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## **Minutes of the Ordinary Meeting of Bayside City Council**

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The Meeting was held in the Council Chambers  
Civic Centre, Brighton  
on Tuesday 23 June 2015

The Meeting commenced at 7.00pm

**PRESENT:**

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

**OFFICERS IN ATTENDANCE:**

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

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 Stewart to read the prayer.

## **1. Prayer**

Cr Stewart 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 Long 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** – An apology from Cr del Porto was submitted to the 26 May 2015 Ordinary Meeting of Council for the 23 June 2015 meeting.

**Moved: Cr Evans**

**Seconded: Cr Heffernan**

That the apology from Cr del Porto be received and noted and leave of absence is granted in accordance with Council's resolution dated 26 May 2015.

**CARRIED**

**4. Disclosure of any Conflict of Interest of any Councillor**

- Cr Heffernan declared an indirect interest as a consequence of becoming an interested party in item 10.6 relating to Castlefield Major Grant Review given he is a volunteer solicitor at Bayciss.
- Cr Stewart declared an indirect interest by close association in item 10.6 relating to Castlefield Major Grant Review given her husband is a volunteer solicitor at Bayciss.

**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 26 May 2015**

**Moved: Cr Stewart**

**Seconded: Cr Evans**

That the minutes of the Ordinary Meeting of Bayside City Council held on Tuesday 26 May 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, 9 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.

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### 1. Mrs Carly Skinner (not present in the Chamber)

It is recorded that Mrs Skinner submitted a question to meeting but was not present and in accordance with the Government Local Law No: 1 the question and response is not included in the minutes, however a written response will be provided to Mrs Skinner.

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### 2. Mr George Reynolds (present in the Chamber)

The income account in Council's 2015 budget shows a surplus of 17.204M. Adding back the irregular deduction for depreciation of \$15.206M we get a true surplus, before provision of capital of \$32.410M. Council claims to use this money to pay for its capital outlay of \$32.205M. However \$4.220M has already been provided in the 2014 budget.

- (a) Why does Council fail to provide a provision to cover incomplete work when previously given a budget allocation, and
- (b) What does Council intend to do with the orphan surplus of \$4.080M?

#### **Response**

- (a) *A provision has been made in the 2015/16 to cover the incomplete work budgeting in the previous year.*
  - (b) *The calculation in the preamble of Mr Reynold's question is an incorrect interpretation of the financial information contained within the budget, and there is no orphan surplus.*
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### 3. Mr George Reynolds (present in the Chamber)

Council is an enterprise with no capital and no capacity to accumulate cash by making a profit. All its revenue must be spent on current expenses and provision for future expenses.

- (a) How did Council acquire the \$27M (or more) of financial assets that appear to have been added to the revalued "accumulated assets", and
- (b) when is Council going to arrange to account for ALL its income and ALL its expenditure in the Comprehensive Income Account?

#### **Response**

- (a) *Total Cash and Investments in the 2015/16 budget of \$47M include restricted cash and investments of \$25.7M. The increase in Council's cash reserves has occurred over a number of years and is to be used to support future service delivery and capital works.*
  - (b) *The Comprehensive Income Statements in the 2015/16 budget reflects all the proposed income and Expenditure required to deliver Council services for the budget period and has been prepared in accordance with the Local Government Reporting Regulations (2014) and Australian Accounting Standards.*
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**4. Ms Sue Hardiman (present in the Chamber)**

What is the total cost of attendance (registration, travel, accommodation etc.) of three councillors at the National General Assembly of Local Government held in June 2015 in Canberra. What is the criteria for selecting councillors to attend this conference and what is the benefit of three councillors attending and when will the three councillors Reports of the meeting be published?

