



Minutes of the Ordinary Meeting of Bayside City Council

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Tuesday 24 July 2018

The Meeting commenced at 7:00pm

PRESENT:

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

OFFICERS IN ATTENDANCE:

Mick Cummins	Chief Executive Officer
Hamish Reid	Director City Planning and Community Services
Steven White	Director Environment, Recreation and Infrastructure
Bill Shanahan	Acting Director Corporate Services
Mandy Bartlett	Governance Officer
Lisa Davidson	Mayoral Secretary

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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 del Porto to read the acknowledgement of the original inhabitants of this land.

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

3. Apologies

There were no apologies submitted to the meeting.

4. Disclosure of any Conflict of Interest of any Councillor

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 19 June 2018.

Moved: Cr Long

Seconded: Cr Martin

That the minutes of the Ordinary meeting of Bayside City Council held on 19 June 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 10 July 2018.

Moved: Cr Long

Seconded: Cr Grinter

That the minutes of the Special meeting of Bayside City Council held on 10 July 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, 29 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.

It is recorded that only 15 questions were responded to within the allocated 15 minute timeframe.

1. Mr Yuri Smolyer (not present in the Chamber)

It is recorded that Mr Smolyer was not present in the Chamber, and therefore his question was not read out at the meeting and is not recorded in the minutes in accordance with Section 64 (15) of the Governance Local Law.

2. Mr Ross Newton (present in the Chamber)

Mr Newton's first question relates to the Highett Structure Plan and he asks:

In the Traffic Report under Action 1.7 it states pedestrian access will be provided through James Avenue alignment - this I believe should be Clonmult Avenue alignment (No 32).

Figure 1 in Appendix shows top purple line entering Middleton Street at the lower end towards Highett Rd where houses currently exist.

Is Council intending to acquire a house to permit access to Middleton Street?

Response provided by the Chief Executive Officer

Council is not intending to acquire any properties in Middleton Street. There is an existing road parcel between 86A/B and 84 that could be a possible pedestrian connection in the future. The implementation plan for the Structure Plan will investigate this in more detail.

The lower dotted line is indicative of a proposed east-west connection that avoids patches of high biodiversity value in the Highett Grassy Woodland. It is correct that it is proposed to align with the vehicle access point opposite Clonmult Avenue (No 32, Middleton Street). Editorial changes to the Structure Plan can be included to clarify this.

3. Mr Ross Newton (present in the Chamber)

Mr Newton's second question relates to the Highett Structure Plan and he asks:

Under Traffic Report Action item 1.11 states a bicycle lane will be created along Worthing Rd between Highett Rd and Wickham Rd.

This road is very narrow and is extremely difficult to navigate at any time (and is also a bus route). Could traffic management explain how a bicycle lane can be provided along this stretch of roadway!

It would be far more useful to ban parking along the western side between Highett Rd and Livingston Street.

Response provided by the Mayor

Worthing Road is identified by VicRoads as part of the Principal Bicycle Network (PBN). The PBN is a network of existing and proposed cycle routes identified to help people ride to major destinations around metropolitan Melbourne, with a particular focus on getting people into activity centres and to make more use of local roads and off-road paths.

The primary purpose of the PBN is to guide investment in bicycle facilities that support cycling for transport. As part of the implementation of the Highett Structure Plan, Council will investigate how best to achieve a bicycle lane along Worthing Road.

4. Mr Greg Smith (present in the Chamber)

Mr Smith's question relates to sporting facilities and he asks:

- a) Given that Council's own survey indicates that members of organised sporting clubs comprise less than 10% of the Bayside population and that they already have use and control of 40% of available public open space, how much of ratepayers money is proposed to be spent on the Elsternwick Park South project to give them even more control and usage of publicly owned parkland and open space?
- b) If this same amount of money were to be spent fitting the AFL recommended synthetic turf for community level football allowing of 60 hours per week usage instead of the current 25, and over halving the current pressure for expansion, how many of the current grounds could be so upgraded?

Response provided by the Chief Executive Officer

- a) Council is investigating the feasibility of increasing the time Ovals 3 and 4 are used for sport. The cost to formalise Ovals 3 and 4 for winter sports has not yet been determined.
- b) As the extent of costs of any work on Ovals 3 and 4 has not been determined, the comparison you have requested cannot be made.

5. Dr John Grant (present in the Chamber)

In accordance with Section 64 (5) of the Local Law, a question can have no more than two parts. Dr Grant's submission included three parts, and therefore only parts A and B have been responded to.

Dr Grant's first question relates to Elsternwick Park South and he asks:

Brighton Auskick posted a message on Facebook on 3rd July 2018 about the reactivation plans for Elsternwick Park South that was clearly produced and written by BCC Officers seeking to encourage sporting groups to support the existing Council plans.

- a) Is it appropriate for Council Officers to use outside organisations to stimulate support for Council plans from certain parts of the Community and provide instructions on how to do so, but not providing others with the same information or opportunity?
- b) Can you inform us who wrote the message to Brighton Auskick and whether this 'initiative' was known about or authorized by the Councilors?

Response provided by the Chief Executive Officer

- a) Council staff did not write information for Facebook posting by Brighton Auskick.
- b) Community groups and clubs take information from a range of sources. Council is unaware of the material referred to and did not, nor was required to, authorise its publication.

6. Dr John Grant (present in the Chamber)

In accordance with Section 64 (5) of the Local Law, a question can have no more than two parts. Dr Grant's submission included four parts, and therefore only parts A and B have been responded to.

Dr Grant's second question relates to Elsternwick Park South and he asks:

At the most recent public on-site consultation at EPS (Wed 18th July) I was informed by a female member of the Bayside recreation dept. that 'Council is going to invest in a usage survey/audit of the existing EP South'. Is this correct?

It is imperative that any survey/audit is conducted in such a way that it produces highly credible estimates of daily, weekly and annual usage rates by people who use the Park for a range of activities – walking, jogging, meeting, using the existing facilities. And that the estimates take into account the fluctuations in use depending on the weather, time of day, school/non-school times and seasons.

- a) Will Council enable representatives of the existing users of the park review the usage survey study brief in the light of their intimate knowledge of the Park as it now is?
- b) What is the budget for this study?

Response provided by the Chief Executive Officer

- a) The brief for the survey is available for review by any community member that requests to.
- b) The cost of the usage survey is estimated at \$5,000

7. Mr George Reynolds (present in the Chamber)

Mr Reynolds's first question relates to Elsternwick Park Golf Course and he asks:

In relation to the takeover of the operating lease for the Elsternwick (Park) Golf Course:

- a) what costs and expenses have been, or will be, incurred in executing this transaction, separated into:
 - lease rentals foregone,
 - payments for lessee asset subsumed,
 - payments for loss of profits, and
 - any other payments to the operator.
- b) What budget provision has provided such payments?

Response provided by the Chief Executive Officer

- a) The 10 year lease for the Elsternwick Golf Course with Leisure Management Services (LMS) expired on the 30th June 2018 with LMS deciding not to take up the option to extend the lease. Accordingly LMS gave notice to Council to surrender the lease and vacate the site. As a result Council has not incurred any additional costs.
- b) As the lease has expired Council has budgeted for a reduction in lease income of \$117,000 in the 2018/19 budget.

8. Mr George Reynolds (present in the Chamber)

Mr Reynolds's second question relates to the Banksia Sports Club Pavilion and he asks:

- a) Could Council explain what safety requirement constituted the \$550,000 of additional capital required to be provided to the Banksia Sports Club Pavilion asset?
- b) Which budget provision was the source of funds which supplied the \$550,000?

Response provided by the Mayor

- a) The new building design was based on the tennis pavilion structure and sub structure being adequate. During the project a number of significant rectifications to the existing structure elements were required to ensure the building was compliant with the required standards. Energy Safe Victoria also required additional works to allow certification.

A number of additional external handrails were installed to ensure the safety of the public. There were also modification to the car parking and a variety of other minor changes to ensure a compliant and safe building and surrounds.
- b) Council's capital projects are at times in excess of budget or delivered under the allocated budget. Additional costs on the Banksia pavilion project were offset by savings in a range of other capital projects. The overall capital works budget was under budget in 2017/18.

9. Ms Sue Hardiman (not present in the Chamber)

It is recorded that Ms Hardiman was not present in the Chamber, and therefore her question was not read out at the meeting and is not recorded in the minutes in accordance with Section 64 (15) of the Governance Local Law.

10. Ms Nadine Eagleson (present in the Chamber)

Ms Eagleson's question relates to Elsternwick Park South and she asks:

I request a response explaining the non-professional conduct of the Council Officers at the community consultation sessions held in Elsternwick Park South.

I request a response as to why bias was presented by the officers toward the development of 2 football ovals and a pavilion and light towers being built on the ovals 3 and 4.

Response provided by the Mayor

Council resolved at the 24 July 2018 ordinary meeting for a further report on the outcomes of community consultation on the feasibility of sporting infrastructure improvements at Elsternwick Park Ovals 3 and 4.

Officers were presenting information on the potential development of the ovals for the purpose of obtaining feedback from the community members attending the sessions and no bias involved in these presentations.

11. Ms Hayley Nancarrow (present in the Chamber)

Is there a plan to promote traffic flow at the road and rail junctions?

Wickham and Worthing Rds are frequently backed up. At times the eastern Wickham side is so heavily backed up, that traffic flowing in from the Nepean Hwy is unable to make the turn into Wickham. Similarly this occurs with Highett Rd also.

Response provided by the Mayor

One of the detrimental impacts associated with a level crossing is the localised congestion that can be caused when the boom gates are activated. The flow of traffic at the intersections of Nepean Highway and Wickham and Highett Roads is managed by VicRoads. Officers will raise the matter of traffic being unable to turn into these roads with VicRoads to determine if there are any opportunities to address the matter.

12. Ms Amanda Levi (present in the Chamber)

Ms Levi's question relates to Elsternwick Park South and she asks:

Will the total of all feedback resulting from the consultation process in relation to Elsternwick Park South be made available for public and councillors' review prior to the meeting for Council determination in September?

Response provided by the Mayor

A report on the community engagement process, including details of the feedback received will form an attachment to the Council report and will be available as part of the Council agenda which is made available to the public on Council' website four days prior to the meeting date.

13. Ms Jackie Fish (present in the Chamber)

Ms Fish's question relates to the Bayside Heritage Study and she asks:

Regarding the now ignominiously scrapped Heritage Study and the rather confusing suggestion of voluntary listing:

- a) How does anyone actually go about voluntarily listing their houses without any guidelines - guidelines a study would have made very clear?
- b) When and how will information be given to the public?

Response provided by the Chief Executive Officer

- a) If someone wishes to voluntarily nominate their property for heritage protection, they first need to write to Council to advise such, with the reasons why they think their property is of heritage significance. Any supporting material will also be of assistance for Council to consider the nomination.
- b) Council will undertake a communications exercise later in 2018 to promote voluntary nominations for mid-century modernist properties for possible inclusion in a Heritage Overlay. Council is currently scoping this piece of work and will provide further information to the public later in 2018.

14. Mr Kevin Spencer (present in the Chamber)

Mr Spencer's question relates to the recruitment of the Bayside City Council CEO and he asks:

Whilst it is understood that Bayside Council had engaged a costly Personal Recruitment Agency in a world-wide search for a replacement CEO, however ending up with the incumbent staff member.

- a) How many applicants for the CEO Position were received?
- b) What was the total cost to the Ratepayers of the recruitment exercise?

Response provided by the Mayor

- a) In accordance with Council's procurement process, NGS Global were engaged by Council to conduct a global executive search and recruitment process for the role of CEO. The role was advertised in May 2018 attracting 63 applications. NGS Global also conducted their own executive search.

A total of 9 candidates were interviewed by NGS Global with 4 of these candidates shortlisted and put forward to Bayside for a full interview.

- b) The total cost for the Executive Recruitment was \$44,000 (inclusive of GST).

15. Mr Kevin Spencer (present in the Chamber)

Mr Spencer's second question relates to the Brighton Library refurbishment and he asks:

When Council extended the Brighton Library rooms some six months ago, in particular installing new magazine shelving. I brought to the attention of Council the fact that the lower shelving was at floor level, making it difficult bending down to access books, especially library patrons with a disability or frail with ageing. I was informed that the fault would be rectified during the recent renovations. Instead nothing has been done, with the problem made worse with all the new shelving layout at floor level..

- a) Will Council rectify this low shelving where common sense prevails and at a level that satisfies OH&S regulations?
- b) Explain how this costly deleterious work was approved especially after my complaint in the first instance?

Response provided by the Chief Executive Officer

- a) The renovation works at Brighton are currently being completed and workmen were making the changes to the magazine shelving on Monday 23 July. This will lift the shelving off the floor and the metal doors are being replaced with Perspex doors. The fiction and nonfiction book shelves are slightly lower on the bottom level than the previous shelving. This is to accommodate the lower overall shelving height and means that people no longer have to reach up to select books.
- b) The issue with the height of the shelving and the weight of the doors was not evident until installation. Once this problem was recognised actions were put in place to rectify the problem which, as noted above is now happening.

7. Petitions to Council

Nil

8. Minutes of Advisory Committees

Nil

9. Reports by Special Committees

9.1 MINUTES OF A SPECIAL COMMITTEE TO HEAR SUBMISSIONS IN RELATION TO THE PROPOSED ROAD DISCONTINUANCE AND SALE OF LAND ADJOINING 13 AND 15 NEW STREET AND 7 MAIR STREET BRIGHTON

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/164725

Moved: Cr Grinter

Seconded: Cr Castelli

That Council receives and notes the Minutes of the Special Committee of Council held on 17 July 2018 to hear the submission in relation to the proposed road discontinuance and sale of land adjoining 13 and 15 New Street and 7 Mair Street Brighton.

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 Planning Scheme Amendment C150

1. Mr Steve Evans
2. Mr Frank Perry
3. Mr Derek Screen

Item 10.2 Elsternwick Park Golf Course Decommissioning Plan

1. Mr George Reynolds
2. Mr Michael Connors
3. Mr Ronald Jore
4. Mr Michael Nugent (via proxy Mr Marcus Gwynne)
5. Dr Jo Samuel-King
6. Mr Marcus Gwynne
7. Ms Amanda Levi

Item 10.3 Highett Structure Plan – Community Survey Results and Next Steps

1. Mr Michael Norris
2. Mr Derek Screen
3. Mr Ross Newton
4. Ms Carolyn Robinson

Item 10.7 May 2018 Financial Report

1. Mr George Reynolds

10.1 PLANNING SCHEME AMENDMENT C150 - IMPLEMENTATION OF THE BAYSIDE RETAIL, COMMERCIAL AND EMPLOYMENT STRATEGY 2016

City Planning & Community Services - Urban Strategy
File No: PSF/18/109 – Doc No: DOC/18/157896

It is recorded that Mr Steve Evans, Mr Frank Perry, and Mr Derek Screen spoke for three minutes each on this item.

Moved: Cr Long

Seconded: Cr Grinter

That Council:

1. Adopts Amendment C150 having regard to the Panel's recommendations, as outlined at Attachment 3;
2. Provides delegation to the Director City Planning and Community Services to make minor editorial changes required to the Amendment documents;
3. Writes to the Minister for Planning requesting approval of Amendment C150; and
4. Writes to all submitters to inform them of Council's decision.

CARRIED

10.3 HIGHETT STRUCTURE PLAN - COMMUNITY SURVEY RESULTS AND NEXT STEPS

City Planning & Community Services - Urban Strategy
File No: PSF/16/3650 – Doc No: DOC/18/147905

It is recorded that Mr Michael Norris, Mr Derek Screen, Mr Ross Newton, and Ms Carolyn Robinson spoke for three minutes each on this item.

Moved: Cr Long

Seconded: Cr Castelli

That Council defers a decision on this item for a period of two months.

CARRIED

10.4 PEDESTRIAN CROSSINGS IN THE CHURCH AND BAY STREET MAJOR ACTIVITY CENTRES

Environment, Recreation & Infrastructure - Sustainability & Transport
File No: PSF/18/108 – Doc No: DOC/18/145395

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

Moved: Cr del Porto

Seconded: Cr Heffernan

That:

1. the prioritised list of sites associated with the multi-year program of pedestrian crossing works at the roundabouts in the Church Street and Bay Street Major Activity Centres be amended to:
 1. Church Street / Carpenter Street;
 2. Bay Street/Asling Street;
 3. Church Street / St Andrews Street; and
 4. Bay Street / Cochrane Street.
2. Where possible all works to be undertaken during June/July and September/October school holiday periods in order to minimise disruption to traders.

CARRIED

10.5 ENDORSEMENT OF THE INTEGRATED WATER MANAGEMENT FORUM - STRATEGIC DIRECTIONS STATEMENT

Environment, Recreation & Infrastructure - Environment
File No: PSF/18/108 – Doc No: DOC/18/154485

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

Moved: Cr Martin

Seconded: Cr Long

That Council:

1. endorses the draft Strategic Directions Statement, inclusive of the nominated vision, strategic priorities and 34 initiatives;
2. supports the implementation of the Strategic Directions Statement and associated priority initiatives; and
3. notes that the priority initiatives within the Strategic Directions Statement are subject to ongoing review and assessment by the Dandenong Region Integrated Water Management Forum members.

CARRIED

**10.6 BRIGHTON SECONDARY COLLEGE SYNTHETIC HOCKEY FACILITY -
MANAGEMENT COMMITTEE FINANCIAL UPDATE**

Environment, Recreation & Infrastructure - Sustainability & Transport
File No: PSF/18/106 – Doc No: DOC/18/163188

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

Moved: Cr del Porto

Seconded: Cr Heffernan

That Council receives a report detailing Brighton Secondary College Synthetic Hockey Facility Management Committee activities and financial position at the August 2018 Ordinary Meeting of Council.

CARRIED

10.7 MAY 2018 FINANCIAL REPORT

Corporate Services - Finance
File No: PSF/15/8759 – Doc No: DOC/18/147546

It is recorded that Mr George Reynolds spoke for three minutes on this item.

Moved: Cr Castelli

Seconded: Cr Martin

That Council notes the operating and capital financial report for eleven months to 31 May 2018.

CARRIED

10.8 GENERAL REVALUATION 2018

Corporate Services - Finance
File No: FOL/13/37696 – Doc No: DOC/18/147856

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

Moved: Cr Grinter

Seconded: Cr Martin

That Council:

1. notes the return of the 2018 General Valuations pursuant to the provisions of Section 13DH of the Valuation of Land Act 1960; and
2. adopts the 2018 General Valuations pursuant to the provisions of the Valuation of Land Act 1960.

CARRIED

10.9 PROPOSED SALE OF LAND ADJOINING 4 AND 6 WARD STREET AND 9 DALGETTY ROAD, BEAUMARIS

Corporate Services - Commercial Services
File No: FOL/16/963 – Doc No: DOC/18/159829

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

Moved: Cr Martin

Seconded: Cr Grinter

That in accordance with Section 189 of the *Local Government Act 1989* Council resolves to:

1. Commence the statutory procedures to sell the land described as lots 1, 2 and 3 on PS920761B (Land), as shown in Attachment 1, to the property owners of 4 and 6 Ward Street and 9 Dalgetty Road, Beaumaris by private treaty in accordance with Council Policy;
2. Give Public Notice of the proposed sale of the Land in the appropriate newspaper and on Council's website, in accordance with Sections 82A, 189 and 223 of the Local Government Act 1989;
3. Establish 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 Councillors to consider any submissions received at a meeting to be held on 11 September 2018, in the Council Chambers, Boxshall Street Brighton in relation to the proposed sale; and
4. If no submissions are received following the publication of the Public Notice, authorise the Chief Executive Officer, or such other person delegated by the Chief Executive Officer, to undertake the necessary procedural steps to complete the formal procedures for the sale of the Land including the execution of all relevant documentation.

CARRIED

**10.10 PROPOSED ROAD DISCONTINUANCE AND SALE OF LAND
ADJOINING 13 AND 15 NEW STREET AND 7 MAIR STREET BRIGHTON
WITH CONSIDERATION TO SUBMISSIONS RECIEVED AT SECTION 223
SPECIAL COMMITTEE MEETING**

Corporate Services - Commercial Services
File No: FOL/15/2345 – Doc No: DOC/18/153284

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

Moved: Cr Heffernan

Seconded:

That Council, having considered the written and verbal submissions received under Section 223 of the *Local Government Act 1989* to the proposed discontinuance and sale of the road adjoining 13-15 New Street and 7 Mair Street, Brighton, (shown hatched on Attachment 1) and Council considering the road not reasonably required as a road for public use, resolve to:

1. In accordance with Section 206 and Clause 3 of Schedule 10 of the *Local Government Act 1989* (Act) discontinue the road adjoining 13 and 15 New Street and 7 Mair Street, Brighton, shown hatched in Attachment 1;
2. Direct a public notice be published in the Victoria Government Gazette;
3. Proceed to sell and transfer the land to the owners of 13 and 15 New Street, Brighton by private treaty; in accordance with Council's Road Discontinuance and Sale Policy, Council's previous resolution at the Ordinary Council Meeting on 22 May 2018 and the purchase prices shown in 'Table 1' of this report;
4. Authorise the Chief Executive Officer, or such other person as delegated by the Chief Executive Officer, to undertake the necessary steps to complete the formal procedures for the discontinuance and sale of the land from the road to the owners of 13 and 15 New Street, Brighton including the execution of all relevant documentation; and
5. Advise any party who lodged a submission in relation to the proposal of Council's decision and provide the following reasons for the decision to proceed with the discontinuance and sale of the road:
 - i. Council considers the road is not reasonably required as a road for public use.
 - ii. Council considers it is acting in accordance with the functions and powers conferred on it under the *Local Government Act 1989*, having regard to its role, purposes and objectives, particularly in relation to the efficient management of resources in Council's control and in accordance with its policy.
 - iii. The discontinuance and sale of the road should be assessed independently of the planning application for the development of the adjoining properties at 13 and 15 New Street, Brighton, and the proposal should proceed. The submitter has a right to object to the planning application for the development at 13 and 15 New Street based upon relevant planning grounds.

- iv. Although 2 Seaview Avenue, Brighton enjoys carriageway rights over a section of the road which abuts the east property boundary, officers do not consider that the section of road proposed to be discontinued and sold to the owner of 13 and 15 New Street, Brighton, is reasonably required for access to 2 Seaview Avenue.
- v. The section of road proposed to be discontinued does not directly abut the side of 2 Seaview Avenue, and its discontinuance and sale to the owner of 13 and 15 New Street at current market value, accords with Council policy.
- vi. The proposed discontinuance and sale of the section of road adjoining the rear of 13 and 15 New Street will not preclude the submitter from gaining access to the remainder of the open road at the side of their property.
- vii. A Caveat will not be placed on the subject land to restrict the development potential of the land. Any development restrictions should be imposed through planning permit conditions and will be assessed as per the relevant Planning Scheme.
- viii. Council's Contract Valuer, Matheson Stephen Valuations have provided a market valuation on 30 January 2018. The valuation has been assessed in accordance with Council's Policy and reflects an accurate and recent market value. The land is to be sold in accordance with the purchase prices shown in Table 1 of this report as per the Council Resolution at the Ordinary Council Meeting on 22 May 2018.

The motion LAPSED for want of a Seconder.

Moved: Cr del Porto

Seconded: Cr Grinter

That Council defer the decision on this item for a period of one month.

CARRIED/LOST

**10.11 RE-ALIGNMENT OF SANDRINGHAM / BLACK ROCK BOUNDARY ON
DUFF STREET**

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/163772

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

Moved: Cr Martin

Seconded: Cr Long

That Council requests the Registrar of Geographic Names to amend the boundary of 26 Duff Street from the suburb Black Rock to Sandringham.

CARRIED

10.12 MULTIFUNCTION DEVICES & PRINTERS CON/18/150581

Corporate Services - Information Services
File No: PSF/18/105 – Doc No: DOC/18/161749

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

Moved: Cr del Porto

Seconded: Cr Castelli

That Council:

1. Awards Contract No: 16/40 for the renewal of the Multifunction Devices & Printers to Toshiba (Australia) Pty Ltd, for a lump sum price of \$339,192 plus \$33,919 GST; and
2. Authorises the Chief Executive Officer to sign all necessary contract documentation relating to the awarding of Contract 16/40 for the provision of Multi-Function Devices and Printers.

CARRIED

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

10.13 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/163717

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

Moved: Cr del Porto

Seconded: Cr Castelli

That Council notes the Council Action Awaiting Report.

CARRIED

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

11. Reports by Delegates

1. **Association of Bayside Municipalities** – The Mayor Cr Laurence Evans indicated that a meeting had been held since the last update.
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 has commenced their series of forums, with the next being conducted at Stonnington Council on 31 July 2018. The purpose of the forums is to highlight to members of parliament the issues associated with public transports particularly the bus network.
4. **Municipal Association of Victoria** – Cr Alex del Porto indicated that there is a conference scheduled for this weekend.
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 del Porto

Seconded: Cr Long

That the Councillors' reports be received and noted.

CARRIED

12. Urgent Business

12.1 SPECIAL MEETING OF COUNCIL – 19 SEPTEMBER 2018

Moved: Cr del Porto

Seconded: Cr Long

That the matter relating to a Special Meeting of Council be admitted as an item of urgent business

CARRIED

Moved: Cr Long

Seconded: Cr Castelli

That a Special Meeting of Council be held at 6:30pm on Wednesday 19 September 2018 at the Council Chambers for the consideration of the Future of Elsternwick Park North.

CARRIED

14. Confidential Business

Moved: Cr del Porto

Seconded: Cr Grinter

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 JULY 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 10:30pm.

CONFIRMED THIS INSERT 21 DAY OF AUGUST 2018

CHAIRPERSON:

