



Minutes of the Ordinary Meeting of Bayside City Council

The Meeting was held in the Council Chambers
Civic Centre, Brighton
on Tuesday 22 September 2015

The Meeting commenced at 7.00pm

PRESENT:

Cr Felicity Frederico (Mayor)
Cr Alex del Porto
Cr Laurence Evans
Cr James Long BM JP
Cr Bruce Lowe

OFFICERS IN ATTENDANCE:

Adrian Robb	Chief Executive Officer
Shiran Wickramasinghe	Director City Strategy
Mick Cummins	Director Corporate Services
David Smith	Director Infrastructure Services
Marg Burge	Acting Director Community Services
Terry Callant	Manager Governance
Janice Pouw	Governance Officer
Matt Kelleher	Acting Executive Manager Organisational Development
Mark Patterson	Manager Family & Cultural Services
Simon Hill	Manager ESOS
Lili James	Manager Amenity Protection
Juliana Aya	Acting Manager Urban Strategy

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 Chairperson invited Cr Lowe to read the prayer.

1. Prayer

Cr Lowe 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 Chairperson invited Cr Evans 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 –.Apologies from Crs Stewart and Heffernan were submitted to the 25 August 2015 meeting

Moved: Cr del Porto

Seconded: Cr Long

That the apology from Cr Stewart and Cr Heffernan be received and noted and leave of absence is granted in accordance with Council's resolution dated 25 August 2015.

CARRIED

4. Disclosure of any Conflict of Interest of any Councillor

- Cr del Porto declared an indirect conflict of interest in items 10.8 and 14.2 where residential amenity may be altered given he resides in close proximity to Hurlingham Park and any demolition or construction may alter his residential amenity.

5. Adoption and Confirmation of the minutes of previous meeting

5.1 Confirmation of the Minutes of the Ordinary Meeting of Council held on Tuesday 25 August 2015

Moved: Cr Evans

Seconded: Cr Lowe

That the minutes of the Ordinary Meeting of Bayside City Council held on Tuesday 25 August 2015 as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

6. Public Question Time

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

1. Mr Pete Dowe

I have been informed by the Director of Infrastructure Services that the Hell Ride starts within the Bayside Municipality at the Black Rock Clocktower roundabout, that the Hell Ride is a great concern to Council and that Council is actively engaged with Victoria Police to try and find ways in which the Hell Ride can be addressed.

- a) I wish to ask if there are any Council by-laws which might address the Hell Ride starting in Bayside i.e the assembly of over 100 cyclists without a permit?
- b) Or could Council introduce a by-law which would address the Hell Ride starting in Bayside?

Response

Council has formally raised its concerns about this matter with the current and previous two state governments through funding for the Beach Road Corridor Strategy. Although funding has not yet been committed, Council continues to advocate campaigns for improved cyclist behaviour and improved Police powers to deal with this issue.

- a) There are no local laws that can address the hell ride within Bayside. Local Laws cannot regulate activities on the road. The Road Rules are the relevant controlling legislation regarding the use of bicycles on a road.
 - b) Whilst it may be possible to regulate the congregation of cyclists in off road areas through the development of a new local law, it would be likely that any cyclists would simply move onto the road if Council tried to take enforcement action, thus making it difficult to administer. In view of this, the development of a local law in relation to this matter is not considered appropriate.
-

2. Mr Kevin Spencer

Given the counter-productive issues with having an Arts & Heritage Collection Committee and an Arts & Culture Advisory Committee, both of which are seemingly unnecessary;

- A. Explain why we can't have a single Arts Board Committee with an independent Chairperson that would provide strategic direction on Arts & Culture for the City of Bayside as practiced by other civic minded councils.
- B. In future, will Council provide an open report to the community, the rightful owners of the works of art in council custody, such as an annual audit of all the works of art in the collection, there condition, those missing or decommissioned and recent works purchased and added to the collection.



Response

Future arrangements for Council's arts & culture committees are being considered as part of a strategic review of Council's Arts & Culture service which is currently underway. A report will be presented to Council on the outcomes of this review in December 2015.

A report was presented to the Council meeting of 26 May 2014 providing information on art acquisitions, de-accessions, and collection management activities since the establishment of the Arts & Heritage Collection Committee in 2013. A copy of this report can be provided on request.

3. Mr Kevin Spencer

With regard to the forthcoming demolition and construction of the new Pavilion at Hurlingham Park East Brighton.

- A. What action has Council taken to ensure that the nearby War Memorial is protected from being damaged during these building works as also the protection of the trees adjoining the site?
- B. Has Council taken into consideration the installation of temporary Toilet facilities for club training members and the wider community that use the parkland and passing motorists etc.

Response

- A. Hurlingham Park War Memorial is located within the protected trees adjacent to the proposed construction site and is well outside the designated construction zoned area.

The construction site will be fully fenced and clearly delineates public space and construction space. The builders are not permitted within the contract to exceed the allocated building zone without prior approval from the Council Superintendent.
- B. Temporary toilets, kiosk and change room installation are currently being arranged and will be located outside the designated building area. These toilets will be fully maintained by Council during construction.

Moved: Cr del Porto

Seconded: Cr Evans

That standing orders be suspended to enable Council to present a Letter under the seal of Council to Mr Michael Said, for service to the Bayside City Council Audit Committee.

CARRIED

The Mayor on behalf of Council, presented a Letter Under Seal to Mr Michael Said in appreciation of his ongoing service to Council's Audit Committee for a period of 6 years and 7 months. The Mayor thanked Mr Said for his impeccable attendance record, his dedication, commitment, enthusiasm and professionalism observed at each meeting.

Mr Said responded thanking Councillors and Council officers for reports prepared for the Audit Committee and work undertaken to improve processes and ultimately reducing Council's risks.

Cr Laurence Evans as one of Council's current Audit Committee representatives, also thanked Mr Said for his professionalism, attention to detail, assistance and guidance to the organisation.

Moved: Cr Long

Seconded: Cr del Porto

That standing orders be resumed.

CARRIED

7. Petitions to Council

There were no petitions submitted to the meeting.

Moved: Cr del Porto**Seconded: Cr Evans**

That items 8.1, 8.2 and 8.3 be dealt with as a block motion and the recommendations be adopted.

CARRIED

8. Reports by Advisory Committees

8.1 Assembly of Councillors Record

Corporate Services - Governance
File No: FOL/14/1097

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

Date	Name
18 August 2015	CEO and Councillor Briefing
18 August 2015	Strategic Issues Discussion
1 September 2015	CEO and Councillor Only Briefing
1 September 2015	Councillor Briefing Session
15 September 2015	Strategic Issues Discussion

NOTE – Item 8.1 was **CARRIED** as part of a block motion.



8.2 Minutes of the Audit Committee Meeting held on 4 September 2015Corporate Services - Governance
File No: FOL/1234

That Council:

1. notes the minutes of the Audit Committee meeting held on 4 September 2015 and endorses the actions of the Audit Committee; and
2. adopts the following recommendations of the Audit Committee dated 4 September 2015:

Item 9.1.1.

That the Audit Committee:

1. Receives and notes the Financial Report and draft management representation letter for the financial year ended 30 June 2015;
2. Recommends to Council that Council resolves to give in principle approval of the Financial Statements for the financial year ended 30 June 2015, subject to the following amendments as indicated within the minutes of the meeting and the following additional changes to the statements:

<i>Page 17</i>	<i>Additional commentary required</i>
<i>Page 22</i>	<i>Note 7 – Disclose Open Space Contributions as Capital Income rather than Operating Income.</i>
<i>Page 41</i>	<i>Note 36(i) to reflect the correct title of the reserve.</i>
<i>Page 48</i>	<i>Signatories should be both Councillor members of the Audit Committee.</i>

3. notes the content of the organisation's Representation Letter dated 22 September 2015.

Item 9.1.2

That the Audit Committee:

1. recommends to Council that Council resolves to adopt the Performance Statement for the financial year ended 30 June 2015 in principle subject to the following amendments;

<i>Adjusted Underlying Result Financial Indicator</i>	<i>Further commentary required to reference proposed rate capping.</i>
<i>Unrestricted Cash Financial Indicator</i>	<i>Provide commentary to explain the calculations.</i>
<i>Financial Summary within the Annual Report</i>	<i>To explain in detail the unrestricted and restricted cash components within the financial Statements.</i>



2. recommends to Council that the two Councillor representatives on the Audit Committee certify the performance statement in the required format; and

Item 9.1.3.

That the Audit Committee recommends to Council that the Victorian Auditor General's Office Closing Report for Bayside City Council for the financial year 30 June 2015 be noted.

NOTE – Item 8.2 was **CARRIED** as part of a block motion.

8.3 *Minutes of the Arts and Culture Advisory Committee meeting held on 19 August 2015*

Corporate Services - Governance
File No: FOL/1234

That Council notes the minutes of the Arts and Culture Advisory Committee meeting held on 19 August 2015.