**Response**

*The cost of the attendance of three Councillors at the ALGA National General Assembly was \$6,772.32.*

*There is no criteria for selecting Councillors to attend the conference. All Councillors are provided with the opportunity to attend, however it is the norm that the Mayor of the Day is an attendee, if available.*

*The benefits of attending the National General Assembly is too better understand innovative ways of meeting the needs of local communities. It is valuable that all Councillors learn and develop from other Councils and bring back ideas and suggestions for Bayside to consider. Whilst in Canberra the time was used constructively and accordingly meetings were arranged with 4 ministerial advisors to advocate for funding in relation to Dendy Street Beach Pavilion and investing in facilities to support female participation in sport.*

*The Mayor will provide a verbal report at the Ordinary Meeting of Council at Reports by Delegates on behalf of the all delegates in attendance.*

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**5. Ms Sue Hardiman (present in the Chamber )**

Emails: For the period 1 January 2015 to 23 June 2015 what is the number of official emails received by councillors and what is the number of official emails sent by councillors?

**Response**

*The information you requested will not be provided given its an onerous task to count the emails received and sent from each Councillors mailbox.*

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**6. Mr Michael Nugent (present in the Chamber)**

Council is on record as saying that it is "seeking to reduce reliance on Herbicide" and "seeks to minimise the use of chemicals in the environment".

Nonetheless, a current "Request for Tender" for works at Dendy Park requires the entire lower sportsfield and immediate surrounds to be sprayed, at least twice, with Glyphosate, which the World Health Organization has reported as "PROBABLY CARCINOGENIC IN HUMANS". The tender also requires a range of other herbicides, insecticides and fungicides to be used.

Due to known community concerns, Council is conducting a chemical-free weed control trial. The report on that trial is expected before/during the planned time for work at Dendy Park.

(a) In light of these facts, will Council vary the Request for Tender to ensure that CHEMICAL-FREE alternatives are, at the very least, allowed or, preferably, required, for the works at Dendy Park?

(b). There has been zero communication with local residents or dog-walkers about chemical use. What plans does Council have to accommodate the large, and close, community of Dendy Park dog walkers during these major works?

**Response**

- (a) *The tender documents specify the use of glyphosate as it ensures a complete knockdown of existing grass species and enables the project to be completed in the shortest possible timeframe. Glyphosate is currently an approved product for use in such applications and is applied in accordance with the manufacturer's specifications. Council continues to explore opportunities to reduce its use and reliance of glyphosate for weed control in open space, such as steam application or other suitable methods of control. The current tender specifications are appropriate for this situation.*
- (b) *Development of the Dendy Park Masterplan informed the community of the proposed ground stabilisation works. During each stage of the Dendy Park redevelopment project, a security fence will be installed around the perimeter of works preventing access to the work site. Residents will be provided with a brochure discussing details of each stage of work, including grass spraying. Two days before grass spraying is carried out a further notice will be sent to residents and signs will be erected in the park. The first ground stabilisation and turf replacement stage involves a small area in the northern end of the Park.*
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**7. Mr Michael Nugent (present in the Chamber)**

The Dendy Park Masterplan, approved by Council only 8 months ago, discusses Water Conservation at some length and, very specifically, provides for "Water Sensitive Urban Design raingardens to capture & cleanse stormwater runoff" on the west side of the lower sportsfield.

The current "Request for Tender" for major works at Dendy Park makes no mention of this. On the contrary, it requires the pipes beneath the sportsfield to feed directly into a stormwater drain exactly where the raingarden is supposed to be.

- 3(a) Will Council vary the Request for Tender to ensure the planned raingarden is included in the specifications?
- 3(b) There has been zero communication with local residents or dog-walkers about drainage, or any other aspect of the major works that it appears Council has scheduled for Dendy Park. Will Council form a Dendy Park reference group, comprising not only sports clubs but also local residents and dog-walkers, to ensure the community is engaged as plans for this major work progress?

**Response**

- (a) *The Dendy Park Masterplan identifies water sensitive urban design treatments to capture and cleanse surface storm water run off on the western boundary of Dendy Park and as part of the pavilion and car park redevelopment. Although not included in the scope of the current ground stabilisation tender, the possibility of including a water sensitive urban design treatment as part of the current works will be investigated and, if appropriate, included as a variation to the current tender.*
- (b) *Development of the Dendy Park Masterplan informed the community of the proposed ground stabilisation works. Further, there has been extensive consultation with the sporting clubs regarding the staging of the ground stabilisation works. The redevelopment work on Dendy Park is being implemented to rectify the problems with the uneven surface and subsidence that develops randomly across the playing surfaces. Once completed, there will be no change to the amenity provided in the park for local residents and dog walkers. A Dendy Park Reference Group is not being considered at this time.*
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**8. Mr Kevin Spencer (present in the Chamber)**

Given council concern for the environment and its rigorous enforcement of its policy on pruning and removing problem trees, along with its responsibilities under the Environment Protection Act and Recreation Lands Act, in particular sustainable flora and fauna as a leader in Environment Management.

- A. Who is responsible for butchering the trees and shrubs and removing the protective fencing in the Heritage Overlay Brighton Beach Gardens Green Point in recent weeks, of which gave shelter to the gardens notwithstanding the sad loss of this habitat to the native birds.
- B. Will council replace the protective fencing as promised in discussion on the Gardens Master Plan and remove the ugly wood chips, replacing with proper garden mulch.

**Response**

*A & B - Council is currently undertaking fence replacement works as an action identified in the Green Point Conservation Management Plan, adopted by Council in 2013. Some cyclical pruning and garden maintenance is being undertaken concurrently with the fencing works and at completion of works the area will be mulched using mulch generated and recycled from Council's tree maintenance activities. It is expected that these works will be completed by 30 June.*

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**9. Mr Kevin Spencer (present in the Chamber)**

Residents and Ratepayers of the City of Bayside were invited to make submissions to councils proposed 2015/16 Budget, bearing in mind the seven Goals of its Council Plan, in particular Goal 1. An engaged community and Council.

- A. Why were those residents that spoke to their submissions at the Special Council Meeting denied Live Streaming of their presentations to council as privileged to councillors, after all we the ratepayers are paying for the system.
- B. Explain why most Budget submissions in tonight's agenda are printed faintly making them illegible or not included in the review of all submissions.

**Response**

- a) *The live streaming is provided for Council Meetings, Special Council Meetings and the Planning and Amenity Committee where the broader community may have an interest in the decision making process. The meeting to hear submissions was established for submitters to speak specifically to their submissions.*
  - b) *All submissions received are scanned and attached to the report, therefore it depends on the quality of the submission received in the first instance. During the photocopying phase the quality generally deteriorates. Councillors have been provided with copies of the submissions on two occasions and are able to consider the content of submissions received.*
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## **7. Petitions to Council**

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### **7.1 Petition: Request for 'No Stopping' restrictions on Beach Road**

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

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*"We the undersigned hereby petition Bayside Council to install 'no stopping' regulations in Beach Road between Orlando Street and Linacre Road, Hampton to improve traffic flow during evening peak periods." (6 Signatures)*

**Moved: Cr Long**

**Seconded: Cr Stewart**

That the petition be referred to the Chief Executive Officer for consideration and response prior to the next Ordinary Meeting of Council.

**CARRIED**



## **8. Reports by Advisory Committees**

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### **8.1 *Assembly of Councillors Record***

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

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**Moved: Cr Stewart**

**Seconded: Cr Evans**

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

**CARRIED**

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

## **9. Reports by Special Committees**

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### **9.1 *Minutes of a Special Committee to hear submissions in relation to the Council Plan 2013-2017 (2015 Review) and Strategic Resource Plan 2015 to 2019 held on 4 June 2015***

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

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That Council notes the Minutes of the Special Committee of Council held on 4 June 2015 to hear submissions in relation to the 2015 Review of the Council Plan 2013-2017 and Strategic Resource Plan 2015 to 2019.

**CARRIED**

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

### **9.2 *Minutes of a Special Committee to hear submissions in relation to the Proposed 2015/16 Annual Budget held on 4 June 2015***

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

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That Council notes the Minutes of the Special Committee of Council held on 4 June 2015 to hear submissions in relation to the Proposed 2015/16 Annual Budget.

