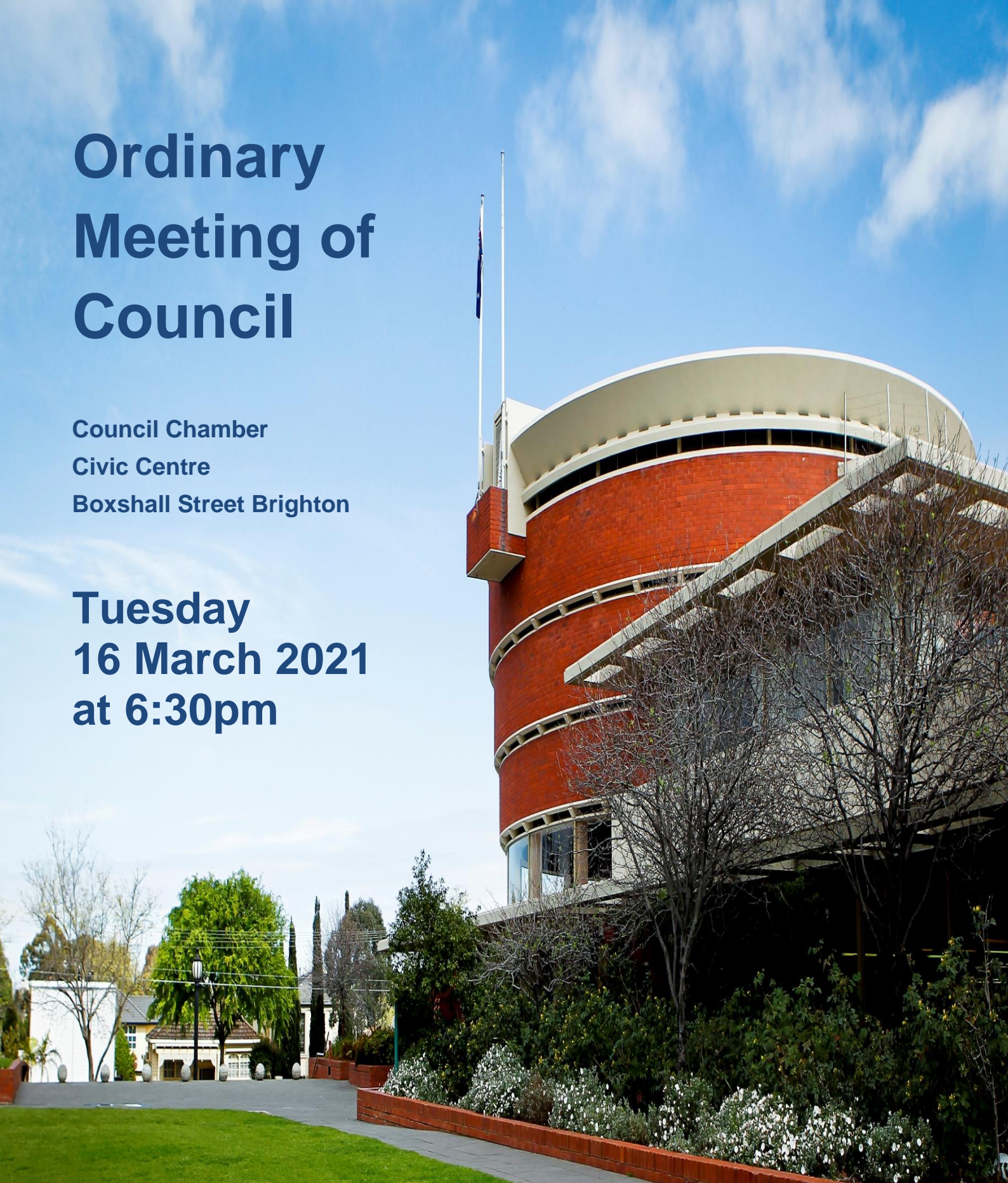


Ordinary Meeting of Council

Council Chamber
Civic Centre
Boxshall Street Brighton

Tuesday
16 March 2021
at 6:30pm



Minutes

PRESENT:

Chair: Cr Laurence Evans OAM (Mayor)

Councillors: Cr Sonia Castelli (Deputy Mayor)
Cr Alex del Porto
Cr Clarke Martin
Cr Jo Samuel-King MBBS
Cr Fiona Stitfold

Officers: Mick Cummins – Chief Executive Officer
Jill Colson – Director Corporate Services
Bryce Craggs – Director Community and Customer Experience
Adam McSwain – Director Environment, Recreation and Infrastructure
Hamish Reid – Director City Planning and Amenity
Juliana Aya – Manager Urban Strategy
Terry Callant – Manager Governance and Corporate Reporting
Keryn Fisher – Manager Communication and Engagement
Jason Stubbs – Manager Commercial Services
Damien Van Trier – Manager Open Space, Recreation and Wellbeing

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The Mayor declared the Council Meeting open at 6:30pm and advised that the meeting is being recorded and streamed live on the internet.

The Mayor invited Cr Castelli to read the prayer.

1. Prayer

Cr Castelli 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

2. Acknowledgement of Original Inhabitants

The Mayor invited Cr del Porto 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

It is recorded that an apology was received from Cr El Mouallem.

Moved: Cr del Porto

Seconded: Cr Castelli (Deputy Mayor)

That the apology from Cr El Mouallem be received and leave of absence be granted for the 16 March Ordinary Meeting of Council.

CARRIED

4. Disclosure of any Conflict of Interest of any Councillor

It is recorded that Cr del Porto declared a conflict of interest specifically relating to a general interest in item 10.3 – Amendment 165 bays – 5-7 Well Street Brighton.

Procedural Motion**Moved: Cr Martin****Seconded: Cr del Porto**

That Council:

1. considers the meeting to be adjourned for 10 minutes from the commencement of any technical problem which prevents Council from livestreaming the meeting
2. adjourns the meeting to be reconvened on Wednesday 17 March 2021 at 6:30pm via livestreaming on Council's website, in the event livestreaming cannot be resumed within 30 minutes from the commencement of the technical problem which prevents livestreaming on Council's website.

CARRIED**5. Adoption and Confirmation of the minutes of previous meeting**

- 5.1 Confirmation of the Minutes of the Ordinary meeting of Bayside City Council held on 16 February 2021.

**Moved: Cr del Porto
Mayor)****Seconded: Cr Castelli (Deputy**

That the minutes of the Ordinary meeting of Bayside City Council held on 16 February 2021, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

- 5.2 Confirmation of the Minutes of the Special meeting of Bayside City Council held on 25 February 2021.

Moved: Cr Martin**Seconded: Cr Stitfold**

That the minutes of the Special meeting of Bayside City Council held on 25 February 2021, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

6. Public Question Time

In accordance with Chapter 2, Section 57 of Council's Governance Rules, 8 public questions were submitted to the Meeting. In accordance with the resolution at the March 2020 Ordinary Meeting of Council, temporary meeting procedures with regard to public question time are in place:

- All questions received and responses are read out at the meeting within the allotted 15 minute timeframe for public question time.
- All questions and responses read out will be recorded in the minutes.
- A written response will be provided to all questions received.

1. Mr Tony Taggart

Mr Tony Taggart has submitted a question regarding the Bayside Netball Centre – Holloway Road project, and Mr Taggart asks:

Why can't the inappropriate netball project planned for Holloway road be incorporated into the Wilson street development proposal?

Response from the CEO

Wilson Recreation Reserve is not large enough to accommodate the required number of courts.

2. Mr Miralem Basic

Mr Miralem Basic has submitted a question regarding Amendment 165 – 5 & 7 Well Street, Brighton, and Mr Basic asks:

I approached my local Councillor in Dendy Ward regarding to item 10.3 to be advised that he has a conflict of interest and as such cannot represent me on this matter.

I would like to know why was Cr Alex Del Porto allowed to move a motion and vote in favour of the rezoning of 7 Well St also in relation to multi-unit Development in Well St in the previous council term considering he has the same conflict of interest as the Dendy Ward councillor.

Response from the CEO

Cr del Porto was able to move a motion on the matter in the past as this was allowed under the provisions pursuant to the Local Government Act 1989. The provisions have changed and the rules now in force in the Local Government Act 2020 prohibit Cr del Porto from voting on the matter as he has a general conflict of interest which has been declared under the Disclosure of Conflict of Interest section of tonight's (the 16 March 2021 Ordinary Council meeting) Agenda.

3. Mr David Williams

Mr David Williams has submitted a question regarding Amendment 165 – 5 & 7 Well Street, Brighton, and his question relates to Option 1 outlined in the report to ‘undertake the strategic work necessary to support a car park at this location’, and Mr Williams asks

Why not turn this space into a pocket park?

Response from the CEO

Council has not previously considered the potential value of a land use such as a pocket park for 7 Well St. However, agenda item 10.3 of tonight’s meeting (the 16 March 2021 Ordinary Council meeting) considers future land uses for 7 Well Street and recommends assessing the potential value of land uses including public open space.

4. Ms Sue Hardiman

Ms Sue Hardiman has submitted a question regarding catering for Council meetings and gatherings, and Ms Hardiman asks:

Council Meetings: What suppliers are the Council using for catering for meetings (Council) and Council gatherings and how much is paid to each and every supplier for meetings and functions?

Response from the CEO

For the financial year to date (1 July 2020 – present), the total catering costs incurred was \$6,681. A tabulated spreadsheet will be provided to Ms Hardiman with the details.

5. Mr Kevin Howard

Mr Kevin Howard has submitted a question regarding public open space contributions, and Mr Howard asks:

I understand from a previous question, that between 1 July 2016 and 31st December 2020, \$7,492,500 has been received in Public Open Space Contributions from developments in Brighton; and that Council has spent \$1,930,893 on projects in Brighton, which has been funded from the open space reserve, leaving a surplus of \$5,561,607.

Question part 1.

Specifically, which projects was the \$1,930,893 spent on?

Question part 2.

Why has Council not spent any of the remaining \$5,561,607 in open space contributions from Brighton, on installing irrigation at Wilson Rec Reserve in Brighton, given that its primary use in winter is rugby, and is described by Council as “hard and lacks decent grass coverage”?

Response from the CEO**Part 1**

A list of the projects will be provided to Mr Howard separately.

Part 2

Wilson Recreation Reserve is allocated by Council for low-level club cricket and school use and has not been prioritised in capital works programs as Council has focused investment on sportsgrounds used by multiple sports and by more participants.

6. Mr Kevin Howard

Mr Kevin Howard has submitted a second question regarding public open space, and Mr Howard asks:

My question relates to section 22.01 of the Bayside Planning Scheme, titled PUBLIC OPEN SPACE CONTRIBUTIONS.

Question Part 1

What is the total amount of accumulated funds that are currently available in the “open space reserve”?

Question Part 2

What land has been acquired by Council for new usable public open space in and around Moderate and Key Focus Residential Growth Areas ?

Response from the CEO**Part 1**

The current balance of the Open Space Reserve is \$23.846 million.

Part 2

Council has acquired four hectares of additional open space in Highett as part of the previous CSIRO site. Council has also recently converted the previous exclusive use Elsternwick Golf Course into a new 14 hectare Elsternwick Park Nature Reserve. Moving the netball centre to Sandringham College Holloway Road campus also enables Council to masterplan a new six hectare open space at the previous exclusive use driving range. Once netball relocates to its new site Council will also masterplan the repurposing of a new 1 hectare public open space at the Thomas Street site.

In total, 25 hectares of previously exclusive used or non-Council land will be or has been converted to public open space in Bayside since 2019.

7. Mr Paul Langley

Mr Paul Langley has submitted a question regarding the Bayside Netball Centre – Holloway Road project, and Mr Langley asks:

Extract from the Special meeting of Council 25 February 2021 – Item 3.1 Bayside Netball Centre – Holloway Road Proposal

Recommendation That Council: 2. allocates a revised budget of \$17,050,000 for the netball project; 3. subject to successfully negotiating reasonable school hours access to the two indoor courts, allocates \$1,000,000 for the covered outdoor court facility

Please advise where these amounts of \$17,050,000 and additional \$1,000,000 are identified in the Approved Budget 2020-2021.

- a) What years were these amounts carried forward from and where do they appear in the current Approved Budget? I
- b) In addition, where are these amounts identified in the Council's Procurement Policy 2020 or Council's Strategic Resources Plan 2020/21-2023/24?

Response from the CEO

- a) *The \$24.6 million for the Bayside Netball Centre is allocated in the following years:*
 1. 2020–21: \$0.227 million
 2. 2021–22: \$1.032m million
 3. 2022–23: \$10.057m million
 4. 2023–24: \$13.486m million

Please refer to the Statement of Capital Works which appears on page 43 of the 2020–21 Budget and Page 9 of the 20/21 Strategic Resource Plan.

- b) *Council's procurement policy does not reference individual projects.*

8. Mr Paul Langley

Mr Paul Langley has submitted a second question regarding the Bayside Netball Centre – Holloway Road project, and Mr Langley asks:

The following extract is from the Ordinary Meeting of Council dated 22 December 2020. Item 10.1

Status of discussions with VSBA and the College Council has signed a Development Agreement with VSBA and has paid the first instalment of \$750,000 to commence design development. The second instalment of \$2.25 million is payable following the Project Control Group's endorsement of the design development package. Current program timelines indicate this will likely occur in early February 2021.

Please identify where the amount of \$750K already paid to the VSBA, is shown in the Approved Budget 2020-2021.

Response from the CEO

The \$0.750 million already paid in 2020–21 has been partially funded from the \$0.227 million allocated in the 2020–21 budget with the balance brought forward from the \$24.6 million allocated to the Bayside Netball Centre in the Statement of Capital Works of the 2020–21 budget and the Strategic Recourse Plan.

7. Petitions to Council

There were no petitions submitted to the meeting.

8. Minutes of Advisory Committees

8.1 ASSEMBLY OF COUNCILLORS RECORD

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/21/61611

Moved: Cr del Porto

Seconded: Cr Martin

That Council notes the Assembly of Councillors record/s submitted as required by the *Local Government Act 1989*:

- 5 December 2020 Councillor Strategic Workshop
- 6 February 2021 Councillor Strategic Workshop
- 8 February 2021 Councillor Briefing regarding Dendy Street Beach Pavilion
- 23 February 2021 Councillor Briefing regarding Major Projects
- 23 February 2021 Strategic Issues Discussion
- 2 March 2021 Councillor Briefing.

CARRIED

9. Reports by Special Committees

There were no reports by Special Committees submitted to the meeting.

10. Reports by the Organisation

REQUESTS TO BE HEARD:

The Mayor noted that temporary changes to the Council meeting procedures are in place with regard to Chapter 2, Division 10 of Council's Governance Rules (Individual Presentations), whereby:

- *in place of speaking in-person at a Council / Committee meeting, members of the public may submit a written statement (maximum of four (4) A4 single pages) which must be sent electronically, or delivered to Council's Corporate Centre, by 9:00am on the day of the meeting*
- *written statements received after 9:00am on the day of the meeting will not be considered by the meeting*
- *a person may only make a written statement to an Ordinary Meeting/Special Committee Meeting in relation to an item listed in the agenda under Reports by the Organisation, and even then not if the item is in the nature of a report summarising a decision already made by another body; or if the report relates to a Tender Report relating to the awarding of a contract*
- *in accordance with Chapter 2, Section 83(1) of Council's Governance Rules 2020, any statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community may not be accepted*
- *where a person has formally made a written statement in relation to an item on the agenda, the statement will be provided to all councillors in advance of the meeting*
- *written statements are not confidential and, following the closure for receipt of statements, will be published (including first and last names only) on Council's website as an attachment to the Agenda for the relevant meeting*
- *written statements will not be read out at the meeting; however, the Chairperson will advise the meeting of the number of statements received to each item.*

The following individuals submitted written statements:

Item 10.1 Expression of Interest and possible Future Uses for Billilla Homestead

1. Mrs Jane Richardson
2. Ms Ellen Weir
3. Mrs Esther Amott
4. Ms Avril Weir
5. Mr Matthew Weir
6. Ms Janine O'Neill
7. Dr Edward Quine

8. Dr Jun Khoo
9. Ms Kate Harman
10. Mr Brenton Evans
11. Ms Diane Pickering
12. Mr Andrew Low
13. Mrs Debbie Gutteridge
14. Mrs Helen O'Neill
15. Ms Alison Joseph

Item 10.3 Amendment 165bays - 5 & 7 Well Street, Brighton

1. Mr Maneesh Shah
2. Mrs Leasa Cahill
3. Mr Miralem Basic
4. Mrs Julie Avery
5. Mr Graeme Goode
6. Mr Keiran Cromie (on behalf of Church Street Traders Association)
7. Mr Julian Kardis
8. Mr Greg Smith
9. Mrs Elizabeth Neal
10. Mr Jason Belzycki
11. Mr Steve Hitchings
12. Mrs Joan Charbonnier
13. Mr Garry Holloway
14. Ms Judith Schilling
15. Mr Kerry Quinn
16. Mr David Stewart
17. Mr Pat Troy
18. Mrs Susan Becker
19. Miss Kate Becker
20. Mrs Jan Reeves
21. Ms Amanda Levi (on behalf of Bayside Dog Alliance)
22. Mr Nicholas Zampelis
23. Ms Sharon Vaughan
24. Mr Howard Grant
25. Mr Tim Scully
26. Ms Stavroula Psonis
27. Mrs Denise Kinnon
28. Mr Joshua Goldstat
29. Mr John Kardis
30. Mr David Rothfield (on behalf of Bayside Climate Crisis Action Group)
31. Mr Kevin Howard
32. Ms Alison Joseph
33. Ms Dianne Anderson
34. Ms Kae Ferguson

10.1 EXPRESSION OF INTEREST AND POSSIBLE FUTURE USES FOR BILLILLA HOMESTEAD

Corporate Services - Commercial Services
File No: PSF/20/7 – Doc No: DOC/21/62589

It is recorded that Mrs Jane Richardson, Ms Ellen Weir, Mrs Esther Amott, Ms Avril Weir, Mr Matthew Weir, Ms Janine O'Neill, Dr Edward Quine, Dr Jun Khoo, Ms Kate Harman, Mr Brenton Evans, Ms Diane Pickering, Mr Andrew Low, Mrs Debbie Gutteridge, Mrs Helen O'Neill, and Ms Alison Joseph each submitted a written statement in relation to this item.

Moved: Cr del Porto

Seconded: Cr Castelli (Deputy Mayor)

That Council:

Resolves not to proceed with an Expression of Interest for the Billilla Homestead and authorises the Director of Corporate Services to:

1. extend the lease with Yesodei Ha Torah until 31 December 2021
2. obtain full vacant possession of the Billilla Homestead as soon as is feasible after the Yesodei Ha Torah lease has come to an end
3. decline the tenant's request for a further option of 1 year
4. prepare a report for the October 2021 Council meeting addressing the circumstances whereby Council takes back control of the Billilla house and provide Council with:
 - a Community Engagement plan to commence when vacant possession of the Billilla Homestead has been obtained
 - a summary of the various possible models for the day to day management of the Billilla Homestead and the viability of possible uses by Council, Community and Commercial entities
 - a proposal to update the Conservation Management Plan and for a detailed assessment of all works required to maintain the structural integrity of the Billilla estate buildings
5. allocate a sum of \$300, 000 as part of the 2021–22 Budget process to undertake a conservation management plan and associated works.

The Motion was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli (Deputy Mayor), Jo Samuel-King MBBS, Fiona Stiffold and Laurence Evans OAM (Mayor) (6)
AGAINST: Nil (0)

CARRIED

10.2 TULIP STREET BASKETBALL COURT EXTENSION PROJECT - VALUE MANAGEMENT AND PLANNING PERMIT PROCESSES

Environment, Recreation and Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/21/19 – Doc No: DOC/21/64232

Moved: Cr Martin

Seconded: Cr del Porto

That Council:

1. allocates an additional \$590,000 towards the Tulip Street Basketball Stadium Project
2. endorses the following funding model for the Tulip Street Basketball Stadium Project:

<i>Project Cost</i>	<i>\$11.9 million</i>
<i>Council Funding</i>	<i>\$8.9 million</i>
<i>SBA Cash Contribution</i>	<i>\$1 million</i>
<i>SBA Leaseback contribution over time (20 years)</i>	<i>\$2 million</i>

3. commences discussions to develop a 20 year lease agreement with Southern Basketball Association, in accordance with Council's Lease and Licence Policy, for use of the four existing and four additional basketball courts at Tulip Street, Sandringham
4. works with the Southern Basketball Association to identify ways to encourage cycling as a means of transport to the Tulip Street Centre
5. develops a Memorandum of Understanding that details Southern Basketball Association's financial commitment to the Tulip Street Basketball Stadium Project
6. notifies the Southern Basketball Association of the outcomes of this decision.

The Motion was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli (Deputy Mayor), Jo Samuel-King MBBS, Fiona Stiffold and Laurence Evans OAM (Mayor) (6)

AGAINST: Nil (0)

CARRIED

10.3 AMENDMENT 165BAYS - 5 & 7 WELL STREET, BRIGHTON

City Planning and Amenity -
File No: PSF/21/27 – Doc No: DOC/21/62616

It is recorded that Cr del Porto declared a conflict of interest specifically relating to a general interest in this item and Cr del Porto vacated the Chamber at 7:17pm prior to any discussion on the item.

It is recorded that Mr Maneesh Shah, Mrs Leasa Cahill, Mr Miralem Basic, Mrs Julie Avery, Mr Graeme Goode, Mr Keiran Cromie (on behalf of Church Street Traders Association), Mr Julian Kardis, Mr Greg Smith, Mrs Elizabeth Neal, Mr Jason Belzycki, Mr Steve Hitchings, Mrs Joan Charbonnier, Mr Garry Holloway, Ms Judith Schilling, Mr Kerry Quinn, Mr David Stewart, Mr Pat Troy, Mrs Susan Becker, Miss Kate Becker, Mrs Jan Reeves, Ms Amanda Levi (on behalf of Bayside Dog Alliance), Mr Nicholas Zampelis, Ms Sharon Vaughan, Mr Howard Grant, Mr Tim Scully, Ms Stavroula Psonis, Mrs Denise Kinnon, Mr Joshua Goldstat, Mr John Kardis, Mr David Rothfield (on behalf of Bayside Climate Crisis Action Group), Mr Kevin Howard, Ms Alison Joseph, Ms Dianne Anderson, and Ms Kae Ferguson each submitted a written statement in relation to this item.

Moved: Cr Samuel-King MBBS

Seconded: Cr Castelli (Deputy Mayor)

That Council:

1. undertakes community engagement to understand community views on the potential use of 7 Well St for public open space and completes a study on the opportunities and constraints at the site for public open space
2. considers relevant Council strategic directions in undertaking the study, including the Bayside 2050 Community Vision, Climate Emergency Action Plan, Open Space Strategy 2012 and the Biodiversity Action Plan 2018
3. allocates \$40,000 in the operating budget to complete the community engagement and study
4. receives a report at the September 2021 Council Meeting on the community engagement and study findings, and considers the implications for the appropriate land use of 7 Well Street.

CARRIED

It is recorded that Cr del Porto was not present during consideration of the above item and re-entered the meeting at 7:34pm.

10.4 DISABILITY ACCESS AND INCLUSION COMMITTEE - APPOINTMENT OF COMMUNITY MEMBERS

Environment, Recreation and Infrastructure - Wellbeing
File No: PSF/21/19 – Doc No: DOC/21/5775

Moved: Cr Martin

Seconded: Cr del Porto

That Council appoints the following community members to the Disability Access and Inclusion Advisory Committee for a 12-month fixed-term appointment:

1. Ade Djajamihardja
2. Andrew Turner
3. Emily Costello
4. Emma Olivier
5. Jeff Naylor
6. Jo Levett
7. Margaret Hamilton
8. Mark Glascodine
9. Sam Seoud
10. Tara Webb.

CARRIED

10.5 RESPONSE TO A SUBMISSION FROM MRS CAROLINE LAWTON (ON BEHALF OF THE BEAUMARIS CONSERVATION SOCIETY) REGARDING THE 2020-21 1ST QUARTER PERFORMANCE REPORT (JULY- SEPTEMBER)

City Planning and Amenity - Urban Strategy
File No: PSF/21/27 – Doc No: DOC/21/65644

Moved: Cr Martin

Seconded: Cr del Porto

That Council notes the report regarding the 2020-21 1st Quarter Performance Report specifically in relation tree related matters.

CARRIED

10.6 RENOMINATION OF MEMBERS TO THE BAYSIDE ARTS AND GALLERY ADVISORY COMMITTEE

Community and Customer Experience - Customer & Cultural Services
File No: FOL/21/28 – Doc No: DOC/21/57582

Moved: Cr Castelli (Deputy Mayor)

Seconded: Cr del Porto

That Council:

1. reappoints Mr Arvind Vasan for a second term of 3 years to conclude on 21 February 2024
2. reappoints Ms Bozena Rutecki, Ms Sarah Morris and Mr Brian Hewitt for a second term of 3 years to conclude May 2024.

CARRIED

**10.7 GOVERNANCE POLICIES: GIFTS AND HOSPITALITY POLICY AND
CONFLICT OF INTEREST POLICY**

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/21/65481

Moved: Cr Martin

Seconded: Cr del Porto

That Council adopts the Gifts and Hospitality Policy dated March 2021 and the Conflict of Interest Policy dated March 2021, and both policies be placed on Council's website.

CARRIED

10.8 PROPOSED LEASE OF ONE TELECOMMUNICATION SITE TO VODAFONE

Corporate Services - Commercial Services
File No: PSF/21/26 – Doc No: DOC/21/62604

Moved: Cr Castelli (Deputy Mayor)

Seconded: Cr Martin

That Council:

1. commences the statutory procedures under Sections 190 and 223 of the *Local Government Act 1989*, to enter into a new Lease with Vodafone Network Pty Ltd in accordance with the Heads of Agreements provided in Attachment 1, for the occupation of one site, being part of the Sandringham Golf Course
2. directs that under Section 190 and 223 of the *Local Government Act 1989*, public notice of the proposal to lease the site described in Clause 1 above be given
3. authorises the Director Corporate Services to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to the Lease proposed
4. establishes a Special Committee of Council and determines the membership of the Committee (with a minimum of three {3} councillors) to hear any submitters that wish to be heard
5. in the event that submission/s are received, convenes a Special Committee of Council meeting on Wednesday 5 May 2021 at 6:00pm, to be held at the Council Chamber, Boxshall Street, Brighton, or held remotely via electronic media, to hear any submitters that wish to be heard
6. receives a further report after the completion of the above statutory processes, in order to consider and make a decision about whether to grant the Lease described in Clause 1.

CARRIED

NOTE: Item 10.8 was **CARRIED** as part of a block motion.

**10.9 CONTRACT CON 111207B - EXTENSION OF FOOD AND GREEN
WASTE COLLECTION CONTRACT - JJ RICHARDS**

Environment, Recreation and Infrastructure - Sustainability and Transport
File No: PSF/21/36 – Doc No: DOC/21/19409

Moved: Cr Castelli (Deputy Mayor)

Seconded: Cr Martin

That Council authorises the Chief Executive Officer or his delegate to extend the current Food and Green Waste Collection Contract No. 111207B for food and green waste kerbside collections for the period 1 July 2021 to 30 June 2022 and execute this in accordance with the terms and conditions of the current contract.

CARRIED

NOTE: Item 10.9 was **CARRIED** as part of a block motion.

10.10 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/21/61609

Moved: Cr Castelli (Deputy Mayor)

Seconded: Cr Martin

That Council notes the Council Action Awaiting Report.

CARRIED

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

10.11 MUNICIPAL ASSOCIATION OF VICTORIA - STATE COUNCIL MEETING - CALL FOR MOTIONS

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/21/69402

Moved: Cr del Porto

Seconded: Cr Martin

That Council endorses the following motions to be put forward at the MAV State Council Meeting to be held on 21 May 2021:

Aged Care Services

That the MAV to advocate to the Commonwealth Government on behalf of all Councils to:

- ensure older Victorians have access to high quality services when and where they need them*
- ensure older Victorians experiencing vulnerability are provided with additional support to access services*
- recognise the significant role that local government has in planning for its older residents regardless of whether they have a service provider role.*

SECCCA – Climate Change policy and advocacy development

That the MAV formally engage and work with SECCCA (South East Councils Climate Change Alliance) and the Victorian Greenhouse Alliances in the development of a robust policy and advocacy program relating to a sector-driven Climate Change policy and strategy position.

Planning Controls

That the MAV call upon the State Government to reform the Planning and Environment Act 1987 and the Planning Scheme Amendment process to provide councils with greater ability to determine the mandatory built form planning requirements for its local communities.

Commuter Parking

That the MAV advocates on behalf of metropolitan councils for the state government to proactively pursue using available Federal Government funding to construct commuter carparking on suitable State Government land.

CARRIED

11. Reports by Delegates

1. **Association of Bayside Municipalities** – Cr Fiona Stitfold indicated that the Association will be conducting an induction next week.
2. **Metropolitan Transport Forum** – Cr Sonia Castelli indicated that a meeting was held on 3 March. The main focus of the meeting was on the Strategic Plan with an emphasis on active transport and bus patronage.
3. **Municipal Association of Victoria** – Cr Alex del Porto indicated that the next meeting will be the State Council meeting to be held on 21 May 2021. Cr del Porto reported on the recent election of Board Members and the new President Cr David Clarke.
4. **Inner South Metropolitan Mayors' Forum** – The Mayor, Cr Laurence Evans OAM advised that the Forum is yet to meet.
5. **Metropolitan Local Government Waste Forum** – Cr Clarke Martin advised that the Forum has not met since the previous Council meeting.
6. **South East Councils Climate Change Alliance** – Crs Clarke Martin and Fiona Stitfold attended a meeting last week. The main thrust of the meeting was focused on reviewing the Action Plan of SECCCA.

Moved: Cr Castelli

Seconded: Cr Samuel- King

That the Reports by Delegates be received and noted.

CARRIED

13. Notices of Motion

13.1 NOTICE OF MOTION - 306 - COMMUNITY GARDEN (LITTLE BRIGHTON RESERVE)

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/21/69262

Moved: Cr del Porto

Seconded: Cr Samuel-King MBBS

That Council allocate funding in the 2021–22 budget to design and build a community garden at Little Brighton Reserve, Brighton East, subject to community consultation being completed and a planning permit being approved for the project.

CARRIED

13.2 NOTICE OF MOTION - 307 - LANDCOX PARK LAKE

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/21/69289

Moved: Cr del Porto

Seconded: Cr Samuel-King MBBS

That Council receives a report at the May 2021 Council meeting detailing the need, timeframe and cost to improve the water quality of the Landcox Park Lake.

CARRIED

13.3 NOTICE OF MOTION - 308 - GREY-HEADED FLYING FOX PROTECTION MEASURES

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/21/69349

Moved: Cr Castelli (Deputy Mayor)

Seconded: Cr del Porto

That Council:

- receives a Draft Policy on Managing Barbed Wire to reduce impacts on Wildlife at the June 2021 Council Meeting and this draft policy to focus on at least the following areas:
 - completing an audit of barbed wire on Bayside City Council land and obvious adjoining properties
 - eliminating barbed wire wherever possible on Council land
 - providing alternatives where it is not possible to eliminate barbed wire e.g. reducing the number of strands and making barbed wire visible
- receives in the same report as the Draft Policy at the June 2021 Council meeting information on trees and plants that are the best food sources for grey-headed flying foxes and a proposed approach for implementing a planting program to provide this habitat
- subsequent to a Policy being approved, that via the Mayor, Bayside City Council writes to other Councils and relevant organisations e.g. schools, to provide them with a copy of the Policy and requesting them to adopt a similar Policy and where possible eliminate barbed wire.

The Motion was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli (Deputy Mayor), Jo Samuel-King MBBS, Fiona Stiffold and Laurence Evans OAM (Mayor) (6)

AGAINST: Nil (0)

CARRIED

14. Confidential Business

Moved: Cr Martin

Seconded: Cr del Porto

That in accordance with Section 66(2)(a) of the *Local Government Act 2020* (the Act), and pursuant to Section 3(1) of the Act (confidential information), Council resolves that so much of this meeting be closed to members of the public as it contains:

- (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

CARRIED

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14.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT MATTERS COMMITTEE HELD ON 15 FEBRUARY 2021

(LGA 2020 Section 3(1)(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.)

It is recorded that the live-streaming was ended to enable Council to consider the above listed item in Confidential Business.

Following consideration of Confidential Business, the Mayor declared the meeting closed at 8:46pm.