



Minutes of the Ordinary Meeting of Bayside City Council

The Meeting was held in the Council Chambers
Civic Centre, Brighton
on Tuesday 25 August 2015

The Meeting commenced at 7.00pm

PRESENT:

Cr Felicity Frederico (Mayor)
Cr Alex del Porto
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
Shiran Wickramasinghe	Director City Strategy
Mark Stockton	Acting Director Community Services
Jason Stubbs	Acting Director Corporate Services
Terry Callant	Manager Governance
Matt Kelleher	Manager Urban Strategy
Damien Van Trier	Recreation & Events Coordinator
Janice Pouw	Governance Officer

The Chairperson declared the meeting open at 7.00pm and advised members of the public gallery that the Council meeting is being recorded and streamed live on the internet to enhance the accessibility of Council meetings to the broader Bayside Community.

The Chairperson invited Cr Heffernan to read the prayer.

1. Prayer

Cr Heffernan 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 del Porto to read the acknowledgement of the original inhabitants of this land.

- ◆ We acknowledge that the original inhabitants of this land that we call Bayside were the Boon Wurrung people of the Kulin nation.
- ◆ They loved this land, they cared for it and considered themselves to be part of it.
- ◆ We acknowledge that we have a responsibility to nurture the land, and sustain it for future generations.

3. Apologies –

Moved: Cr del Porto

Seconded: Cr Evans

That Council:

1. grants leave of absence to Cr Heather Stewart for the period 31 August 2015 to 6 October 2015;
2. grants leave of absence to Cr Michael Heffernan for the period 9 September 2015 to 20 September 2015; and
3. notes the request from Cr Heather Stewart and Cr Michael Heffernan to suspend their Councillor allowances during their period of absence.

CARRIED

4. Disclosure of any Conflict of Interest of any Councillor

- Cr del Porto declared an indirect conflict of interest where residential amenity may be altered in item 10.7 given he resides in close proximity to Hurlingham Park.
- Cr Heffernan declared an indirect conflict of interest because of conflicting duties in item 10.2 given he is an honorary Director of the Sandybeach Community Centre.
- Cr Stewart declared an indirect conflict of interest where residential amenity may be altered in item 10.8 given she resides in close proximity to the proposed Southland Railway Station.
- Cr Frederico declared an indirect conflict of interest because of conflicting duties in item 10.2 as she is a member of the Southern Metropolitan Cemeteries Trust which is responsible for the Brighton General Cemetery. The friends group of the Brighton Cemetery are a potential recipient of a community grant.
- Cr Frederico declared an indirect conflict of interest because of conflicting duties in item 10.7 given she is a Director of the Southern Metropolitan Junior Football League and are a potential recipient of capital investment for girls football.

Moved: Cr del Porto

Seconded: Cr Evans

That items 5.1 and 5.2 be dealt with as a block motion and the recommendations be adopted.

CARRIED

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 28 July 2015

That the minutes of the Ordinary Meeting of Bayside City Council held on Tuesday 28 July 2015 as previously circulated, be confirmed as an accurate record of proceedings.

NOTE – Item 5.1 was **CARRIED** as part of a block motion.

5.2 Confirmation of the Minutes of the Special Meeting of Council held on Tuesday 4 August 2015

That the minutes of the Special Meeting of Bayside City Council held on Tuesday 4 August 2015 as previously circulated, be confirmed as an accurate record of proceedings.

NOTE – Item 5.2 was **CARRIED** as part of a block motion.

6. Public Question Time

In accordance with Section 64 of Council's Governance Local Law No 1, 11 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 David Osborn

Rounded to the nearest \$25,000 what is the total cost to Bayside since 1 January 2011 in staff time and consultant reports directly associated with the Hampton Street Urban Design Framework and VicTrack development site.

Response

The Hampton Willis Street Urban Design Framework (UDF) process commenced in September 2013, at the time that the Victorian Government announced its intention to develop the VicTrack and Department of Human and Health Services (DHHS) landholdings in Hampton.

Total costs relating to consultant reports and expert advice are approximately \$125,000 since September 2013, including:

- UDF preparation, social infrastructure investigation and program management.
- Traffic assessment and advice.
- Commercial feasibility studies.
- Acoustic assessment advice.

It is not possible to accurately estimate staff time dedicated to the UDF from September 2013 within the time available, this information will be provided to the author once it has been collated.

2. Mrs Rosanne Osborn

Council officers have consistently refused to provide any information to the community concerning the location of the exit of residential parking and rail commuter traffic from the VicTrack and DHHS site. This information is essential for community understanding of the impacts on residential amenity of the VicTrack development.

Where will residents and where will rail commuters enter and exit the land owned by VicTrack and DHHS?

Response

The Hampton Willis Street Precinct Urban Design Framework (UDF) indicates potential proposed locations for property access to the VicTrack and DHHS. Entry and exit points were identified as part of consultation on options for Koolkuna Lane earlier this year.

Since epc.Pacific have been appointed by VicTrack/DHHS as the preferred developer, no concept or detailed development plans for the site have been submitted to Council for consideration. A planning permit application to confirm where entry/exit points are proposed.



