



Minutes of the Ordinary Meeting of Bayside City Council

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Tuesday 19 June 2018

The Meeting commenced at 7:00pm

PRESENT:

Cr Laurence Evans (Mayor)
Cr James Long BM JP
Cr Michael Heffernan
Cr Clarke Martin
Cr Sonia Castelli
Cr Rob Grinter

OFFICERS IN ATTENDANCE:

| | |
|----------------|---|
| Mick Cummins | Acting Chief Executive Officer |
| Hamish Reid | Director City Planning and Community Services |
| Steven White | Director Environment, Recreation and Infrastructure |
| Bill Shanahan | Acting Director Corporate Services |
| Karen Brown | Governance Coordinator |
| Mandy Bartlett | 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 Long to read the prayer.

1. Prayer

Cr Long 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 Grinter 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

It is recorded that at the 20 March 2018 Ordinary Meeting, Council granted Councillor del Porto a leave of absence for the period 20 April to 1 July 2018.

Moved: Cr Long

Seconded: Cr Grinter

That the apology from Cr del Porto be received and leave of absence granted.

CARRIED

4. Disclosure of any Conflict of Interest of any Councillor

There were no conflicts of interest submitted to the meeting.

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 22 May 2018.

Moved: Cr Martin

Seconded: Cr Long

That the minutes of the Ordinary meeting of Bayside City Council held on 22 May 2018, 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, 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 Brett Dennis (present in the Chamber)

Mr Dennis's first question relates to the Pennydale structure plan and he asks:

- a) Pennydale is not inside the Southland MAC according to all documentation on the subject. So why do Council staff persist with putting a residential area inside a MAC?
- b) If the draft Structure Plan for Pennydale is abandoned tonight, will the current GRZ1 and DD02 remain in place?

Response provided by the Mayor

- a) Council staff are recommending that Pennydale is not included in the Cheltenham-Southland Major Activity Centre.
- b) If it is abandoned, the Planning Scheme Amendment will not go ahead and the current Zone and Overlay will remain. These existing controls allow for developments up to 3 stories across Pennydale. The risk with abandoning the amendment is that development will occur based on market conditions, rather than according to an agreed plan. Broader strategies will be lost, such as new traffic infrastructure, increased setbacks and additional protection for large trees.

2. Mr Brett Dennis (present in the Chamber)

Mr Dennis's second question relates to the Bay Road railway crossing and he asks:

Could council staff please acknowledge that the walkway on Bay Road under the Frankston train line does not meet the disability act, as the path is both steep and too narrow for a wheelchair?

Response provided by the Acting Chief Executive Officer

An investigation is required to determine if the footpath at Bay Road beneath the Frankston railway line is accessible for wheelchair users. The footpath at this location will be assessed and the results, and any resulting actions, provided directly to Mr Dennis at the conclusion of the investigation.

3. Mr Peter Stuart-Murray (not present in the Chamber)

It is recorded that Mr Stuart-Murray was not present in the Chamber, and therefore his question relating to graffiti of council and private property was not read out.

4. Mr Nick Hodgman (not present in the Chamber)

Mr Hodgman's submission relates to the proposed Pennydale Structure Plan.

In accordance with Section 64 clauses 8 b and d of the Local Law this question will not be read out tonight.

5. Mr David Hopcraft (present in the Chamber)

Could you please explain the thinking behind the proposed bike lane for Jack Road? Currently when cars park on Jack Rd it becomes one lane only for traffic, do we do away with the one lane for traffic to allow a bike lane or will parking on Jack Rd be banned?

Response provided by the Acting Chief Executive Officer

Jack Road has been identified as a strategic bicycle route within the Pennydale area as it provides a connection between Bay Road and Park Road.

The presence of speed cushions along Jack Road means that it is well suited for cycling as the speed cushions assist in reducing vehicle speeds and help to establish a safer road environment for cyclists. Cyclists will share the road space with other road users.

There are no proposals to either remove a traffic lane or restrict parking along Jack Road.

6. Mr Russel Barnes (present in the Chamber)

The Biodiversity Action Plan refers to the improved mental and physical health and wellbeing from being outdoors in natural environments. However it makes no mention of the community benefits of companion dogs and the opportunity to walk and socialise with people in dog friendly areas.

The Save George Street As On Off Leash Area Petition (<https://chn.ge/2xlq64l>) is signed by nearly 400 people, demonstrating that the George Street Reserve is a very special place for the recreation of local ratepayers in the area.

- a) Does the council appreciate how important companion dogs are to so many people surrounding the George Street Reserve?
- b) The council is showing great concern for the flora and fauna of the bushland at George Street Reserve, but why has the council not given greater weighting to community mental and physical wellbeing in developing the Biodiversity Action Plan?

Response provided by the Mayor

- a) Council appreciates the benefits of pet ownership. There is a designated dog off-leash area at Merindah Park within a short walking distance of George Street Reserve.
- b) The Biodiversity Action Plan has been prepared to address specific goals:
 - biodiversity conservation and protection; and
 - managing threatening processes.

Conservation Reserves only make up 18% of public open space within Bayside and protect regionally significant flora. Dogs will still be able to walk through George Street Reserve with their owners, provided they are on-leash.

Council recently endorsed the Wellbeing for All Ages and Abilities Strategy 2017-2021 which responds to the community's wellbeing needs.

7. Mrs Julie Andrews (present in the Chamber)

In regards to George street reserve, is Council certain that the Northern boundary of this reserve is as outlined in the Biodiversity Action Plan maps?

Response provided by the Mayor

Attachment 4 of the Council report represents the area of George Street Reserve.

The George Street Reserve Native Vegetation Works area was established by botanical and ecological experts and aims to increase regeneration of indigenous vegetation.

Proposed dog controls within the Biodiversity Action Plan are designed to protect key ecological vegetation classifications and habitat zones identified in the Native Vegetation Works area.

8. Mr Kevin Spencer (present in the Chamber)

Bayside Council has recently introduced a shrink your bin initiative with a statement that to move to a small bin is focussing on food waste whereby over half the bin waste is food waste, of which I find to be arguable unbelievable.

- a) What is the estimated cost to council for all the new bins (80 Litre) the payout of \$78 Dollar to each property owner, and disposal of the used 140 Litre bins?
- b) Would it not be practicable and less costly to retain the larger bin (140 Litre Bin) and have a fortnightly pickup service?

Response provided by the Mayor

- a) The cost to Council for residents to change over to the smaller 80 litre bin, including the costs of recycling the used 140L bin, is \$52.55 per bin.
- b) It is not practical to change to a fortnightly collection service at this time because Council has long term contracts in place for garbage collection services based on the current weekly collection schedule. A change in service frequency to a fortnightly service would have a considerable financial impact for Council.

9. Mr Kevin Spencer (present in the Chamber)

- a) Why does council continue to display the Community's works of art in an unsuitable environment, the council corporate centre, of which is no place for a Visual Arts gallery.
- b) Would council give serious consideration to the building of a purpose built Art Gallery on the south/west grounds of councils Billilla mansion to accommodate the cities collection of art works?

Response provided by the Acting Chief Executive Officer

The Bayside Arts and Cultural Heritage Collection is an asset that belongs to the community and as such Council aims to maximise opportunities for the community to view items from the collection. We plan to increase the use of the Corporate Centre foyer to display items from the collection as it is highly visited, always staffed during opening hours and offers a secure, publically accessible venue. Council has a Gallery at the Brighton Town Hall. Recent research did not reveal any community demand for another gallery.

10. Ms Lisa Wadham (present in the Chamber)

Regarding Item 10.12 of Council Agenda and specifically the proposal for George Street Reserve, recommendation 37 of the Draft Biodiversity Action Plan:

- a) Can Council please confirm that there is no predetermined agenda within Council Offices at Royal Avenue regarding on/off leash areas for dogs or presence of dog areas?
- b) Has the process surrounding the George Street Reserve recommendation been open and transparent?

Response provided by the Mayor

- a) Council can confirm there is no predetermined agenda regarding on/off leash areas for dogs or the presence of dog areas.
- b) Following preparation of the draft Biodiversity Action Plan, the draft was released as an exposure draft on Council's Have your Say page from 30 April, and also distributed via Council's social media pages (Facebook posts) on 3 May, 10 May, 21 May, and 25 May.

Two advertisements were also published in the Bayside Leader on 8 May and 15 May.

Due to a delay on installation of onsite signage (from the signage contractor) at George Street Reserve, the consultation period was extended by a further week until Sunday 27 May.

11. Mr Adam Bunny (present in the Chamber)

In regard to Item 10.12 Draft Bayside Biodiversity Action Plan and specifically, the proposal for George Street Reserve:

- a) Does Council agree that any change to the George Street Reserve on-leash laws needs to be based on current and conclusive science?
- b) Why is the dog on-leash proposal at George Street Reserve (relatively low 27% biodiversity score, majority fencing, and enormous value as a social human resource) being included within the context of an otherwise sensible Biodiversity Strategy, and in isolation of the other Bayside City Council human welfare strategies?

Response provided by the Mayor

- a) The BAP was prepared in conjunction with Ecology Australia (independent ecological consultants). Proposed actions are based on current research.

Attachment 3 in the Council report summarises the current science outcomes regarding the impacts of domestic dogs on wildlife and bushland areas. There are over 75 publications from scientific literature from across the world, all of which conclude that the "evidence that dogs negatively impact wildlife is overwhelming."

- b) The Biodiversity Action Plan has been prepared to address specific goals for preserving biodiversity within Bayside, including:

- biodiversity conservation and protection; and
- managing threatening processes.

Council recognises the importance of community mental health and wellbeing with its recently endorsed Wellbeing for All Ages and Abilities Strategy 2017-2021.



7. Petitions to Council

7.1 PETITION - LEASING POLICY CHANGE FOR BAYSIDE CITY COUNCIL

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/133074

Petition from residents requesting amendments to the revised Leasing Policy. (10 signatories).

“We the undersigned hereby petition Bayside City Council to amend the revised Leasing Policy to provide that when a commercial premises becomes vacant or at the expiry of the term of commercial lease, the occupation of Council’s commercial premises, in certain circumstances, may be subject to direct negotiations with an incumbent tenant provided that the process is fair, open and impartial.”

Petition Requirements

The submitted petition containing 10 signatories meets the required format of a petition in accordance with Council’s Governance Local Law No: 1, Clause 65.

Officer Comment

The petition relates to end of lease negotiation with commercial tenants. An amendment is proposed to the policy to allow Council, at its absolute discretion, to negotiate with an existing tenant at end of lease.

Moved: Cr Grinter

Seconded: Cr Martin

That the petition be considered in conjunction with Item 10.7 (Lease and Licence Policy) of this agenda.

CARRIED

8. Minutes of Advisory Committees

Nil

9. Reports by Special Committees

9.1 MINUTES OF THE BAYSIDE ARTS BOARD MEETING HELD ON 30 MAY 2018

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/126309

Moved: Cr Castelli

Seconded: Cr Long

That Council:

1. notes the minutes of the Bayside Arts Board meeting held on 30 May 2018;
2. adopts the following recommendations of the Bayside Arts Board meeting of 30 May 2018:

Item 6.6 Visual Arts Program

The Bayside Arts Board recommends to Council that the Artrium program in its present form be discontinued, and be replaced with a program of exhibitions developed for the Corporate Centre by the Curator which is approved by the Bayside Arts Board on an annual basis.

CARRIED

9.2 MINUTES OF A SPECIAL COMMITTEE TO HEAR SUBMISSIONS IN RELATION TO THE (2018 REVIEW) OF THE COUNCIL PLAN 2017-2021 AND PROPOSED STRATEGIC RESOURCE PLAN 2018/19 - 2021/22 HELD ON 7 JUNE 2018

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/131792

Moved: Cr Long

Seconded: Cr Heffernan

That Council notes the Minutes of the Special Committee of Council held on 7 June 2018 to hear submissions in relation to the 2018 Review of the 2017-2021 Council Plan, and the Strategic Resource Plan 2017/18 – 2021/22.

CARRIED

9.3 MINUTES OF A SPECIAL COMMITTEE TO HEAR SUBMISSIONS IN RELATION TO THE PROPOSED BUDGET 2018/2019.

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/131853

Moved: Cr Long

Seconded: Cr Castelli

That Council notes the Minutes of the Special Committee of Council held on 7 June 2018 to hear submissions in relation to the proposed Budget 2018-2019.

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 10.4 Draft Southland-Pennydale Structure Plan: Survey Results and Next Steps

- | | |
|-----------------------|--------------------------|
| 1. Mr Jeremy Hewett | 8. Ms Patricia Smyth |
| 2. Mr Andrew Rumbelow | 9. Mrs Sally-Anne Kearns |
| 3. Mr Bruce Anderson | 10. Ms Simone Boileau |
| 4. Dr Robert Saunders | 11. Mr Brett Dennis |
| 5. Mr Derek Screen | 12. Mr Michael Doensen |
| 6. Dr Daniel Czech | 13. Mr Fraser Gibson |
| 7. Ms Johanna Ryan | 14. Mr Greg Scott |

Item 10.5 Notice of Motion 271 – Elsternwick Park South Ovals 3 and 4

1. Mr Michael Nugent
2. Dr Jo Samuel-King
3. Mr Marcus Gwynne
4. Ms Georgina Scott
5. Mr Ian Thomas

Item 10.6 Seasonal Sports Infrastructure Contributions Framework

1. Mr Michael Nugent

Item 10.7 Lease and Licence Policy

1. Mr Brenton Hockley
2. Mr Robert De Nardis
3. Mr Kim Ny

Item 10.8 Black and Well Street Car Park Feasibility Study

1. Mr Keiran Cromie

Item 10.9 Notice of Motion 269 – Flashing Lights at New Street and Bent Aveue Roundabout

1. Mr Michael Nugent



Item 10.12 Draft Bayside Biodiversity Action Plan

- | | | | |
|-----|-------------------------------|-----|-----------------------|
| 1. | Mr Adam Bunny | 16. | Dr Robert Saunders |
| 2. | Ms Lisa Wadham | 17. | Miss Elise Wade |
| 3. | Mr Ian Wadham | 18. | Ms Renata Sajko |
| 4. | Mr John Douglas | 19. | Mr Sankar Subramanian |
| 5. | Mrs Sandi Harwood | 20. | Mrs Inge Jabara |
| 6. | Ms Cathy Scott | 21. | Mr Barry Purcell |
| 7. | Mr Russel Barnes | 22. | Ms Annette Butterss |
| 8. | Ms Mitzi Mann | 23. | Mr Glenn Harwood |
| 9. | Mr David Lea | 24. | Mr John Amiet |
| 10. | Mrs Julie Andrews | 25. | Mr Timm Kurth |
| 11. | Mrs Samantha Pugh- Markham | 26. | Mr Fraser Gibson |
| 12. | Mrs Bronwen Casey | 27. | Ms Jackie Watt |
| 13. | Mrs Kate Mularczyk | 28. | Mr William Blanchard |
| 14. | Mrs Elspeth Black | 29. | Mr Michael Norris |
| 15. | Dr Tim Beard | 30. | Ms Pauline Reynolds |

Item 10.13 Refugee Welcome Zones

1. Mrs Judith Caroll

Item 10.19 Amendment C150 – Retail, Commercial and Employment Strategy 2016

1. Mr Andrew Rumbelow
2. Mr Frank Perry
3. Mr Derek Screen
4. Ms Joanna Kenny

10.1 ADOPTION OF THE COUNCIL PLAN 2017-2021 (2018 REVIEW) AND THE STRATEGIC RESOURCE PLAN 2018-2022

CEO - Strategy and Performance
File No: PSF/18/107 – Doc No: DOC/18/119193

It is recorded that there were no speakers for this item.

Moved: Cr Castelli

Seconded: Cr Heffernan

That Council:

1. having considered the submissions received in accordance with Section 223 of the Local Government Act 1989 in relation to the Council Plan 2017-2021(2018 Review) and the Strategic Resource Plan 2018-2022, adopts:
 - a) The Council Plan 2017-2021 (2018 Review) incorporating changes as outlined in the report specifically relating to the strategic indicators; and
 - b) The Strategic Resource Plan 2018-2022 incorporating the changes as outlined in the report specifically relating to the allocation of funding for netball courts from the 2020/21 to 2019/20 capital program;
2. forwards to the Minister of Local Government a copy of the Council Plan 2017-2021 (2018 Review) and the Strategic Resource Plan 2018-2022 by 30 June 2018 in accordance with legislative requirements; and
3. thanks and advises submitters of the reasons for the adoption of the Council Plan 2017-2021 (2018 Review) and Strategic Resource Plan 2018-2022.

CARRIED

10.2 ADOPTION OF THE 2018/19 BUDGET AND LONG TERM FINANCIAL PLAN

Corporate Services - Corporate Services
File No: PSF/15/8759 – Doc No: DOC/18/125108

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Martin

That Council:

- 1) having considered submissions received pursuant to Section 223 of the Local Government Act 1989, adopts the 2018/19 Budget (as attached) for the financial year ending 30 June 2019.
- 2) gives public notice of its decision to adopt the Budget in accordance with Section 130 of the Local Government act 1989;
- 3) forwards a copy of the 2018/19 Budget to the Minister in accordance with the Local Government act 1989;
- 4) thanks the submitters for their submissions and advise of the reason for the adoption of the 2018/19 Budget;
- 5) adopts the Long Term Financial Plan 2018/19 – 2027/28;
- 6) adopts the Schedule of Discretionary Fees and Charges attached to the 2018/19 Budget

CARRIED

10.3 DECLARATION OF RATES AND CHARGES

Corporate Services - Finance
File No: PSF/18/102 – Doc No: DOC/18/123364

It is recorded that there were no speakers for this item.

Moved: Cr Heffernan

Seconded: Cr Long

That Council formally declare the Rates and Charges for the 2018/19 Rating Year as follows:

1. Amount Intended To be Raised

That an amount of \$95,172,151 be declared as the amount which Council intends to raise by General Rates, Municipal Charge, Annual Service Charge and an amount in lieu of General Rates (in accordance with the Cultural and Recreational Lands Act 1963) described later in this Resolution, which amount is calculated as follows:

| | |
|--|---------------------|
| General Rates | \$74,160,052 |
| Municipal Charge | \$6,829,272 |
| Annual Service Charge (Waste) | \$13,837,517 |
| Amount in lieu of General Rates in accordance with Cultural and Recreational Lands Act | \$345,310 |
| TOTAL | \$95,172,151 |

2. General Rates

- 2.1** That a General Rate be applied at a uniform rate of 0.108240 cents for each dollar of Capital Improved Value be declared in respect of the 2018/19 Financial Year.
- 2.2** That in accordance with the *Cultural and Recreational Lands Act 1963*, the amounts payable as rates be the amounts set out in the attached "Cultural and



Recreational Lands Summary” in respect of the 2018/19 Financial Year for all land to which that Act applies.

3. Municipal Charge

- 3.1 That a Municipal Charge is declared in respect of the 2018/19 Financial Year.
- 3.2 That the Municipal Charge is declared for the purpose of covering some of the administrative costs of Council.
- 3.3 That a Municipal Charge in the sum of \$151.06 for each rateable land (or part thereof) in respect of which a municipal charge may be levied is declared in respect to the 2018/19 financial year.
- 3.4 That it is confirmed that the Municipal Charge is declared in respect of all rateable land within the municipal district in respect of which a Municipal Charge may be levied.

4. Annual Service Charges

- 4.1 That pursuant to the provisions of Section 162 of the *Local Government Act 1989* an Annual Service Charge relating to Waste Management be declared for each rateable property:
 - 4.1.1 The Annual Service Charge is charged on each rateable property (excluding Advertising Signs, Electricity Substations, Telecommunication Towers and Bathing Boxes) in the sum of \$324.55 for a 140-litre mobile garbage bin or \$246.50 for a 80-litre mobile garbage bin or \$246.50 for a shared 140-litre mobile garbage bin.
 - 4.1.2 That an amount of \$67.58 be charged as a waste contribution if no waste service is available.
 - 4.1.3 That an amount of \$67.58 be charged as a waste availability service charge where no waste service is provided by Council but such a service is available.
 - 4.1.4 That an amount of \$232.82 be charged for the second waste bin on each rateable property.
 - 4.1.5 That an amount of \$481.52 be charged for the third or subsequent waste bin on each rateable property.
 - 4.1.6 That an amount of \$85.74 be charged for the second or subsequent recycling bin on each rateable property.
 - 4.1.7 That an amount of \$99.10 be charged for the second or subsequent green waste bin on each rateable property.
 - 4.1.8 The Annual Service Charge is declared in respect of the 2018/19 Financial Year.



- 4.2 That pursuant to the provisions of Section 221 of the *Local Government Act 1989* an Annual Service Charge relating to Waste Management is declared on each non-rateable property where the service is provided:
- 4.2.1 The Annual Service Charge is levied on each non-rateable property in the sum of \$324.55 for a 140-litre mobile garbage bin or \$246.50 for a 80-litre mobile garbage bin.
- 4.2.2 That an amount of \$232.82 be charged for the second waste bin on each non-rateable property.
- 4.2.3 That an amount of \$481.52 be charged for the third or subsequent waste bin on each non-rateable property.
- 4.2.4 That an amount of \$85.74 be charged for the second or subsequent recycling bin on each non-rateable property, or the first recycling bin if no waste bin is provided.
- 4.2.5 That an amount of \$99.10 be charged for the second or subsequent green waste bin on each non-rateable property, or the first green waste bin if no waste bin is provided.
- 4.2.6 The Annual Service Charge is declared in respect of the 2018/19 Financial Year.

5. Incentives

An incentive is given at the rate of 1.1 percent discount in relation to the total amount payable for the sum of the Rates, Municipal Charge and Annual Service Charges if full payment is received by 31 August 2018.

6. Rate Payments

- 6.1 Rates are payable in four instalments due by 30 September 2018, 30 November 2018, 28 February 2019 and 31 May 2019.
- 6.2 Where no instalment has been paid by 30 September 2018, rates are due in a lump sum and payable by 15 February 2019.

7. Consequential

- 7.1 It be recorded that Council requires any person to pay interest on any amounts of rates and charges which:
- That person is liable to pay; and
 - Have not been paid by the date specified for their payment
- 7.2 The Revenue Coordinator is authorised to levy and recover the rates, municipal and annual service charges and interest described earlier in this Resolution in accordance with the Local Government Act 1989.

CARRIED

10.4 DRAFT SOUTHLAND-PENNYDALE STRUCTURE PLAN: SURVEY RESULTS AND NEXT STEPS

City Planning & Community Services - Urban Strategy
File No: PSF/16/3649 – Doc No: DOC/18/115967

It is recorded that Mr Jeremy Hewett, Mr Andrew Rumbelow, Mr Bruce Anderson, Dr Robert Saunders, Mr Derek Screen, Dr Daniel Czech, Ms Johanna Ryan, Ms Patricia Smyth, Mrs Sally-Anne Kearns, Ms Simone Boileau, Mr Brett Dennis, Mr Michael Doensen, Mr Fraser Gibson, and Mr Greg Scott spoke for three minutes each on this item.

Moved: Cr Long

Seconded: Cr Castelli

That Council:

1. Defers the Adoption of the Pennydale Structure Plan for a period of three months to:
 - a. Clarify and where appropriate refine the Draft Structure Plan recommendations in consultation with members of the Pennydale Action Group;
 - b. Allow a period for further community engagement to seek feedback from the broader Pennydale Community on any material changes to the Draft Structure Plan; and
 - c. Review the outcomes of the broader community engagement and present the revised Draft Structure Plan to Council at the 18 September 2018, Ordinary meeting of Council.

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

DIVISION: **FOR:** Crs Laurence Evans (Mayor), James Long, Michael Heffernan, Clarke Martin, Sonia Castelli and Rob Grinter (6)
AGAINST: Nil (0)

CARRIED

10.6 SEASONAL SPORTS INFRASTRUCTURE CONTRIBUTIONS FRAMEWORK

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/18/106 – Doc No: DOC/18/123635

It is recorded that Mr Michael Nugent spoke for three minutes on this item.

Moved: Cr Grinter

Seconded: Cr Martin

That Council defer adoption of the Seasonal Sports Club Infrastructure Contributions Framework pending the completion of the 5 year review of Council's Sportsground Pavilion Improvement Plan.

CARRIED

10.7 LEASE AND LICENCE POLICY

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/128662

It is recorded that Mr Brenton Hockley, Mr Robert De Nardis, and Mr Kim Ny spoke three minutes each on this item.

Moved: Cr Martin

Seconded: Cr Castelli

That Council adopts the Lease and Licence Policy as contained in Attachment 1.

CARRIED

10.8 BLACK AND WELL STREET CAR PARK FEASIBILITY STUDY

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/128032

It is recorded that Mr Keiran Cromie spoke for three minutes on this item.

Moved: Cr Heffernan

Seconded: Cr Grinter

That Council:

1. Commences a community consultation process on the options for the development of additional car parking in the Church Street Major Activity Centre (MAC);
2. Undertakes a parking study of the Church Street MAC to inform the amount of additional car parking required in the area; and
3. Receives a further report at the October 2018 Ordinary Meeting of Council on the outcomes of the consultation and parking investigation.

CARRIED

10.9 NOTICE OF MOTION - 269 - FLASHING LIGHTS AT NEW STREET AND BENT AVENUE ROUNDABOUT

Environment, Recreation & Infrastructure - Sustainability & Transport
File No: FOL/18/6 – Doc No: DOC/18/129109

It is recorded that Mr Michael Nugent spoke for three minutes on this item.

Moved: Cr Castelli

Seconded: Cr Heffernan

That Council notes the safety assessment and does not install or pursue VicRoads to install pedestrian crossings at the New Street and Bent Avenue roundabout at this time.

CARRIED

10.10 MAJOR ACTIVITY CENTRE STRUCTURE PLAN REVIEW - IMPLEMENTATION UPDATE

City Planning & Community Services - Urban Strategy
File No: PSF/18/109 – Doc No: DOC/18/130161

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Martin

That Council:

1. Notes the revised approach to implementation of the Structure Plan Reviews;
2. Notes the revised approach to advocating for its built form and urban design outcomes;
and
3. Commences a planning scheme amendment to correct identified anomalies and seek authorisation from the Minister for Planning.

CARRIED

10.11 INTEGRATED TRANSPORT STRATEGY 2018 - 2028

Environment, Recreation & Infrastructure - Sustainability & Transport
File No: PSF/18/108 – Doc No: DOC/18/122584

It is recorded that there were no speakers for this item.

Moved: Cr Martin

Seconded: Cr Long

That Council:

1. Adopts the Integrated Transport Strategy 2018 – 2028, contained in Attachment 1;
2. Receives a report on the annual progress of the implementation of the Integrated Transport Strategy 2018 – 2028 at the conclusion of each financial year;
3. Notes that the Bayside Public Transport Advocacy (2016) will not be reviewed or updated as advocacy actions are included in the Integrated Transport Strategy 2018; and
4. Thanks all stakeholders and community members for their valuable input and feedback which has informed the finalisation of this document.

CARRIED

10.12 DRAFT BAYSIDE BIODIVERSITY ACTION PLAN

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/18/106 – Doc No: DOC/18/93967

*Councillor Grinter left the Meeting at 10:06 pm
Councillor Grinter returned to the Meeting at 10:09 pm*

*Councillor Heffernan left the Meeting at 10:21 pm
Councillor Heffernan returned to the Meeting at 10:27 pm*

It is recorded that Mr Adam Bunny, Ms Lisa Wadham, Mr Ian Wadham, Mr John Douglas, Mrs Sandi Harwood, Ms Cathy Scott, Mr Russel Barnes, Ms Mitzi Mann, Mr David Lea, Mrs Julie Andrews, Mrs Samantha Pugh-Markham, Mrs Bronwen Casey, Mrs Kate Mularczyk, Mrs Elspeth Black, Dr Robert Saunders, Miss Elise Wade, Ms Renata Sajko, Mr Sankar Subramanian, Mrs Inge Jabara, Mr Barry Purcell, Ms Annette Butterss, Mr Glenn Harwood, Mr John Amiet, Mr Timm Kurth, Mr Fraser Gibson, Ms Jackie Watt, Mr William Blanchard, Mr Michael Norris, and Ms Pauline Reynolds spoke for three minutes each on this item.

Moved: Cr Martin

Seconded: Cr Heffernan

That the Ordinary Meeting of Council be extended for 30 minutes to conclude at 11:30pm.

CARRIED

It is recorded that the Meeting was extended for a period of 30 minutes at 10:50pm.

Procedural Motion

Moved: Cr Long

Seconded: Cr Grinter

That the meeting be adjourned at 11:27pm to be re-convened at 7:00pm on Wednesday 20 June 2018 to consider the remainder of items listed on the agenda.

CARRIED

It is recorded that the Ordinary Meeting of Council was adjourned at 11.27pm to be reconvened at 7.00pm on Wednesday 20 June 2018.



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

RE-CONVENED MEETING

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Wednesday 20 June 2018

It is recorded that Council at its meeting held on Tuesday 19 June 2018 resolved to adjourn the Ordinary Meeting of Council at 11.27pm to be reconvened on Wednesday 20 June 2018 at 7.00pm.

PRESENT:

Cr Laurence Evans (Mayor)
Cr James Long BM JP
Cr Michael Heffernan
Cr Clarke Martin
Cr Sonia Castelli
Cr Rob Grinter

OFFICERS IN ATTENDANCE:

| | |
|---------------|---|
| Mick Cummins | Acting Chief Executive Officer |
| Hamish Reid | Director City Planning and Community Services |
| Steven White | Director Environment, Recreation and Infrastructure |
| Bill Shanahan | Acting Director Corporate Services |
| Terry Callant | Governance Manager |
| Karen Brown | Governance Coordinator |

Procedural Motion**Moved: Cr Long****Seconded: Cr Castelli**

That the Adjourned Ordinary Meeting of Council be re-convened.

CARRIED

It is recorded that the Ordinary Meeting of Council was re-convened at 7:00pm on 20 June 2018.

11. Apologies

It is recorded that at the 20 March 2018 Ordinary Meeting, Council granted Councillor del Porto a leave of absence for the period 20 April to 1 July 2018.

12. Disclosure of any Conflict of Interest of any Councillor

There were no conflicts of interest submitted to the meeting.

It is recorded that the following listed items were not considered at the Ordinary Meeting of Council held on 19 June 2018 and accordingly Council resolved to adjourn the meeting and reconvene the meeting at 7.00pm on Wednesday 20 June 2018 to consider the remainder of items:

- 10.12 Draft Bayside Biodiversity Action Plan
- 10.13 Refugee Welcome Zones
- 10.14 Improving Housing Affordability and Social Housing Options in Bayside - Advocacy Action Plan
- 10.15 April 2018 Financial Report
- 10.16 The Affordable Housing Development Summit
- 10.17 Building Inclusive Communities Funding Update
- 10.18 Cultural and Recreational Land - Bodley Street tennis Centre

- 10.19 Amendment C150 - Retail, Commercial and Employment Strategy 2016
- 10.20 Review of Temporary Advertising Signs on Recreation Reserves Policy
- 10.21 Property Strategy 2018-21
- 10.22 Digital Transformation Strategy 2018-2021
- 10.23 Review of frequency of Planning and Amenity Committee Meetings
- 10.24 Governance Charter
- 10.25 Risk Policy Update
- 10.26 Customer Experience Policy
- 10.27 Annual Procurement Policy review
- 10.28 Building and Infrastructure Maintenance Service Review
- 10.29 CONTRACT CON/18/36 Retail Electricity, Natural Gas, Public Lighting and Associated Services
- 10.30 Enterprise Telephony System - CON/17/122
- 10.31 Council Action Awaiting Report
- 11. Reports by Delegates
- 12. Urgent Business
- 13. Notices of Motion
- 14.1 Beaumaris Sports Club Loan Guarantee Update
- 14.2 Sandringham Golf Driving Range



Commencement of the re-convened Ordinary Meeting of Council at 7.00pm on Wednesday 20 June 2018.

10.12 DRAFT BAYSIDE BIODIVERSITY ACTION PLAN

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/18/106 – Doc No: DOC/18/93967

Wednesday 20 June 2018 at 7.00pm

It is recorded that the reconvened meeting re-commenced at item 10.12 with one remaining speaker.

Ms Inga Jabara spoke for three minutes in relation to this item.

Moved Cr Martin

Seconded Cr Heffernan

That Council:

1. Notes the outcomes of community consultation relating to the Bayside Biodiversity Action Plan 2018-27
2. Adopts the Bayside Biodiversity Action Plan 2018-27, as set out in Attachment 1 with the following amendment:
 - a) retains the existing dog off-leash areas at George Street Reserve;
3. Authorises the Director Environment Recreation and Infrastructure to make the necessary administrative amendments to the Bayside Biodiversity Action Plan 2018-27;
4. Rescinds the Bushland Strategy 2002, as set out in Attachment 6; and
5. Rescinds the Ecological Burn and Post-Burn Bushland Management Policy 2011, as set out in Attachment 7.

CARRIED

10.13 REFUGEE WELCOME ZONES

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/18/106 – Doc No: DOC/18/102586

It is recorded that Mrs Judith Carroll spoke for three minutes in relation to this item..

Moved: Cr Martin

Seconded: Cr Grinter

That Council signs the Refugee Welcome Zone Declaration (Attachment 1) making the City of Bayside a Refugee Welcome Zone.

CARRIED

**10.14 IMPROVING HOUSING AFFORDABILITY AND SOCIAL HOUSING
OPTIONS IN BAYSIDE - ADVOCACY ACTION PLAN**

City Planning & Community Services - Urban Strategy
File No: PSF/18/109 – Doc No: DOC/18/133569

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

1. Adopts the Draft Advocacy Action Plan and commences its implementation.

CARRIED

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

10.15 APRIL 2018 FINANCIAL REPORT

Corporate Services - Finance
File No: PSF/15/8759 – Doc No: DOC/18/121729

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council notes the operating and capital financial report for ten months to 30 April 2018.

CARRIED

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

10.16 THE AFFORDABLE HOUSING DEVELOPMENT SUMMIT

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/128057

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council approve the attendance of Cr Alex del Porto at the 5th Annual Affordable Housing Development Summit and Build-to-rent forum to be held in Melbourne from 29 to 30 August, 2018.

CARRIED

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

10.17 BUILDING INCLUSIVE COMMUNITIES FUNDING UPDATE

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/18/106 – Doc No: DOC/18/97956

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council receives a further report no later than 30 June 2019, with options for Council's ongoing role in relation to disability inclusion, advocacy and planning beyond the cessation of the Building Inclusive Communities funding in June 2019.

CARRIED

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

10.18 CULTURAL AND RECREATIONAL LAND - BODLEY STREET TENNIS CENTRE

Corporate Services - Finance
File No: PSF/18/102 – Doc No: DOC/18/121279

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council declare that the site known as the Bodley Street Tennis Centre Beaumaris be levied \$914.10 under the Cultural and Recreational Land Act 1963 for the period from 1 April 2018 to 30 June 2018 .

CARRIED

NOTE: Item 10.18 was **CARRIED** as part of a block motion.

10.19 AMENDMENT C150 - RETAIL, COMMERCIAL AND EMPLOYMENT STRATEGY 2016

City Planning & Community Services - Urban Strategy
File No: PSF/18/109 – Doc No: DOC/18/121650

It is recorded that Mr Andrew Rumbelow, Mr Frank Perry, Mr Derek Screen and Ms Joanna Kenny spoke for three minutes each on this item.

Moved: Cr Long

Seconded: Cr Grinter

That Council defer the consideration of Amendment C150 for one meeting cycle to enable further discussion concerning the Laminex site in Cheltenham.

CARRIED

10.20 REVIEW OF TEMPORARY ADVERTISING SIGNS ON RECREATION RESERVES POLICY

City Planning & Community Services - Urban Strategy
File No: PSF/18/109 – Doc No: DOC/18/117786

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

1. Commences a planning scheme amendment to add its additional sportsgrounds and recreation facilities to the Incorporated Document;
2. Undertakes process mapping to ensure that the roles of Council departments are clear and ensure compliance is regularly monitored.
3. Investigates the option of designating particular locations in reserves for the display of temporary advertising signs.

CARRIED

NOTE: Item 10.20 was **CARRIED** as part of a block motion.

10.21 PROPERTY STRATEGY 2018-21

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/128501

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council adopts the Property Strategy 2018 contained in Attachment 1.

CARRIED

NOTE: Item 10.21 was **CARRIED** as part of a block motion.

10.22 DIGITAL TRANSFORMATION STRATEGY 2018-2021

Communications, Customer & Cultural Services - Customer Experience
File No: FOL/17/4305 – Doc No: DOC/18/131578

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council adopt the Digital Transformation Strategy 2018-2021, as contained in Attachment 1.

CARRIED

NOTE: Item 10.22 was **CARRIED** as part of a block motion.

10.23 REVIEW OF FREQUENCY OF PLANNING AND AMENITY COMMITTEE MEETINGS

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/126156

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council adopts the revised meeting schedule from June 2018 to December 2018, noting the changes to the frequency of the Planning and Amenity Committee meetings.

CARRIED

NOTE: Item 10.23 was **CARRIED** as part of a block motion.

10.24 GOVERNANCE CHARTER

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/128089

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council adopts the Governance Charter as contained in Attachment 1 to this report; and the Governance Charter be place on Council's website.

CARRIED

NOTE: Item 10.24 was **CARRIED** as part of a block motion.

10.25 RISK POLICY UPDATE

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/128166

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council adopts the Risk Management Policy as contained in Attachment 1.

CARRIED

NOTE: Item 10.25 was **CARRIED** as part of a block motion.

10.26 CUSTOMER EXPERIENCE POLICY

Communications, Customer & Cultural Services - Customer Experience
File No: FOL/17/4304 – Doc No: DOC/18/131501

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

1. Rescinds the Customer Focus Policy; and
2. Adopts the Customer Experience Policy.

CARRIED

NOTE: Item 10.26 was **CARRIED** as part of a block motion.

10.27 ANNUAL PROCUREMENT POLICY REVIEW

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/130298

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council adopts the amended Procurement Policy contained in Attachment 1.

CARRIED

NOTE: Item 10.27 was **CARRIED** as part of a block motion.

10.28 BUILDING AND INFRASTRUCTURE MAINTENANCE SERVICE REVIEW

Environment, Recreation & Infrastructure - City Assets & Projects
File No: PSF/18/97 – Doc No: DOC/18/121838

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council adopts the Building and Infrastructure Maintenance Service Review recommendations contained in Attachment 1.

CARRIED

NOTE: Item 10.28 was **CARRIED** as part of a block motion.

10.29 CONTRACT CON/18/36 RETAIL ELECTRICITY, NATURAL GAS, PUBLIC LIGHTING AND ASSOCIATED SERVICES

Environment, Recreation & Infrastructure - City Assets & Projects
File No: PSF/18/97 – Doc No: DOC/18/116791

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

1. awards a contract for Retail Electricity, Natural Gas, Public Lighting and Associated Services for a period commencing 1 July 2018 and ending 30 June 2020 in accordance with Procurement Australia's Contract 2106/0634; and
2. authorises the Acting Chief Executive Officer to sign all necessary contract agreements with AGL and Origin Energy for Retail Electricity, Natural Gas, Public Lighting and Associated Services.

CARRIED

NOTE: Item 10.29 was **CARRIED** as part of a block motion.

10.30 ENTERPRISE TELEPHONY SYSTEM - CON/17/122

Corporate Services - Information Services
File No: PSF/18/105 – Doc No: DOC/18/130092

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

1. Award Contract No: CON/17/122 for the replacement of the Enterprise Telephony System to Tie Networks Pty Ltd, for a lump sum price of \$695,201 (Including GST)
2. Authorises the Chief Executive Officer to sign all necessary contract documentation relating to the awarding of Contract 17/122.

CARRIED

NOTE: Item 10.30 was **CARRIED** as part of a block motion.

10.31 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/128046

It is recorded that there were no speakers for this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council notes the Council Action Awaiting Report.

CARRIED

NOTE: Item 10.31 was **CARRIED** as part of a block motion.

13. Reports by Delegates

1. **Association of Bayside Municipalities** – The Mayor Cr Laurence Evans advised that the proposed meeting did not take place given prior commitment of the members of the Association and a quorum could not be reached.
2. **MAV Environment Committee** – Director Environment, Recreation and Infrastructure Services – indicated that a meeting had been held since the last update.
3. **Metropolitan Transport Forum** – Cr Clarke Martin – advised the meeting that the Transport Forum is conducting a series of forum of which the first one commences next week in Frankston. The purpose of the forums is to highlight to members of parliament the issues associated with public transports particularly the bus network. Cr Martin encouraged all Councillors to attend at least one of the forums to be held over the next few months.
4. **Municipal Association of Victoria** – Cr Alex del Porto – The Governance Manager indicated that there has not been a meeting of the Association since the State Council Meeting held in May.
5. **Inner South Metropolitan Mayors' Forum** – The Mayor Cr Laurence Evans – indicated that the ISMMF have not met since the previous meeting.
6. **Metropolitan Local Government Waste Forum** – Cr Michael Heffernan – advised the meeting that there has not been a meeting since the previous meeting.

Moved Cr Long

Seconded Cr Grinter

That the Councillors' report be received and noted.

CARRIED

14. Urgent Business

There were no items of urgent business submitted to the meeting.

15. Notices of Motion

There were no Notices of Motion submitted to the meeting.

16. Confidential Business

Moved: Cr Long

Seconded: Cr Castelli

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 BEAUMARIS SPORTS CLUB LOAN GUARANTEE UPDATE

(LGA 1989 Section 89(2)(h) matters which the Council considers would prejudice the Council or any person.)

14.2 SANDRINGHAM GOLF DRIVING RANGE

(LGA 1989 Section 89(2)(d) and (h) contractual matters and matters which the Council considers would prejudice the Council or any person.)

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 8.35pm.

CONFIRMED THIS INSERT 24 DAY OF JULY 2018

CHAIRPERSON:

