



# Annual Meeting Agenda

**The Annual Meeting of  
Bayside City Council will be held on  
Thursday 8 November 2018 at 7.00pm  
in the Council Chambers Civic Centre, Brighton  
for the purpose of transacting the following business:**

## **Business of Meeting**

Prayer

Acknowledgement of Original Inhabitants

1. Apologies
2. Declarations of Interest
3. Fixing of Mayoral and Councillor Allowances for 2018/2019
4. Receipt of Nominations for the Election of Mayor
5. Election of Mayor
6. Appointment of Deputy Mayor
7. Appointment of Committees
8. Determining the Meeting Cycle of Council and Committee Meetings
9. Appointment of Councillor Representatives
10. Appointment of Council's Official Publications

**Annual Meeting of Council**

**Thursday 8 November 2018**

**at 7pm**

**Agenda and Order of Proceedings**

In accordance with the Governance Local Law No 1, the Chief Executive Officer is Chairperson (Pro-tem).

**Prayer**

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

**Acknowledgement of Original Inhabitants**

- ◆ 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.

## 1. **Apologies**

The Chief Executive calls for apologies for non-attendance at the meeting.

## 2. **Declarations of Interest**

## 3. **Fixing of Allowances**

### 3.1 **Councillors Allowance**

**Moved: Cr**

**Seconded: Cr**

That in accordance with Section 73B of the *Local Government Act* 1989, Council reconfirms its decision of 28 February 2017 that the Councillors allowance be set at the maximum level as a category 2 Council. The maximum level of \$25,730 per annum payable by monthly instalments in advance, and be adjusted as a result of any State Government annual adjustment to the allowance.

### 3.2 **Mayoral Allowance**

**Moved: Cr**

**Seconded: Cr**

1. That in accordance with Section 73B of the *Local Government Act* 1989, Council reconfirms its decision of 28 February 2017 that the Mayoral allowance be set at the maximum level as a category 2 Council. The maximum level of \$79,612 per annum payable by monthly instalments in advance and be adjusted as a result of any State Government annual adjustment to the allowance.
2. That it be noted that a Mayoral vehicle is provided in accordance with Section 14 of the Councillor Support, Resources, Reimbursement and Accountability Policy (July 2016).

**4. Receipt of Nominations for the Election of Mayor**

The Chief Executive calls for nominations for the Office of Mayor.

**First Nomination received from Cr**

**Seconded by Cr**

*“That Councillor \_\_\_\_\_ be nominated as Mayor of Bayside City Council for the 2018/2019 Council Year.”*

**Second Nomination received from Cr**

**Seconded by Cr**

*“That Councillor \_\_\_\_\_ be nominated as Mayor of Bayside City Council for the 2018/2019 Council Year.”*

In accordance with Local Law No 1, the Chief Executive Officer puts the nominations to the vote.

*Councillor ..... – Number of Votes*

*Councillor ..... – Number of Votes*

## 5. **Election of Mayor**

The Chief Executive Officer declares Cr \_\_\_\_\_ elected as Mayor of Bayside City Council for the 2018/2019 Council year.

- The Mayor takes the Chair for the remainder of the meeting and thanks Councillors for his/her election as Mayor.
- The Mayor calls for a vote of thanks to the immediate past Mayor.

**Moved: Cr**

**Seconded: Cr**

That a letter of appreciation under the seal of Council be presented to the immediate past Mayor, Cr Laurence Evans in recognition of the Mayoral term of office.

## **Presentations**

- The Mayor invites immediate former Mayor to come forward to receive a presentation.

**6. Appointment of Deputy Mayor**

The Mayor calls for nominations for the position of Deputy Mayor.

**First Nomination received from Cr**

**Seconded by Cr**

“That Councillor \_\_\_\_\_ be nominated as Deputy Mayor of Bayside City Council for the 2018/2019 Council Year and Acting Mayor in the absence of the Mayor for the purposes of Section 73(3) of the Local Government Act, unless Council resolves otherwise.”

**Second Nomination received from Cr**

**Seconded by Cr**

“That Councillor \_\_\_\_\_ be nominated as Deputy Mayor of Bayside City Council for the 2018/2019 Council Year and Acting Mayor in the absence of the Mayor for the purposes of Section 73(3) of the Local Government Act, unless Council resolves otherwise.”

In accordance with Local Law No 1, the Mayor puts the nominations to the vote.

*Councillor ..... – Number of Votes*

*Councillor ..... – Number of Votes*

The Mayor declares Cr \_\_\_\_\_  
Council year.

\_\_\_\_\_ elected as Deputy Mayor for the 2018/2019

## 7. Appointment of Committees

### 7.1 Appointment of Planning and Amenity Committee Chairperson

*The Planning and Amenity Committee has been established in accordance with Section 86 of the Local Government Act 1989, for the purpose of considering all matters relating to statutory planning, tree removal applications and traffic and parking matters. The Committee does not determine upon any policy or strategy matters.*

*Membership of the Committee comprises of all Councillors, and the quorum of this Committee is a majority of the Council members.*

*The Planning and Amenity Committee has specific delegated powers from Council to be exercised only in accordance with an Instrument of Delegation pursuant to Section 86(3) of the Local Government Act 1989 which relates to the following functions:*

- *All of the powers, discretions and functions conferred by or under the Planning and Environment Act 1987;*
- *The power to determine upon any Tree Removal application; and*
- *The power to determine upon any specific local traffic and parking matter.*

**First Nomination received from Cr**

**Seconded by Cr**

“That Councillor \_\_\_\_\_ be nominated as Chair of the Planning & Amenity Committee for the 2018/2019 Council Year.

**Second Nomination received from Cr**

**Seconded by Cr**

“That Councillor \_\_\_\_\_ be nominated as Chair of the Planning & Amenity Committee for the 2018/2019 Council Year.

In accordance with Local Law No 1, the Mayor puts the nominations to the vote.

Councillor .....	–	Number of Votes
Councillor .....	–	Number of Votes

The Mayor declares Councillor \_\_\_\_\_ elected as Chairman of the Planning & Amenity Committee for the 2018/2019 Council year.

## **7.2 Audit and Risk Management Committee**

*In accordance with Section 139 of the Local Government Act 1989 Council has established an Audit and Risk Management Committee.*

*The primary objective of the Audit and Risk Management Committee is to assist Council to fulfil its corporate governance responsibilities through the effective conduct of its responsibilities for accounting and financial reporting practices, management of risk, maintaining a reliable system of internal controls, operation of good governance and facilitating sound organisational ethics.*

*The Audit and Risk Management Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibilities. The Audit & Risk Management Committee does not have any management function and is therefore independent of management.*

*As part of Council's governance obligations to its community, Council has constituted an Audit and Risk Management Committee to provide the Council with guidance on:*

- *Internal and external financial and performance reporting;*
- *Management of financial and other risks;*
- *Effectiveness of the internal and external audit function;*
- *Provision of an effective means of communication between the external auditor, internal auditor, management and Council; and*
- *Advice and recommendations on various matters within the Charter in order to facilitate decision making by council in relation to the discharge of its responsibilities.*

*The Committee operates in accordance with a Charter adopted by Council in March 2018 and reviewed annually.*

*The membership of the Committee consists of two Councillors for a term of two years, and up to four suitably qualified external independent members appointed by Council. The current membership of the external independent members are as follows:*

- *Mr Brian Keane for a term expiring on 30 September 2019*
- *Mr Mick Ulbrick for a term expiring 30 September 2020*
- *Ms Lisa Woolmer for a term expiring 30 September 2021*

*The current Councillors appointed to the Audit & Risk Management Committee and whose term of appointment to the committee concludes at the Annual Meeting is:*

- *Cr Rob Grinter*
- *Cr Sonia Castelli*

*Council is required to appoint two Councillors to the Committee.*



**Moved: Cr****Seconded: Cr**

That Council:

1. Appoints Cr \_\_\_\_\_ and Cr \_\_\_\_\_ to the Audit and Risk Management Committee, noting the two year term of appointment in accordance with the Charter will expire in November 2020; and
2. Approves the increased meeting fee for external independent members by CPI to \$1,576 per meeting for external members and the meeting fee for the Chairman be increased by CPI to \$2,000 per meeting effective from the first meeting to be held in November 2018.
3. Appoints external member Ms Lisa Woolmer as Chairman of the Audit and Risk Management Committee.

### **7.3 Chief Executive Officer Employment Matters Committee**

*To assist Council in discharging its statutory obligations concerning employment matters associated with role of the Chief Executive Officer including the review of the Chief Executive Officer's performance, Council at its meeting on 20 May 2014 resolved to establish a Chief Executive Officer's Employment Matters Committee (CEOEMC) as an advisory committee of Council.*

*The Chief Executive Officer Employment Matters Committee consists of a Chairperson and at least 3 Councillors. The Chairperson of the Chief Executive Officer Employment Matters Committee must:*

- *Not be a Councillor; and*
- *Not be a member of Council staff; and*
- *Be suitably qualified.*

*The functions and responsibilities of a Chief Executive Officer Employment Matters Committees are:*

- *To make recommendations to Council on contractual matters relating to the Chief Executive Officer or the person appointed to act as the Chief Executive Officer including the following:*
  - ❖ *The appointment of the Chief Executive Officer;*
  - ❖ *Remuneration and conditions of appointment of the Chief Executive Officer;*
  - ❖ *Any extension of the appointment of the Chief Executive Officer under section 94(4)*
- *To conduct performance reviews of the Chief Executive Officer; and*
- *To perform any other prescribed functions and responsibilities.*

*A Council may only pay a fee to the Chairperson of the Chief Executive Officer Employment Matters Committee.*

*A Charter for this Committee was adopted by Council in March 2017 which sets out the Chief Executive Officer Employment Matters Committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.*

*The primary objective of the Chief Executive Officer Employment Matters Committee is to assist Council to fulfil its legislative responsibilities through the effective conduct of its responsibilities for employment matters associated with the Chief Executive Officer.*

*The Chief Executive Officer Employment Matters Committee does not have delegated powers or authority to make decisions or implement actions.*

**Moved: Cr**

**Seconded: Cr**

That Council:

1. Appoints Cr \_\_\_\_\_, Cr \_\_\_\_\_, Cr \_\_\_\_\_ and The Mayor to the Chief Executive Officer Employment Matters Committee for 2018/19 Council year; and
2. Reaffirms Council's decision of March 2017 to continue the appointment of Ms Paula Giles as the suitably qualified Chairman of the Chief Executive Officer Employment Matters Committee until August 2020 based on annually reviews, and Council sets the meeting fee at \$2,000 per meeting effective from the first meeting to be held in February 2019.

## **7.4 Section 86 Committee known as The Bayside Arts Board**

*In accordance with Section 86 of the Local Government Act 1989, Council has established an Advisory Committee specifically relating to the development and presentation of an innovative and creative arts program for the City of Bayside.*

*The functions, powers and discretions delegated to The Bayside Arts Board from Council are:*

- 1. To advise Council on the strategic direction of arts programming including public art and recommend a four year Strategic Plan for The Bayside Arts, to be presented to Council for adoption, including adjustments and alterations as determined by Council. The Strategic Plan will be in accordance with the Council-adopted purpose that has been established for The Gallery@BACC.*
- 2. Advise Council on potential locations for display of collection or installation of art in the public domain.*
- 3. To recommend acquisition proposals submitted by the Curator within the budget allocation and consider proposals for de-accession from the collection.*
- 4. Provide advice and assistance to Council Officers in proposing potential donors or bequests for the Collection in accordance with Council's Art and Heritage Collection Policy.*
- 5. Receive reports and make recommendations regarding the care and maintenance of the collection.*
- 6. Approve The Gallery@BACC exhibition and public program schedule with regard to the Four Year Strategic Plan.*
- 7. Monitor performance against the Four Year Strategic Plan and provide strategic advice to Council as necessary.*
- 8. Support staff in building relationships and partnerships with artists, arts sector organisations, business and government agencies.*
- 9. Approve marketing and promotion strategies as outlined in the Strategic Plan, and foster an appreciation of the arts by all sections of the community.*
- 10. Seek funding from external sources through the pursuit of donations, sponsorship, fundraising, bequests and philanthropic opportunities to achieve or exceed income target as determined in Council's annual budget.*

*The composition of the Board will consist of two Councillors, and up to ten ordinary members which have been previously appointed by Council.*

**Moved: Cr**

**Seconded: Cr**

That Council:

1. Appoints Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as Council's representatives to The Bayside Arts Board; and
2. Appoints Ms Tiziana Borghese as Chairman of the Bayside Arts Board.

## 8. Determining The Meeting Cycle of Council Meetings & Committee Meetings

### 1. Moved: Cr

### Seconded: Cr

That Council adopts the following formal Council and Committee meeting schedule for 2019:

#### Schedule of Meetings for 2019

January 2019	
Tuesday, 22 January 2019	Planning and Amenity Committee

February 2019	
Tuesday, 12 February 2019	Planning and Amenity Committee
Tuesday, 19 February 2019	Ordinary Meeting of Council
Tuesday, 26 February 2019	Planning and Amenity Committee

March 2019	
Tuesday, 12 March 2019	Planning and Amenity Committee
Tuesday, 19 March 2019	Ordinary Meeting of Council

April 2019	
<b>8-12 April 2019 - School Holidays - No Meetings Scheduled</b>	
Tuesday, 16 April 2019	Planning and Amenity Committee
Tuesday, 23 April 2019	Ordinary Meeting of Council
Tuesday, 30 April 2019	Planning and Amenity Committee

- Friday, 19 April 2019 – Good Friday
- Monday, 22 April 2019 – Easter Monday
- Thursday, 25 April 2019 – ANZAC Day
- Term 1 School Holidays – 6 April to 22 April 2019 (inclusive)

May 2019	
Tuesday, 14 May 2019	Planning and Amenity Committee
Tuesday, 21 May 2019	Ordinary Meeting of Council

June 2019	
Tuesday, 11 June 2019	Planning and Amenity Committee
Tuesday, 25 June 2019	Ordinary Meeting of Council

- Term 2 School Holidays – 29 June to 14 July 2019 (inclusive)

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July 2019	
<b>1-5 July 2019 - School Holidays - No Meetings Scheduled</b>	
Tuesday, 16 July 2019	Planning and Amenity Committee
Tuesday, 23 July 2019	Ordinary Meeting of Council
Tuesday, 30 July 2019	Planning and Amenity Committee

- Term 2 School Holidays – 29 June to 14 July 2019 (inclusive)

August 2019	
Tuesday, 13 August 2019	Planning and Amenity Committee
Tuesday, 20 August 2019	Ordinary Meeting of Council

September 2019	
Tuesday, 10 September 2019	Planning and Amenity Committee
Tuesday, 17 September 2019	Ordinary Meeting of Council
<b>23-27 September 2019 - School Holidays - No Meetings Scheduled</b>	

- Term 3 School Holidays – 21 September to 6 October 2019 (inclusive)

October 2019	
Tuesday, 8 October 2019	Planning and Amenity Committee
Tuesday, 15 October 2019	Ordinary Meeting of Council
Tuesday, 22 October 2019	Planning and Amenity Committee

- Term 3 School Holidays – 21 September to 6 October 2019 (inclusive)

November 2019	
Thursday, 7 November 2019	Annual General Meeting
Tuesday, 12 November 2019	Planning and Amenity Committee
Tuesday, 19 November 2019	Ordinary Meeting of Council
Tuesday, 26 November 2019	Planning and Amenity Committee

- Tuesday, 5 November 2019 – Melbourne Cup Public Holiday

December 2019	
Tuesday, 10 December 2019	Planning and Amenity Committee
Tuesday, 17 December 2019	Ordinary Meeting of Council

- Term 4 School Holidays – 21 December 2019 - onwards

2. That all Council and Committee Meetings be held in the Council Chamber, Civic Centre, Brighton unless otherwise determined by resolution of Council or notice given by the Mayor in accordance with Governance Local Law No: 1; and
3. That all meetings (excluding any Special Council or Committee meetings which are subject to separate resolutions) commence at 7.00pm.

## **9. Appointment of Councillor representatives**

### **9.1 External Representation**

#### **9.1.1 Municipal Association of Victoria (Representative)**

**Moved: Cr**

**Seconded: Cr**

That Council appoints Cr  
Association of Victoria.

as Council's representative to the Municipal

#### **9.1.2 Municipal Association of Victoria (Substitute Representative)**

**Moved: Cr**

**Seconded: Cr**

That Council appoints the Cr  
Municipal Association of Victoria.

as Council's substitute representative to the

#### **9.1.3 Municipal Association of Victoria (MAV) Environment Committee**

**Moved: Cr**

**Seconded: Cr**

That Council appoints the Director Environment, Recreation & Infrastructure or his  
delegate as Council's representative to the MAV Environment Committee.

#### **9.1.4 Metropolitan Transport Forum**

**Moved: Cr**

**Seconded: Cr**

That Council appoints the Director Environment, Recreation & Infrastructure or his  
delegate as Council's representatives and the substitute representative to the  
Metropolitan Transport Forum.

**9.1.5 Metropolitan Local Government Waste Forum****Moved: Cr****Seconded: Cr**

That Council appoints Cr \_\_\_\_\_ as Council's representatives and the Director Environment, Recreation and Infrastructure or his delegate as Council's substitute representative to the Metropolitan Local Government Waste Forum.

**9.1.6 Association of Bayside Municipalities****Moved: Cr****Seconded: Cr**

That Council appoints the Cr \_\_\_\_\_ as Council's representatives and the Open Space Coordinator or his delegate as Council's substitute representative to the Association of Bayside Municipalities:

**9.1.7 Inner South Metropolitan Mayors' Forum****Moved: Cr****Seconded: Cr**

That Council appoints the Mayor of the Day to represent Council on the Inner South Metropolitan Mayors' Forum.

**9.1.8. Regional Kitchen Pty Ltd****Moved Cr****Seconded Cr**

That Council appoints the Director Corporate Services as Council's Shareholder representative to Regional Kitchen Pty Ltd for the purpose of participating in Shareholder meetings.

## **9.2 Internal Representation**

### **9.2.1 Bayside Tourism Network**

**Moved: Cr**

**Seconded: Cr**

That Council appoints Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as Council's representatives to the Bayside Tourism Network.

### **9.2.2 Built Environment Awards Committee**

**Moved: Cr**

**Seconded: Cr**

That Council appoints Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as Council's representatives to the Built Environment Awards Judging Committee.



## 10. Appointment of Council's Official Publications

**Moved: Cr**

**Seconded: Cr**

1. That Council, pursuant to Section 3 of the *Local Government Act 1989*, nominates:
  - 1.1 the "Bayside Leader" newspaper as the newspaper generally circulating in the City of Bayside for the purpose of the publication of statutory public notices under Sections 189 and 190 of the Local Government Act 1989 (Sales and Leases) as a minimum; and
  - 1.2 "The Age" newspaper as the newspaper generally circulating in the City of Bayside for the purpose of the publication of statutory public notices under Section 186 of the Local Government Act 1989 (Tenders & Expressions of Interest) as a minimum, and all other statutory public notices.
2. That in addition to the official statutory public notices being placed in the Age newspaper, a notice also be placed in the Bayside Leader for information purposes.
3. That in addition, all of Council's statutory public notices be published on the Bayside City Council website.