



Minutes of the Ordinary Meeting of Bayside City Council

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Tuesday 24 April 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
Terry Callant	Governance Manager
Karen Brown	Governance Coordinator

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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 Castelli to read the prayer.

1. Prayer

Cr Castelli 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

It is recorded that Cr Heffernan declared an indirect interest because of conflicting duties conflict of interest in item 10.5 – indirect interest by conflicting duties..

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 20 March 2018.

Moved: Cr Long

Seconded: Cr Castelli

That the minutes of the Ordinary meeting of Bayside City Council held on 20 March 2018, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

5.2 Confirmation of the Minutes of the Special meeting of Bayside City Council held on 28 March 2018.

Moved: Cr Martin

Seconded: Cr Grinter

That the minutes of the Special meeting of Bayside City Council held on 28 March 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, 5 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. *Ms Alison Joseph (not present in the Chamber)*

Ms Joseph's question relates to the soil testing undertaken at Dendy Beach. Given Ms Joseph was not present in the Chamber a written response will be provided in accordance with the Meeting Procedure Local Law.

2. *Mr Kevin Spencer (present in the Chamber)*

Mr Spencer's first question relates to the Bayside Art Collection and he asks:

- a) Just how many works are currently in the collection?
- b) Why has council not provided the promised database with details of all items in the Art & Heritage collection by November 2012 and still not available to the community?

The following response was provided by the Mayor:

- a) *As previously indicated to you in May 2017, an inventory of the collection was completed in February 2017. There are 1,925 items currently in the database.*
 - b) *As previously indicated to you September 2017, plans are on track to make the collection more accessible online. Currently 316 works are detailed in the online catalogue. A significant proportion of Council's visual and decorative arts collection is expected to be made available online by September 2018, and further collections will be added over time.*
-

3. *Mr Kevin Spencer (present in the Chamber)*

Mr Spencer's second question relates to the Brighton and Sandy Food and Wine Festival and asks:

- a) As a start in rectifying any further destruction of the Brighton Beach Gardens, will council now transfer this festivity to Sandringham? Suggest Royal Avenue Reserve.
- b) That Council now put into action the badly needed up-grade of the Brighton Beach Gardens that was approved a few years ago.

The following response was provided by the Acting Chief Executive Officer.

- a) *It is not proposed to relocate the Bright n Sandy Food and Wine festival to Sandringham. The Festival is held on one of Council's premier reserves that boasts uninterrupted views of the Bathing Boxes and Melbourne City Skyline. Royal Avenue Reserve does not present the same credentials.*

 - b) *The Green Point precinct landscape conservation management plan was developed in 2013. Most planned items have been completed or are ongoing maintenance activities. Works yet to be completed include renovation of the central garden bed, upgrade to the Tram shelter (planned for 2018/19 financial year), removal of the brick paving around the cannon, removal of the tan brick pavers from around the war memorial.*
-

4. Mr John Currie (present in the Chamber)

Mr Currie relates to the proposed heritage listing of homes and heritage streetscape listing and he asks

Question to all Councillors:

- a) Is your home on the list to be considered for the proposed heritage listing?

- b) If not, why not?

The following response was provided by the Mayor:

A proposed Mid-Century Modern Heritage Study has not commenced and therefore no homes are on a proposed list.

5. Mr John Currie (present in the Chamber)

Question to all Councillors:

- a) Is your street being considered for proposed heritage Streetscape listing?

- b) If not, why not?

The following response was provided to the Response by the Mayor:

Once again a proposed Mid-Century Modern Heritage Study has not commenced and therefore there is no streetscape listing.

7. Petitions to Council

7.1 PETITION: REQUEST TO PROTECT TREES AT 49 SARGOOD STREET HAMPTON

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/79908

Petition from residents requesting Bayside City Council to protect threatened trees at 49 Sargood Street, Hampton.

Petition Prayer

"We the undersigned hereby petition Bayside City Council to retain threatened trees as they provide residential amenity, valuable bird habitat and shade in a global warming climate".

Petition Requirements

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

Officer Comment

The trees referred to in the petition are being considered for removal in planning application 2017/821, which seeks the construction of two dwellings at 49 Sargood Street, Hampton.

This planning application is currently at further information stage, awaiting the submission of the requested information (which includes an Arborist report assessing the health and viability of all vegetation on site). This report will identify the size of each tree and determine if they are protected by Council's Local Law.

Upon receipt of this information, the application will be referred to Council's Arborist's for comment and will also undergo public notification. All submissions (including this petition) will be taken into consideration when making a determination on this planning application.

Moved: Cr Castelli

Seconded: Cr Grinter

That the petition be received and dealt with in consideration with planning application 2017/821.

CARRIED

7.2 PETITION: INCORPORATION OF SHARED USER PATHS IN LEVEL CROSSING REMOVALS AND STATION REBUILDS

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/81527

Petition from residents requesting Bayside City Council to incorporate Shared User Paths in level crossing removals and station rebuilds.

Petition Prayer

"We the undersigned hereby petition Bayside City Council to urgently engage with Kingston Council, LXRA and community groups to ensure:

- 1. Shared User Paths from Mentone to Cheltenham, Southland and Highett interconnect the activity centres and provide safe access to public transport;*
- 2. Council pedestrian, bicycle and mobility scooter pathways and drop off/pick up points are planned and implemented for safe and convenient long term and construction period access as outlined in the attached letter to Councillors 6th April 2018;*
- 3. The Draft Southland-Pennydale Structure Plan and plans for west side of Cheltenham station precinct incorporating the interconnections are published forthwith for consultation and negotiation with Kingston Council and LXRA."*

Petition Requirements

The submitted petition containing 11 signatories meets the required format of a petition in accordance with Council's Governance Local Law No: 1, Clause 65.

Officer Comment

The inclusion of a shared path as part of the delivery of the level crossing removal works at Charman and Park Roads has been a focus that Council's advocacy to the Level Crossing Removal Authority (LXRA) since the announcement of the project in February 2017. The concept design developed by the LXRA for the level crossing removal works at Cheltenham includes the establishment of a shared path between Heather Grove and Higham Street, Cheltenham. Council officers from both Bayside and Kingston continue to work in partnership with the LXRA to progress the detailed design work associated with this element of the project.

Moved: Cr Castelli

Seconded: Cr Grinter

That the petition be referred to the Chief Executive Officer for consideration and response.

CARRIED

8. Minutes of Advisory Committees

There were no minutes of Advisory Committees submitted to the meeting.

9. Reports by Special Committees

9.1 MINUTES OF A SPECIAL COMMITTEE TO HEAR SUBMISSIONS IN RELATION TO THE PROPOSED LEASE OF ELSTERNWICK PARK OVAL 1 TO OLD MELBURNIANS FOOTBALL CLUB

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/82977

Moved: Cr Heffernan

Seconded: Cr Long

That Council receives and notes the Minutes of the Special Committee of Council held on 11 April 2018 to hear submissions in relation to the proposed lease of Elsternwick Park Oval 1 to the Old Melburnians Football Club.

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 Mid-Century Modern Heritage Study

- | | |
|---|--------------------------|
| 1. Dr Robert Valance | 13. Dr Peter Prager |
| 2. Ms Liz Scott | 14. Mr Roger Wotherspoon |
| 3. Mr Ashley del Corral | 15. Mr John Currie |
| 4. Mr Peter Corfield | 16. Mr Justin Gehde |
| 5. Mrs Margaret Burgess (via proxy
Mr Brech Burgess) | 17. Ms Catherine Hedge |
| 6. Mrs Mary Larsen | 18. Mr Neill Wiffin |
| 7. Mr Llewellyn Griffiths | 19. Mr Jason Davidson |
| 8. Ms Sandra Collins | 20. Mr Ged Griffin |
| 9. Mr Ian Larsen | 21. Mrs Veta Woodroffe |
| 10. Mr Michael Fajdiga | 22. Mr Michael Ostapchuk |
| 11. Mrs Fiona Marshall | 23. Ms Maria Pletuhin |
| 12. Dr Shirley Prager | 24. Mrs Carly Skinner |
| | 25. Mr Chris Williams |

Item 10.2 Future Provision of Netball Facilities – Update

- | | |
|------------------------------|---|
| 1. Ms Kris Pierce | 12. Ms Rachel Pears |
| 2. Miss Maddy Adams | 13. Mrs Wendy Wroblewski |
| 3. Mrs Amanda Adams | 14. Mrs Kristy Durston |
| 4. Ms Felicity Frederico | 15. Mr Cameron Mason |
| 5. Mrs Nancy Da Silva | 16. Mr Chris Forbes |
| 6. Ms Joanne Poole | 17. Ms Shana Levine (via proxy Ms
Kris Pierce) |
| 7. Ms Kathryn Harby Williams | 18. Ms Tanya Milne-Jones (via
proxy Ms Miranda Scales) |
| 8. Mr Graham Scull | 19. Ms Emily Higgins |
| 9. Dr David Cunnington | 20. Mr Shane Peter |
| 10. Mr Chris Teh | |
| 11. Mrs Jill Esplan | |

Item 10.15 Policy Update: Bayside Art & Heritage Collection Policy; Bayside Exhibition Policy and Bayside Public Art Policy

1. Mr Kevin Spencer



10.2 FUTURE PROVISION OF NETBALL FACILITIES - UPDATE

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/18/106 – Doc No: DOC/18/81047

It is recorded that Ms Kris Pierce, Miss Maddy Adams, Mrs Amanda Adams, Ms Felicity Frederico, Mrs Nancy Da Silva, Ms Joanne Poole, Ms Kathryn Harby Williams, Mr Graham Scull, Mr Chris Teh, Mrs Jill Esplan, Ms Rachel Pears, Mrs Wendy Wroblewski, Mrs Kristy Durston, Mr Chris Forbes, Ms Shana Levine (via proxy Ms Kris Pierce), Ms Tanya Milne-Jones (via proxy Ms Miranda Scales), Ms Emily Higgins, and Mr Shane Peter spoke for three minutes each on this item.

It is recorded that Dr David Cunnington and Mr Cameron Mason were not present in the Chamber.

Moved: Cr Grinter

Seconded: Cr Heffernan

That Council:

1. Confirms the Sandringham Golf Driving Range as the site for a two indoor and **12** outdoor court netball centre with a future expansion for an additional one indoor and 3 outdoor courts for this site;
2. Prioritises as Stage 1 development of **12** outdoor courts with night match floodlighting and supporting facilities for administration, control centre, storage, canteen/kiosk, toilets, change areas and committee room by the end of 2020;
3. Undertakes further work to accurately determine preferred site arrangements and the cost of establishing a netball centre on the site of the Sandringham Golf Driving Range;
4. Develops a whole of site design that includes a future stage to develop the required two indoor courts and additional parking and other infrastructure;
5. Undertakes an appropriate tender process to procure architectural services to develop detailed designs and tender documentation for netball facilities at the Sandringham Driving Range by 31 July 2018;
6. Authorises the Acting Chief Executive Officer to award a contract for architectural services for netball facilities at the Sandringham Golf Driving Range up to maximum value of \$750,000;
7. Collaborates with Sandringham District Netball Association and Netball Victoria to explore opportunities for external funding and develops a comprehensive Communications plan to advocate for State and Federal government funding to establish a netball centre at the Sandringham Golf Driving Range;
8. Receives a report at or before the 23 October 2018 Council meeting on the establishment and project timeline of a netball centre on the site of the Sandringham Golf Driving Range;
9. Commits to the retention of the current indoor netball court and 2 outdoor courts at the existing Thomas Street site, until such time the indoor courts at the Sandringham Golf Driving Range site are complete;

10. Brings forward the development of 2 indoor courts to be built concurrently with Stage 1 should satisfactory external, state and/or federal funding be successful; and
11. Advises members of the Netball Facilities Project Reference Group on the outcomes of this report.

AMENDMENT

Moved: Cr Long

Seconded: Cr Castelli

That Council:

1. Confirms the Sandringham Golf Driving Range as the site for a two indoor and **15** outdoor court netball centre with a future expansion for an additional one indoor court for this site;
2. Prioritises as Stage 1 development of **15** outdoor courts with night match floodlighting and supporting facilities for administration, control centre, storage, canteen/kiosk, toilets, change areas and committee room by the end of 2020;
3. Undertakes further work to accurately determine preferred site arrangements and the cost of establishing a netball centre on the site of the Sandringham Golf Driving Range;
4. Develops a whole of site design that includes a future stage to develop the required two indoor courts and additional parking and other infrastructure;
5. Undertakes an appropriate tender process to procure architectural services to develop detailed designs and tender documentation for netball facilities at the Sandringham Driving Range by 31 July 2018;
6. Authorises the Acting Chief Executive Officer to award a contract for architectural services for netball facilities at the Sandringham Golf Driving Range up to maximum value of \$750,000;
7. Collaborates with Sandringham District Netball Association and Netball Victoria to explore opportunities for external funding and develops a comprehensive Communications plan to advocate for State and Federal government funding to establish a netball centre at the Sandringham Golf Driving Range;
8. Receives a report at or before the 23 October 2018 Council meeting on the establishment and project timeline of a netball centre on the site of the Sandringham Golf Driving Range;
9. Commits to the retention of the current indoor netball court and 2 outdoor courts at the existing Thomas Street site, until such time the indoor courts at the Sandringham Golf Driving Range site are complete;
10. Brings forward the development of 2 indoor courts to be built concurrently with Stage 1 should satisfactory external, state and/or federal funding be successful; and
11. Advises members of the Netball Facilities Project Reference Group on the outcomes of this report.

10.3 OCCUPANCY AGREEMENT ELSTERNWICK PARK PAVILLION WITH OLD MELBURNIANS FOOTBALL CLUB

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/82328

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

Moved: Cr Heffernan

Seconded: Cr Martin

That Council, having considered the submissions received, authorises the Director Corporate Services to undertake all processes and execute all documentation associated with the occupancy arrangements for the pavilion located at Elsternwick Park, Glenhuntly Road, Elsternwick for the Lease to the Old Melburnians Football Club of the areas exclusively used for gym and storage at an annual rental of \$353 with annual increase of 5% or CPI whichever is greater, for a term of twenty one years with separate licence including seasonal allocation of game related facilities between 1 April and 30 September.

CARRIED

10.5 MAJOR GRANTS 2018-2022

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/18/106 – Doc No: DOC/18/55477

It is recorded that Cr Heffernan declared an indirect interest by conflicting duties given he is a voluntary solicitor for BAYCISS which is a recipient of a major grant.

It is recorded that Cr Heffernan vacated the meeting prior to the discussion of this item.

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

Moved: Cr Martin

Seconded: Cr Long

That Council:

1. Maintains the Major Grants Program at current funding levels and increases by CPI for the next four years; and
2. Authorises the Director Environment, Recreation and Infrastructure to update funding agreements based on the recommendations from the mid-term review and sign agreements with successful applicants.

CARRIED

It is recorded that Cr Heffernan vacated the meeting prior to the discussion of this item and was not present whilst a vote was taken on this matter.

10.6 RESPONSE TO NOTICE OF MOTION - 266 - COMMUTER SHUTTLE BUS SERVICE

Environment, Recreation & Infrastructure - Sustainability & Transport
File No: PSF/18/108 – Doc No: DOC/18/48743

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

It is recorded that Councillor Grinter left the Meeting at 11:06 pm and returned to the meeting at 11.07pm.

Moved: Cr Heffernan

Seconded: Cr Long

That Council:

1. notes the feasibility assessment undertaken and does not fund a commuter shuttle bus service trial at this time given that Public Transport Victoria is the State government agency responsible for public transport;
2. in conjunction with Public Transport Victoria conducts a survey of commuters using the Middle Brighton, Cheltenham and Sandringham railway stations to determine the need for a Council provided alternate method of accessing the station, including a commuter shuttle bus, and if a need is established undertakes an assessment of options to address that need, including the costs and benefits; and
3. continues to advocate for improvements as outlined in the Public Transport Advocacy Statement adopted on 21 June 2016.

CARRIED

Moved: Cr Grinter

Seconded: Cr Martin

That items 10.7, 10.21, 10.20, 10.19, 10.18, 10.17, 10.16, 10.15, 10.14, 10.13, 10.12, 10.11, 10.9, 10.8 be dealt with as a block motion and the recommendations be adopted.

CARRIED

10.7 RESPONSE TO NOTICE OF MOTION - 267 - BICYCLE REPAIR/SERVICE STATIONS

Environment, Recreation & Infrastructure - Sustainability & Transport
File No: PSF/18/108 – Doc No: DOC/18/69180

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council installs two bicycle repair stations with drinking water provision on the Bay Trail as part of the 2018/19 Active Transport Facility Improvement Program.

CARRIED

NOTE: Item 10.7 was **CARRIED** as part of a block motion.

10.8 RESPONSE TO NOTICE OF MOTION - 268 - SENIOR CITIZEN EXERCISE PARKS

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/18/106 – Doc No: DOC/18/48609

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council commits to include suitable exercise equipment for all abilities and ages including older adults, as part of future design elements in the six regional playgrounds in Bayside.

CARRIED

NOTE: Item 10.8 was **CARRIED** as part of a block motion.

10.9 COUNCIL PLAN 2017-2021 (2018 UPDATE)

CEO - Strategy and Performance
File No: PSF/18/107 – Doc No: DOC/18/81837

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council:

1. adopts in-principle the Council Plan 2017-2021 (2018 Review) and the Strategic Resource Plan 2018-19 to 2021-22;
2. gives public notice of the Council 2017-2021 (2018 Review) and the Strategic Resource Plan 2018-19 to 2021-22, and makes copies available for public inspection purposes; and
3. establishes a Special Committee of Council in accordance with Section 223 of the Local Government Act 1989 consisting of all Councillors with a quorum of four (4) Councillors to hear submissions in relation to the Council Plan 2017-2021 (2018 Review) and the Strategic Resource Plan 2018-19 to 2021-22 on Thursday 7 June 2018 at 6.45pm at the Corporate Centre, 76 Royal Ave, Sandringham.

CARRIED

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

10.10 PROPOSED 2018/19 ANNUAL BUDGET AND LONG TERM FINANCIAL PLAN

Corporate Services - Finance
File No: PSF/15/8759 – Doc No: DOC/18/82248

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

Moved: Cr Grinter

Seconded: Cr Heffernan

That Council:

1. formally prepares the 2018/19 Proposed Budget (including the Schedule of Discretionary Fees and Charges) for the purpose of Section 127 of the Local Government Act 1989;
2. adopts in principle the Long Term Financial Plan 2018/19 – 2027/28;
3. gives public notice of the preparation of the 2018/19 Proposed Budget and the Long Term Financial Plan (2018/19 – 2027/28) and makes available copies of the proposed budget and Long Term Financial Plan for public inspection purposes; and
4. in accordance with Section 223 of the Local Government Act 1989, establishes a Special Committee of Council consisting of all Councillors with a quorum of four (4) Councillors to hear submissions in relation to the 2018/19 Proposed Budget on Thursday 7 June 2018 at 7:30pm at the Corporate Centre, 76 Royal Avenue Sandringham.

CARRIED

10.11 PROPOSED PART OF ROAD DISCONTINUANCE AND SALE ADJOINING 16 SANDRINGHAM ROAD, SANDRINGHAM

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/17811

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council, acting under Section 206 Clause 3 of Schedule 10 of the *Local Government Act 1989 (Act)* resolves to:

1. Commence the statutory procedures to discontinue and sell part of the road shown hatched in Attachment 1 to the adjoining owners at 16 Sandringham Road, Sandringham;
2. Give Public Notice of the Proposal in the appropriate newspapers and on Council's website, under sections 82A, 207A and 223 of the Act and for such notice to state that if discontinued, Council proposes to sell the land from the road to the Uniting Church of Australia by private treaty with the purchase price of \$116,000 plus GST.
3. If no submissions are received following the publication of the Public Notice, authorise the Director Corporate Services to undertake the necessary procedural steps to complete the formal procedures for the discontinuance of the road and sale of the land to the UCA, including the execution of all relevant documentation.
4. In the event submissions are received, a further report will be presented to a Special Committee of Council in accordance with section 223 of the Act consisting of all Councillors with a quorum of four Councillors to consider any submissions received at a meeting to be held on Thursday 7 June 2018 at 6.30pm at the Corporate Centre, 76 Royal Avenue, Sandringham in relation to the proposed discontinuance and sale;

CARRIED

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

10.12 MUNICIPAL ASSOCIATION OF VICTORIA - STATE COUNCIL - CALL FOR MOTIONS

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/81181

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council:

1. approves retrospectively the submission of the following motion to the MAV State Council meeting to be held on 18 May 2018:

Motion 4 – Social and Affordable Housing

That the MAV recognises the potential for planning mechanisms to proactively contribute to the supply of social and affordable housing in Victoria, and asks the State Labor Government and the Liberal and Green Parties to include in their policies that the Department of Environment Land Water and Planning strengthen planning mechanisms to include:

1. ***inclusionary housing***: also known as inclusionary zoning, where the State Government would introduce legislation to enable Councils to mandate developer contributions for social and/or affordable housing when Council or a private party undertakes strategic studies that lead to a planning scheme amendments or land rezoning, e.g. changing the land use from industrial/commercial to residential and/or mixed use zones;
2. ***inclusionary approvals***: where Council may impose a requirement for social and/or affordable housing on housing developments that include more than 15 units (using Affordable Housing Agreements or Section 173 agreements);
3. ***density bonuses***: where developments will only be considered for approval for higher density or higher scale than the heights recommended in structure plans particularly applicable to Activity centres if the applicant includes a provision for social and/or affordable housing ; and Councils would consider concessions to conditions
4. ***fast track planning approvals***: planning applications lodged by registered housing agencies would be assessed quickly to fast track delivery of social and affordable housing.

Motion 5 – Combustible Cladding

That MAV advocates to the State Government that the Victorian Building Association (VBA):

- provides financial and legal support and indemnifies Councils for their Municipal Building Surveyor (MBS) undertaking enforcement action to address immediate safety risks associated with combustible cladding, extending the current financial support provided for undertaking inspections;

- adjusts the Advisory Reference Panel framework to ensure that Council's MBS can rely on the Panel's recommended controls without needing to undertake independent assessments of the appropriateness of the controls, with the associated liabilities; and
 - establishes the capacity and capability to undertake the role of the MBS to address any buildings identified in the future as being at risk from combustible cladding and address any enforcement related to compliance, noting that in the interim, the MBS will address the current priority list provided by the VBA through undertaking associated enforcement related to immediate building safety.
2. Appoints the Mayor, Cr Laurence Evans as its representative at the May 2018 MAV State Council Meeting for purposes of presenting Bayside's 5 motions and having voting rights at the State Council meeting.

CARRIED

NOTE: Item 10.12 was **CARRIED** as part of a block motion.

10.13 APPOINTMENT OF AUTHORISED OFFICERS

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/82208

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

Moved: Cr Grinter

Seconded: Cr Martin

That, in the exercise of the powers conferred by section 224 of the Local Government Act 1989 and section 147(4) of the Planning and Environment Act 1987 (**the Act**) and the other legislation referred to in the attached instrument of appointment and authorisation (**the instrument**), Bayside City Council (**Council**) resolves that:

1. The members of Council staff referred to in the instrument of delegated attached to the report be appointed and authorised as set out in the instrument;
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it; and
3. The Instrument of Appointment and Authorisation be signed and the common seal of Council be affixed to the Instrument.

CARRIED

NOTE: Item 10.13 was **CARRIED** as part of a block motion.

10.14 CIVIC AND CEREMONIAL PROTOCOL GUIDE

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/81174

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council:

1. Rescinds the Flag Display Policy, Keys to the City and Freedom of Entry to the City Policy, Naming of Streets, Roads and Reserve Policy, and Plaques and Memorials policies; and
2. Adopts the Civic and Ceremonial Protocol Guide as attached to the report.

CARRIED

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

**10.15 POLICY UPDATE: BAYSIDE ART & HERITAGE COLLECTION POLICY;
BAYSIDE EXHIBITION POLICY AND BAYSIDE PUBLIC ART POLICY**

Communications, Customer & Cultural Services - Cultural services
File No: FOL/16/1934 – Doc No: DOC/18/82241

It is recorded that Mr Kevin Spencer was not present at the meeting when this item was considered.

Moved: Cr Grinter

Seconded: Cr Martin

That Council:

1. Adopts the Arts and Heritage Collection Policy (2018); and
2. Rescinds the Exhibition Policy (2013) and the Public Art Policy (2016)

CARRIED

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

10.16 RESCISSION OF FOOD SAFETY POLICY 2007

City Planning & Community Services - Amenity Protection
File No: PSF/18/95 – Doc No: DOC/18/52601

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council rescinds the Food Safety Policy 2007.

CARRIED

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

10.17 LEASE AND LICENCE POLICY REVIEW

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/82152

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council:

1. seeks community feedback on the draft Lease and Licence Policy over a four week period;
and
2. receives a report back on the results of the feedback to consider any further amendment prior to adopting a revised Lease and Licence Policy.

CARRIED

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

10.18 DISCONTINUANCE AND SALE OF RIGHT OF WAYS, ROADS AND RESERVES POLICY

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/82314

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council adopts the Discontinuance and Sale of Right of Ways, Roads and Reserves Policy as attached to the report.

CARRIED

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

10.19 CANCELLATION OF THE 29 MAY 2018 PLANNING AND AMENITY COMMITTEE MEETING

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/81368

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council:

1. gives public notice of the cancellation of the 29 May 2018 Planning and Amenity Committee; and
2. notes the proposed relocation of the Section 223 Hearings in relation to the Draft 2018/19 Budget and 2018 Review of the Council Plan to be held at the Corporate Centre Sandringham on the basis that formal public notice be provided as part of the advertising requirements.

CARRIED

NOTE: Item 10.19 was **CARRIED** as part of a block motion.

10.20 FEBRUARY 2018 FINANCIAL REPORT

Corporate Services - Finance
File No: PSF/15/8759 – Doc No: DOC/18/77901

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council notes the operating and capital financial report for eight months to 28 February 2018.

CARRIED

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

10.21 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/81199

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council notes the Council Action Awaiting Report.

CARRIED

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

11. Reports by Delegates

1. **Association of Bayside Municipalities** – The Mayor Cr Laurence Evans indicated that he was unable to attend the previous meeting however the Open Space Coordinator attending the meeting.
2. **MAV Environment Committee** – Director Environment, Recreation and Infrastructure Services indicated that there has been no meeting of this Committee scheduled.
3. **Metropolitan Transport Forum** – Cr Clarke Martin advised Council that on Monday 23 April Bayside hosted a meeting of Metropolitan Transport Forum for the south-eastern Council regional representatives to allow the Rail Futures Institute (RFI) to present its major new rail, metro light rail, tram extension proposals for south eastern Melbourne to this group. The RFI was seeking feedback on route selection, logistics and priority setting.
4. **Municipal Association of Victoria** – In the absence of Cr Alex del Porto there has been no meeting of the MAV however it is noted that the MAV May State Council Meeting will be held on 18 May 2018, which the Mayor Cr Evans will attend.
5. **Inner South Metropolitan Mayors' Forum** – The Mayor Cr Laurence Evans advised the last meeting of the ISMMF was held at Kingston Council on 23 March 2018. Discussion took place on the various advocacy campaigns in readiness for the this state and federal election year. Discussion also took place on graffiti and the significant problems Councils' are facing to combat this vandalism.
6. **Metropolitan Local Government Waste Forum** – Cr Michael Heffernan indicated that there has been no meeting.

Moved: Cr Long

Seconded: Cr Grinter

That the delegates reports be received and noted.

CARRIED

12. Urgent Business

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

13. Notices of Motion

13.1 NOTICE OF MOTION - 271 - ELSTERNWICK PARK SOUTH OVALS 3 AND 4

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/84576

Moved Cr Heffernan

Seconded Cr Castelli

That Council grant Cr Grinter leave to amend his notice of motion.

CARRIED

Moved: Cr Grinter

Seconded: Cr Heffernan

That Council receives a report at its June 2018 Ordinary Meeting of Council on the implications and costs of activating Elsternwick Park Ovals 3 and 4 for competition based sport, and undertakes consultation with the immediate surrounding neighbours.

CARRIED

14. Confidential Business

Moved: Cr Grinter

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

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14.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT MATTERS COMMITTEE HELD ON 16 APRIL 2018
(LGA 1989 Section 89(2)(a) and (d) personnel matters and contractual matters.)

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 insert time.

CONFIRMED THIS INSERT 22 DAY OF MAY 2018

CHAIRPERSON:

