

Council Meeting

Council Chamber
Civic Centre
Boxshall Street Brighton

Tuesday
27 June 2023
at 6.30pm



Minutes

PRESENT:

Chairperson: Cr Hanna El Mouallem (Mayor)

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

Officers: Mick Cummins – Chief Executive Officer
Jill Colson – Director Environment, Recreation and Infrastructure
Matthew Cripps – Director City Planning and Amenity
Kristy Green – A/Director Community and Customer Experience
Kathryn Tozer – A/Director Corporate Services
Kelly Archibald – Manager Urban Strategy
Terry Callant – Manager Governance
John Coates – Manager Amenity Protection
Fiona Farrand – Manger Development Services
Anita Johnstone – Manager City Assets and Presentation
David Nankervis – A/Manager Open Space and Recreation
Ros Pruden – Manager Family, Youth and Wellbeing
Nicole Reuben – A/Manager Project Services
James Roscoe – Manager Climate, Waste and Integrated Transport
Bill Shanahan – Chief Financial Officer
Damien Darcy – Property Coordinator
Pat Dunne – Investigations Coordinator
Paul Gibbs – Open Space Coordinator
Bea Guevara – A/Strategic Planning Coordinator
Sally Morgan – External Communications and Media Coordinator
Ronan Hamill – Principal Statutory Planner (Arborist)
Robert Lamb – Governance Officer

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The Mayor declared the Council Meeting open at 6.30pm and advised members of the public gallery that the meeting is being recorded and streamed live on the internet to enhance the accessibility of Council meetings to the broader Bayside community.

The Mayor invited Cr Samuel-King to read the prayer.

1. Prayer

Cr Samuel-King 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 Country

Cr Stitfold read the acknowledgement of the original inhabitants of this land.

- ◆ Bayside City Council proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respects to their Elders, past, present and emerging as well as any Aboriginal or Torres Strait Islander community members with us today.
- ◆ Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, songlines, dance, art and living culture.
- ◆ Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Island Elders who have guided and continue to guide the work we do.

3. Apologies

There were no apologies submitted to the meeting.

4. Disclosure of Conflict of Interest of any Councillor

Cr Samuel-King declared a general conflict of interest in the following items given Cr Samuel-King's partner is the Yalukit Willam Nature Reserve Strategic Consultant:

- Item 8.4: Minutes of the Yalukit Willam Nature Reserve Committee of Management meeting held on 7 June 2023
- Item 10.6: Amendment C199bays - Rezoning of Yalukit Willam Nature Reserve and Highett Grassy Woodland)

Cr Stitfold declared a general conflict of interest in the following items given Cr Stitfold resides within close proximity to Melrose Street, Sandringham:

- Item 7.1: Petition for Council to proceed with the proposed temporary road closure of part of Melrose Street, Sandringham
- Item 9.1: Minutes of the Special Committee of Council held on 19 April 2023 to hear submissions in relation to the proposed temporary road closure of part of Melrose Street, Sandringham
- Item 10.4: Future Use of Melrose Street, Sandringham

5. Adoption and Confirmation of the minutes of previous meeting

5.1 Confirmation of the Minutes of the Bayside City Council meeting held on 16 May 2023.

Moved: Cr Martin

Seconded: Cr Evans OAM

That the minutes of the Bayside City Council meeting held on 16 May 2023, as previously circulated, be confirmed as an accurate record of proceedings.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Moullem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

6. Public Question Time

1. The Honourable Timothy Wilson

The Honourable Timothy Wilson submitted a question regarding Council's Citizenship Ceremonies:

Question

- a) How many Bayside Citizenship Ceremonies were held between 2 July 2016 to 2 July 2017, and how many of them did our *(then)* Federal MP, Tim Wilson, attend?
- b) And how many Bayside Citizenship Ceremonies were held between 21 May 2022 and 21 May 2023, and how many of them did our Federal MP, Zoe Daniel, attend?

Response from the CEO

- a) *During the period July 2016 to July 2017, 6 citizenship ceremonies were held and the former Federal Member attended 4 ceremonies.*
- b) *During May 2022 to May 2023, 10 citizenship ceremonies were held, and the current Federal Member attended one ceremony.*

2. The Honourable Timothy Wilson

The Honourable Timothy Wilson submitted a further question regarding public questions from ratepayers:

Question

An article in The Age newspaper published on 26 April 2023 includes quotes from an unnamed Councillor that questions being put to Council by ratepayers is "annoying". Is this the position of Council?

Response from the CEO

As previously advised to you in writing dated 3 May 2023 the comments quoted in the newspaper do not in any way represent the position of Council.

3. Mr Alf Marrocco

Mr Alf Marrocco submitted a question regarding Wishart Reserve:

Question

Has the council taken into consideration the local residents who live close to and back on to Wishart Reserve with regards noise levels with the current off lead dog park and the potential new changes to the off lead dog park and if so how?

Response from the CEO

A four-week community engagement process was held to gather community and stakeholder feedback on the overall concept design.

Community engagement was conducted in accordance with Council's Community and Stakeholder Engagement Policy. An engagement plan overview was published and was available to view on Council's Have Your Say engagement website.

Feedback was gathered via a survey, an online Question and Answer forum, two onsite Drop-in sessions, written submissions, a petition, social media and additional site meetings.

4. Mr Alf Marrocco

Mr Alf Marrocco submitted a further question regarding Wishart Reserve:

Question

(Can Council) Discuss the design of Wishart Reserve?

Response from the CEO

A report will be considered later in this agenda this evening where Council will discuss the proposed design upgrade to the area of Wishart Reserve that is designated as a dog off-leash space.

5. Mr David Low

Mr David Low submitted a question regarding Council's use of pesticides:

Question

Council has committed to reducing its use of toxic synthetic pesticides in the management of unwanted vegetation and other forms of unwanted life, such as unwanted insects. Can residents please have an update from Council officers on what progress has been made toward fulfilling this agreed commitment.

Response from the CEO

Bayside Council aims to progressively phase out the use of hazardous chemicals in Bayside. Across its open space operations, Council has expanded its use of steam to treat weeds in or near playgrounds, kindergartens, childcare centres, Council Community Centres and Community Vegetable Gardens.

Any use of hazardous chemicals must be done in accordance with the relevant Safety Data Sheets for each product and in line with industry standards set by the Australian Pesticides and Veterinary Medicines Authority (APVMA) and WorkSafe.

6. Mr Jeff Naylor

Mr Jeff Naylor submitted a question regarding Changing Places facilities and disability elements within Council playgrounds:

Question

- a) How many changing places bathrooms has Bayside City Council built in the 2022/2023 financial year?
- b) How many wheelchair and other disability elements have been installed in Bayside playgrounds in the 2022/2023 financial year?

Response from the CEO

- a) *There were no new changing places facilities built in the 2022–23 financial year. However, a number are in various stages of development. Projects include: Halfmoon Bay Life Saving club, Beaumaris Arts Centre, and Yalukit Willam Gateway Building. More information on upcoming changing places locations can be found on council's changing places website: <https://www.bayside.vic.gov.au/services/disability-inclusion/changing-places-locations-well-street-brighton-and-thomas-street-hampton>*
- b) *There were no playgrounds renewed in 2022–23, due to a realignment of the capital works program following Covid. All playgrounds designed at a regional or district level have inclusive play elements and accessible connective pathways; however, playgrounds classified as pocket parks or local parks have restrictive budgets that do not extend to equipment of this type.*

7. Mr Maurice Ekanayake

Mr Maurice Ekanayake submitted a question regarding Wishart Reserve:

Question

I am very disappointed with the survey questions as they were skewed in favour of the dog owners who bring their dogs to the park.

Can the Council please provide evidence that the questionnaire was, in fact, reviewed by an Independent Consultant to review any bias?

Response from the CEO

The survey was drafted to help understand community sentiment regarding the proposed design for Wishart Reserve dog off-lead area to 'Implement the Wishart Reserve concept design including options for improving dog off-leash opportunities,' in order to deliver Council Plan Action 3.1.3.1.

Feedback came from different sections of the community. The survey asked respondents 'why do you visit Wishart Reserve?' Answer options included categories of dog walkers, neighbours, playground users or others – to understand their connection to the Reserve so feedback could be attributed to different user groups.

The survey was one of a number of methods used to gather feedback from different site stakeholders within the community.

All feedback was analysed and reviewed by an independent and suitably qualified research consultant who produced an Engagement Summary report which Council will consider at tonight's meeting.

8. Mr Geoffrey Leigh

Mr Geoffrey Leigh submitted a question regarding Council's level of rates:

Question

Since council this year made a profit of \$32.6 Million and have Cash and Investments worth \$110 Million how can our councillors justify and increase of our rates by 3.50 percent.

Response from the CEO

The \$32.5 million surplus includes capital funding for specific projects as well as non-cash contributed assets. Once those one-off items are stripped out, the underlying Operating Surplus of \$14.9 million provides the cash required to invest in the replacement of community infrastructure and ensure that Council assets are meeting their service needs.

Council's cash reserves will be drawn down by \$17.1 million in the 2023–24 budget to support service delivery and the capital program. The capital program will deliver significant new assets including the new Warm Water Pool and the replacement of

sporting and lifesaving club pavilions, our early years infrastructure, and the ongoing transformation of Elsternwick Park.

CPI has increased significantly in the last 12 months peaking at 7.8% in December 2022 well above the 2022–23 rate cap of 1.75% with CPI expected to remain well above the rate cap of 3.5% set for 2023–24. This has and will continue to negatively impact on Council's service and construction costs. Despite this, the net cost of services delivery will increase by 3.5% compared to the 2022–23 forecast and will require Council to carefully manage a very tight budget in the current economic climate.

9. Ms Nola Clark

Ms Nola Clark submitted a question regarding Wishart Reserve:

Question

During the consultation period, I like many small dog owners requested a separate area at Wishart Reserve for small dogs to use. This would benefit all dog owners as having large and small dogs together in play can cause injuries due to a mismatch in size. I would like to know why this opportunity was overlooked, given the various submissions on this point?

Response from the CEO

A wide variety of feedback was collected during the consultation process. The designs proposed are in accordance with industry practice outlined in the Technical Manual 'Planning, Design and management of Off-Leash Areas'.

Council provides a wide variety of off-leash areas to meet the diverse needs of Bayside's dogs and their owners. The space at Wishart Reserve is designed for dogs who are comfortable in a fully fenced off-leash area.

A dog's ability to play and socialise with other dogs is not governed by its size alone. Owners' views about their dogs' size and behaviour is also likely to be subjective. Owners must also have effective control of their dog at all times.

10. Mrs Sharon Nicholls

Mrs Sharon Nicholls submitted a question regarding Wishart Reserve:

Question

Please can you consider moving the digging pit away from the edge of the park to reduce disruption to those properties that back onto the digging area to reduce the impact of dust, dirt and noise to property (as suggested in Option A). Suggest moving it to a more central location in the middle of the park to reduce impact on residents.

Response from the CEO

Following a design review, the digging pit is proposed to be moved further towards the centre of the Reserve in both options A and B outlined in the report to be considered later in this meeting.

11. Mr Ashley Moore

Mr Ashley Moore submitted a question regarding Council rates:

Question

Noting that the budget delivers an underlying surplus far in excess of the council rates increase (\$14.9 surplus vs. ~\$3.2m incremental rates), why has council prioritised increasing the surplus over moderation of the increase in rates to citizens and rate payers?

Response from the CEO

The rate increase of 3.5% is required to fund the increase in operating and capital expenditure. The net cost of operations is budgeted to increase by 3.5% compared to the 2022–23 forecast in an environment where CPI is well above the rate cap. The Operating Surplus of \$14.9 million provides the cash required to invest in the replacement of community infrastructure and ensure that Council assets are meeting their service needs.

It should be noted that Council is budgeting for a cash deficit of \$17.1 million in 2023–24.

12. Mr Kevin Nicholls

Mr Kevin Nicholls submitted a question regarding Wishart Reserve:

Question

Re Wishart Dog reserve development proposals: 85% 'love it' or "OK" seems to reflect an aggregating of responses to imply that a significant majority are strongly in favour. This aggregation might be disguising a large variation between responses, which might give a very different impression. What were the specific response options to the questionnaire, and what was the actual % breakdown by each response?

Response from the CEO

A complete breakdown of responses is published in the Community Engagement Report, available in the Council meeting agenda and published on the projects Have Your Say webpage. The aggregation referred to in the question was published as a high-level summary.

All feedback was analysed and reviewed by an independent and suitably qualified research consultant who produced an Engagement Summary report which Council will consider at tonight's meeting.

13. Mr Kevin Nicholls

Mr Kevin Nicholls submitted a further question regarding Wishart Reserve:

Question

Re Wishart Dog Park redevelopment:

Almost three quarters (62.5%) of respondents who live nearby and will therefore be impacted the most, "have some concerns (37.5%) or don't like it at all (25%)". Given that majority of local residents, how can two 'revised' plans be proposed that are almost identical to the original design in all but detail, when those objections and concerns contain significant issues like the lack of parking around the park, broader community park use and the increased noise, dust and soiling of the park associated with additional use age and new amenities?

Response from the CEO

The project specifically looked at how Council could 'Implement the Wishart Reserve concept design including options for improving dog off leash opportunities.

The use of the land for purposes other than as a dog off-leash reserve was out of scope of the consultation. All community feedback was analysed and reviewed by an independent and qualified research consultant.

14. Mr Leigh Funston

Mr Leigh Funston submitted a question regarding the Bayside 2050 Community Vision:

Question

- a) Given the power of this Bayside 2050 Community Vision document to influence and guide Bayside City Council's expenditure priorities and policies, why did Council entrust just 28 people who were not elected by the 100,000 plus residents of Bayside to develop the Vision document?
- b) What were the specific criteria by which these 28 people were elected?

Response from the CEO

- a) *All Victorian councils must develop a community vision using deliberative community engagement practices under the Local Government Act 2020.*
To create the Bayside 2050 Community Vision, more than 850 local residents shared their ideas and feedback for the future via a range of activities including workshops, discussion groups, interviews, pop ups and a survey. A representative community panel considered this feedback in its development of the Bayside 2025 Community Vision.
- b) *An open Expressions of Interest process was held inviting all residents that live in Bayside to register to be considered for the Bayside 2050 Community Panel, which attracted more than 200 applications. Community Panel members were selected via a random, stratified selection process independently managed by external consultant.*

*The remaining 5 public questions received from Mr Leigh Funston, Mr Graeme Goode, Mr Paul Langley, and Mr Kevin Howard could not be responded to at the meeting given the 15 minutes allocated to public question time had elapsed. All submitters of public questions will however receive a response in writing.

7. Petitions to Council

7.1 PETITION FOR COUNCIL TO PROCEED WITH THE PROPOSED TEMPORARY ROAD CLOSURE OF PART OF MELROSE STREET, SANDRINGHAM

Environment, Recreation and Infrastructure - Climate, Waste and Integrated Transport
File No: PSF/23/167 – Doc No: DOC/23/172953

It is recorded that Cr Stitfold declared a general conflict of interest in this item given Cr Stitfold resides within close proximity to Melrose Street, Sandringham. Cr Stitfold left the meeting at 6.50 pm.

Moved: Cr Evans OAM

Seconded: Cr del Porto

That the petition be received and considered in conjunction with the substantive report on this matter included in this Agenda.

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

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

CARRIED

It is recorded that Cr Stitfold was not present during debate or when the vote was taken on the above item.

It is recorded that Cr Stitfold returned to the Meeting at 6.51 pm.

8. Minutes of Advisory Committees

8.1 RECORDS OF MEETINGS HELD UNDER THE AUSPICES OF COUNCIL

Corporate Services - Governance
File No: PSF/23/167 – Doc No: DOC/23/161955

Moved: Cr Castelli

Seconded: Cr del Porto

That Council notes the records of meeting/s held under the auspices of Council as required by the *Local Government Act 2020* and Council's Governance Rules:

- 30 May Strategic Issues Discussion
- 6 June 2023 Councillor Briefing.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

8.2 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 15 MAY 2023

Corporate Services - Governance
File No: PSF/23/167 – Doc No: DOC/23/146276

Moved: Cr Evans OAM

Seconded: Cr Martin

That Council:

1. notes the minutes of the Audit and Risk Committee meeting held on 15 May 2023
2. adopts the following recommendations of the Audit and Risk Committee held on 15 May 2023:

Item 9.3.4 - Draft Four Year Strategic Internal Audit Plan

That the Audit and Risk Committee

1. notes the draft four-year Strategic Internal Audit Plan for 2023–24 to 2026–27
2. *notes the proposed scheduling of the audits*
3. *recommends to Council that the draft program of internal audits to be undertaken in 2023–24 be adopted.*
 - **Conflict of Interest Management** (Corporate Services)
 - **Cyber Security** (Corporate Services)
 - **Occupational Health and Safety** (Corporate Services)
 - **Physical Security Management** Environment, Recreation and Infrastructure)
 - **Local Laws Appeals** (City Planning and Amenity).

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

**8.3 MINUTES OF THE DISABILITY ACCESS AND INCLUSION ADVISORY
COMMITTEE MEETING HELD ON 29 MAY 2023**

Corporate Services - Governance
File No: PSF/23/167 – Doc No: DOC/23/177928

Moved: Cr Martin

Seconded: Cr del Porto

That Council notes the minutes of the Disability Access and Inclusion Advisory Committee meeting held on 29 May 2023.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-
King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans
OAM and Hanna El Mouallem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

8.4 MINUTES OF THE YALUKIT WILLAM NATURE RESERVE COMMITTEE OF MANAGEMENT MEETING HELD ON 7 JUNE 2023

Corporate Services - Governance
File No: PSF/23/167 – Doc No: DOC/23/177930

It is recorded that Cr Samuel-King declared a general conflict of interest in this item given Cr Samuel-King's partner is the Yalukit Willam Nature Reserve Strategic Consultant. Cr Samuel King left the meeting at 6.54 pm.

Moved: Cr del Porto

Seconded: Cr Evans OAM

That Council notes the minutes of the Yalukit Willam Nature Reserve Committee of Management meeting held on 7 June 2023.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Fiona Stitfold,
 Laurence Evans OAM and Hanna El Mouallem (Mayor) (6)
 AGAINST: Nil (0)

CARRIED

It is recorded that Cr Samuel-King was not present during debate or when the vote was taken on the above item.

It is recorded that Cr Samuel-King returned to the meeting at 6.56 pm.

9. Reports by Special Committees

9.1 MINUTES OF THE SPECIAL COMMITTEE OF COUNCIL HELD ON 19 APRIL 2023 TO HEAR SUBMISSIONS IN RELATION TO THE PROPOSED TEMPORARY ROAD CLOSURE OF PART OF MELROSE STREET, SANDRINGHAM

Corporate Services - Governance
File No: PSF/23/167 – Doc No: DOC/23/182377

It is recorded that Cr Stitfold declared a general conflict of interest in this item given Cr Stitfold resides within close proximity to Melrose Street, Sandringham. Cr Stitfold left the meeting at 6.56 pm.

Moved: Cr Evans OAM

Seconded: Cr Martin

That Council notes the Minutes of the Special Committee of Council held on 19 April 2023 in relation to the proposed temporary road closure of part of Melrose Street, Sandringham.

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

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

CARRIED

It is recorded that Cr Stitfold was not present during debate or when the vote was taken on the above item.

It is recorded that Cr Stitfold returned to Meeting at 6.58pm.

10. Reports by the Organisation

REQUESTS TO BE HEARD:

Item 10.2 2023–24 Budget		For (F) Against (A)
Written Statements		
1.	Mr Ashley Moore	(A)
2.	Ms Joanne Bryant	(A)
3.	Mr Thomas Sullivan	(A)
4.	Mr George Reynolds (on behalf of Bayside Ratepayers' Group - Ratepayers Victoria Inc.	(A)
Requests to Speak		
1.	Mr James Newbury MP	(A)
2.	Mr Leigh Funston	(A)
3.	Mr George Reynolds (on behalf of Bayside Ratepayers' Group - Ratepayers Victoria Inc.	(A)

Item 10.3 Declaration of Rates and Charges		For (F) Against (A)
Written Statements		
1.	Mr Philip Lovel	(A)
2.	Mr George Reynolds (on behalf of Bayside Ratepayers' Group - Ratepayers Victoria Inc.	(A)
Requests to Speak		
1.	Mr Geoff Leigh	(A)
2.	Mr George Reynolds (on behalf of Bayside Ratepayers' Group - Ratepayers Victoria Inc.	(A)

Item 10.5 Draft Urban Forest Precinct Plans Consultation		For (F) Against (A)
Requests to Speak		
1.	Mr Derek Screen	(F)

Item 10.7		For (F)
Concept Design for Hampton Hub		Against (A)
Written Statements		
1.	Mr Tony Shepherd (on behalf of Hampton Neighbourhood Association)	(F)
Requests to Speak		
1.	Mr Tony Batt	(F)
2.	Mr Evan Packer	(F)
3.	Mr Tony Shepherd (on behalf of Hampton Neighbourhood Association)	(F)

Item 10.8		For (F)
Wishart Reserve - Dog Off Leash Space Design Update		Against (A)
Requests to Speak		
1.	Mr Alf Marrocco	(A)
2.	Mr Rory Osman	(A)
3.	Miss Amanda Levi (on behalf of Bayside Dog Alliance)	(F)

Item 10.11		For (F)
Road Management Plan review		Against (A)
Written Statements		
1.	Mr Derek Jones (obo Friends of Bayside Roads)	(A)

Item 10.13		For (F)
Bayside Parking Strategy - Parking Sustainably 2023–33		Against (A)
Written Statements		
1.	Sister Michele Kennan	(A)

10.1 COUNCIL PLAN 2021–25 YEAR 3 REVIEW AND ANNUAL ACTION PLAN 2023–24

Corporate Services - Governance
File No: PSF/23/167 – Doc No: DOC/23/140435

Moved: Cr del Porto

Seconded: Cr Samuel-King MBBS (Deputy Mayor)

That Council:

1. adopts the changes as articulated in the Year 3 Review of Council Plan (2021–25) as contained in Attachment 2
2. adopts the Annual Action Plan 2023-24 as contained in Attachment 3
3. receives quarterly performance reports against the Annual Action Plan.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

10.2 2023-24 BUDGET

Corporate Services - Finance

File No: PSF/23/168 – Doc No: DOC/23/95433

It is recorded that Mr Ashley Moore, Ms Joanne Bryant, Mr Thomas Sullivan, and Mr George Reynolds (on behalf of Bayside Ratepayers' Group - Ratepayers Victoria Inc. each submitted a written statement in relation to this item.

