



# Annual Meeting Agenda

**The Annual Meeting of  
Bayside City Council will be held on  
Thursday 9 November 2017 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 2017/2018
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 9 November 2017**

**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**
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 \$24,730 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 \$76,521 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 Officers calls for nominations for the Office of Mayor.

**5. Election of Mayor**

Following the nomination process the Chief Executive Officer declares elected the successful candidate.

The Mayor takes the chair for the remainder of the meeting.

**6. Appointment of Deputy Mayor**

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

Following the nomination process for the position of Deputy Mayor, the Mayor declares elected the successful candidate.

## **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.*

The Mayor calls for nominations for the position of Chairperson of the Planning and Amenity Committee for the 2017/18 Council year.

Following the nomination process for the position of Chairperson for the Planning and Amenity Committee, The Mayor declares Councillor.....elected as Chairperson of the Planning & Amenity Committee for the 2017/2018 Council year.

## **7.2 Audit Committee**

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

*The primary objective of the Audit 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 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 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 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 June 2016 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 2018*
- *Ms Lisa Woolmer for a term expiring 30 September 2018*

*The current Councillors appointed to the Audit Committee are as follows:*

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

**Moved: Cr**

**Seconded: Cr**

That Council:

1. Reaffirms the appointment of Cr Rob Grinter and Cr Sonia Castelli to the Audit Committee, noting the two year term of appointment in accordance with the Charter will expire in November 2018; and
2. Approves the increased meeting fee for external independent members by CPI to \$1,545 per meeting for external members and the meeting fee for the Chairman be increased by CPI to \$1,961 per meeting effective from the first meeting to be held in November 2017.

### **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 July 2016 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's Employment Matters Committee for 2017/18 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's Employment Matters Committee for a further three year term commencing 1 August 2017 comprising of three 1 year terms to be received annually, and Council sets the meeting fee at \$1,961 per meeting effective from the first meeting to be held in February 2018.

## **7.4 Section 86 Committee known as the Gallery @BACC Board**

*In accordance with Section 86 of the Local Government Act 1989, Council has established an Advisory Committee specifically relating to the Gallery at the Bayside Art and Cultural Centre.*

*The functions, powers and discretions delegated to The Gallery@BACC Board from Council are:*

- To recommend a four year Strategic Plan for The Gallery@BACC, to be presented to Council for adoption;*
- To approve acquisitions, de-accessions, and the ongoing management of Council's art & heritage collection on recommendation from the Council Executive Team member with management responsibility for the Arts & Culture programs in accordance with Council's Art & Heritage Collection Policy, the approved Four Year strategic plan and Council's annual budget.*
- To approve The Gallery@BACC exhibition and public program schedule with regard to the Four Year Strategic Plan.*
- To monitor performance against the Four Year Strategic Plan and provide strategic advice to Council as necessary.*
- To support staff in building of relationships and partnerships with artists, arts sector organisations, business and government agencies.*
- To approve marketing and promotion strategies as outlined in the Strategic Plan, The Gallery@BACC's exhibition program, public programs, and its positive artistic, social, and economic impacts.*
- To provide advice and guidance on the pursuit of sponsorship, fundraising, and philanthropic opportunities, and investigation of the feasibility of establishing a Gallery@BACC Foundation to facilitate the receipt of donations, bequests, and proceeds of fundraising activities.*

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

**Moved: Cr**

**Seconded: Cr**

That Council appoints Cr ..... and Cr ..... as Council's representatives to the Gallery@BACC Board.



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

### 1. **Moved: Cr** **Seconded: Cr**

That Council adopts the meeting schedule for the remainder of 2017 and adopts the Council and Committee Meeting Cycle commencing 23 January 2018 to 20 December 2018.

#### Schedule of Meetings for 2017

<b>November 2017</b>	
Tuesday 14 November 2017	Planning and Amenity Committee
Wednesday 15 November 2017	Section 223 Hearing of Submissions)
Tuesday 21 November 2017	Ordinary Meeting of Council
Tuesday 28 November 2017	Planning and Amenity Committee
<b>December 2017</b>	
Monday 11 December 2017	Planning and Amenity Committee
Tuesday 19 December 2017	Ordinary Meeting of Council
Thursday 21 December 2017	Planning and Amenity Committee

#### Schedule of Meetings for 2018

<b>January 2018</b>	
Tuesday 23 January 2018	Planning and Amenity Committee
Tuesday 30 January 2018	Ordinary Meeting of Council
<b>February 2018</b>	
Tuesday 13 February 2018	Planning and Amenity Committee
Tuesday 20 February 2018	Ordinary Meeting of Council
Tuesday 27 February 2018	Planning and Amenity Committee
<b>March 2018</b>	
Tuesday 6 March 2018	Councillor Briefing
Tuesday 13 March 2018	Planning and Amenity Committee
Tuesday 20 March 2018	Ordinary Meeting of Council
Tuesday 27 March 2018	Planning and Amenity Committee
Friday 30 March 2018	<i>Good Friday</i>
<b>April 2018</b>	
Monday 2 April 2018	<i>Easter Monday</i>
Monday 2 – Friday 6 April 2018	<i>No Meetings – School Holidays</i>
Tuesday 17 April 2018	Planning and Amenity Committee
Tuesday 24 April 2018	Ordinary Meeting of Council
Wednesday 25 April 2018	<i>Anzac Day</i>

<b>May 2018</b>	
Tuesday 1 May 2018	Planning and Amenity Committee
Tuesday 15 May 2018	Planning and Amenity Committee
Tuesday 22 May 2018	Ordinary Meeting of Council
Tuesday 29 May 2018	Planning and Amenity Committee
<b>June 2018</b>	
Tuesday 5 June 2018	Councillor Briefing
Thursday 7 June 2018	Section 223 Hearing of Submissions for Budget and Council Plan
Tuesday 12 June 2018	Planning and Amenity Committee
Tuesday 19 June 2018	Ordinary Meeting of Council
<b>July 2018</b>	
Monday 9 – Friday 13 July 2018	<i>No meetings – School Holidays</i>
Tuesday 17 July 2018	Planning and Amenity Committee
Tuesday 24 July 2018	Ordinary Meeting of Council
<b>August 2018</b>	
Tuesday 14 August 2018	Planning and Amenity Committee
Tuesday 21 August 2018	Ordinary Meeting of Council
Tuesday 28 August 2018	Planning and Amenity Committee
<b>September 2018</b>	
Tuesday 11 September 2018	Planning and Amenity Committee
Tuesday 18 September 2018	Ordinary Meeting of Council
<b>October 2018</b>	
Monday 1 – Friday 5 October 2018	<i>No meetings – School Holidays</i>
Tuesday 16 October 2018	Planning and Amenity Committee
Tuesday 23 October 2018	Ordinary Meeting of Council
<b>November 2018</b>	
Thursday 8 November 2018	Annual Meeting of Council
Tuesday 13 November 2018	Planning and Amenity Committee
Tuesday 20 November 2018	Ordinary Meeting of Council
<b>December 2018</b>	
Monday 10 December 2018	Planning and Amenity Committee
Tuesday 18 December 2018	Ordinary Meeting of Council
Thursday 20 December 2018	Planning and Amenity Committee

2. That all Council and Committee Meetings (excluding Councillor Briefings and Strategic Issues Discussion) 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 meeting (excluding Councillor Briefings and Strategic Issues Discussion and Special Council or Committee meetings) commence at 7.00pm.
4. That Council review the frequency of the Planning and Amenity Committee at the May meeting cycle.

## **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** ..... as Council's representative to the Municipal Association of Victoria.

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

**Moved: Cr**

**Seconded: Cr**

That Council appoints the **Cr** ..... as Council's substitute representative to the Municipal Association of Victoria.

#### **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 **Cr** ..... as Council's representatives and the Director Environment, Recreation and Infrastructure or his delegate as Council's 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 Arts and Culture Advisory Committee**

**Moved: Cr**

**Seconded: Cr**

That Council appoints **Cr** ..... as Council's representatives to the Bayside Arts and Culture Advisory Committee for 2017/2018 Council year.

### **9.2.2 Bayside Tourism Network**

**Moved: Cr**

**Seconded: Cr**

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

### **9.2.3 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.