3. Mr Tony Shepherd

I refer you to the Council Report Item 10.1 Hampton Willis Street Precinct and page 9 of Council's Traffic Group report. The report states that the 250 dwellings in the VicTrack development are assumed to represent 50% of the development yield for the precinct. This assumption of 500 dwellings is critical in the consideration of traffic impacts. If the Trakside redevelopment has 70 dwellings this leaves an allowance of 180 dwellings for up to 6 levels of future development on the balance of the precinct. Page 2 of the letter from VicTrack in the same Council Report projects 1,070 dwellings a figure greater than the Hampton Neighbour Association yield study of approximately 1,000.

What is Council's estimate for planning purposes of the total number of residential dwellings in the Hampton Activity Centre?

Response

In responding to this question, it is assumed the author is referring to the Hampton Willis Street Precinct rather than the Hampton Activity Centre.

As part of the preparation of the Bayside Housing Strategy 2012, Council undertook extensive modelling to test various growth models in Bayside. The modelling determined that implementing the recommendations of the Bayside Housing Strategy 2012 will exceed Bayside's forecast housing requirements, with the Hampton Major Activity Centre projected to accommodate 1,070 additional (net) dwellings to 2031, assuming a 40% development rate. The figure of 1070 reference by VicTrack is this projection.

Independent traffic advice models 339 dwellings in the Hampton Willis Street Precinct along with the expansion of other traffic generating uses.

4. Mrs Judy Shepherd

I refer to page 2 of Attachment 1 of item 10.1 of the Agenda Paper for the Ordinary Meeting of Council held on 28 April 2015 which states in the table of Decision Making Criteria that certain options considered and I quote:

"Would require a substantial renegotiation of in principle agreements between Council, VicTrack and DHHS about land contributions to accommodate the increased width of Koolkuna Lane"

What are the terms of the in-principle agreements that were reached between Bayside, VicTrack and DHHS?

Response

The reference to an 'in-principle agreement' relates to Council's consultation on and adoption of the Hampton Willis Street Precinct Urban Design Framework 2013 and the ownership and management of future public realm to be created by the development, including the location of future bus stops. These arrangements are communicated within the UDF.

If vehicles were to be redirected over the Council owned car park, and this land was to be lost in order to widen Koolkuna Lane, Council would need to consider the public value, land efficiency and traffic implications as part of any sale or purchase process.

5. Mrs Sue Gipson

I refer to Council's Community & Stakeholder Engagement Policy and the Council decision at the meeting held on 28 July 2015 that "Further discussion be held with residents and stakeholders in the Willis Street Precinct on alternative traffic management options". Did the subsequent action undertaken to give effect to the above decision satisfy the requirements of Council's policy particularly in regard to the notice given to residents and the single option presented to residents?



Response

In preparing the options to redirect traffic flows in the Willis Street Precinct, Council consulted with the community on a range of feasible options to proceed, with Option C being Council's adopted option. In the report to Council's Ordinary Meeting of 28 April 2015, Council was made aware that Option A could potentially be implemented 'by default' as it retains the existing alignment.

As outlined in the officer's report to Council, Option A is the only feasible option which furthers Council's strategic objectives for the Precinct.

Letters and a drop-in information session were provided to inform affected community members and stakeholders of Council's decision from its June 2015 Ordinary Meeting.

6. Mr Bruce Fikkers

VicTrack sought expressions of interest for development of the Hampton rail commuter carpark and adjacent DHHS housing based upon road access arrangements (a reversal of the direction of travel of the existing Koolkuna Lane) that were non-compliant with Council's UDF which had recently been completed after an extensive public planning process.

Have Council officers agreed to support any decision to reverse the direction of traffic in Koolkuna Lane and if not is Council aware of any reason why VicTrack and DHHS would consider that Council would support such a decision?

Response

Council's preferred alignment option, adopted as part of the UDF and at its Ordinary Meeting of 28 April 2015 was Option C. Council officers have not supported a redirection of Koolkuna Lane as proposed by VicTrack in its expression of interest to the market, as Council's position was for two-way traffic flow as per Option C.

Following Council's resolution at its Ordinary Meeting of 28 July 2015 not to proceed with the closure of part of Koolkuna Lane, VicTrack has now formally requested Council reverse the direction of traffic flow in Koolkuna Lane as outlined in the report to Council for decision as part of this agenda.

7. Mr Anthony Batt

I refer to page 2 of Attachment 1 of item 10.1 of the Agenda Paper for the Ordinary Meeting of Council held on 28 April 2015 which states in the table of Decision Making Criteria that certain options and I quote:

"Would require a substantial renegotiation of in principle agreements between Council, VicTrack and DHHS about land contributions to accommodate the increased width of Koolkuna Lane"

Is there any aspect of these agreements that may have compromised Council's statutory role under the Victorian Planning & Environment Act?

Response

The reference to an 'in-principle agreement' relates to Council's consultation on and adoption of the Hampton Willis Street Precinct Urban Design Framework 2013 and the ownership and management of future public realm to be created by the development, including the location of future bus stops. These arrangements are communicated within the UDF.



Council has not compromised its statutory role under the Planning and Environment Act 1987. One of the roles of Council, as defined by Section 3D of the Local Government Act 1989 is to 'provide leadership by establishing strategic objectives and monitoring their achievement.' By adopting the UDF, Council established a plan for the precinct to guide planning permit applications.

8. Ms Sue Hardiman

The Herald-Sun of 7 August 2015 reported that several councils have defected from the MAV lucrative insurance scheme.

- a) Is the Bayside Council continuing to insure through the MAV and if so, what is the reason and at what cost to the council?
- b) If Bayside is continuing with the MAV scheme what are the benefits, both financially and services provided as against going it alone?

Response

- a) Council has procured insurance products for 2015/16 through the MAV. Council is aware that some municipalities have moved outside the scheme in recent years as the insurance market has become more competitive. Based on current risk exposures and claims history the current insurance portfolio and approach to sourcing insurance is meeting Councils needs. Councils insurance's include cover for Public Liability, building assets, motor vehicle, cybercrime, Councillor and Officer liability and are placed with a number of different insurers. The total cost of these insurance premiums is \$1,141,667.64 with a significant portion attributable to Public Liability insurance.
- b) The MAV scheme supports a broad body of Councils in Victoria and Tasmania and has operated since 1998. Council's involvement in the MAV/LMI scheme ensures its compliance with Section 76A of the Local Government Act 1989 (the Act), that requires individual councils to take out and maintain at least \$30 million public liability cover and \$5 million professional indemnity cover. The MAV/LMI scheme provides \$400 million public liability cover and \$300 million professional indemnity cover for the sector. The scheme provides a specialist service to Local Government and was formed at a time when the market conditions made it extremely difficult for Council's to gain cost effective insurance. The MAV/LMI scheme protects members from the threat of failure of the insurance market and provides a range of supporting and ancillary services (including legal advice, policy advocacy and risk management) based on their depth of industry knowledge that assist with focus on improving risk management practices to mitigate exposures.

Whilst the current insurance market is competitive and this has encouraged some Councils to go it alone to achieve better premiums, it is unclear on what basis this is achieved ie; the level of cover, size of deductibles etc all of which change the final premium amount. Council continues to review the market to determine the best options for insurance based on Councils exposures and claims history.



9. Mr Barry Brooker

In the Public Interest, hoping to encourage a properly focused and better informed collaborative discussion with other citizens of Bayside; regarding whether they too, might be fairly concerned about Council's unsustainable practice of granting 'on-site parking waivers.' And, significantly, puzzling indifference toward unintended consequences: in respect of related public safety issues.

Simply put, Bayside's neighbourhood is increasingly becoming more urbanised each day. However, a lack of 'parking infrastructure' is unfortunately inadequate due to complex delicate reasons.

- a) So that, now, what is the number of Council's authorised parking office positions;
- b) Are they filled?

Response

- a) Nine.
 - b) All nine positions are filled with permanent staff and we use casual staff to back fill vacancies or staff taking leave. Two staff have recently left the organisation and we are currently recruiting two permanent parking officers to fill these vacancies.
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10. Mr K.S. Spencer

Once again Council has got its priorities wrong with its late Budget inclusion of a \$75,000 non-core matter of Council's responsibilities, with a so called Community Food Waste Education program to discipline the community in food waste avoidance.

- A. How much of this public money of \$75,000 will be spent on advertising material that will see the loss of good forest timber wasted in the paper process and a knowledgeable community that doesn't need such education.
- B. Explain the sudden need of \$75,000 for the Food Waste Program which was not included in the proposed Budget for community scrutiny.

Response

- A. The \$75,000 allocation will be used to deliver a community education program that highlights ways in which the Bayside community can reduce food waste into landfill, improve environmental outcomes and reduce waste disposal costs for Bayside. Currently all food deposited into Council's kerbside waste bins is tipped into landfill. This equates to approximately 11,000 tonnes of food waste each year being tipped into a landfill at a cost of approximately \$1.1 million.
 - B. Council currently has a contract which creates the opportunity for food waste to be disposed of in the green organics bin rather than general waste bins, commencing April 2016. This opportunity has provided the catalyst for Council to commence a program that seeks to divert food waste from landfill to the green organics stream, commencing with the food waste education campaign.
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11. Mr K.S. Spencer

What with the continued dire state of our roads pot-holed and cracking up, given the capital works resources allowed for in recent Budget years.

- A. Will council provide a list of the roads scheduled to be re-sheeted or reconstructed in this 2015/16 Budget year.
- B. Explain why a section of Carpenter Street adjoining the Brighton Court House & Town Hall being in good condition was resurfaced recently notwithstanding the poor state of adjoining streets and proposal for a Restaurant in the Court House.

Response

- A. The list of resurfacing works in 2015/16 is currently being finalised by staff. The list will be forwarded when finalised and is published annually on Council's website.
- B. Roads throughout the municipality are assessed using Council's pavement management system. Based on a road's condition relevant to the desired condition level, roads are scheduled for resurfacing to achieve the overall target of maintaining all council's road in good condition. Carpenter Street was assessed as needing resurfacing works to prevent deterioration. Other roads in the vicinity of Carpenter Street are also likely to be programmed for resurfacing in coming years.



7. Petitions to Council

7.1 Development at 386 – 388 Hampton Street, Hampton

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

“We the undersigned hereby petition Bayside City Council to support our application to cease the further development at 386 – 388 Hampton St from the three storey development to a five storey development for the following reasons:

- Overdevelopment of the site (10 apartments)*
- Not keeping in character with the streetscape*
- Lack of sufficient car parking on the property*
- Overshadowing of neighbouring businesses”*

(1,873 signatures)

Moved: Cr Long

Seconded: Cr Lowe

That the petition be dealt with in conjunction with planning application 09/0557 at the 13 October 2015 Planning and Amenity Committee meeting.