NOTE – Item 8.3 was **CARRIED** as part of a block motion.

9. Reports by Special Committees

There were no reports by special committees submitted to the meeting.

10. Reports by the organisation

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REQUESTS TO BE HEARD:

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

Item 10.3 Bayside Planning Scheme Review 2015 – Final Report

1. Mr Ron Furlonger
2. Mr Michael Nugent

Item 10.7 Strategic Service Review – Family and Children's Services

1. Mrs Deidre White

Item 10.9 CON1544 Provision of Christmas Decorations in Major Activity Centres (Including Design, Supply, Installation, Removal, Transportation and Storage)

1. Mr Kevin Spencer

Item 10.11 2014/15 Local Government Performance Reporting Framework

1. Mr Michael Nugent

Item 10.12 Annual Report on Operations for 2014/15

1. Mr Michael Nugent

Item 10.13 Annual Financial Statements for the year ended 30 June 2015

1. Mr George Reynolds

Item 10.16 Membership of ICLEI (Local Government for Sustainability)

1. Mr Ron Furlonger
2. Mr Michael Nugent

Item 10.17 Management of Tree Protection on Private Property Policy 2015

1. Mr Ron Furlonger
2. Mr George Reynolds



10.1 *Martin Street Draft Structure Plan*

City Strategy – Urban Strategy
File No: PSF/15/773

Moved: Cr del Porto

Seconded: Cr Evans

That Council:

1. endorses the draft Martin Street Structure Plan as provided at Attachment 1 for the purposes of community consultation and engagement;
2. adopts the Martin Street Structure Plan Background Report at Attachment 2 and the Community Consultation and Engagement Strategy at Attachment 3; and
3. receives a report on the findings of the third-round community consultation and engagement and a final Martin Street Structure Plan at the 24 February 2016 Ordinary Meeting of Council.

CARRIED

10.2 *Bayside Film Festival*

Community Services – Family & Cultural Services
File No: FOL/15/334

Moved: Cr del Porto

Seconded: Cr Long

That Council resolves to consider whether or not the Bayside Film Festival is delivered in 2016 and beyond, and determines this in December 2015.

CARRIED

10.3 Bayside Planning Scheme Review 2015 – Final ReportCity Strategy – Urban Strategy
File No: FOL/13/33229

It is recorded that Mr Ron Furlonger spoke in relation to this matter.

It is recorded that Cr del Porto vacated the Chamber at 7.26pm and re-entered at 7.31pm

It is further recorded that Mr Michael Nugent was not present in the Chamber.

Moved: Cr Lowe**Seconded: Cr Long**

That Council:

1. adopts the Final Bayside Planning Scheme Review Report 2015 as contained in Attachment 1;
2. submits the Final Bayside Planning Scheme Review Report 2015 to the Minister for Planning in accordance with section 12B(5) of the *Planning and Environment Act 1987*; and
3. receives a report detailing the Planning Scheme Review Implementation Plan at its Ordinary Meeting on 15 December 2015.

CARRIED

10.4 Wellbeing for All Ages and Abilities – Implementation ReportCommunity Services – Youth, Recreation & Events
File No: FOL/13/428

Moved: Cr Evans**Seconded: Cr del Porto**

That Council receives and notes the report on the annual implementation of Bayside's Wellbeing for All Ages and Abilities Strategy (WAAA) 2013-2017 and Action Plans.

CARRIED**10.5 Bayside Tourism Network Membership**City Strategy – Urban Strategy
File No: PSF/15/3024

Moved: Cr del Porto**Seconded: Cr Lowe**

That Council:

1. reappoints to the Bayside Tourism Network the following renominating members, each for a full two year term:
 - Mr Jason Douglas
 - Mr David Elias
 - Ms Maureen Griffiths
 - Mr Stephen Le Page
 - Ms Michele Waddington
 - Mr Michael Lee
 - Ms Karen Sedgwick;
2. appoints Ms Emma McGuinness and Mr Jimmy Javni to the Bayside Tourism Network for a full two year tenure;
3. thanks Ms Alexandra Eastgate, Mr Corey Gorander, Ms Jo Taylor and Ms Penny Irons who are retiring, for their contribution to the Bayside Tourism Network; and
4. adopts the updated Terms of Reference dated September 2015 as attached.

CARRIED

10.6 Local Government (General) Regulations 2015

Corporate Services - Governance
File No: FOL1234

Moved: Cr Evans

Seconded: Cr del Porto

That Council submits a submission to the Department Environment, Water, Land and Planning on the Regulatory Impact Statement associated with the proposed draft Local Government (General) Regulations 2015 based on Attachment 1 as outlined in the report.

CARRIED

10.7 Strategic Service Review – Family and Children’s Services

Community Services – Youth, Recreation & Events
File No: FOL/14/1234

It is recorded that Mrs Deidre White spoke in relation to this matter.

Moved: Cr del Porto

Seconded: Cr Lowe

That Council:

1. notes the Family and Children’s Service Review report and identified improvement opportunities for operational implementation;
2. supports the MAV in negotiations to secure increased unit funding for the universal Maternal & Child Health service in the 2016/17 budget to reflect actual costs;
3. continues to explore improvements in the performance of Maternal & Child Health buildings in supporting the provision of quality services to children and families;
4. advocates for increased funding from the State Government to support the provision of enhanced Maternal and Child Health services to vulnerable children and families in Bayside, based on the demonstrated need;
5. determines to continue to provide a financial contribution to supplement State funding in order to provide a needs based enhanced Maternal and Child health service, subject to assessment of risks and access to other services. The amount of Council subsidy could vary above or below the 2014/15 level of \$130,041;
6. establishes its intention to cease delivery of vacation care in Hampton at the end of the summer program in January 2016, and vacation care in Black Rock at the end of the Easter program in April 2016, subject to consultation regarding appropriate transitional arrangements;
7. liaises with alternative private and / or not-for-profit providers of vacation care about their capacity to accommodate demand and deliver quality services, particularly for vulnerable families and children with additional needs, and works with families to facilitate transition into suitable alternative programs;
8. develops a ten year improvement plan for kindergartens;
9. runs activities for children during the annual Carols event rather than a separate childrens Christmas party;
10. withdraws from the Home Cleaning Service from September 2015;
11. withdraws from the Baby Capsule Hire Service by the end of October 2015; and
12. considers the statement of purpose principles identified in the Family and Children’s Services review as part of the development of the next Early Years Action Plan due in 2017.

CARRIED

It is recorded that Cr del Porto declared an indirect conflict of interest where residential amenity may be altered given he resides in close proximity to Hurlingham Park.

Cr del Porto was not present in the Chamber when this item was considered and vacated the Chamber at 8.02pm.

10.8 CON1553 Hurlingham Pavilion Demolition and New Construction

Infrastructure Services – City Works
File No: CON/15/53

Moved: Cr Lowe

Seconded: Cr Evans

That Council:

1. awards contract CON1553 Hurlingham Pavilion Demolition and Construction to ADMA Group Pty Ltd (ABN: 29 146 031 761) for the lump sum price of \$2,564,738.00 exclusive of GST and \$2,821,211.80 inclusive of GST;
2. authorises the Chief Executive Officer to sign all necessary documentation related to Contract Number CON1553 Hurlingham Pavilion Demolition and New Construction; and
3. advises the unsuccessful tenderers accordingly.

CARRIED

It is recorded Cr del Porto vacated the Chamber prior to item 10.8 and was not present in the Chamber when this item was considered.

It is recorded Cr del Porto entered the Chamber at 8.05pm following the consideration of the above item.

10.9 CON1544 Provision of Christmas Decorations in Major Activity Centres (including Design, Supply, Installation, Removal, Transportation and Storage)City Strategy – Urban Strategy
File No: CON/15/44

*It is recorded that Mr Kevin Spencer spoke in relation to this matter.***Moved: Cr Lowe****Seconded: Cr Long**

That Council:

1. awards Contract No:15/44 to Displaycraft Pty Ltd trading as Chas Clarkson (ABN: 91 668 478 292) for the Provision of Christmas decorations in activity centres (including design, supply, installation, removal, transportation and storage) for a period of one year for a lump sum price of \$163,926.55 (excluding GST) with options to extend the contract for year two for a fixed price of \$104,557.27 (excluding GST) and year three for a fixed price of \$106,825.45 (excluding GST) subject to satisfactory performance by the contractor;
2. authorises the Chief Executive Officer to sign all necessary contract documentation relating to the awarding of Contract No:15/44; and
3. advises the unsuccessful tenderer accordingly.

The Motion was Put and a **DIVISION** was called.**DIVISION:** **FOR:** Crs Long, Lowe and Frederico (3)
 AGAINST: Crs Evans and del Porto (2)**CARRIED**

10.10 CON1555 Boss James, Peterson East and West and Simpson Reserve Sportsground Lighting

Infrastructure Services – City Works
File No: CON/15/55

Moved: Cr Long

Seconded: Cr Lowe

That Council:

1. awards contract CON1555 Boss James, Peterson East and West and Simpson Reserve Sportsground Lighting to Sonec Services Pty Ltd trading as Ultralec Electrical Services (ABN: 39 069 624 317) for the lump sum price of \$471,900 exclusive of GST and \$519,090 inclusive of GST;
2. authorises the Chief Executive Officer to sign all necessary documentation related to Contract Number CON1555 Boss James, Peterson East and West and Simpson Reserve Sportsground Lighting; and
3. advises the unsuccessful tenderers accordingly.

CARRIED

Moved: Cr del Porto

Seconded: Cr Evans

That items 10.11 and 10.12 be moved as a block motion and the recommendations be adopted.

CARRIED

10.11 2014/15 Local Government Performance Reporting Framework Results

Corporate Services - Governance
File No: FOL/1234

It is recorded that Mr Michael Nugent was not present in the Chamber.

That Council:

1. notes the Local Government Performance Reporting Framework Indicator results; and
2. authorises the Mayor and the Chief Executive Officer to sign the Governance and Management Checklist; and
3. authorises Cr Lowe and Cr Evans as Audit Committee members to sign the Performance Statements in conjunction with the Chief Executive Officer and Manager Finance.

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

10.12 Annual Report on Operations for 2014/15Corporate Service - Governance
File No: FOL/1234

It is recorded that Mr Michael Nugent was not present in the Chamber.

That Council:

1. receives the Annual Report on Operations for 2014/2015, as provided in attachment 1 to the report;
2. authorises the Chief Executive Officer to make immaterial editorial changes to the document as needed;
3. submits the Annual Report on Operations 2014/2015 to the Minister for Local Government by 30 September 2015 as required by the Local Government Act 1989;
4. gives public notice that it has received an Annual Report for 2014/2015, and that the report may be viewed by the public at Council's Corporate Centre, at each of Council's four branch libraries and on Council's website; and
5. within one month of submitting the Annual Report to the Minister, gives notice and holds a meeting on 20 October 2015 at 6.30pm to consider the Annual Report as required by Section 22 of the Local Government (Planning and Reporting) Regulations 2014.

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



10.13 Annual Financial Statements for the year ended 30 June 2015Corporate Services - Finance
File No: DOC/15/144120

It is recorded that Mr George Reynolds spoke in relation to this matter.

Moved: Cr Evans**Seconded: Cr del Porto**

That Council:

1. receives and notes the Financial Report for the financial year ended 30 June 2015;
2. authorises the Manager Finance to make immaterial adjustments to the Financial Statements if requested by the Auditor General. If material adjustments are requested, the Manager Finance is authorised to make such adjustments and advise Council and the Audit Committee of the effect of these adjustments; and
3. resolves to give "in principle" approval of the Financial Report for the financial year ended 30 June 2015 and authorises Councillors Bruce Lowe and Laurence Evans, who are members of the Audit Committee, to certify the statements on behalf of Council and submit these to the Minister for Local Government.

CARRIED

Moved: Cr del Porto

Seconded: Cr Evans

That items 10.14 and 10.15 be moved as a block motion and the recommendations be adopted.

CARRIED

10.14 *Financial Assistance Grants to Local Government*

Corporate Services - Governance
File No: COR 1234

That Council:

1. acknowledges the importance of the Australian Government Financial Assistance Grants program to Local Government and in particular, the key role the grants play in assisting Council to continue to deliver services and infrastructure to its community;
2. acknowledges that although Council will receive \$2.05 million of Financial Assistance Grant funding in 2015/16, the impact of the three year indexation freeze is a loss of income in real terms that has a significant compounding effect on Council's finances into the future;
3. will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including the annual report;
4. writes to The Hon Andrew Robb AO, MP Federal Member for Goldstein forwarding a copy of this report and requesting his ongoing support for the restoration of indexation of Federal Assistance Grants; and
5. informs the ALGA and MAV of Council's resolution in this matter.

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

10.15 *Municipal Association of Victoria – State Council – Call for Motions*Corporate Services - Governance
File No: COR 1234

That Council submits the following two motions to the MAV State Council meeting to be held on 23 October 2015:

1. *Proposed MAV Motion*

That the MAV State Council:

- a) acknowledges and congratulates the Victorian State Government's recent efforts to increase women's participation in sport with the announcement of the Female Friendly Facilities Fund; and
- b) requests the State Government to raise this matter at the next COAG meeting calling for the establishment of a National Framework and Fund to address the gender inequity of sporting facilities.

2. *Proposed MAV Motion*

That the MAV State Council advocates to the State Government to:

1. complete a review of the actual unit cost of providing Universal Maternal Child Health Services; and
2. review the Enhanced Maternal and Child Health funding model to align with the stated funding commitment.

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



10.16 Membership of ICLEI (Local Government for Sustainability)

Infrastructure Services – Environmental Sustainability & Open Space
File No: FOL/15/156

It is recorded that Mr Ron Furlonger spoke in relation to this matter.

It is further recorded that Mr Michael Nugent was not present in the Chamber.

Moved: Cr del Porto

Seconded: Cr Lowe

That Council does not join ICLEI (Local Government for Sustainability).

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

DIVISION: **FOR:** Crs Long, Evans, del Porto and Lowe (4)
 AGAINST: Cr Frederico (1)

CARRIED

**10.17 Management of Tree Protection on Private Property Policy
2015**

City Strategy – Amenity Protection
File No: FOL

It is recorded that Mr Ron Furlonger and Mr George Reynolds spoke in relation to this matter.

Moved: Cr del Porto

Seconded: Cr Evans

That Council:

1. amends the Management of Tree Protection on Private Property Policy 2008 (revised and republished in 2012) by adopting the revised Management of Tree Protection on Private Property Policy 2015;
2. gives notice of the amendment to the Management of Tree Protection on Private Property Policy 2008 (revised and republished in 2012) in the Victorian Government Gazette; and
3. thanks the submitters for providing feedback regarding the proposed Local Law Tree Removal Policy.

CARRIED

Moved: Cr del Porto

Seconded: Cr Evans

That items 10.18 and 10.19 be considered as a block motion and the recommendations be adopted.

CARRIED

10.18 ***VCAT Decisions***

City Strategy – Statutory Planning
File No: COR/1234

That the report on the VCAT decisions on the planning applications handed down during the month of August be received and noted.

NOTE – Item 10.18 was **CARRIED** as part of a block motion.

10.19 ***Council Action Awaiting Report***

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

That Council notes the Council Action Awaiting Report.

NOTE – Item 10.19 was **CARRIED** as part of a block motion.

It is recorded that at this stage of the meeting, Cr del Porto declared an indirect conflict of interest in item 14.2 where residential amenity may be altered, given he resides in close proximity to Hurlingham Park and any demolition or construction may alter his residential amenity.

11. Reports by Delegates

Reports by Delegates from the following organisations:

1. **Association of Bayside Municipalities** – Cr Frederico
Cr Frederico advised that the notes from the recent Association of Bayside Municipalities meeting were provided to Councillors.
2. **MAV Environment Committee** – Director City Strategy
The Director City Strategy reported on the MAV Environment Committee meeting held on 12 September 2015 where topics discussed included coal seam gas extraction and sustainability issues.
3. **Metropolitan Transport Forum** – Director Infrastructure Services
No report submitted
4. **Municipal Association of Victoria** – Cr Frederico
Cr Frederico advised that the notes from the recent Municipal Association of Victoria meeting were provided to Councillors.
5. **Inner South Metropolitan Mayors' Forum** – Cr Frederico
No report submitted.
6. **Metro Waste & Resource Recovery Group** – Cr Stewart
No report submitted.

Moved: Cr Evans

Seconded: Cr Lowe

That the delegate's reports be received and noted.

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.

14. Confidential Business

Moved: Cr del Porto

Seconded: Cr Lowe

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

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

CARRIED

Table of Contents

- 14.1 **Bayside Built Environment Awards 2015 – Judging Panel Recommendations** (LGA 1989 Section 89(2)(h) where the content may prejudice Council or any person)
- 14.2 **Confidential Contractual Attachments: CON/1553 Hurlingham Pavilion Demolition and New Construction; CON 1544 Provision of Christmas Decorations in Major Activity Centres; CON1555 Boss James, Peterson East and West and Simpson Reserve Sportsground Lighting** (LGA 1989 Section 89(2)(d) Contractual matters)

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

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

The Chairperson declared the meeting closed at 9.09pm.

CONFIRMED THIS 27 DAY OF OCTOBER 2015

CHAIRPERSON:

