That Council appoints the following nominated Councillor as Council's substitute representative to the Municipal Association of Victoria:

<i>No: of Appointees Required</i>	<i>2015/2016 Councillor Appointment</i>
1 Substitute Representative	Cr James Long (Substitute Representative)

CARRIED

9.1.3 Municipal Association of Victoria (MAV) Environment Committee

Moved: Cr Frederico

Seconded: Cr Evans

That Council appoints the following nominated Councillors as Council's representatives to the MAV Environment Committee:

<i>No: of Appointees Required</i>	<i>2015/16 Councillor Appointment</i>
1 Representative	Director Environment & Infrastructure

CARRIED

9.1.4 Metropolitan Transport Forum

Moved: Cr del Porto

Seconded: Cr Stewart

That Council appoints the following nominated Councillors as Council's representatives to the Metropolitan Transport Forum:

<i>No: of Appointees Required</i>	<i>2015/2016 Councillor Appointment</i>
1 Representative	Director Environment & Infrastructure (Representative)

CARRIED

9.1.5 Metro Waste and Resource Recovery Group

Moved: Cr Heffernan

Seconded: Cr Lowe

That Council appoints the following nominated Councillors as Council's representatives to the Metro Waste and Resource Recovery Group.

<i>No: of Appointees Required</i>	<i>2015/2016 Councillor Appointment</i>
1 Representative	Cr Heather Stewart (Representative)
1 Substitute Representative	Director Environment & Infrastructure (Substitute Representative)

CARRIED

9.1.6 Association of Bayside Municipalities

Moved: Cr del Porto

Seconded: Cr Evans

That Council appoints the following nominated Councillors as Council's representatives to the Association of Bayside Municipalities.

<i>No: of Appointees Required</i>	<i>2015/2016 Councillor Appointment</i>
1 representative	Cr Felicity Frederico (Representative)
1 substitute representative	Director Environment & Infrastructure or Manager Environmental Sustainability & Open Space Coordinator (Substitute Representative)

CARRIED

9.1.7 Inner South Metropolitan Mayors' Forum

Moved: Cr del Porto

Seconded: Cr Frederico

That Council appoints the Mayor of the Day to represent Council on the Inner South Metropolitan Mayors' Forum:

CARRIED

9.2 Internal Representation

9.2.1 Bayside Arts and Culture Advisory Committee

Moved: Cr Frederico

Seconded: Cr Lowe

That Council appoints Cr Alex del Porto as Council's representative to the Arts and Culture Advisory Committee for 2015/2016 Council year.

CARRIED

9.2.2 Bayside Arts and Heritage Collection Committee

Moved: Cr Frederico

Seconded: Cr Lowe

That Council appoints the following nominated Councillors as Council's representative to the Arts and Heritage Collection Committee for 2015/2016 Council year.

<i>No: of Appointees Required</i>	<i>2015/2016 Councillor Appointment</i>
2 representatives	Cr Alex del Porto (Representative) Cr Laurence Evans (Representative)

CARRIED

9.2.3 Chief Executive Officer Employment Matters Committee

Moved: Cr del Porto

Seconded: Cr Lowe

That Council appoints Cr Stewart, Cr Frederico, Cr Heffernan and The Mayor, Cr James Long to the Chief Executive Officer's Employment Matters Committee for 2015/16 Council year.

CARRIED

9.2.4 Bayside Tourism Network

Moved: Cr del Porto

Seconded: Cr Lowe

That Council appoints the nominated Councillors shown below as Council's representatives to the Bayside Tourism Network:

<i>No. of Appointees Required</i>	<i>2015/2016 Councillor Appointment</i>
2 Representatives	Cr Heather Stewart (Representative) Cr Michael Heffernan (Representative)

CARRIED

9.2.5 Bayside Business Network and Economic Development Annual Summit

Moved: Cr del Porto

Seconded: Cr Evans

That Council appoints the nominated Councillors shown below as Council's representatives to the Bayside Business Network and Economic Development Annual Summit:

<i>No. of Appointees Required</i>	<i>2015/2016 Councillor Appointment</i>
2 Representatives	Cr Michael Heffernan (Representative) Cr Felicity Frederico (Representative)

CARRIED

9.2.6 Built Environment Awards Committee

Moved: Cr Evans

Seconded: Cr del Porto

That Council appoints the nominated Councillors shown below as Council's representatives to the Built Environment Awards Committee:

<i>No. of Appointees Required</i>	<i>2015/2016 Councillor Appointment</i>
2 Representatives	Cr James Long (Representative) Cr Heather Stewart (Representative)

CARRIED

9.2.7 Bayside Sports and Recreation Network

Moved: Cr Heffernan

Seconded: Cr Lowe

That Council nominates Cr Stewart and Cr Frederico to act as representatives for the discussion on the feasibility and development of a Sports & Recreation Network.

CARRIED

9.2.8 Female Sporting Infrastructure Advocacy Spokesperson

Moved: Cr del Porto

Seconded: Cr Evans

That Council appoints Cr Frederico as Council's representative as the Female Sporting Infrastructure Advocacy Spokesperson.

CARRIED

10. Appointment of Council's Official Publications

Moved: Cr Frederico

Seconded: Cr Evans

1. That Council, pursuant to Section 3 of the *Local Government Act 1989*, nominates:
 - 1.1 the "Bayside Leader" newspaper as the newspaper generally circulating in the City of Bayside for the purpose of the publication of statutory public notices under Sections 189 and 190 of the Local Government Act 1989 (Sales and Leases) as a minimum; and
 - 1.2 "The Age" newspaper as the newspaper generally circulating in the City of Bayside for the purpose of the publication of statutory public notices under Section 186 of the Local Government Act 1989 (Tenders & Expressions of Interest) as a minimum, and all other statutory public notices.
2. That in addition to the official statutory public notices being placed in the Age newspaper, a notice also be placed in the Bayside Leader for information purposes.
3. That in addition, all of Council's statutory public notices be published on the Bayside City Council website.

CARRIED

The Chairperson declared the meeting closed 8.08pm.

Confirmed this 24 Day of November 2015

Chairperson