Ordinary Meeting of Council

Council Chambers
Civic Centre
Boxshall Street Brighton

Tuesday 21 May 2019 at 7pm

Minutes
PRESENT:

Chairperson: Cr Michael Heffernan (Mayor)

Councillors: Cr Sonia Castelli  
Cr Alex del Porto  
Cr Laurence Evans  
Cr Rob Grinter (Deputy Mayor)  
Cr James Long BM JP  
Cr Clarke Martin

Officers: Mick Cummins Chief Executive Officer  
Jill Colson Director Corporate Services  
Bryce Craggs Director Community and Customer Experience  
Hamish Reid Director City Planning and Amenity  
Steven White Director Environment, Recreation and Infrastructure  
Juliana Aya Manager Urban Strategy  
Jason Stubbs Manager Commercial Services  
Con Tsekouras Acting Manager Amenity Protection  
Damien Van Trier Manager Open Space, Recreation and Wellbeing  
Karen Brown Acting Manager Governance  
Imogen Kelly Communications Coordinator  
Robert Lamb Governance Officer
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The Mayor declared the meeting open at 7pm 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 Mayor invited Cr Martin to read the prayer.

1. **Prayer**

Cr Martin read the prayer at the commencement of the meeting.

O God  
Bless this City, Bayside,  
Give us courage, strength and wisdom,  
So that our deliberations,  
May be for the good of all,  
Amen

2. **Acknowledgement of Original Inhabitants**

The Mayor invited Cr Evans to read the acknowledgement of the original inhabitants of this land.

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

3. **Apologies**

There were no apologies submitted to the meeting.

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

*It is recorded that Cr Martin declared an indirect interest by close association in Item 10.3 - Beaumaris Arts and Sports Pavilion Project Update; and, an indirect interest because of conflicting duties in Item 14.1 - Beaumaris Sports Club Lease and Funding Contribution, given he is president of the Beaumaris RSL sub-branch.*
5. Adoption and Confirmation of the minutes of previous meeting

5.1 Confirmation of the Minutes of the Ordinary meeting of Bayside City Council held on 23 April 2019.

Moved: Cr Long
Seconded: Cr del Porto

That the minutes of the Ordinary meeting of Bayside City Council held on 23 April 2019, 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, 6 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 Graham Roberts

Mr Roberts submitted a question; however, was not present at the meeting.

2. Mr Peter Corfield (present in the chamber)

Mr Corfield’s question was in relation to procedures for Public Question Time and he asked:

My question is in relation to questions asked at General Council Meetings in particular. When the person who has asked the question and is not in attendance at the council meeting to hear the answer; could the question and the corresponding answer be documented in the minutes please.

Response by the Mayor

Council is bound by its Governance Local Law No 1 2013 s64 (15) which states:

“Where a questioner is not present in the Chamber at the time of Public Question Time the question and response will not be read at the meeting and will not be recorded in the minutes of the meeting. A written response will be forwarded to the questioner with the response”.
3. **Mr George Reynolds** (present in the chamber)

Mr Reynolds’ question was in relation to the Finance Report submitted to the February Council meeting and he asked:

In the February 2019 accounts published in the April 2019 Notice Paper, Council shows an amount of $1.5million having been paid to terminate or modify a lease.

a) Will Council identify the entry in the 2018-19 budget or source of funds document where this item of expenditure was provided for, or

b) Identify the revised or amended budget where this item of expenditure was added to the approved expenditure of Council for the 2018/19 financial year?

**Response by the CEO**

*These matters are confidential for legal reasons.*

(a) *This payment was not included in the 2018/19 budget.*

(b) *There is no requirement to amend the 2018/19 budget to accommodate this payment. As reported in the February 2019 financial statements, the forecast has been amended accordingly.*

4. **Mr George Reynolds** (present in the chamber)

Mr Reynolds’ second question was in relation to Council’s Strategic Resource Plan and he asked:

Council proposed Strategic Resource Plan 2019/20 - 2023/24 is non-compliant with the provisions of s7 of the Local Government (Planning and Reporting) Regulations 2014. Is it the intent of Council to allow this faulty document to be subject to public comment without further modification?

**Response by the CEO**

*The funding sources in relation to planned capital expenditure are required to be split between grants, contributions, council cash and borrowings. A number of club contributions have been reported under grants and will be separately disclosed as contributions as part of the adoption of the Strategic Resource Plan.*
5. **Mr Kevin Spencer** (present in the chamber)

Mr Spencer’s question was in relation to artworks held by Council and he asked:

a) How many works does council hold currently in the collection.

b) What is the current value of the works council holds in the collection.

**Response by the CEO**

Council undertakes an independent audit of its Arts and Culture collection every 5 years. The last audit was completed in March 2018 and collection at the time was estimated to be valued at $4.813M. The total number of artworks in our current database is 1,953 of which 28 items were added since the last audit was undertaken.

6. **Mr Kevin Spencer** (present in the chamber)

Mr Spencer’s second question was in relation to his application for State government funding under the Pick My Project program for a memorial of Sir Alan Walsh at the Brighton Library gardens, and he asked:

a) Will council conduct an inquiry as to what authority these employees had in refusing this request, especially when the great man had lived in Brighton for some fifty years.

b) Why wasn’t this matter referred to Council for the ultimate decision?

**Response by the CEO**

Mr Spencer submitted an application for State government funding under the Pick My Project program for a memorial of Sir Alan Walsh at the Brighton Library gardens. Pick My Project applications were referred by the State to Council for comment without any reference to Council. Council staff did not support the proposal as it did not follow an appropriate process for approval.

Mr Spencer has been informed of this on numerous occasions, most recently by letter on 26 February. Mr Spencer has still not made any direct approach to Council regarding a proposal of a memorial of Sir Alan Walsh on Council land.

7. **Petitions to Council**

There were no Petitions submitted to the meeting.
8. Minutes of Advisory Committees

8.1 ASSEMBLY OF COUNCILLORS RECORD

Corporate Services - Governance
File No: PSF/19/960 – Doc No: DOC/19/127651

Moved: Cr Evans               Seconded: Cr Martin

That Council notes the Assembly of Councillor records submitted as required by the Local Government Act 1989:

- 7 May 2019 CEO and Councillors only Briefing

CARRIED

9. Reports by Special Committees

9.1 MINUTES OF THE SPECIAL COMMITTEE OF COUNCIL TO HEAR SUBMISSIONS ON: PROPOSED DISCONTINUANCE & RETENTION OF PART OF ROAD AT REAR OF 457-465 HIGHETT ROAD, HIGHETT

Corporate Services - Governance
File No: PSF/19/960 – Doc No: DOC/19/110275

Moved: Cr Long               Seconded: Cr Castelli

That Council notes the Minutes of the Special Committee of Council held on 16 April 2019 to hear submissions in relation to the Proposed Discontinuance & Retention of Part of Road at Rear of 457-465 Highett Road, Highett.

CARRIED

9.2 MINUTES OF THE SPECIAL COMMITTEE OF COUNCIL TO HEAR SUBMISSIONS ON: PROPOSED DISCONTINUANCE & SALE OF PART OF THE ROAD AT REAR OF 70 ESPLANADE, BRIGHTON

Corporate Services - Governance
File No: PSF/19/960 – Doc No: DOC/19/123174

Moved: Cr Grinter (Deputy Mayor)               Seconded: Cr Castelli

That Council notes the Minutes of the Special Committee of Council held on 30 April 2019 to hear submissions in relation to the Proposed Discontinuance & Sale of Part of the Road at Rear of 70 Esplanade, Brighton.

CARRIED
PROCEDURAL MOTION

Moved: Cr Martin  Seconded: Cr Evans

That Item 11, relating to Reports by Delegates, be considered at this stage of the meeting.

CARRIED

11. Reports by Delegates

1. **Association of Bayside Municipalities** – Cr Laurence Evans indicated that no meeting was held since the last Council meeting.

2. **MAV Environment Committee** – The Director Environment, Recreation & Infrastructure indicated that no meeting was held since the last Council meeting.

3. **Metropolitan Transport Forum** – The Director Environment, Recreation & Infrastructure indicated that the Manager Sustainability & Transport attended the 1 May 2019 forum and the key agenda items were two presentations: The Executive Manager Infrastructure Strategy, Mornington Peninsula Shire presented on advocacy work to improve bus services on the Mornington Peninsula; and, Kelvin Yip, from start-up, Xemo presented on an on-demand shuttle bus service supporting first and last mile connections to existing public transport journeys via a mobile app.