**CARRIED**

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

## 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 10.1 Bayside Community Nursery Revitalisation Plan Update**

1. Mr George Reynolds
2. Mr Michael Nugent
3. Ms Pauline Reynolds

**Item 10.2 Dog Off Leash Review for Castlefield Reserve Easement, Highett and Hampton East**

1. Ms Rosanne Gibb
2. Ms Elizabeth Nickolls

**Item 10.3 Access over Council Car Park rear 303 Beach Road**

1. Mr Steve Kanbur

**Item 10.4 Balcombe Park Wetlands Concept Design**

1. Mr David Richards
2. Mr Andrew Corcoran
3. Mr Ian O'Loughlin
4. Ms Pauline Reynolds

**Item 10.5 Bodley Street Tennis Centre request for Rental Reduction**

1. Mr George Reynolds
2. Mr Adam Kernahan

**Item 10.9 Bayside Walking Strategy**

1. Mr Kevin Spencer

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## 10.1 ***Bayside Community Nursery Revitalisation Plan Update***

City Strategy – Environmental Sustainability & Open Space  
File No: FOL/12/2447

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*It is recorded that Mr George Reynolds, Mr Michael Nugent and Ms Pauline Reynolds spoke in relation to this matter.*

**Moved: Cr Evans**

**Seconded: Cr Long**

That Council:

1. adopts the proposed Bayside Community Nursery Masterplan; and
2. notes the preliminary costing for the Bayside Community Nursery project

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

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

**CARRIED**

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**10.2 Dog Off Leash Review for Castlefield Reserve Easement,  
Highett and Hampton East**

Infrastructure Services – Amenity Protection  
File No: FOL/15/123

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*It is recorded that Ms Carol Hogg spoke on behalf of Ms Rosanne Gibb and Ms Elizabeth Nickolls spoke in relation to this matter.*

**Moved: Cr Lowe**

**Seconded: Cr Long**

That Council:

1. endorses the use of the proposed area of 9,000m<sup>2</sup> at Wishart Reserve for dog off leash activities; and
2. installs a fence with gates to separate the dog off leash area from the playground and a fence at the laneway entrance leading onto Bluff Road.

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

**DIVISION:**    **FOR:**            Crs Stewart, Long, Evans, Heffernan, Lowe (5)  
                         **AGAINST:**       Crs Frederico (1)

**CARRIED**

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**10.3 Access over Council Car Park rear 303 Beach Road**

Corporate Services – Commercial Services  
File No: FOL/14/1073

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*It is recorded that Mr Steve Kanbur spoke in relation to this matter.*

**Moved: Cr Lowe**

**Seconded: Cr Evans**

That this matter be deferred to the July Ordinary Meeting of Council for further consideration.

**CARRIED**

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## 10.4 **Balcombe Park Wetlands Concept Design**

City Strategy – Environmental Sustainability & Open Space  
File No: FOL/15/191

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*It is recorded that Mr David Richards, Mr Andrew Corcoran, Mr Ian O'Loughlin and Ms Pauline Reynolds spoke in relation to this matter.*

**Moved: Cr Stewart**

**Seconded: Cr Evans**

That Council:

1. carries forward \$50,000 to the 2015/16 capital program for the purpose of concept planning and documentation for a proposed ephemeral wetland in the north west of Balcombe Park to increase floral diversity in the park.
2. consults with key stakeholders and nearby residents regarding the proposed ephemeral wetland.
3. advises Friends of Balcombe Park of the outcome of this report; and
4. receives a further report detailing the outcomes of the investigation at the November 2015 Ordinary Meeting of Council.

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

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

The Mayor used her Casting vote against the motion and the motion was.

**LOST**

**Moved Cr Lowe**

**Seconded Cr Heffernan**

That Council:

1. not proceed with the concept planning and documentation for a proposed ephemeral wetland in the north west of Balcombe Park to increase floral diversity in the park; and
2. advise the Friends of Balcombe Park of this decision.

The Mayor used her casting vote in favour of the motion and the motion was

**CARRIED**

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**10.5 Bodley Street Tennis Centre request for rental reduction**

Corporate Services – Commercial Services

File No: FOL/11/3521

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*It is recorded that Mr George Reynolds and Mr Adam Kernahan spoke in relation to this matter.*

**Moved: Cr Stewart****Seconded: Cr Evans**

That Council:

1. varies the existing lease of the Bodley Street Tennis Centre to amend the rental to \$45,000 + GST for the period commencing 1 July 2015 until the market rent review in July 2018; and
2. undertakes an inspection by Council Arborist in 12 months with further pruning to be carried out if required.

**CARRIED**

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**10.6 Castlefield Major Grant Review**

Community Services – Youth, Recreation &amp; Events

File No: FOL/14/1542

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*It is recorded that Cr Stewart declared an indirect interest by close association given her husband is a volunteer solicitor with Bayciss and accordingly Cr Stewart vacated the Chamber prior to the discussion on this item.*

*It is also recorded that Cr Heffernan declared an indirect interest as a consequence of becoming an interested party given he is a volunteer solicitor with Bayciss and accordingly Cr Heffernan vacated the Chamber prior to the discussion on this item.*

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

That Council offers BayCISS a three year funding agreement to support the operation of the Castlefield Community Centre (expiring 30 June 2018), with a mid-term review in 2016.

**CARRIED**

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

*It is recorded Cr Stewart Cr Heffernan re-entered the Chamber following the consideration of the above item.*



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**10.7 Strategic Service Review – Youth Services**Community Services – Policy & Planning  
File No: FOL/15/475

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**Moved: Cr Evans****Seconded: Cr Heffernan**

That Council:

1. adopts the statement of purpose and principles to guide the service (Attachment 1);
2. develops and implements measures of performance;
3. introduces the 'Youth Resilience Survey' into primary and secondary schools to produce local 'youth voice' data, planning information and enable more targeted service design;
4. targets school based programs delivered by Council to sessions and forums where no alternative provision exists;
5. retains the suite of youth leadership and personal development programs and introduce continuous improvement initiatives to increase utilisation and ensure programs are meeting the needs of young people;
6. retains the counselling and youth worker support service at the current level and works with stakeholders, including schools and youth agencies, to improve the mental health and wellbeing of young people in the long term;
7. continues the events program, with ongoing review of costs and participation rates as part of the annual Departmental planning cycle, to ensure continued value for money;
8. commits to additional three year contract until 30 June 2019 for the L2P Learner Driver mentor program to support disadvantaged young people, improve road safety and provide cross-generational volunteering opportunities;
9. undertakes a community engagement process and further discussion with alternative providers to consider Council's future in delivering youth school holiday activities;
10. following determination of Council's role in delivering school holiday activities, gives further consideration to the most appropriate location of staff and delivered programs, including the future of the Peterson Youth Centre; and
11. receives a further report on the future of X-treme teen school holiday program before November 2015.

**CARRIED**

**10.8 Draft Bayside Planning Scheme Review Report 2015**City Strategy – Urban Strategy  
File No: FOL/13/33229

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**Moved: Cr Lowe****Seconded: Cr Stewart**

That Council:

1. adopts the Draft Bayside Planning Scheme Review Report 2015 as contained in Attachment 1 for the purposes of a final round of community consultation; and
2. receives the Final Bayside Planning Scheme Report 2015 following the final round of community consultation at its Ordinary Meeting in September 2015.

**CARRIED**

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**10.9 Bayside Walking Strategy**Infrastructure Services – Infrastructure Assets  
File No: FOL/15/344

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

That Council:

1. notes the community and stakeholder feedback received in response to the draft Bayside Walking Strategy 2015 – 2025;
2. adopts the Bayside Walking Strategy 2015 – 2025, as referred to as Attachment 2 in the report;
3. thanks all submitters for contributing to the development of the final Bayside Walking Strategy 2015 – 2025.

**CARRIED**

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**10.10 Rating Strategy 2015/16**Corporate Services - Finance  
File No: 001

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**Moved: Cr Stewart****Seconded: Cr Heffernan**

That Council adopts the 2015/16 Rating Strategy which has been developed in accordance with the legislative requirements of the Local Government Act (1989), reflects the current rating approach at Bayside City Council and the policy settings in the 2015/16 Annual Budget.

**CARRIED**

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**10.11 Adoption of the 2015/16 Budget and Long Term Financial Plan**

Corporate Services - Finance

File No: DOC/15

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**Moved: Cr Heffernan****Seconded: Cr Lowe**

That Council:

1. having considered submissions received pursuant to Section 223 of the Local Government Act 1989, adopt the 2015/16 Budget (as attached) for the financial year ending 30 June 2016 with the following changes:
  - a) \$20,000 to co-fund the replacement of the Basterfield Park perimeter fencing which has a common boundary with Basterfield Park Tennis Club from the 2015/16 Sportsground Risk Management Capital budget of \$60,000;
  - b) The inclusion of \$75,000 for Community Food Waste Education program regarding the benefits of food waste avoidance;
  - c) The inclusion of \$140,000 for the installation of flashing LED speed zone signs in Hawthorn Road from savings identified in the Building Maintenance Services contract.
2. gives public notice of its decision to adopt the Budget in accordance with Sections 130 of the Local Government Act 1989;
3. forwards a copy of the 2015/16 Budget to the Minister in accordance with the Local Government Act 1989;
4. thanks the submitters for their submissions and advise of the reasons for the adoption of the 2015/16 Budget;
5. adopts the Long Term Financial Plan 2015/16 – 2024/25;
6. adopts the Schedule of Discretionary Fees and Charges attached to the 2015/16 Budget with the following changes
  - a) Nursery plant prices for a 150mm pot change from \$7.50 to \$8.00 and Nursery plant prices for a 150mm pot for residents/ratepayers change from \$6.00 to \$6.50
7. thanks and advises submitters of the reasons for the adoption of the 2015/16 Budget and the Long Term Financial Plan 2015/16 – 2024/25.

**CARRIED**

**10.12 Declarations of Rates and Charges**Corporate Services - Finance  
File No: FOL/15/2**Moved: Cr Lowe****Seconded: Cr Evans**

That the following resolution be adopted by Council to formally declare the Rates and Charges for the 2015/16 Rating Year.

**1. Amount Intended To be Raised**

That an amount of \$82,351,096 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	\$66,980,199
Municipal Charge	\$6,103,877
Annual Service Charge (Waste)	\$8,984,289
Amount in lieu of General Rates in accordance with Cultural and Recreational Lands Act	<u>\$282,731</u>
<b>TOTAL</b>	<b><u>\$82,351,096</u></b>

**2. General Rates**

- 2.1 That a General Rate be applied at a uniform rate of 0.145019 cents for each dollar of Capital Improved Value be declared in respect of the 2015/16 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 2015/16 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 2015/16 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 \$141.30 for each rateable land (or part thereof) in respect of which a municipal charge may be levied is declared in respect to the 2015/16 financial year.
- 3.4 That it is confirmed that the Municipal Charge is declared in respect of all rateable land within the municipal district in respect of which a Municipal Charge may be levied.

**4. Annual Service Charges**

- 4.1 That pursuant to the provisions of Section 162 of the Local Government Act 1989 an Annual Service Charge relating to Waste Management be declared for each rateable property:

- 4.1.1 The Annual Service Charge is charged on each rateable property (excluding Domestic Use Bathing Boxes, Advertising Signs, Electricity Substations and Telecommunication Towers) in the sum of \$209.25 for a 140-litre mobile garbage bin or \$158.90 for a 80-litre mobile garbage bin.
- 4.1.2 That an amount of \$95.30 be charged as a waste contribution if no waste service is available.
- 4.1.3 That an amount of \$95.30 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 \$209.25 be charged for the second waste bin on each rateable property.
- 4.1.5 That an amount of \$434.70 be charged for the third or subsequent waste bin on each rateable property.
- 4.1.6 That an amount of \$69.90 be charged for the second or subsequent recycling bin on each rateable property.
- 4.1.7 That an amount of \$89.50 be charged for the second or subsequent green waste bin on each rateable property.
- 4.1.8 The Annual Service Charge is declared in respect of the 2015/16 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 \$209.25 for a 140-litre mobile garbage bin or \$158.90 for a 80-litre mobile garbage bin.
- 4.2.2 That an amount of \$209.25 be charged for the second waste bin on each non-rateable property.
- 4.2.3 That an amount of \$434.70 be charged for the third or subsequent waste bin on each non-rateable property.
- 4.2.4 That an amount of \$69.90 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.
- 4.2.5 That an amount of \$89.50 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.

4.2.6 The Annual Service Charge is declared in respect of the 2015/16 Financial Year.

## 5. Incentives

An incentive is given at the rate of 2.0 percent discount in relation to the total amount payable for the sum of the General Rates, Municipal Charge and Annual Service Charges if full payment is received by 31 August 2015.

## 6. Rate Payments

6.1 Rates are payable in four instalments due by 30 September 2015, 30 November 2015, 28 February 2016 and 31 May 2016.

6.2 Where no instalment has been paid by 30 September 2015, rates are due in a lump sum and payable by 15 February 2016.

## 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.

### CULTURAL & RECREATIONAL LANDS SUMMARY 2015/16

Description	Ad-Valorem Rate
Basterfield Tennis Club	\$ 1,326.92
Beaumaris Bowls Club	\$ 3,550.94
Beaumaris Community Centre Tennis Club	\$ 3,128.06
Beaumaris Lawn Tennis Club	\$ 4,816.08
Beaumaris Motor Yacht Squadron	\$ 3,828.50
Beaumaris Yacht Club	\$ 587.33
Black Rock Bowling & Tennis Club	\$ 4,207.00
Black Rock Yacht Club	\$ 1,485.28
Brighton Beach Bowls Club	\$ 2,349.31
Brighton Bowling & Sporting Clubs	\$ 5,325.10
Brighton Central Angling Club	\$ 334.99
Brighton Croquet Club	\$ 3,003.63
Cheltenham Golf Club	\$ 1,377.39
Cheltenham Golf Club	\$ 13,399.76
Dendy Park Tennis Club	\$ 6,638.97
Elsterwick Park Sports Club Inc	\$ 3,554.42
Gray Court Reserve Pty Ltd	\$ 777.88

Hampton Bowls Club	\$ 5,638.34
Hampton Sailing Club	\$ 1,244.26
Hampton Tennis Club	\$ 2,114.38
Highbett Bowls Club	\$ 3,010.59
Highbett Tennis Club	\$ 983.23
Hurlingham Park Tennis Club	\$ 2,919.23
Royal Brighton Yacht Club	\$ 11,053.93
Royal Melbourne Golf Club	\$ 88,333.97
Royal Melbourne Golf Club	\$ 24,798.25
Sandringham Angling Club	\$ 665.64
Sandringham Athletic Club Inc.	\$ 630.83
Sandringham Bowls Club	\$ 3,123.71
Sandringham Club	\$ 6,125.60
Sandringham Croquet Club	\$ 1,505.30
Sandringham Football Club	\$ 2,244.89
Sandringham Yacht Club	\$ 10,161.19
Sandringham Youth Club	\$ 822.26
Stella Maris Tennis Club	\$ 2,067.39
Tiebreak Enterprises Pty Ltd	\$ 3,443.04
Trustees West Brighton Club	\$ 7,743.14
Victoria Golf Club	\$ 43,070.64
Victorian Amateur Football Association	\$ 1,339.98
	<b>\$ 282,731.36</b>

**CARRIED**

**10.13 Council Plan 2013-2017 (2015 Review) and Strategic Resource Plan 2015-2019**Corporate Services - Governance  
File No: FOL/1234

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**Moved: Cr Heffernan****Seconded: Cr Evans**

That Council:

1. having considered the submission received in accordance with Section 223 of the Local Government Act 1989 in relation to the Council Plan 2013-2017 (2015 Review) and Strategic Resource Plan 2015-2019, adopts:
  - a) the Council Plan 2013-2017 (2015 Review) incorporating changes as outlined in the report specifically relating to the Community satisfaction strategic indicator targets; and
  - b) the Strategic Resource Plan 2015-2019;
2. forwards to the Minister of Local Government a copy of the Council Plan 2013-2017 (2015 Review) and the Strategic Resource Plan 2015-2019 by 30 June 2015 in accordance with legislative requirements; and
3. thanks and advises submitters of the reasons for the adoption of the Council Plan 2013-2017 (2015 Review) and Strategic Resource Plan 2015-2019.

**CARRIED****10.14 Appointment of a Substitute Councillor Representative to the Arts & Culture Advisory Committee**Community Services – Family & Cultural Services  
File No: FOL/1234

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**Moved: Cr Evans****Seconded: Cr Lowe**

That Council appoints Cr Stewart as substitute Councillor representative to chair the 24 June 2015 Arts & Culture Advisory Committee meeting in the absence of the Chairman, Cr del Porto.

**CARRIED**



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**10.15     *Financial Report for 10 months to 30 April 2015***

Corporate Services - Finance  
File No: FOL/1234

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**Moved: Cr Stewart**

**Seconded: Cr Evans**

That Council notes the financial report for operating and capital for the ten months ending 30 April 2015.

**CARRIED**

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

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**10.16     *VCAT Decisions***

City Strategy – Statutory Planning  
File No: FOL/1234

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

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

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**10.17     *Council Action Awaiting Report***

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

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**Moved: Cr**

**Seconded: Cr**

That Council notes the Council Action Awaiting Report.

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

## 11. Reports by Delegates

Reports by Delegates from the following organisations:

1. **Association of Bayside Municipalities** – Cr Frederico  
No report was submitted to the meeting given the ABM has not met since the previous meeting.
2. **MAV Environment Committee** – Director City Strategy  
No Report was submitted to the meeting.
3. **Metropolitan Transport Forum** – Director Infrastructure Services  
No report was submitted to the meeting.
4. **Municipal Association of Victoria** – Cr Frederico  
No report was submitted to the meeting given the MAV group has not met since the previous meeting.
5. **Inner South Metropolitan Mayors' Forum** – Cr Frederico  
The Mayor reported that there was nothing further to report since the previous meeting.
6. **Metro Waste & Resource Recovery Group** – Cr Stewart  
No report was submitted to the meeting.

### **Australian Local Government Association - National General Assembly**

The Mayor together with Cr Long and Cr Lowe attended the National General Assembly in Canberra from 14 to 17 June 2015.

The Mayor also held discussions with four Ministerial Offices regarding:

- Investing in facilities to support female participation in sport
- Dendy Street Beach , a tourism place making project

Bayside also put forward two motions to the NGA concerning Myrna Birds and the ABS Census, both motions were supported by the National Assembly.

Both Cr Lowe and Long outlined some of the key learnings from the conference.

The Mayor indicated that she had forwarded her written report to all Councillors for their information.

**Moved: Cr Evans**

**Seconded: Cr Heffernan**

That the delegate's reports be received and noted.

**CARRIED**

## 12. Urgent Business

No urgent business was submitted to the meeting.

### Procedural motion

**Moved Cr Evans**

**Seconded Lowe**

That the Deputy Mayor take the Chair for the consideration of item 13.1.

**CARRIED**

*It is recorded that the Mayor stood down from the Chair for the consideration item item 13.1 Notice of Motion 13.1 which appears in her name.*

## 13. Notices of Motion

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### 13.1 ***Notice of Motion 237 – Pavilion Renewal Program 2015/16***

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

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**Moved: Cr Frederico**

**Seconded: Cr Heffernan**

That a report be submitted by the August Ordinary Meeting on the feasibility of accelerating the pavilion renewal program in 2015/16 to take advantage of the State Government's new \$10m fund to support female sporting infrastructure and increased female participation in sport.

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

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

**CARRIED**

**Moved Cr Evans**

**Seconded Cr Lowe**

The Mayor resumed the Chair for the remainder of the meeting.

**CARRIED**

*It is recorded that the Mayor took the Chair for the remainder of the meeting at 9.45pm.*

**14. Confidential Business**

*There was no items of Confidential Business submitted to the meeting.*

*The Chairperson declared the meeting closed at 9.46pm.*

**CONFIRMED THIS 28 DAY OF JULY 2015**

**CHAIRPERSON: .....**