It is recorded that Mr James Newbury MP, Mr Leigh Funston, and Mr George Reynolds (on behalf of Bayside Ratepayers' Group - Ratepayers Victoria Inc. each spoke for 2 minutes in relation to this item.

Moved: Cr Evans OAM

Seconded: Cr del Porto

That Council:

1. having considered the submissions received through the community consultation process, adopts the Annual Budget for the financial year 2023–24 and three subsequent financial years 2024–25 to 2026–27 (Attachment 1)
2. adopts the Schedule of Discretionary Fees and Charges attached to the Annual Budget 2023–24.

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

DIVISION:

FOR: Crs Alex del Porto, Clarke Martin, Jo Samuel-King MBBS
(Deputy Mayor), Fiona Stitfold and Laurence Evans OAM (5)

AGAINST: Crs Sonia Castelli and Hanna El Mouallem (Mayor) (2)

CARRIED

10.3 DECLARATION OF RATES AND CHARGES

Corporate Services - Finance

File No: PSF/23/168 – Doc No: DOC/23/172208

It is recorded that Mr Philip Lovel, and Mr George Reynolds (on behalf of Bayside Ratepayers' Group - Ratepayers Victoria Inc. each submitted a written statement in relation to this item.

It is recorded that Mr Geoff Leigh, and Mr George Reynolds (on behalf of Bayside Ratepayers' Group - Ratepayers Victoria Inc.) each spoke for 2 minutes in relation to this item.

Moved: Cr del Porto

Seconded: Cr Martin

That Council formally declares the Rates and Charges for the 2023–24 Rating Year as follows:

1. Amount Intended To be Raised

That an amount of \$108,110,000 be declared as the amount which Council intends to raise by General Rates, Municipal Charge, Annual Service Charge and an amount in lieu of General Rates (in accordance with the *Cultural and Recreational Lands Act 1963*) described later in this Resolution, which amount is calculated as follows:

General Rates	\$87,315,622
Municipal Charge	\$7,952,266 (excluding CRLA properties)
Annual Service Charge (Waste)	\$17,209,581
Amount in lieu of General Rates in accordance with Cultural and	
Recreational Lands Act	\$307,993
TOTAL	\$112,785,462

2. General Rates

2.1 That a General Rate be applied at a uniform rate of 0.100546 cents for each dollar of Capital Improved Value be declared in respect of the 2023-24 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 2023-24 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 2023-24 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 \$168.82 for each general rateable land (or part thereof) in respect of which a municipal charge may be levied is declared in respect to the 2023–24 financial year.

3.4 That it is confirmed that the Municipal Charge is declared in respect of all general 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 be declared for each rateable property:

4.1.1 The Annual Service Charge is charged on each rateable property (excluding Advertising Signs, Electricity Substations, Telecommunication Towers and Bathing Boxes) in the sum of \$501.20 for a 240-litre mobile garbage bin or \$404.20 for a 140-litre mobile garbage bin or a shared 240-litre mobile garbage bin or \$307.20 for an 80-litre mobile garbage bin or a shared 140-litre mobile garbage bin or \$210.20 for a shared 80-litre mobile garbage bin.

4.1.2 That an amount of \$90.65 be charged as a waste contribution if no waste service is available.

4.1.3 That an amount of \$90.65 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 That an amount of \$97.00 be charged for each additional 80-litre waste bin, \$194.00 for each additional 140-litre waste bin, and \$291.00 for each additional 240-litre waste bin on each rateable property.

4.1.5 That an amount of \$81.50 be charged for each additional recycling bin on each rateable property, or the first recycling bin if no waste bin is provided.

4.1.6 That an amount of \$99.00 be charged for each additional food and green waste bin on each rateable property, or the first food and green waste bin if no waste bin is provided.

4.1.7 The Annual Service Charge is declared in respect of the 2023–24 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 \$501.20 for a 240-litre mobile garbage bin or \$404.20 for a 140-litre mobile garbage bin or a shared 240-litre mobile garbage bin or \$307.20 for an 80-litre mobile garbage bin or a shared 140-litre mobile garbage bin or \$210.20 for a shared 80-litre mobile garbage bin.

4.2.2 That an amount of \$97.00 be charged for each additional 80-litre waste bin, \$194.00 for each additional 140-litre waste bin, and \$291.00 for each additional 240-litre waste bin on each non-rateable property.

4.2.3 That an amount of \$81.50 be charged for the second or subsequent recycling bin on each non-rateable property, or the first recycling bin if no waste bin is provided.

4.2.4 That an amount of \$99.00 be charged for the second or subsequent green waste bin on each non-rateable property, or the first green waste bin if no waste bin is provided.

4.2.5 The Annual Service Charge is declared in respect of the 2023-24 Financial Year.

5. Incentives

An incentive is given at the rate of 2.2 percent (2.2%) discount in relation to the total amount payable for the sum of the Rates, Municipal Charge and Annual Service Charges if full payment is received by 31 August 2023.

6. Rate Payments

6.1 Rates are payable in four instalments due by 30 September 2023, 30 November 2023, 28 February 2024 and 31 May 2024.

6.2 Where the first instalment has not been paid by 30 September 2023, rates are due in a lump sum and payable by 15 February 2024.

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 rates, municipal and annual service charges and interest described earlier in this Resolution in accordance with the *Local Government Act 1989*.

DIVISION:

FOR: Crs Alex del Porto, Clarke Martin, Jo Samuel-King MBBS
(Deputy Mayor), Fiona Stitfold and Laurence Evans OAM (5)

AGAINST: Crs Sonia Castelli and Hanna El Mouallem (Mayor) (2)

CARRIED

10.4 FUTURE USE OF MELROSE STREET, SANDRINGHAM

Environment, Recreation and Infrastructure - Climate, Waste and Integrated Transport
File No: PSF/23/176 – Doc No: DOC/23/171609

It is recorded that Cr Stitfold declared a general conflict of interest in this item given Cr Stitfold resides within close proximity to Melrose Street, Sandringham. Cr Stitfold left the meeting at 8:09 pm.

Moved: Cr Evans OAM

Seconded: Cr del Porto

That Council:

1. having considered all submissions received pursuant to Section 223 of the Local Government Act 1989 and the petitions received at the May and June 2023 Council meetings, resolves to not proceed with the proposed temporary partial closure of part of Melrose Street, Sandringham
2. notifies the submitters and lead petitioners of this decision
3. investigates placemaking options in the Sandringham Village, including undertaking minor interventions consistent with the intent of the Sandringham Streetscape Masterplan.

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

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

CARRIED

It is recorded that Cr Stitfold was not present during debate or when the vote was taken on the above item.

It is recorded that Cr Stitfold returned to the meeting at 8.25 pm.

10.5 DRAFT URBAN FOREST PRECINCT PLANS CONSULTATION

City Planning and Amenity - Urban Strategy
File No: PSF/23/162 – Doc No: DOC/23/168812

It is recorded that Mr Derek Screen spoke for 2 minutes in relation to this item.

Moved: Cr Samuel-King MBBS (Deputy Mayor) Seconded: Cr del Porto

That the matter be deferred to enable further consideration by Councillors at the July 2023 Strategic Issues Discussion and further considered by Council at the August 2023 Council Meeting.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.6 AMENDMENT C199BAYS - REZONING OF YALUKIT WILLAM NATURE RESERVE AND HIGHETT GRASSY WOODLAND

City Planning and Amenity - Urban Strategy
File No: PSF/23/162 – Doc No: DOC/23/169258

It is recorded that Cr Samuel-King declared a general conflict of interest in this item given Cr Samuel-King's partner is the Yalukit Willam Nature Reserve Strategic Consultant. Cr Samuel King left the meeting at 8:36 pm.

Moved: Cr del Porto

Seconded: Cr Evans OAM

That Council writes to the Minister for Planning to seek authorisation to prepare Planning Scheme Amendment C199bays and upon receiving authorisation, prepares and exhibit the amendment in accordance with Section 19 of the Planning and Environment Act 1987.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Fiona Stitfold,
 Laurence Evans OAM and Hanna El Mouallem (Mayor) (6)
 AGAINST: Nil (0)

CARRIED

It is recorded that Cr Samuel-King was not present during debate or when the vote was taken on the above item.

It is recorded that Cr Samuel-King returned to the meeting at 8.39 pm.

10.7 CONCEPT DESIGN FOR HAMPTON HUB

City Planning and Amenity - Urban Strategy
File No: PSF/23/162 – Doc No: DOC/23/169197

It is recorded that Mr Tony Shepherd (on behalf of Hampton Neighbourhood Association) submitted a written statement in relation to this item.

It is recorded that Mr Tony Batt, and Mr Tony Shepherd (on behalf of Hampton Neighbourhood Association) each spoke for 2 minutes in relation to this item.

Moved: Cr Samuel-King MBBS (Deputy Mayor)

Seconded: Cr del Porto

That Council:

1. undertakes a feasibility analysis of only Options 1, 3 and 4 for the proposed Hampton Hub
2. includes the following assessment of open space as part of the feasibility analysis:
 - quality meeting and recreation space
 - the open space is not unreasonably overshadowed from neighbouring development
 - be of an appropriate size and shape
 - is safe from vehicle traffic
 - is quiet and relatively free from noise pollution
 - the provision of a children's playground
 - is not bordered by back of house facilities
 - allows for the retention of existing trees and provides for deep rooted planting
3. also includes in the feasibility analysis:
 - the ability to incorporate commercial space to provide an active edge to the public open space
 - avoidance of overdevelopment - in particular, all buildings to adhere fully to the preferred height guidelines of DD012 and avoidance of visual bulk
 - utilisation of the current scout hall site as additional outdoor space, potentially incorporating a children's play area
4. undertakes community consultation on Options 1, 3 and 4 following Council's consideration of the analysis of options
5. considers a report before 30 December 2023 on the findings of the feasibility analysis and community feedback on the development scenarios and considers the next steps.

DIVISION:

FOR: Crs Alex del Porto, Sonia Castelli, Jo Samuel-King MBBS
(Deputy Mayor) and Hanna El Mouallem (Mayor) (4)

AGAINST: Crs Clarke Martin, Fiona Stiffold and Laurence Evans OAM (3)

CARRIED

10.8 WISHART RESERVE - DOG OFF LEASH SPACE DESIGN UPDATE

Environment, Recreation and Infrastructure - Open Space and Recreation
File No: PSF/23/165 – Doc No: DOC/23/172234

It is recorded that Mr Alf Marrocco (via proxy Mrs Joy Marrocco), Mr Rory Osman, and Miss Amanda Levi (on behalf of Bayside Dog Alliance) each spoke for 2 minutes in relation to this item.

It is recorded that Cr Evans left the Meeting at 9.43 pm. Cr Evans returned to the Meeting at 9.46 pm.

Moved: Cr Castelli

Seconded: Cr Samuel-King MBBS (Deputy Mayor)

That Council:

1. notes the findings of the Wishart Reserve Engagement Summary
2. adopts Option B as the preferred design solution to upgrade the off-leash space within Wishart Reserve
3. begins the tendering process to deliver the works associated with Option B
4. informs all who participated in the community engagement exercises of the outcomes and next steps
5. writes to the lead petitioner informing them of the outcomes and next steps
6. considers limiting the number of dogs per professional walker as part of the next Local Law review.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.9 RESPONSE TO NOTICE OF MOTION - 319 - POWERFUL OWL PROTECTION - SECOND-GENERATION ANTICOAGULANT RODENTICIDES (SGARS) - UPDATE ON ALTERNATIVE RODENT CONTROL OPTIONS TRIAL

Environment, Recreation and Infrastructure - Open Space and Recreation
File No: PSF/23/165 – Doc No: DOC/23/163361

It is recorded that Cr del Porto left the Meeting at 10.18 pm. Cr del Porto returned to the Meeting at 10.21 pm.

Moved: Cr Samuel-King MBBS (Deputy Mayor) Seconded: Cr Castelli

That Council:

1. notes the findings of the extension of the alternative rodent control trial
2. confirms Council's previous decision to phase out the use of SGARs to control rodents in public open space in Bayside
3. continues to explore and implement ways of phasing out SGARs including talking to Birdlife Australia and other councils around Australia that have successfully phased out the use of SGARs (Birdlife Australia can put us in touch with them)
4. advocates to households to use wildlife friendly rodent control measures
5. responds to the public consultation period for the Australian Pesticides and Veterinary Medicines Authority (APVMA) Anticoagulant Rodenticide Chemical Review when it is available (expected September 2024)
6. continues to use traditional snap traps in those areas where traps can be placed out of reach from interference by the public and do not pose a risk to native fauna.

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

DIVISION: **FOR:** Crs Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS
 (Deputy Mayor) and Fiona Stitfold (4)
AGAINST: Crs Alex del Porto, Laurence Evans OAM and Hanna El
 Mouallem (Mayor) (3)

CARRIED

10.10 LOCAL LAW POLICY REVIEW - MANAGEMENT OF TREE PROTECTION ON PRIVATE PROPERTY

City Planning and Amenity - Amenity Protection
File No: PSF/23/179 – Doc No: DOC/23/160341

Moved: Cr Martin

Seconded: Cr Stitfold

That Council:

1. endorses the revised Local Law Guideline provisions (Clause 21(1)) for public consultation during the period July to August 2023
2. notes a report will be presented, post consultation, to the November 2023 Council Meeting.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.11 ROAD MANAGEMENT PLAN REVIEW

Environment, Recreation and Infrastructure - City Assets and Presentation
File No: PSF/23/177 – Doc No: DOC/23/112072

It is recorded that Mr Derek Jones (on behalf of Friends of Bayside Roads) submitted a written statement in relation to this item.

Moved: Cr Martin

Seconded: Cr Stitfold

That Council:

1. undertakes community consultation for the Bayside Road Management Plan commencing on 29 June 2023 via Council's 'Have your Say' webpage for a period of 28 days
2. receives a further report at the 15 August 2023 Council meeting to consider the community feedback and present the Road Management Plan for adoption
3. considers the full impacts of lowering the intervention levels as part of the next full review of the Road Management Plan in 2025.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.12 REVIEW OF THE RECONCILIATION ACTION PLAN ADVISORY GROUP - TERMS OF REFERENCE

Community and Customer Experience - Community and Customer Experience
File No: PSF/23/167 – Doc No: DOC/23/141015

Moved: Cr Martin

Seconded: Cr Evans OAM

That Council:

1. establishes the Reconciliation Action Plan Advisory Group commencing 1 July 2023
2. adopts the Reconciliation Action Plan Terms of Reference dated 27 June 2023
3. appoints the following community members to the Reconciliation Action Plan Advisory Group for a period of 3 years commencing 1 July 2023:

Josh Toscano (Chair)
Jeremy Abbott
Matt Perfect
Allyson Craigie-Parsons
Kayla Cartledge
Jillian West
Gulay Cevik
Melissa Bickford

4. appoints Cr Fiona Stitfold as Council's representative to the Reconciliation Action Plan Advisory Group.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.13 BAYSIDE PARKING STRATEGY - PARKING SUSTAINABLY 2023–33

Environment, Recreation and Infrastructure - Climate, Waste and Integrated Transport
File No: PSF/23/176 – Doc No: DOC/23/172589

It is recorded that Sister Michele Kennan submitted a written statement in relation to this item.

Moved: Cr del Porto

Seconded: Cr Martin

That Council:

1. notes the report, outcomes of phase two of community engagement and the contents of the Bayside Parking Strategy – Parking Sustainably 2023–33
2. adopts the Bayside Parking Strategy – *Parking Sustainably 2023–33*.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.14 WANGARA ROAD REHABILITATION PLAN AND MASTERPLAN

Environment, Recreation and Infrastructure - Open Space and Recreation
File No: PSF/23/165 – Doc No: DOC/23/163515

Moved: Cr Evans OAM

Seconded: Cr del Porto

That Council:

1. notes that a Rehabilitation Plan for the site of the former driving range at 20 Wangara Road has been submitted to Environmental Protection Authority (EPA) Victoria for endorsement
2. receives a further report once the Rehabilitation Plan has been endorsed by EPA Victoria
3. seeks expert advice and guidance from the Executive Director of the National Arboretum Canberra to explore potential landscape opportunities, having regards to the site constraints, to develop various options for consideration for community consultation
4. extends an invitation to the Executive Director of the National Arboretum Canberra to tour Wangara Road Reserve in August/September 2023, subject to availability.

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

DIVISION:

FOR: Crs Alex del Porto, Clarke Martin, Jo Samuel-King MBBS
(Deputy Mayor), Fiona Stiffold and Laurence Evans OAM (5)

AGAINST: Crs Sonia Castelli and Hanna El Mouallem (Mayor) (2)

CARRIED

10.15 HIGHETT GRASSY WOODLAND - MASTERPLAN UPDATE

Environment, Recreation and Infrastructure - Open Space and Recreation
File No: PSF/23/165 – Doc No: DOC/23/163340

Moved: Cr Castelli

Seconded: Cr Evans OAM

That Council notes the update on the approach to commencing a Masterplan to guide the works required to return the former CSIRO site, Highett into an area of grassy woodland.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

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

10.16 REEF AND SEAGRASS RESTORATION

Environment, Recreation and Infrastructure - Open Space and Recreation
File No: PSF/23/165 – Doc No: DOC/23/164034

Moved: Cr Castelli**Seconded: Cr Evans OAM**

That Council:

1. notes that the initial findings and recommendations of The Nature Conservancy 'Shellfish Reef and Seagrass Restoration in Bayside' report will be considered as part of the long-term erosion mitigation options for Dendy Street Beach
2. shares the 'Shellfish Reef and Seagrass Restoration in Bayside' report with the relevant stakeholders associated with the Dendy Beach precinct.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

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

10.17 PROPOSED DISCONTINUANCE AND SALE OF ROAD ADJOINING 2 COWPER STREET, BRIGHTON

Corporate Services - Commercial Services
File No: PSF/23/175 – Doc No: DOC/23/169603

Moved: Cr Castelli**Seconded: Cr Evans OAM**

That Council:

1. commences the statutory procedures in accordance with the Local Government Act 1989 and the Local Government Act 2020, to discontinue the Subject Road adjoining 2 Cowper Street, Brighton outlined in red in Attachment 1, and sells the Subject Road to the adjoining owners of 2 Cowper Street, Brighton for \$128,000 plus GST
2. gives public notice outlining the proposal in accordance with Section 223 of the Local Government Act 1989
3. 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
4. in the event that submission/s are received, convenes a Section 223 Special Committee of Council meeting on 7 August 2023 at 6.00pm at the Council Chamber, Boxshall Street, Brighton to hear any submitters that wish to be heard
5. following the consideration of any submissions, receives a further report at a future Council Meeting.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED**NOTE:** Item 10.17 was **CARRIED** as part of a block motion.

10.18 CONTRACT CON/22/82 - UPGRADE TO BOSS JAMES RESERVE PAVILION

Corporate Services - Commercial Services
File No: PSF/23/163 – Doc No: DOC/22/132531

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

That Council:

1. awards Contract CON/22/82 Upgrade to Boss James Reserve Pavilion to SJ Higgins Pty Ltd (ABN 14 005 648 395) for the lump sum price of \$3,075,320 ex. GST including a fee for a 10% bank guarantee (\$3,382,852.00 inc. GST), and subject to the work not commencing until the practical completion of the Brighton Recreation Centre
2. authorises the Chief Executive Officer to sign all necessary documentation related to Contract CON/22/82 Upgrade to Boss James Reserve Pavilion
3. advises the unsuccessful tenderers accordingly.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

It is recorded that at 10.56pm, the Mayor called for a motion to extend the meeting, if required, beyond 11pm for a period of 30 minutes.

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

That the meeting be extended, if required, at 11.00pm for a period of 30 minutes.

CARRIED

10.19 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance

File No: PSF/23/167 – Doc No: DOC/23/177931

Moved: Cr Martin

Seconded: Cr del Porto

That Council notes the Council Action Awaiting Report.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stitfold, Laurence Evans OAM and Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

11. Reports by Delegates

1. **Association of Bayside Municipalities** – Cr Fiona Stitfold advised that there was nothing further to report since the previous meeting.
2. **Metropolitan Transport Forum** – The Director Environment, Recreation and Infrastructure indicated that the forum met on 7 June and there was discussion relating to the State and Federal budgets in addition to the Melbourne City Transport Strategy 2030.
3. **Municipal Association of Victoria** – Cr del Porto indicated that was nothing to report.
4. **Inner South Metropolitan Mayors' Forum** – The Mayor, Cr Hanna El Moullem indicated that the Forum has not met.
5. **South East Councils Climate Change Alliance** – Cr Fiona Stitfold advised that there was no report since the previous meeting.
6. **South Eastern Councils Biodiversity Network** – Cr Jo Samuel-King advised that the Network is yet to be established or meet.

Moved: Cr del Porto

Seconded: Cr Samuel-King

That the Reports by Delegates be received and noted.

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

DIVISION: **FOR:** Crs Sonia Castelli, Alex del Porto, Fiona Stitfold, Clarke Martin, Jo Samuel-King MBBS (Deputy Mayor), Laurence Evans OAM and Hanna El Moullem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

12. Urgent Business

There were no items of urgent business submitted to the meeting.

13. Notices of Motion

There were no Notices of Motion submitted to the meeting.

The Chairperson declared the meeting closed at 10.59pm.