4. **Municipal Association of Victoria** – The Mayor Cr Michael Heffernan and CEO (in the absence of Cr del Porto) attended the meeting. A new meeting structure was adopted and 79 motions where put by various Victorian councils. Bayside put forward two motions, both of which were carried: The first motion was that the MAV call upon the State Government to fast track public transport improvements, particularly to local bus services. The second motion was to call upon the Minister for Environment to convene a taskforce to identify and implement sustainable solutions to the current recycling crisis.

5. **Inner South Metropolitan Mayors’ Forum** – The Mayor Cr Michael Heffernan indicated that no meeting was held since the last Council meeting.

6. **Metropolitan Local Government Waste Forum** – Cr Clarke Martin attended the recent forum where a challenge was put to the delegates of the Metropolitan Local Government Waste Forum – as a result, a report on ‘Sustainability - Victoria’s Love Food, Hate Waste program’ will be put to the July Council meeting. There will also be a report for the July meeting prepared on: Recycled Glass in Construction Projects.

Moved: Cr del Porto  Seconded: Cr Evans

That the Reports by Delegates be received and noted.

CARRIED
10. Reports by the Organisation

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 Netball Centre - Project Update

1. Mr Andrew Fairbank
2. Mr John Lyons
3. Mrs Michelle Hartley
4. Mrs Sandra Fairbank
5. Ms Felicity Federico OAM
6. Miss Ella Quinlan
7. Miss Maddy Adams (via proxy Ms Kris Pierce)
8. Mr Sam Higgins
9. Ms Kris Pierce

Item 10.3  Beaumaris Arts and Sports Pavilion - Project Update

1. Mr Joe Mottola
2. Mr Peter Corfield
3. Mr David Richards
4. Mrs Suzana Zambiasi
5. Mrs Nicole Cook
6. Mrs Sarah Allison
7. Mr Chris Sutton
8. Miss Caitlin Douglass

Item 10.6  Corrections and Anomalies to the Bayside Planning Scheme, Amendment C161 Submissions

1. Mrs Larisa Kreimer (via proxy Mr Felix Kreimer)

Item 10.11  Quarter Three Performance Report - January to March 2019

1. Mr Peter Boyle
10.1 BAYSIDE NETBALL CENTRE - PROJECT UPDATE

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/19/11 – Doc No: DOC/19/126662

It is recorded that Mr Andrew Fairbank, Mr John Lyons, Mrs Michelle Hartley, Mrs Sandra Fairbank, Ms Felicity Federico OAM, Miss Ella Quinlan, Miss Maddy Adams (via proxy Ms Kris Pierce), Mr Sam Higgins and Ms Kris Pierce each spoke for three minutes in relation to this item.

It is recorded that Cr del Porto left the Meeting at 7:24 pm. Cr del Porto returned to the Meeting at 7:31 pm

Moved: Cr Grinter (Deputy Mayor) Seconded: Cr Castelli

That Council:

1. Concurrently builds Stages 1 and 2 of the Bayside Netball Centre subject to:
   a) successfully receiving $4.7m from the Federal Governments Regional Development Fund for the project;
   b) a reduction in the number of outdoor courts from twelve to nine; and
   c) all current tenants vacating the Thomas Street site on completion of the new Netball Centre.

2. Seeks to complete the construction of the project by August 2021 subject to receiving planning approval.

3. Retains the future provision for a further 1 indoor and 6 outdoor courts in line with the master plan.

4. Allocates the additional funding required of $2.677 million to complete stages 1 and 2 in the 2020/21 Budget.

5. Continues to seek additional funding from the State Government for the project.

The Motion was PUT and a DIVISION was called:

DIVISION: FOR: Crs Laurence Evans, Alex del Porto, James Long, Michael Heffernan (Mayor), Clarke Martin, Sonia Castelli and Rob Grinter (Deputy Mayor) (7)
AGAINTS: Nil (0)

CARRIED
10.2 RESPONSE TO PETITION - CONTROL PARKED MOBILE BILLBOARDS AND 'FOR SALE' CARS, CARAVANS, BOATS AND OTHER EQUIPMENT FOR SALE.

City Planning & Amenity - Amenity Protection
File No: PSF/19/968 – Doc No: DOC/19/116334

Moved: Cr Martin  
Seconded: Cr Grinter (Deputy Mayor)

That Council refer consideration to regulate parked mobile billboards and ‘for sale’ cars, caravans, boats and other equipment on a road or Council land to the next scheduled review of Council’s Consolidated Local Law No.2 ‘Neighbourhood Amenity’.

CARRIED
10.3 BEAUMARIS ARTS AND SPORTS PAVILION - PROJECT UPDATE

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/19/11 – Doc No: DOC/19/63209

It is recorded that the report for this item (page 38, paragraph 5) was updated and published in an amended Agenda, to read as follows:

Beaumaris RSL feedback

A meeting was held on 30 November 2018 with Beaumaris RSL representatives to discuss the Hub project and possible relocation of the Cenotaph. Council officers detailed the site constraints and variety of concept designs that had been completed to work around these constraints. Officers also described that the proposed relocation of the Cenotaph could include significant improvements including landscaping and the placement of outdoor RSL memorabilia and interpretive signage.

The Beaumaris RSL is opposed to any proposal to relocate the Cenotaph to accommodate the Hub project.

It is recorded that Cr Martin declared an indirect interest by close association in this item and vacated the chamber prior to the discussion on this item. Cr Martin left the Meeting at 8:31 pm.

It is recorded that Mr Joe Mottola, Mr Peter Corfield, Mr David Richards, Mrs Suzana Zambiasi, Mrs Nicole Cook, Mrs Sarah Allison, Mr Chris Sutton and Miss Caitlin Douglass each spoke for three minutes in relation to this item.

It is recorded that Cr del Porto left the Meeting at 8:55 pm. Cr del Porto returned to the Meeting at 8:57 pm.

Moved: Cr Evans Seconded: Cr del Porto
That Council:

1. Develops separate arts and sporting facilities at Beaumaris Reserve by demolishing the existing buildings and constructing new buildings.
2. Commences a design and tender process for the construction of new, separate arts and sporting facilities at Beaumaris Reserve in accordance with Council’s current budget allocation for the Beaumaris Community Hub project.

The Motion was PUT and a DIVISION was called:

DIVISION: FOR: Crs Laurence Evans, Alex del Porto, James Long, Michael Heffernan (Mayor), Sonia Castelli and Rob Grinter (Deputy Mayor) (6)
AGAINST: Nil (0)

CARRIED
10.4 NORTH ROAD FORESHORE MASTERPLAN

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/19/11 – Doc No: DOC/19/111296

It is recorded that Cr Martin returned to the Meeting at the commencement of this item, at 9:06 pm.

Moved: Cr del Porto Seconded: Cr Grinter (Deputy Mayor)

That Council:

1. Notes the outcomes of community feedback on the North Road Foreshore Masterplan contained within the Community Consultation Report as shown in Attachment 1.

2. Adopts the North Road Foreshore Masterplan 2019 as shown in Attachment 2 and authorises the Director Environment Recreation and Infrastructure to make any necessary minor editorial amendments.

CARRIED
10.5 SUBMISSION TO THE STATE ENVIRONMENT AND PLANNING COMMITTEE’S INQUIRY INTO RECYCLING AND WASTE MANAGEMENT

Environment, Recreation & Infrastructure - Sustainability & Transport
File No: PSF/19/955 – Doc No: DOC/19/117715

Moved: Cr Martin
Seconded: Cr Evans

That Council notes and endorses the Municipal Association of Victoria’s submission as shown in Attachment 1 and the letter from Council as shown in Attachment 2 made to the Victorian Parliament Environment and Planning Committee’s Inquiry into Recycling and Waste Management.

CARRIED
10.6 CORRECTIONS AND ANOMALIES TO THE BAYSIDE PLANNING SCHEME, AMENDMENT C161 SUBMISSIONS

City Planning & Amenity - Urban Strategy
File No: PSF/19/954 – Doc No: DOC/19/118519

It is recorded that Mrs Larisa Kreimer (via proxy Mr Felix Kreimer) spoke for three minutes in relation to this item.

It is recorded that Cr Castelli left the Meeting at 9:23 pm. Cr Castelli returned to the Meeting at 9:25 pm.

Moved: Cr del Porto Seconded: Cr Castelli

That Council:

1. Split the amendment into two parts.

2. Adopt Amendment C161 Part 1 as it relates to all sites except 1A Murphy Street, Brighton.

3. Request the Minister for Planning appoint an independent Planning Panel to consider Amendment C161 Part 2 to consider the mapping change proposed for 1A Murphy Street, Brighton.

4. Writes to all submitters to advise them of Council’s decision.

CARRIED
10.7 BLACK ROCK VILLAGE NEIGHBOURHOOD ACTIVITY CENTRE
STRATEGIC FRAMEWORK PLAN REVIEW

City Planning & Amenity - Urban Strategy
File No: FOL/17/6440 – Doc No: DOC/19/71558

Moved: Cr Evans  
Seconded: Cr del Porto

That Council adopts the findings of the review of Black Rock Village NAC Strategic Framework Plan 2012 (contained in Attachment 1) and continues to implement the Further Implementation Actions outlined in the report.

CARRIED
10.8 BAYSIDE PLANNING SCHEME REVIEW 2019

City Planning & Amenity - Urban Strategy
File No: FOL/17/6440 – Doc No: DOC/19/116131

Moved: Cr del Porto  Seconded: Cr Evans

That Council:

- Reports the findings of the Bayside Planning Scheme Review in accordance with legislative requirements.
- Considers the proposed changes to the local and state sections of the Bayside Planning Scheme proposed under the Smart Planning Program in a further report to be presented to Council in the 2019/2020 financial year.

CARRIED
10.9 PROPOSED DISCONTINUANCE & RETENTION OF PART OF ROAD AT REAR OF 457-465 HIGHETT ROAD, HIGHETT WITH CONSIDERATION TO SUBMISSIONS RECEIVED

Moved: Cr Grinter (Deputy Mayor)  Seconded: Cr Evans

That Council:

1. In accordance with Section 206 and Clause 3 of Schedule 10 of the Local Government Act 1989 (Act), discontinue the road adjoining 457-465 Highett Road Highett, shown hatched in Attachment 1.

2. Direct a public notice to be published in the Victorian Government Gazette.

3. Consolidate the land into the Livingston Street Kindergarten and Highett Neighbourhood Community House title.

4. Authorise the Chief Executive Officer, or such other person as delegated by the Chief Executive Officer, to undertake the necessary procedural steps to complete the formal procedures for the discontinuance and consolidation of the title including the execution of all relevant documentation.

5. Advise any party who lodged a submission in relation to the proposal of Council’s decision and provide the following reasons for the decision to proceed with the discontinuance and retention of the road:

i. Council considers the road is not reasonably required as a road for public use;

ii. Council considers it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives, particularly in relation to the efficient management of resources in Council’s control and in accordance with its policy; and

iii. Council discontinue and retain the land incorporating the former ‘road’ into the Livingston Street Kindergarten to enable Council to address a strategic ‘future need’ of redeveloping and expanding the kindergarten’s outdoor space - addressing the functionality and future demand needs as outlined in Council’s ‘Early Years Infrastructure Plan 2018-2028’.

CARRIED
10.10 PROPOSED DISCONTINUANCE AND SALE OF PART OF THE ROAD AT REAR OF 70 ESPLANADE, BRIGHTON WITH CONSIDERATION TO SUBMISSIONS RECEIVED

Moved: Cr del Porto
Seconded: Cr Evans

That Council, having considered the written and verbal submissions received under Section 223 of the Local Government Act 1989 to the proposed discontinuance and sale of part of the road at the rear of 70 Esplanade, Brighton (shown hatched in Attachment 1), and having determined that the road is not reasonably required for general public use, resolve to:

1. Remove the part of the road at the rear of 70 Esplanade, Brighton shown hatched in Attachment 1 from the City of Bayside’s Public Road register.

2. In accordance with Section 206 and Clause 3 of Schedule 10 of the Local Government Act 1989 (Act), discontinue the road at the rear of 70 Esplanade, Brighton shown hatched in Attachment 1.


4. Authorise the Chief Executive Officer, or such other person as delegated by the Chief Executive Officer, to undertake the necessary procedural steps to complete the formal procedures for the discontinuance of the road and sale of the land to the owner of 70 Esplanade, Brighton via private treaty.

5. Advise any party who lodged a submission in relation to the proposal of Council’s decision and provide the following reasons for the decision to remove the part of road from the public road register and to proceed with the discontinuance and sale of the road:

   i. Council considers the road is not reasonably required as a road for public use; and

   ii. Council considers it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives, particularly in relation to the efficient management of resources in Council’s control and in accordance with its policy.

CARRIED
10.11 QUARTER THREE PERFORMANCE REPORT - JANUARY TO MARCH 2019

Corporate Services - Governance
File No: FOL/18/3773 – Doc No: DOC/19/118486

It is recorded that Mr Peter Boyle was not present in the chamber at the time his name was called to speak to this item.

It is recorded that Cr Long left the Meeting at 9:55 pm and was not present in the chamber when the vote was taken on this item.

Moved: Cr del Porto
Seconded: Cr Martin


CARRIED
10.12 COLLECTIVE RESIDUAL WASTE DISPOSAL SERVICES CONTRACT

Environment, Recreation & Infrastructure - Sustainability and Transport
File No: PSF/19/955 – Doc No: DOC/19/113627

It is recorded that Cr Long was not present in the chamber when the vote was taken on this item.

Moved: Cr Martin          Seconded: Cr Castelli

That Council:

1. Agrees to participate in a collective process to procure residual waste disposal services (landfill), which will be coordinated by the Metropolitan Waste and Resource Recovery Group (MWRRG).

2. Authorises the Chief Executive Officer to sign all necessary documentation related to the procurement process for residual waste and disposal services (landfill).

CARRIED
10.13 CONTRACT CON/19/4 HAWTHORN ROAD FLOOD MITIGATION AND STREETSCAPING PROJECT

Environment, Recreation & Infrastructure - City Assets & Projects
File No: PSF/19/966 – Doc No: DOC/19/106428

It is recorded that Cr Long was not present in the chamber when the vote was taken on this item.

Moved: Cr Castelli Seconded: Cr del Porto

That Council:

1. Awards Contract CON/19/4 Hawthorn Road Flood Mitigation and Streetscaping Project to Evergreen Civil Pty Ltd (ABN 67667088791) for the lump sum price of $802,880.19 (excl. GST) and $883,168.20 (incl GST).
2. Authorises the Chief Executive Officer to sign all necessary documentation related to Contract CON/19/4 Hawthorn Road Flood Mitigation and Streetscaping Project.
3. Advises the unsuccessful tenderers accordingly.

NOTE: Item 10.13 was CARRIED as part of a block motion.
10.14 CONTRACT CON/19/22 BAYSIDE CHRISTMAS CAROLS IN THE PARK

Environment, Recreation & Infrastructure - Open Space, Recreation & Well Being
File No: PSF/19/11 – Doc No: DOC/19/99763

It is recorded that Cr Long was not present in the chamber when the vote was taken on this item.

Moved: Cr Castelli  Seconded: Cr del Porto

That Council:

1. Awards CON/19/22 Bayside Christmas Carols in the Park to Fruitbowl Productions Pty Ltd (ABN 76 081 416 877) for the provision of event production services for the 2019 - 2023 Bayside Christmas Carols in the Park for the period of 22 May 2019 – 24 December 2023, for a lump sum price of $968,539.45 (exclusive of GST) and $1,065,393.40 (inclusive GST).

2. Authorises the Chief Executive Officer to sign all necessary contract documentation relating to the awarding of CON/19/22 Bayside Christmas Carols in the Park.

CARRIED

NOTE: Item 10.14 was CARRIED as part of a block motion.
10.15 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/19/960 – Doc No: DOC/19/126768

It is recorded that Cr Long was not present in the chamber when the vote was taken on this item.

Moved: Cr Castelli  
Seconded: Cr del Porto

That Council notes the Council Action Awaiting Report.

NOTE: Item 10.15 was CARRIED as part of a block motion.
11. Reports by Delegates

*It is recorded that this item was dealt with earlier in the meeting (following Item 9.2)*

12. Urgent Business

There were no items of Urgent Business submitted to the meeting.
13. Notices of Motion

13.1 NOTICE OF MOTION - 278 - PROPOSED CHANGES TO BEAUMARIS CONCOURSE STREETSCAPE MASTERPLAN 2017

Corporate Services - Governance
File No: PSF/19/960 – Doc No: DOC/19/127431

It is recorded that Cr Long returned to the Meeting at 10:00 pm and was present when the vote was taken on this item.

Moved: Cr Evans
Seconded: Cr Martin

That Council:

1. Receives a report at the June Ordinary Council Meeting on the implications and costs associated with the following changes to the streetscape works currently underway at the Beaumaris Concourse:
   a. Removal of the newly laid asphalt footpath (South Concourse - western end - outside the newsagent and any works to the Eastern concourse) and replacement of all proposed asphalt paths shown in the Beaumaris Concourse Streetscape Masterplan to be replaced with granolithic concrete - saw cut into 600 x 600 as per the Small Neighbourhood Activity Centre in the Balcombe and Haydens Road, and Grandview Avenue precinct; and
   b. Deletion of the granitic sand under the seats and the path on the north and the north-eastern side of the Village Green shown in the adopted Beaumaris Concourse Streetscape Masterplan.

2. Notes that the works currently underway to implement the Beaumaris Concourse Streetscape Masterplan will need to be put on hold while this report is prepared.

3. Notes that delays associated with works by the National Broadband Network in the Beaumaris Concourse area will provide the necessary time for the report on the implications and costs associated with the following changes to the streetscape works currently underway at the Beaumaris Concourse to be prepared and considered.

Cr Laurence Evans

CARRIED
13.2 NOTICE OF MOTION - 279 - PROPOSED CHANGES TO DRAFT FOOTPATH TREATMENTS WITHIN THE ROAD RESERVE POLICY 2019

Corporate Services - Governance
File No: PSF/19/960 – Doc No: DOC/19/127433

PROCEDURAL MOTION

Moved: Cr Grinter Seconded: Cr Martin

That leave of Council be granted to Cr Evans to amend Notice of Motion 279 – Proposed changes to Draft Footpath Treatments Within the Road Reserve Policy 2019.

It is recorded that Cr Grinter (Deputy Mayor) left the Meeting at 10:25 pm. Cr Grinter (Deputy Mayor) returned to the Meeting at 10:27 pm.

Moved: Cr Evans Seconded: Cr Martin

That Council:

1. Ceases consultation activities associated with the draft Footpath Treatments Within the Road Reserve Policy relating to the following locations shown in Section 6.1:
   - footpath on the south side of Park Road, Cheltenham – between Cheltenham Park access road and Cheltenham station;
   - footpath on the west side of Reserve Road, Cheltenham – between Balcombe Road and Weatherall Road;
   - shared path on the south side of Cheltenham Road, Cheltenham – between Bluff Road and Reserve Road; and
   - footpath on the west side of Jack Road Cheltenham – between the bus stop opposite 18 Jack Road and Bay Road.

2. Continues the consultation on the draft Footpath Treatments Within the Road Reserve Policy (with changes to Section 6.1 to delete the proposed footpaths in Park Road, Cheltenham Road, Reserve Road and Jack Road) to inform the Policy to be adopted by Council.

3. Receives a report at the June Ordinary Council Meeting on the Footpath Treatments Within the Road Reserve Policy.

Cr Laurence Evans

The Motion was PUT and a DIVISION was called:

DIVISION: FOR: Crs Laurence Evans, Alex del Porto, Michael Heffernan (Mayor), Clarke Martin, Rob Grinter (Deputy Mayor), James Long, and Sonia Castelli (7)
AGAINST: Nil (0)

CARRIED
14. Confidential Business

Moved: Cr Long  Seconded: Cr Martin

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.

- Personnel matters;
- The personal hardship of any resident or ratepayers;
- Industrial matters;
- Contractual matters;
- Proposed developments;
- Legal advice;
- Matters affecting the security of Council property;
- Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- A resolution to close the meeting to members of the public.

CARRIED

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14.1 BEAUMARIS SPORTS CLUB LEASE AND FUNDING CONTRIBUTION
(LGA 1989 Section 89(2)(d) and (h) contractual matters and matters which the Council considers would prejudice the Council or any person.)

14.2 SANDRINGHAM GOLF DRIVING RANGE LEASE
(LGA 1989 Section 89(2)(d), (e) and (f) contractual matters, proposed developments and legal advice.)

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 10:46pm.