



Minutes of the Ordinary Meeting of Bayside City Council

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Tuesday 18 September 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
Steven White	Director Environment, Recreation and Infrastructure
Bill Shanahan	Acting Director Corporate Services
Yvonne Hansen	Acting Executive Manager Strategy and Performance
Juiana Aya	Manager Urban Strategy
Terry Callant	Governance Manager
Karen Brown	Governance Coordinator
Robert Lamb	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

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

21 August 2018.

Moved: Cr Martin

Seconded: Cr Long

That the minutes of the Ordinary meeting of Bayside City Council held on 21 August 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, 12 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 Greg Smith (present in the Chamber)**

Mr Smith's question relates to flood mitigation for Elsternwick Park and he asks:

- a) How many flood mitigation related reports are currently being prepared by either council, the Department of Environment, Land, Water and Planning (DELWP) or any other parties in relation to Elsternwick Park South and/or Elsternwick Park North?
- b) How can any decision be made regards Elsternwick Park Ovals 3 & 4 when these reports are outstanding? When are these reports due?

Response by the CEO

- a) *Melbourne Water is currently conducting a study of Elster Creek as part of the Elster Creek Action Plan to mitigate flooding within the catchment. Melbourne Water, and the Bayside, Port Phillip, Glen Eira and Kingston Councils are currently collaborating and have developed the Action Plan aimed at mitigating the impacts of flooding within the Elster Creek catchment.*
- b) *The results of the study are planned to be completed by the end of 2018. Future work in the area of Elsternwick Park North or South, be it related to ovals or other activities, will consider the findings of study.*

2. **Mr Greg Smith (present in the Chamber)**

Mr Smith's second question relates to lighting at Elsternwick Park South and he asks:

In 2008 this council knocked back low level perimeter lighting in Elsternwick Park South due to the environmental reasons.

- a) Why are you now proposing intensified flood lighting?
- b) How is this remotely justifiable?

Response by CEO

(a and b)

Sportsground lighting is designed by an independent lighting engineer and installed to meet relevant Australian Standards including lux (light) levels on the playing surface and residual glare into surrounding areas. Restricted hours of operation (until 8.30pm) on a maximum of four nights per week, from April to September each year minimises any impact on the surrounding environment, including native fauna such as birdlife.

3. Mr Darren Mitchell (present in the Chamber)

Mr Mitchell's question relates to the utilisation of sports ovals in Bayside and he asks:

- a) Are there any ovals in Bayside currently not allocated for sport? If so, why not?
- b) Why is the utilisation of sports ovals not tracked?

Response by the CEO

- a) *The only Council managed sportsground (excluding Elsternwick Park 3 and 4) not used for winter sport is Trey Bit Reserve, Jetty Road Sandringham. This sportsground is too small for the purpose of winter sport and does not have appropriate infrastructure to support the use.*
- b) *All use of Council managed sportsgrounds is tracked and managed through allocation software, which provides details of users and hours of use. An example is available via Council's Have your Say page.*

4. Mr Darren Mitchell (present in the Chamber)

Mr Mitchell's second question relates to the dog off-leash activity and any proposed change of use and he asks:

- a) Is the change being proposed significant, as per the report, or is it no change in use as per the response to Gail Stainton?
- b) Now that the consultation period has finished, and council has received a 3890 person petition against the proposal, is council sufficiently aware of the community's overriding objection to the proposal?

Response by the Mayor

- a) *The changes proposed for winter sports ground use, will change the way dog owners currently utilise the reserve in winter. The proposal does not change the status of the reserve as dog off leash area, however the requirement to have a dog on-leash within 20m of organised sport, would require a change to existing practices.*
- b) *Council has received high volumes of feedback both for and against the proposal and will consider this matter at a meeting tomorrow night.*

5. Ms Jenelle McKenzie

Ms McKenzie submitted a question however was not present at the meeting.

6. Ms Jenelle McKenzie

Ms McKenzie submitted a question however was not present at the meeting.

7. Ms Nadine Eagleson

Ms Eagleson submitted a question however was not present at the meeting.

8. Ms Nadine Eagleson

Ms Eagleson submitted a question however was not present at the meeting.

9. Mr Arron Wood

Mr Wood's question relates to the facilities and usage for Oval 2 at Elsternwick Park and he asks:

Can Council Officers confirm details on the Oval 2 upgrade. Specifically:

- a) After upgrade works will this be a full sized oval fit for all levels of sport with female friendly facilities?
- b) What is the current oval usage?

Response by the CEO

- a) *While the oval will be used for senior football, it is below the preferred minimum standard for AFL community use. The new oval will be slightly rotated to maximise the length allowing junior and lower level senior football. All new pavilions in Bayside are designed to ensure access for all including female friendly facilities.*
- b) *The oval is currently utilised 15 hours per week, because of its poor condition. Almost all junior use has been removed from the sportsground to ensure the senior club has a venue to play from. In the first winter sporting season after reconstruction, use will be between 15 -20 hours to protect the maturing turf, before increasing to 25 hours per week thereafter.*

10. Mr Peter Boyle

Mr Boyle submitted a public question however was not present at the meeting.

11. Mr Kevin Spencer

Mr Spencer's question relates Council's protocol for Memorials and he asks:

Recently a council employee rejected an application for a memorial to one of Australia's great scientist and resident of Brighton, Sir Alan Walsh, of whom is recognized worldwide for his inventiveness. To justify the refusal to site it in the memorial gardens adjoining the Brighton Library, the council employee ignored the explicit Bayside City Council Civic & Ceremonial Protocol Guide for Memorials with the likes of double standards.

- (a) Would Council explain how a council employee was allowed to place ad hoc obstacles to the Memorial proposal instead of referring to Councils Guide to Memorials.
- (b) Why wasn't this important matter referred to a meeting of Council to deliberate on this long overdue cause for this worthy memorial?

Response by the CEO

- (a) *The Council staff member did not reject an application for a memorial to Sir Alan Walsh as no application for such a memorial has been received by Council. Rather the staff member, as Council's appointed assessor for the Victorian government's Pick My Project funding program, did not support an application for funding for a memorial to Sir Alan Walsh as the submitter had not made any enquiry of Council regarding the proposed memorial to be sited on Council owned land.*
- (b) *There is no matter to refer to a meeting of Council as no submission (formal or informal) for a memorial to Sir Alan Walsh has been made to Council. As per the advice provided to the submitter in writing and during a telephone conversation, the submitter is encouraged to contact Council's Arts and Culture team to discuss any proposed memorial.*

12. Mr Kevin Spencer

Mr Spencer's second question relates to signage in the surrounds of Brighton Civic Centre and he asks:

Council recently has erected a large number of arguably unnecessary and costly signage in the surrounds of Civic Centre Brighton.

- (a) When did council approve these signs?
- (b) Before approving the signage was the work subjected to regulatory Planning approval consisting of on site assessment, Arts & Culture Appraisal, and importantly, Community Consultation.

Response by the CEO

- a) *The signs upgrade is part of an ongoing Council program to improve way finding signage across Bayside. Tenants of buildings within the Brighton Civic Centre Precinct identified way finding issues in the area.*
- b) *The signs have been developed in accordance with wayfinding design principles and international standards. A planning permit was not required for the new signs. A heritage assessment was undertaken to ensure that the new signs did not negatively impact on the heritage values of the precinct. Tenants of buildings within the Brighton Civic Centre Precinct were consulted throughout the process.*

7. Petitions to Council

7.1 PETITION - REQUESTING A HYDROTHERAPY POOL ACCESSIBLE TO ALL RESIDENTS

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/214068

Petition from residents strongly supporting the proposal that Bayside needs a hydrotherapy pool accessible for all residents for a wide range of health conditions – encompassing pain management, chronic conditions and rehabilitation following injury and surgery.

(Total petitioners – 749, 591 Bayside residents, and 158 from outside the municipality).

“We the undersigned, hereby petition Bayside City Council to strongly support the proposal that the City of Bayside needs a hydrotherapy pool accessible for all residents for a wide range of health conditions – encompassing pain management, chronic conditions and rehabilitation following injury and surgery.”

Officer Comment

The consideration of an aquatic hydrotherapy facility is included in work being undertaken to identify potential costs and funding models for the Sandringham Family Leisure Centre.

Moved: Cr del Porto

Seconded: Cr Castelli

That the petition be received and a report be submitted to the December Ordinary Meeting of Council on this matter.

CARRIED

8. Minutes of Advisory Committees

8.1 MINUTES OF THE AUDIT AND RISK MANAGEMENT COMMITTEE MEETING HELD ON 22 AUGUST 2018

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/214316

Moved: Cr Castelli

Seconded: Cr Grinter

That Council:

1. notes the minutes of the Audit and Risk Management Committee held on 22 August 2018,
2. adopts the following recommendations of the Audit and Risk Management Committee meeting of 22 August 2018:

Item 9.6.1. – Three Year Internal Audit Plan for 2018/19 to 2020/21

That the Audit & Risk Management Committee:

1. recommends to Council that the Three Year Internal Audit Plan for 2018/19 to 2020/21 financial years be adopted subject to following change:
 - Risk Management be audited in 2019/20 and the organisation consider an appropriate replacement audit in 2020/21;
2. reviews the Audit Plan annually prior to the commencing of the Audit year; and
3. receives a briefing at each meeting by a Director highlighting the issues and risks associated to their particular directorate.

Item 9.8.1. – Annual Report of the Audit and Risk Management Committee

That the Audit and Risk Management Committee:

1. notes the content of the draft 2017/18 Audit and Risk Management Committee Annual Report;
2. presents the Audit and Risk Management Committee Annual Report to Council; and;
3. recommends to Council that the Audit and Risk Management Committee Annual Report be included in the 2017/18 Annual Report.

Item 9.8.2. - Appointment of Chairperson of the Audit and Risk Management Committee

1. That the Audit and Risk Management Committee recommends to Council that independent member Ms Lisa Woolmer be appointed as Chairperson to the Audit and Risk Management Committee for 2018/19 effective as from the November 2018 meeting.

2. That the Audit and Risk Management Committee thanks Mr Brian Keane for his Chairmanship of the Committee for the past 4 years.

CARRIED

8.2 MINUTES OF THE AUDIT AND RISK MANAGEMENT COMMITTEE MEETING HELD ON 14 SEPTEMBER 2018

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/216741

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

1. notes the minutes of the Audit and Risk Management Committee held on 14 September 2018.
2. adopts the following recommendations of the Audit and Risk Management Committee meeting of 14 September 2018:

9.1.2. Draft Annual Financial Statements for the year ended 30 June 2018

That the Audit and Risk Management Committee:

- 1 receives and notes the Financial Report and draft management representation letter for the financial year ended 30 June 2018; and
- 2 recommends to Council that Council resolves subject to changes recommended by the Audit & Risk Management Committee to give in principal approval of the Financial Report for the financial year ended 30 June 2018.

9.1.3. Performance Statement for year ending 30 June 2018

That the Audit and Risk Management Committee:

1. recommends to Council that Council resolves to adopt the Performance Statement for the financial year ending 30 June 2018 in principle; and
2. receives a trend analysis report at the February meeting on the LGPRF Performance Measures over the past four years, and a comparison against similar Councils.

CARRIED

9. Reports by Special Committees

9.1 MINUTES OF THE BAYSIDE ARTS BOARD MEETING HELD ON 15 AUGUST 2018

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/213958

Moved: Cr del Porto

Seconded: Cr Castelli

That Council:

1. notes the minutes of the Bayside Arts Board meeting held on 15 August 2018;
2. adopts the following recommendations of the Bayside Arts Board meeting of 15 August 2018:

Item 6.2 Gallery Marketing and Audience Development Plan

1. That the Board approves the Gallery Marketing and Audience Development Plan and recommends that:
 - a. Council change the name of the Gallery @ BACC to **Bayside Gallery**;
 - b. Council market the Gallery as being in the Brighton Town Hall not the Bayside Arts and Cultural Centre;
 - c. Council build on the Gallery's unique selling point of providing a high quality arts experience of 30 minutes duration;
 - d. Council continues to explore opportunities to better activate the street frontage through signage and art installations/objects and;
 - e. Council implements the plan over the next 12 months.
2. That the Board received a quarterly update report on the status of the marketing plan at each meeting.

Item 6.6. Annual Report 2017-2018

That the Bayside Arts Board:

1. adopts the 2017-2018 Annual report; and
2. recommends to Council that the Bayside Arts Board Annual report be included in the Bayside City Council's 2017-2018 Annual Report.

Item 6.7 – Appointment of Chairperson and Deputy Chairperson of the Bayside Arts Board

That the Bayside Arts Board recommends to Council that Ms Tiziana Borghese be appointment as Chairperson of the Bayside Arts Board.

That the Bayside Arts Board recommends to Council that Mr Roger Boyce be appointment as Deputy Chairperson of the Bayside Arts Board.

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 - Highett Structure Plan

1. Mr Ross Newton
2. Dr Robert Saunders

Item 10.2 - Pennydale Structure Plan - Update

1. Dr Robert Saunders

10.1 HIGHETT STRUCTURE PLAN

City Planning & Community Services - Urban Strategy
File No: PSF/18/109 – Doc No: DOC/18/210163

It is recorded that Mr Ross Newton and Dr Robert Saunders both spoke in relation to this item.

Moved: Cr Long

Seconded: Cr Castelli

That Council:

1. adopts the Highett Structure Plan as contained in Attachment No: 1.
2. commences a Planning Scheme Amendment to facilitate the implementation of the Structure Plan;
3. authorises the Director City Planning and Community Services to make editorial changes to the amendment documentation and submit to the Minister for Planning for authorisation to undertake a Planning Scheme Amendment; and
4. writes to all submitters to inform them of Council's decision.

CARRIED

10.2 PENNYDALE STRUCTURE PLAN - UPDATE

City Planning & Community Services - Urban Strategy
File No: PSF/18/109 – Doc No: DOC/18/210299

It is recorded that Dr Robert Saunders spoke in relation to this item.

Moved: Cr Long

Seconded: Cr Castelli

That Council notes progress on finalising the Pennydale Structure Plan.

CARRIED

10.3 CHELTENHAM STATION REDEVELOPMENT

Environment, Recreation & Infrastructure - Environment, Recreation & Infrastructure
File No: PSF/18/108 – Doc No: DOC/18/203688

Moved: Cr Martin

Seconded: Cr del Porto

That Council:

1. supports the Cheltenham Park Interface Treatment prepared by Kingston City Council as shown in Attachment 2;
2. supports a municipal boundary realignment to facilitate development in accordance with the Cheltenham Park Interface Treatment as shown in Attachment 2, subject to:
 - a) the urban design and planning controls being incorporated into the relevant documentation; and
 - b) agreement on a suitable financial contribution from the City of Kingston towards the improvement and maintenance of Cheltenham Park.
3. writes to Kingston City Council and the Minister for Local Government advising of this decision.

CARRIED

10.4 FOOTPATH TRADING POLICY REVIEW

City Planning & Community Services - Amenity Protection
File No: PSF/18/95 – Doc No: DOC/18/212592

It is recorded that Councillor Grinter left the Meeting at 7:59 pm and returned to the Meeting at 8:00 pm.

Moved: Cr Heffernan

Seconded: Cr del Porto

That Council adopts the revised Footpath Trading Policy 2018.

CARRIED

**10.5 POLICY REVIEW - CONTAMINATED AND POTENTIALY
CONTAMINATED LAND POLICY (2018)**

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/170657

Moved: Cr del Porto

Seconded: Cr Castelli

That Council adopts the Contaminated and Potentially Contaminated Land Policy (2018) which replaces the Contaminated and Potentially Contaminated Land Policy (2015).

CARRIED

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

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/182890

Moved: Cr Grinter

Seconded: Cr Castelli

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 having determined the road is not reasonably required as a road for public use, resolves 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.

CARRIED

10.7 PROPOSED DISCONTINUANCE AND SALE OF LAND AT REAR 42 MURPHY STREET AND 55 BRICKWOOD STREET, BRIGHTON

Corporate Services - Commercial Services
File No: PSF/18/98 – Doc No: DOC/18/214003

Moved: Cr del Porto

Seconded: Cr Heffernan

That Council:

1. Commence the statutory procedures, pursuant to section 206 and Clause 3 of Schedule 10 of the Local Government Act 1989 (the Act), for the discontinuance of the 3.05m wide road adjoining 42 Murphy Street and 55 Brickwood Street, Brighton, shown hatched in Attachment 1 and to sell the land to the owners of 42 Murphy Street and 55 Brickwood Street, Brighton by private treaty (the Proposal);
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 that the land from the road be sold to the owners of 42 Murphy Street and 55 Brickwood Street, Brighton in accordance with Council policy and the purchase prices shown in Table 1 within this report;
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 owners of 42 Murphy Street and 55 Brickwood Street, Brighton (the Proposal) including the execution of all relevant documentation;
4. In the event that written submissions are received, a further report be presented to Council or a Special Committee of Council to consider the submissions received in accordance with section 223 of the Local Government Act 1989 and for a decision whether to discontinue and sell the road, part of the road or not to discontinue and sell the road.
5. In the event of any submitters requesting to be heard in support of their written submission, 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 hear/consider the submission/s received at a meeting to be held on Thursday, 1 November 2018 at 6.30pm in the Council Chambers, Boxshall Street, Brighton and for a decision whether to discontinue and sell the road, part of the road or not to discontinue and sell the road.

CARRIED

10.8 CONTRACT CON/18/77 ROAD RESURFACING PROGRAM 2018/19 - 2019/20

Environment, Recreation & Infrastructure - City Assets & Projects
File No: PSF/18/97 – Doc No: DOC/18/182982

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

1. Awards Contract CON/18/77 Road Resurfacing Program for 2018/19 – 2019/20 to Alex Fraser Asphalt Pty Ltd (ABN: 60 083 841 963) for the specified schedule of rates in Confidential Attachment 3;
2. Authorises the Chief Executive Officer to sign all necessary documentation related to Contract CON/18/77 Road Resurfacing Program for 2018/19 – 2019/20; and
3. Advises the unsuccessful tenderers accordingly.

CARRIED

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

10.9 CONTRACT CON/18/81 HEAD CONSULTANT AND ARCHITECTURAL SERVICES FOR SANDRINGHAM LIBRARY MATERNAL CHILD HEALTH CENTRE AND MASONIC HALL REDEVELOPMENT

Environment, Recreation & Infrastructure - City Assets & Projects
File No: PSF/18/97 – Doc No: DOC/18/184010

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

1. Awards Contract CON/18/81 Head Consultant and Architectural Services for Sandringham Library, Maternal Child Health Centre and Masonic Hall Redevelopment to **Croxon Ramsay** Pty Ltd for the lump sum price of \$413,838.00 (excl. GST) and \$455,222 (incl. GST);
2. Authorises the Chief Executive Officer to sign all necessary documentation related to Contract CON/18/81 Head Consultant and Architectural Services for Sandringham Library, Maternal Child Health Centre and Masonic Hall Redevelopment;
3. Advises the unsuccessful tenderers accordingly.

CARRIED

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

**10.10 CONTRACT CON/18/86 ELSTERNWICK PARK OVAL NO. 2
SPORTSGROUND RECONSTRUCTION**

Environment, Recreation & Infrastructure - City Assets & Projects
File No: PSF/18/97 – Doc No: DOC/18/184171

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

1. Awards contract CON/18/86 Elsternwick Park Oval No. 2 Sportsground Reconstruction to Hume Turf and Machinery Pty Ltd (ABN:14 170 602 450) for the lump sum price of \$919,152 (excl. GST) and \$1,011,067.20 (incl. GST);
2. Authorises the Chief Executive Officer to sign all necessary documentation related to CON/18/86 Elsternwick Park Oval No. 2 Sportsground Reconstruction; and
3. Advises the unsuccessful tenderers accordingly.

CARRIED

NOTE: Item 10.10 was **CARRIED** as part of a block motion.

10.11 CONTRACT CON/18/89 WL SIMPSON RESERVE SPORTSGROUND RECONSTRUCTION

Environment, Recreation & Infrastructure - City Assets & Projects
File No: PSF/18/97 – Doc No: DOC/18/184115

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

1. Awards contract CON/18/89 WL Simpson Reserve Sportsground Reconstruction to Evergreen Turf Group Pty Ltd for the lump sum price of \$875,300.58 (excl. GST) and \$962,830.63 (incl. GST);
2. Authorises the Chief Executive Officer to sign all necessary documentation related to CON/18/89 WL Simpson Reserve Sportsground Reconstruction; and
3. Advises the unsuccessful tenderers accordingly.

CARRIED

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

10.12 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/18/103 – Doc No: DOC/18/212374

Moved: Cr Grinter

Seconded: Cr Castelli

That Council notes the Council Action Awaiting Report.

CARRIED

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

11. Reports by Delegates

1. **Association of Bayside Municipalities** – The Mayor Cr Laurence Evans indicated that no meeting has been held since the previous meeting.
2. **MAV Environment Committee** – Director Environment, Recreation and Infrastructure Services indicated that a meeting has not been held since the previous meeting.
3. **Metropolitan Transport Forum** – Cr Clarke Martin advised the meeting that the Metropolitan Transport Forum has completed its Transport Forums leading up to the State Government elections advocating for improvements to the public transport network including bus services. Cr Martin indicated that Bayside was unsuccessful in its advocacy for the changes to bus services within the Bayside municipality.
4. **Municipal Association of Victoria** – Cr Alex del Porto reported he attended the South East Metropolitan Region MAV forum held on Friday 14 September 2018. The meeting was addressed by the recently appointed CEO Ms Kerry Thompson. It was also discussed that the proposed Local Government Bill will not progress through parliament at this session prior to the State Election. The MAV Act is also being reviewed at the same time which will also be held over after the State Election. Discussion took place concerning the MAV's call to parties highlighting the MAV's key 42 commitments including strong advocacy for Affordable Social Housing.
5. **Inner South Metropolitan Mayors' Forum** – The Mayor Cr Laurence Evans indicated that the Forum met last Friday which was attended by 4 Mayors. The main focus was on Graffiti and the clean up on public areas.
6. **Metropolitan Local Government Waste Forum** – Cr Michael Heffernan indicated that the Forum has not met since the previous meeting.

Moved: Cr Martin

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.

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 BAYSIDE BUILT ENVIRONMENT AWARDS 2018 - JUDGING PANEL RECOMMENDATIONS

(LGA 1989 Section 89(2)(h) 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 9.10pm.