CARRIED

Moved: Cr Lowe

Seconded: Cr Long

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.

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

8.2 *Minutes of the Arts and Culture Advisory Committee meeting held on 24 June 2015*

Corporate Services - Governance
File No: FOL/1234

That Council notes the minutes of the Arts and Culture Advisory Committee meeting held on 24 June 2015.

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

8.3 Minutes of the Audit Committee Meeting held on 13 August 2015Corporate Services - Governance
File No: FOL/14/113

That Council:

1. notes the minutes of the Audit Committee meeting held on 13 August 2015 and endorses the actions of the Audit Committee; and
2. adopts the following recommendations of the Audit Committee dated 13 August 2015:

9.8.1. 2014/2015 Annual Report of the Audit Committee*That the Audit Committee:*

1. *notes the content of the draft 2014/15 Audit Committee Annual Report;*
2. *authorises the Director Corporate Services to make editorial changes to the document;*
3. *presents the Audit Committee Annual Report to Council; and*
4. *recommends to Council that the Audit Committee Annual Report be included in the 2014/15 Annual Report.*

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 10.1 Hampton Willis Street Precinct – Traffic Management and Scout Hall Site

1. Mr Jim Dolkas
2. Mr Tony Shepherd
3. Mr David Osborn
4. Mr Michael Nugent
5. Mr Greg Stephens
6. Mr Robert Grinter

Item 10.3 Draft Elsternwick Park Master Plan

1. Mr Gary Bramich
2. Mr David Long
3. Mr Michael Nugent
4. Mr Bill Lock
5. Mr Albrecht Scholer
6. Mr Miles Warmuth

Item 10.4 Proposed Beaumaris Sports Club at Banksia Reserve Update No.12

1. Mr K.S Spencer

Item 10.7 Notice of Motion 237 – Pavilion Renewal Program & Community Sports Infrastructure Fund

1. Mr Michael Nugent

Item 10.8 Bayside Integrated Transport Strategy: Implementation Progress 2014/15

1. Mr Michael Nugent

Item 10.11 Drainage Asset Management Plan - Update

1. Mr Michael Nugent

Item 10.13 Heritage Act 1995 Review

1. Mr K.S. Spencer



10.1 Hampton Willis Street Precinct – Traffic Management and Scout Hall SiteCorporate Services – Urban Strategy
File No: PSF/14/340

It is recorded that Mr Jim Dolkas, Mr Tony Shepherd, Mr David Osborn, Mr Greg Stephens and Mr Robert Grinter spoke in relation to this matter.

It is further recorded that Mr Michael Nugent did not pursue his right to speak.

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

That Council:

1. defers the item for three meeting cycles;
2. investigates further options for traffic management within the precinct and communicates with stakeholders;
3. receives a further report no earlier than the November Ordinary Meeting of Council outlining the outcomes of the traffic investigations;
4. receives a further separate report no earlier than the November Ordinary Meeting of Council regarding the future use or sale of 6A Willis Street Hampton:
 - a) Options in the report to include future use for
 - i) Public Open Space / Playground
 - ii) Carpark
 - iii) Residential purposes
5. consults with all stakeholders interested parties and individuals; and
6. writes to all submitters of Council's decision in this matter.

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

DIVISION: **FOR:** Crs Stewart, Long, Evans, Heffernan, del Porto, Lowe and Frederico (7)

AGAINST: Nil (0)

CARRIED

It is recorded that Cr Frederico declared an indirect conflict of interest because of conflicting duties in item 10.2 as she is a member of the Southern Metropolitan Cemeteries Trust which is responsible for the Brighton General Cemetery. The friends group of the Brighton Cemetery are a potential recipient for a community grant.

It is recorded Cr Heffernan declared an indirect conflict of interest because of conflicting duties in item 10.2 given he is an honorary Director of the Sandybeach Community Centre.

Cr Frederico and Cr Heffernan were not present in the Chamber when this item was considered and vacated the Chamber at 8.16pm.

Moved: Cr Evans

Seconded: Cr del Porto

That the Deputy Mayor, Cr James Long in accordance with Council resolution dated 5 November 2014 take the Chair for consideration of Item 10.2.

CARRIED

10.2 Annual Community Grants 2015/16

Community Services – Youth, Recreation & Events
File No: FOL/15/1062

Moved: Cr del Porto

Seconded: Cr Evans

That Council:

1. approves the allocation of grants from its 2015/16 Annual Community Grants Program (excluding GST) to organisations as set out at Attachment A at a total cost of \$133,939; and
2. advises all 2015/16 Annual Community Grant applicants of the outcome of their application.

Attachment A: Recommended Approval - Annual Grants 2015/16

Organisation	Project Title	Project Description	Amount
North Brighton Kindergarten	The Little Red Wagon: Connecting Generations Through Healthy Habits	Connecting senior citizens and young children to teach gardening skills and healthy habits.	\$5,000
RAW- Resilient Aspiring Women	Community Culture Cuisine	Building a community kitchen in order to support sustainable, healthy cooking and gardening skills for community members.	\$5,000
Elwood St Kilda Neighbourhood Learning Centre	Have a go!	Developing social connection programs which meet the needs of the residents on the Elsternwick public housing estate (located in North Brighton).	\$5,000
Women's Health in the South East	Sexual Health and all that Jazz!	Delivering sexual health workshops and information to Bayside women aged over 50 years.	\$5,000

Organisation	Project Title	Project Description	Amount
Beaumaris Theatre Incorporated	Lighting Improvement Program	Improving the theatre experience through ensuring adequate stage lighting.	\$5,000
Beaumaris Art Group	Beaumaris Art Group outdoor mural	Creating an outdoor mural that promotes the value of art to the community and is consistent with community and Council expectations.	\$5,000
Lions Club of Sandringham Inc.	Lions Licola Village Camp	Promoting self-worth and self-exploration for children experiencing disadvantage through a nature camp.	\$4,760
Kidshine Early Childhood Services	Mother Goose Songs and Rhymes Playgroup	Supporting parent/child engagement to build the child's capacity for mental, emotional, intellectual and social health.	\$4,200
Friends of Black Rock House	Black Rock House Master Bedroom Development	Expanding current presentation/ exhibition at the Black Rock House to include an antique bed.	\$4,200
Hampton Community Centre	Exploring Creativity through a Natural Medium	Expanding current programs and allowing better access for children and people with disabilities through the provision of a new kiln.	\$4,182
Multicultural Nature Guides Victoria Inc	Multicultural Active Senior Citizens and Environmental Sustainability	Providing educational workshops regarding sustainability and providing trips to national parks.	\$4,100
Bayside Church	Bayside Community Christmas Lunch	Providing a Christmas lunch for those experiencing disadvantage. 85% of participants are expected to be Bayside residents.	\$4,000
Moorabbin Baseball Club	Introduction to Baseball	Implementing a baseball introductory program to encourage new participants, particularly youths in neighbouring community housing.	\$4,000
Kids Like Us Australia	Kids Like Raspberry Pi Code Club	Educating children (9-14 years) in computer skills while engaging with peers to strengthen social connections and provide mentorship.	\$3,820
Olive Phillips Kindergarten	Shaping a Sustainable Future - Children in Nature	Educating and strengthening children's connection with the natural environment and the importance of preservation, conservation and sustainability.	\$3,600
Connections UnitingCare	Music Together Father/Child	Providing a space for Bayside fathers to enhance their relationship with their children through active participation in musical activities.	\$3,575
South Oakleigh Wildlife Shelter (SOWS)	Educational Talks on Sustainable Environments	Engaging and educating the local community on creating and protecting sustainable environments. Located outside of Bayside but provides a high level of service to Bayside residents.	\$3,513
The Rotary Club of Brighton North	BusyFeet Bayside	Engaging children with a physical/ intellectual disability in dancing to build confidence and create social connections for both children and carers.	\$3,500

Organisation	Project Title	Project Description	Amount
Victorian Association of WW2 Veterans from former SU	Russian WW2 Veterans Group	Providing health information for Russian senior citizens with Russian speaking health professionals. An estimated 50% of the members are Bayside residents.	\$3,300
St John Ambulance Bayside Division	Essential Equipment for St John Ambulance Bayside Division	Extending the current services of St.John's Ambulance (Bayside Division), through the purchasing of new equipment.	\$3,264
Sandringham Baptist Church	Flourish Transition Support Program	Educating young girls transitioning to high school on prevalent adolescent issues such as bullying, self-esteem, health and wellbeing.	\$3,225
Sandybeach Centre	Sandybeach Childcare and Early Learning Centre Playground Shadesail	Improving the safety and accessibility of the Centre and enhancing programs through the introduction of a shade sail.	\$3,020
Bayside Toy Library	Busy Bodies: Bayside Toy Library's Active Kids Program	Promoting physical activity for toddlers and children to combat prevalence of obesity.	\$2,500
Gordon Street Pre-School	Early intervention therapy services	Implementing an early needs program to provide early identification and intervention opportunities for children's needs leading into primary school.	\$2,500
Jack and Jill Kindergarten	Early Intervention program for school readiness	Implementing an early needs program to provide early identification and intervention opportunities for children's needs leading into primary school.	\$2,500
MESAC inc	Aboriginal Heritage and Marine Art Event	Developing a local half day Aboriginal Heritage celebration supported by a two day easel art show.	\$2,500
Russian Cultural & TV Association Sputnik	Production of 104 new TV programs per year on C31 and DVDs supply for local libraries.	Producing 104 new TV programs per year on Channel 31 and DVDs supply for local libraries. An estimated 65% of the participants are Bayside residents.	\$2,500
Brighton Cricket Club Inc	Formation of U16 Girls Cricket Team	Creating a team for women and girls to participate in a structured cricket program.	\$2,300
Beach Patrol Australia	Beach Patrol	Engage the local community to remove litter from their local foreshore, through expanding the Beach Patrol Groups.	\$2,200
Brighton South Playhouse	Sensory and Creative Play Program	Providing a play-based program to engage preschool children to investigate, explore and create to refine cognitive, social, emotional and physical skills.	\$2,000
The Senior Citizen Russian Club "Friendship" Bayside Inc.	Club Activities	Improving the quality of life of senior citizens of Russian background by providing a range of leisure, educational, social, health, entertainment and welfare programs and activities.	\$2,000
Highbett Senior Citizens Centre	Promote and build social capital	Encouraging senior citizens to socialise with organised excursions.	\$2,000

Organisation	Project Title	Project Description	Amount
Highett Neighbourhood Community House	Dad's Playgroup	Engaging with the male carer community and their children through a playgroup space to encourage sharing of experiences and building social networks.	\$1,800
Helen Paul Kindergarten	Helen Paul Outdoor Kindergarten Program - Extend and Enhance	Expanding an active learning outdoor program which develops the relationship between children and the environment.	\$1,780
Shalom Association	Encourage Volunteering Activities in Russian -Speaking community	Providing the Russian community with relevant information about events and services provided by the government, councils and community organisations. Estimated 40% of participants are Bayside residents.	\$1,600
Bayside Men's Shed Group Inc.	Storage System	Enabling the safe storage of timber in the Men's Shed to enhance the programs for their participants.	\$1,550
Hampton Junior Soccer Club	Assistant Coaching Programme - Hampton Junior Soccer Club (HJSC)	Encouraging ongoing volunteering and succession planning for the club through the development of an assistance coaching program.	\$1,500
Sandy Starlets Netball Club	Coaching & Player Development	Supporting the community to volunteer and be involved in local sport through education and training.	\$1,500
Brighton Theatre Company Inc	Sound Equipment	Improving the theatre experience through ensuring adequate stage sound equipment.	\$1,500
Highett Greek Seniors Club	Out and about in Victoria	Improving seniors social connections by running two excursions for members and guests to locations around Victoria.	\$1,500
Beaumaris Sharks Basketball Club	Coaching assistance for new teams and inexperienced coaches.	Supporting the community to volunteer and be involved in local sport through education and training.	\$1,200
Japanese Welfare Association of Victoria Inc.,	Creating a News Letter issue	Connecting Japanese residents with a weekly newsletter.	\$1,200
Brighton Floral Art group Inc.	Floral Art and the Bayside Community	Expanding the involvement of the community in the "Floral Art Exhibition-Festival of Flowers" creating an interest and connection with nature.	\$1,000
The Leading Dramatic Society Theatre	Begin the Beguine Evening of Sentimental Song	Providing an evening of song and dance for residents of nursing homes in Brighton and local residents.	\$1,000
Brighton Senior Citizens Club	Brighton Get Aabouts	Combatting social isolation with weekly activities including lunches, entertainment and outings.	\$1,000
Highett Bowls Club Inc	Junior Bowls Coaching Program	Extending a Junior Coaching program to encourage children to participate in bowls.	\$800



Organisation	Project Title	Project Description	Amount
South Eastern Multiple Birth Association Incorporated	Family support program	Attracting, educating and supporting new members to combat social isolation and financial pressures associated with multiple birth families.	\$750
Brighton Cemeterians Inc	Pioneers and Notable interments of Bayside	Developing a historical booklet "Pioneers and Notable Interments of Bayside at Brighton General Cemetery".	\$500
Hope Connection Inc	Hope Connection Social Support Service	Organising weekly meetings for the Japanese Senior Community including calligraphy, painting, craft and computer training.	\$500
TOTAL:			\$133,939

CARRIED

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

It is recorded Cr Frederico and Cr Heffernan entered the Chamber at 8.20pm following the consideration of the above item.

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

That the Mayor, Cr Felicity Frederico take the Chair for the remainder of the meeting.

CARRIED

It is recorded that Cr del Porto vacated the Chamber at 9.03pm and Cr Lowe vacated at 9.05pm.

10.4 Proposed Beaumaris Sports Club at Banksia Reserve Update No. 12

Community Services – Youth, Recreation & Events
File No: A/20066

It is recorded that Mr K.S. Spencer spoke in relation to this matter.

Moved: Cr Evans

Seconded: Cr Stewart

That Council:

1. notifies Beaumaris Sports Club that it is required to transfer \$150,000 in cash to Council before the 30 December 2015;
2. notifies Beaumaris Sports Club that it is required to transfer the \$62,360 held by the Australian Sports Foundation to Council following the issue of building and planning approvals;
3. notifies the Beaumaris Sports Club that it is required to provide \$108,000 in cash to Council before Council awards a tender for the construction of the Beaumaris Sports Club Pavilion Project;
4. confirms in writing to Beaumaris Sports Club that all cash funding provided by Beaumaris Sports Club will be held by Council in a reserve for project construction costs;
5. requires Beaumaris Sports Club to provide evidence of a formal commitment from Bendigo Bank regarding the 'loan forgiveness' included within the Beaumaris Sports Club's business model; and
6. considers a further report confirming the above and including Council's formal approval of a loan guarantee to Beaumaris Sports Club and an update on the town planning amendment process no later than January 2016 Council meeting.

CARRIED

**10.5 *Bayside Planning Scheme Amendment C139 – Drainage
Development Contributions Plan – Consideration of
Submissions***City Strategy
File No: FOL/14/3775

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

That Council:

1. receives all submissions made in response to the statutory exhibition of Bayside Planning Scheme Amendment C139 which proposes to implement the Bayside Drainage Development Contributions Plan (DCP);
2. advises submitters of Council's consideration of their submissions;
3. refers all submissions to an independent panel for consideration;
4. requests that the Minister for Planning appoint a panel in accordance with part 8 section 153 of the *Planning and Environment Act 1987*, to consider the submissions received in response to the exhibition of Amendment C139; and
5. authorises the Director of City Strategy to make minor modifications and editorial changes to the DCP to be presented to the Panel to address issues raised in submissions.

CARRIED

10.6 *Amendment to Council's Order Under the Domestic Animals Act 1994 for Dog Off Leash Activities*

Infrastructure Services – Amenity Protection
File No: FOL

Moved: Cr Stewart

Seconded: Cr Long

That Council:

1. revokes all previous Orders made under section 26(2) of the Domestic Animals Act 1994;
2. makes the new Order No 5 (Attachment 2) pursuant to section 26(2) of the Domestic Animals Act 1994; and
3. authorises the Chief Executive Officer to publish the new Order No 5 in the Government Gazette and in the Bayside Leader Newspaper in accordance with section 26(3) of the Domestic Animals Act 1994.

CARRIED

It is recorded that Cr Frederico declared an indirect conflict of interest because of conflicting duties in item 10.7 given she is a Director of the Southern Metropolitan Junior Football League and are a potential recipient of capital investment for girls football.

Cr Frederico was not present in the Chamber when this item was considered and vacated the Chamber at 9.08pm.

It is recorded that Cr del Porto declared his indirect conflict of interest where residential amenity may be altered given he resides in close proximity to Hurlingham Park at the commencement of the meeting. Cr del Porto had vacated the Chamber prior to item 10.4 and was not present in the Chamber to declare his conflict of interest prior to the consideration of the item. Cr del Porto did not re-enter the Chamber when this item was considered.

Moved: Cr Evans

Seconded: Cr Stewart

That the Deputy Mayor, Cr James Long in accordance with Council resolution dated 5 November 2014 take the Chair for consideration of Item 10.7.

CARRIED

It is recorded Cr Lowe entered the Chamber at 9.09pm.

10.7 Notice of Motion 237 – Pavilion Renewal Program & Community Sports Infrastructure Fund

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

It is recorded that Mr Michael Nugent spoke in relation to this matter.

Moved: Cr Lowe

Seconded: Cr Heffernan

That Council:

1. endorses the submission of the following applications to the Victorian Government's 2016/17 Community Sports Infrastructure Fund:
 - Female Friendly Facilities – Dendy Park Soccer/Cricket pavilion
 - Female Friendly Facilities – Cheltenham Recreation Reserve pavilion
 - Minor Facilities – Hurlingham Park Ovals 1 & 2 Sportsground Lighting
 - Planning – Bayside Tennis Strategy including Regional Tennis Facility Feasibility Study
2. refers the allocation of Council funding towards the projects listed above to Council's 2016/2017 budget development process; and
3. authorises \$150,000 funding from Council's Infrastructure Reserve for the purposes of preparing concept and detailed design and cost estimates for the Cheltenham Recreation Reserve pavilion project.

CARRIED

It is recorded that Cr Frederico 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 del Porto vacated the Chamber prior to item 10.4 and was not present in the Chamber when this item was considered.

It is recorded Cr Frederico and Cr del Porto entered the Chamber at 9.26pm following the consideration of the above item.

Moved: Cr Evans

Seconded: Cr Lowe

That the Mayor, Cr Felicity Frederico take the Chair for the remainder of the meeting.

CARRIED

It is recorded that Cr Stewart declared an indirect conflict of interest where residential amenity may be altered in item 10.8 given she resides in close proximity to the proposed Southland Railway Station.

Cr Stewart was not present in the Chamber when this item was considered and vacated the Chamber at 9.27pm.

10.8 Bayside Integrated Transport Strategy: Implementation Progress 2014/15

Infrastructure Services – Infrastructure Assets
File No: FOL/12/1728

It is recorded that Mr Michael Nugent spoke in relation to this matter.

Moved: Cr Long

Seconded: Cr Evans

That Council:

1. notes the actions taken to implement the Bayside Integrated Transport Strategy and the supporting suite of transport strategies and plans during 2014/15; and
2. receives a further report on the implementation of the Bayside Integrated Transport Strategy and the supporting suite of transport strategies and plans at the conclusion of the 2015/16 financial year.

CARRIED

It is recorded that Cr Stewart 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 entered the Chamber at 9.34pm following the consideration of the above item.

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

That items 10.9, 10.10 and 10.11 be moved as a block motion and the recommendations be adopted.

CARRIED

10.9 *Retail, Commercial and Employment Strategy – Community Consultation Program*City Strategy – Urban Strategy
File No: CON/14/841

That Council:

1. adopts the proposed approach to community engagement for the Retail, Commercial and Employment Strategy as outlined in this report; and
2. receives a further report at its 27 October 2015 Ordinary Meeting addressing the Terms of Reference and proposed membership of the community representative group.

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

10.10 *ISAF Sailing World Cup 2014 – Sail Melbourne – Yachting Victoria*City Strategy – Urban Strategy
File No: PSF/14/1481

That Council notes the report on the economic impacts of the 2014 ISAF Sailing World Cup (Attachment 1) and Sail Melbourne's appreciation of Council's previous support for the event.

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



10.11 Drainage Asset Management Plan - UpdateInfrastructure Services – Infrastructure Assets
File No: TBA

It is recorded that Mr Michael Nugent did not pursue his right to speak.

Moved: Cr**Seconded: Cr**

That Council adopts the updated Drainage Service-Driven Asset Management Plan 2015 as shown in Attachment 1.

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

10.12 CON1550 Shipston Reserve Sportsground ReconstructionInfrastructure Services – City Works
File No: CON/15/50

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

That Council:

1. awards contract CON1550 Shipston Reserve Sportsground Reconstruction to Hume Turf & Machinery Pty Ltd (ACN: 097 615 300) for the lump sum price of \$774,546 exclusive of GST and \$852,000.60 inclusive GST;
2. authorises the Chief Executive Officer to sign all necessary documentation related to Contract Number CON1550 Shipston Reserve Sportsground Reconstruction; and
3. advises the unsuccessful tenderers accordingly.

CARRIED

10.13 Review of the Heritage Act 1995

City Strategy – Urban Strategy
File No: FOL/15/1681

It is recorded that Mr K.S. Spencer spoke in relation to this matter.

Moved: Cr del Porto

Seconded: Cr Evans

That Council:

1. adopts the submission at Attachment 2 as its position in response to the *Heritage Act 1995 Review* discussion paper;
2. authorises the Director City Strategy to make any necessary editorial changes to the submission;
3. lodges the submission with the Department of Environment Land Water and Planning (DELWP) and Heritage Victoria (HV); and
4. advocates to the State Government to provide further opportunities to comment on a complete set revisions before being presented to Parliament as a bill.

CARRIED

Moved: Cr del Porto**Seconded: Cr Stewart**

That Items 10.14, 10.15, 10.16 and 10.17 be dealt with as a block motion and the recommendations be adopted.

CARRIED

10.14 Metropolitan Local Government's Waste Forum – Substitute Representative

Corporate Services - Governance
File No: COR 1234

That Council re-affirms the appointment of Cr Stewart as its representative and appoints the Director Infrastructure Services or Manager Environmental Sustainability and Open Space as its substitute representative by proxy from the Councillor representative to the Metropolitan Local Governments' Waste Forum.

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

10.15 Instrument of Delegation – From Council to Members of Staff

Corporate Services - Governance
File No: COR 1234

In the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989 (the Act)* and the other legislation referred to in the attached instrument of delegation, dated 25 August 2015 of Bayside City Council (**Council**), that Council: -

1. Resolves that there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument;
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) dated 26 June 2013 are revoked;
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt; and
5. Signs and seals the Instrument of Delegation.

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

10.16 ***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 July be received and noted.

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

10.17 ***Council Action Awaiting Report***

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

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

Cr Frederico reported on her attendance at the recent Association of Bayside Municipalities meeting held on 20 August 2015 and provided an additional update on her telephone conversation with a staff member from the Treasurer's office, where the following items were discussed:

- The principles being considered in conjunction with the Port of Melbourne Lease;
- consider inserting a clause regarding no capital dredging; and
- the possible establishment of a fund were discussed.

2. **MAV Environment Committee** – Director City Strategy

No report submitted

3. **Metropolitan Transport Forum** – Director Infrastructure Services

The Director Infrastructure Services reported that at the Metropolitan Transport Forum meeting held on 5 August a presentation was made by the City of Whitehorse Council on their experiences with level crossing removals. The level crossing at Charman Road Cheltenham has been identified as part of the State Government's commitment to remove 50 level crossings across metropolitan Melbourne.

4. **Municipal Association of Victoria** – Cr Frederico

No report submitted

5. **Inner South Metropolitan Mayors' Forum** – Cr Frederico

The Mayor reported that at the Inner South Metropolitan Mayors' Forum meeting held on 14 August 2015, a report on the Female Sporting Infrastructure campaign to COAG was discussed.

6. **Metro Waste & Resource Recovery Group** – Cr Stewart

No report submitted

Moved: Cr del Porto

Seconded: Cr Evans

That the delegate's reports be received and noted.

CARRIED

12. Urgent Business

Moved: Cr Stewart

Seconded: Cr Evans

That the matter of the investment in female sporting infrastructure be dealt with as an item of urgent business.

CARRIED

Moved: Cr del Porto

Seconded: Cr Evans

That the Deputy Mayor, Cr James Long in accordance with Council resolution dated 5 November 2014 take the Chair for consideration of the Urgent Business item.

CARRIED

Moved: Cr Frederico

Seconded: Cr Stewart

That Council:

1. submits to the 22 October 2015 MAV State Council meeting a motion that:
 - 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 inequality of sporting facilities;
2. writes to the Australian Local Government Association requesting that the Association submits this item to the agenda for the next COAG meeting seeking support to develop a National Framework and funding program to address the gender inequity of sporting facilities;
3. advocates with members of parliament and key organisations and influencers including the Minister Assisting the Prime Minister for Women, for a national response to narrow the sporting facilities gap to enable more women to participate in sport across Australia; and
4. allocates funding up to \$6,000 from the Council Support budget to progress this important advocacy campaign.

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

DIVISION: **FOR:** Crs Stewart, Long, Evans, Heffernan, del Porto, Lowe and Frederico (7)
 AGAINST: Nil (0)

CARRIED

Moved: Cr del Porto

Seconded: Cr Lowe

That the Mayor, Cr Frederico take the Chair for the remainder of the meeting.

CARRIED

13. Notices of Motion

There were no Notices of Motion submitted to the meeting.

14. Confidential Business

Moved: Cr del Porto

Seconded: Cr Long

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 **Confidential Contractual Attachments: CON/1550 Shipston Reserve Sportsground Reconstruction** (LGA 1989 Section 89(2)(d) Contractual matter)

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 10.02pm.

CONFIRMED THIS 22 DAY OF SEPTEMBER 2015

CHAIRPERSON:

