

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

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Meeting held in the Council Chambers  
Civic Centre, Brighton  
on Thursday 10 November 2016  
commencing at 7.12pm

In accordance with Local Law No. 1 – Governance Local Law, the Chief Executive Officer is Chairperson (Pro-tem).

The Chief Executive Officer welcomed Boonerwung Elder Carolyn Briggs to the meeting to undertake the Welcome to Country.

The Chairperson acknowledged the attendance of former Mayors and Councillors and family and friends of the newly elected Council present at this meeting. The Chairperson also advised of apologies received from former Mayors, State Members and Federal Members of Parliament who were unable to attend this meeting.

**1. REPORT ON THE RESULTS OF THE COUNCIL ELECTIONS HELD  
ON 22 October 2016**

The Chief Executive Officer reported on the results of the 2016 Council Elections held on Friday 21 October 2016.

The following candidates were successful in the 2016 elections:

|                                |   |
|--------------------------------|---|
| Elected from the Northern Ward | Alex del Porto<br>Michael Heffernan         |
| Elected from the Central Ward  | Sonia Castelli<br>Rob Grinter<br>James Long |
| Elected from the Southern Ward | Laurence Evans<br>Clarke Martin             |

## **2. SWEARING IN OF NEWLY ELECTED AND RE-ELECTED COUNCILLORS**

It is recorded that the Chief Executive Officer administered the Oath of Office in accordance with Section 63(1) of the Local Government Act 1989 for all elected Councillors and welcomed the new Council of the City of Bayside.

The Councillors elect were invited in alphabetical order to read and sign the Oath of Office before the Chief Executive Officer and also making a written declaration to the Chief Executive Officer that they will abide by the Councillor Code of Conduct in accordance with Section 76C (6A) of the Local Government Act 1989.

Following the signing and witnessing of the Oath of Office and the declaration to abide by the Councillor Code of Conduct, the Chief Executive Officer congratulated the newly elected Council.

Cr Sonia Castelli  
Cr Alex del Porto  
Cr Laurence Evans  
Cr Rob Grinter  
Cr Michael Heffernan  
Cr James Long  
Cr Clarke Martin

The Chief Executive Officer declared the meeting opened at 7.10pm.

**PRESENT:** Cr Sonia Castelli  
Cr Alex del Porto  
Cr Laurence Evans  
Cr Rob Grinter  
Cr Michael Heffernan  
Cr James Long BM JP  
Cr Clarke Martin

### **OFFICERS IN ATTENDANCE:**

|                       |   |
|-----------------------|---|
| Adrian Robb           | Executive Officer   |
| Shiran Wickramasinghe | Director City Planning and Community Services                             |
| Bill Shanahan         | Acting Director Corporate Services  |
| Steven White          | Director Environment, Recreation and Infrastructure                       |
| Paulina Xerri         | Executive Manager Customer Services, Communications and Cultural Services |
| Leanne Ansell-McBride | Executive Manager Strategy and Performance                                |
| Terry Callant         | Governance Manager  |

## **PRAYER**

Cr Heffernan 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*

## **ACKNOWLEDGEMENT OF THE ORIGINAL INHABITANTS**

Cr Evans 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.*

## **DECLARATIONS OF INTEREST**

There were no declarations of interest submitted to the meeting.

## **3. APOLOGIES**

There were no apologies submitted to the meeting.

## **4. FIXING OF ALLOWANCES**

### **4.1 Councillors Allowance**

**Moved: Cr del Porto**

**Seconded: Cr Heffernan**

1. That in accordance with Section 73B of the Local Government Act 1989, Council reconfirms its decision of 19 March 2013 that the Councillors allowance be set at the maximum level applicable for a category 2 Council. The maximum level of \$24,127 per annum will be payable by monthly instalments in advance, and be adjusted as a result of any State Government annual adjustment to the allowance.
2. That in accordance with Section 74(1) of the Local Government Act 1989, it be noted that a review of the Councillor allowance will be undertaken by 30 June 2017 in accordance with Section 223 of the Act to determine the allowance from that time and the next four years.

**CARRIED**

### **4.2 Mayoral Allowance**

**Moved: Cr Evans**

**Seconded: Cr Grinter**

1. That in accordance with Section 73B of the Local Government Act 1989, Council reconfirms its decision of 19 March 2013 that the Mayoral allowance be set at the maximum level applicable for a category 2 Council. The maximum level of \$74,654 per annum will be payable by monthly instalments in advance and be adjusted as a result of any State Government annual adjustment to the allowance.
2. That it be noted that a Mayoral vehicle is provided in accordance with the Section 14 of the Councillor Support, Resources, Reimbursement and Accountability Policy (July 2016).
3. That in accordance with Section 74(1) of the Local Government Act 1989, it be noted that a review of the Mayoral allowance will be undertaken by 30 June 2017 in accordance with Section 223 of the Act to determine the allowance from that time and the next four years.

**CARRIED**

## 5. **RECEIPT OF NOMINATIONS FOR THE ELECTION OF MAYOR**

The Chief Executive called for nominations for the Office of Mayor.

**Nominations received from Cr Long                      Seconded by Cr Castelli**

That Councillor **Alex del Porto** be nominated as Mayor of Bayside City Council for the 2016/2017 Council Year.

Cr Alex del Porto accepted the nomination.

Given the Chief Executive Officer did not receive any further nominations for the position of Mayor, the Chief Executive Officer duly declared Cr del Porto elected as Mayor of the City for 2016/2017.

## 6. **ELECTION OF MAYOR**

The Chief Executive Officer declared Cr Alex del Porto elected as Mayor of Bayside City Council for the 2016/2017 Council year.

Cr del Porto made an acceptance speech in his role as Mayor.

**Moved: Cr Castelli**

**Seconded: Cr Heffernan**

That a letter of appreciation under the Common Seal of Council be presented to the immediate past Mayor Cr James Long BM JP in recognition of the 2015/16 Mayoral term of office.

**CARRIED**

**Moved: Cr Evans**

**Seconded: Cr Heffernan**

That in accordance with Council policy a letter under the Common Seal of Bayside City Council and a plaque be presented to the immediate former Councillors Felicity Frederico, Heather Stewart and Bruce Lowe in recognition of their service to Council.

**CARRIED**

## **Presentations**

- The Mayor invited the immediate former Mayor and immediate former Councillors to come forward to receive a presentation.

It was recorded that former Cr Bruce Lowe tendered his apologise to the meeting due to a prior commitment.

The Mayor made a presentation to the former Mayor Cr James Long BM JP and the former Councillors Felicity Frederico and Heather Stewart.

- All parties returned to their seats.

## **7. APPOINTMENT OF DEPUTY MAYOR**

**Nomination received from Cr Heffernan      Seconded by Cr Castelli**

“That **Councillor James Long BM JP** be nominated as Deputy Mayor of Bayside City Council for the 2016/2017 Council Year and Acting Mayor in the absence of the Mayor for the purposes of Section 73(3) of the Local Government Act, unless Council resolves otherwise.”

Given that there were no further nominations for Deputy Mayor, the Mayor duly declared Cr James Long BM JP elected as Deputy Mayor for the 2016/2017 Council year and Acting Mayor in the absence of the Mayor for the purposes of Section 73(3) of the Local Government Act, unless Council resolves otherwise.

## **8. Appointment of Committees**

### **8.1 Appointment of Planning and Amenity Committee Chairperson**

**Nominations received from Cr Martin      Seconded by Cr Grinter**

“That **Councillor Laurence Evans** be nominated as Chair of the Planning & Amenity Committee for the 2016/2017 Council Year.

As there were no further nominations for Planning and Amenity Committee Chairperson, the Mayor declared Cr Laurence Evans Chairperson of the Planning and Amenity Committee for the 2016/17 Council year.

## 8.3 Audit Committee

**Moved: Cr Evans**

**Seconded: Cr Heffernan**

That Council:

1. appoints Cr Sonia Castelli and Cr Rob Grinter as Council's representatives to the Audit Committee for a two year term in accordance with the Audit Committee Charter, and
2. approves the increased meeting fee for external independent members by CPI to \$1,515 per meeting for external members and the meeting fee for the Chairperson be increased by CPI to \$1,923 per meeting effective from the first meeting to be held in December 2016.

**CARRIED**

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

Moved: Cr Martin

Seconded: Cr Castelli

1. That Council adopts the following Council and Committee Meeting Cycle:

| 2. Date                     | Meeting Type   |
|-----------------------------|--|
| <b>November 2016</b>        |  |
| Tuesday 15 November 2016    | Councillor Briefing  |
| Tuesday 22 November 2016    | Planning and Amenity Committee                                 |
| Tuesday 29 November 2016    | Ordinary Meeting of Council                                    |
| <b>December 2016</b>        |  |
| Tuesday 6 December 2016     | Councillor Briefing  |
| Monday 12 December 2016     | Planning and Amenity Committee                                 |
| Tuesday 20 December 2016    | Ordinary Meeting of Council                                    |
| <b>January 2017</b>         |  |
| Tuesday 17 January 2017     | Planning and Amenity Committee                                 |
| Tuesday 31 January 2017     | Ordinary Meeting of Council                                    |
| <b>February 2017</b>        |  |
| Tuesday 7 February 2017     | Councillor Briefing  |
| Tuesday 14 February 2017    | Planning and Amenity Committee                                 |
| Tuesday 28 February 2017    | Ordinary Meeting of Council                                    |
| <b>March 2017</b>           |  |
| Tuesday 7 March 2017        | Councillor Briefing  |
| Thursday 9 March 2017       | Budget Briefing No: 1  |
| Tuesday 14 March 2017       | Planning and Amenity Committee                                 |
| Thursday 16 March 2017      | Budget Briefing No: 2  |
| Tuesday 21 March 2017       | Strategic Issues Discussion                                    |
| Thursday 23 March 2017      | Budget Briefing No 3   |
| Tuesday 28 March 2017       | Ordinary Meeting of Council                                    |
| Tuesday 30 March 2017       | Budget Briefing No: 4  |
| <b>April 2017</b>           |  |
| Tuesday 6 April 2017        | Councillor Briefing  |
| Monday 10 – Friday 14 April | <i>No Meetings- School Holidays</i>                            |
| Friday 14 – Monday 17 April | <i>Easter Holidays</i>   |
| Tuesday 18 April 2017       | Planning and Amenity Committee                                 |
| Tuesday 25 April 2017       | <i>Anzac Day Public Holiday</i>                                |
| Wednesday 26 April 2017     | Ordinary Meeting of Council                                    |
| <b>May 2017</b>             |  |
| Tuesday 2 May 2017          | Councillor Briefing  |
| Tuesday 9 May 2017          | Planning and Amenity Committee                                 |
| Tuesday 16 May 2017         | Strategic Issues Discussion                                    |
| Thursday 18 May 2017        | Community Budget Briefing Session                              |
| Tuesday 23 May 2017         | Ordinary Meeting of Council                                    |
| <b>June 2017</b>            |  |
| Tuesday 6 June 2017         | Councillor Briefing  |
| Thursday 8 June 2017        | Section 223 Hearing of Submissions for Budget and Council Plan |
| Tuesday 13 June 2017        | Planning and Amenity Committee                                 |
| Wednesday 27 June 2017      | Ordinary Meeting of Council                                    |



| <b>July 2017</b>                 |                                      |
|----------------------------------|--------------------------------------|
| Tuesday 4 July 2017              | Councillor Briefing                  |
| Monday 10 – Friday 14 July 2017  | <i>No meetings – School Holidays</i> |
| Tuesday 17 July 2017             | Planning and Amenity Committee       |
| Tuesday 24 July 2017             | Ordinary Meeting of Council          |
| Tuesday 31 July 2017             | Strategic Issues Discussion          |
| <b>August 2017</b>               |                                      |
| Tuesday 8 August 2017            | Councillor Briefing                  |
| Tuesday 15 August 2017           | Planning and Amenity Committee       |
| Tuesday 22 August 2017           | Ordinary Meeting of Council          |
| Tuesday 28 August 2017           | Strategic Issues Discussion          |
| <b>September 2017</b>            |                                      |
| Tuesday 5 September 2017         | Councillor Briefing                  |
| Tuesday 12 September 2017        | Planning and Amenity Committee       |
| Tuesday 19 September 2017        | Ordinary Meeting of Council          |
| Tuesday 26 September 2017        | Strategic Issues Discussion          |
| Monday 2 – Friday 6 October 2017 | <i>No meetings – School Holidays</i> |
| <b>October 2017</b>              |                                      |
| Tuesday 10 October 2017          | Councillor Briefing                  |
| Tuesday 17 October 2017          | Planning and Amenity Committee       |
| Tuesday 24 October 2017          | Ordinary Meeting of Council          |
| Tuesday 31 October 2017          | Strategic Issues Discussion          |
| <b>November 2017</b>             |                                      |
| Wednesday 8 November 2017        | Councillor Briefing                  |
| Thursday 9 November 2017         | Annual Meeting of Council            |
| Tuesday 14 November 2017         | Planning and Amenity Committee       |
| Tuesday 21 November 2017         | Ordinary Meeting of Council          |
| Tuesday 28 November 2017         | Strategic Issues Discussion          |
| <b>December 2017</b>             |                                      |
| Tuesday 5 December 2017          | Councillor Briefing                  |
| Monday 11 December 2017          | Planning and Amenity Committee       |
| Tuesday 19 December 2017         | Ordinary Meeting of Council          |

2. That all Council and Committee Meetings (excluding Councillor Briefings and Workshops) be held in the Council Chamber, Civic Centre, Brighton unless otherwise determined by resolution of Council or notice given by the Mayor in accordance with Governance Local Law No: 1; and.
3. That all meeting (excluding Councillor Briefings and Workshops and Special Council or Committee meetings) commence at 7.00pm.

**CARRIED**

## **10. Appointment of Councillor representatives**

### **10.1 External Representation**

#### **10.1.1 Municipal Association of Victoria (Representative)**

**Moved: Cr Evans**

**Seconded: Cr Long**

That Council appoints the following nominated Councillor as Council's representative to the Municipal Association of Victoria:

| <b><i>No: of Appointees Required</i></b> | <b><i>2016/17 Councillor Appointment</i></b> |
|--|--|
| 1 Representative                         | The Mayor of the Day Cr del Porto            |

**CARRIED**

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

**Moved: Cr Castelli**

**Seconded: Cr Martin**

That Council appoints the following nominated Councillor as Council's substitute representative to the Municipal Association of Victoria:

| <b><i>No: of Appointees Required</i></b> | <b><i>2016/2017 Councillor Appointment</i></b> |
|--|--|
| 1 Substitute Representative              | Cr Rob Grinter                                 |

**CARRIED**

**11. Appointment of Council’s Official Publications**

**Moved: Cr Long**

**Seconded: Cr Grinter**

1. That Council, pursuant to Section 3 of the *Local Government Act 1989*, nominates:
  - 1.1 the “Bayside Leader” newspaper as the newspaper generally circulating in the City of Bayside for the purpose of the publication of statutory public notices under Sections 189 and 190 of the Local Government Act 1989 (Sales and Leases) as a minimum; and
  - 1.2 “The Age” newspaper as the newspaper generally circulating in the City of Bayside for the purpose of the publication of statutory public notices under Section 186 of the Local Government Act 1989 (Tenders & Expressions of Interest) as a minimum, and all other statutory public notices.
2. That in addition to the official statutory public notices being placed in the Age newspaper, a notice also be placed in the Bayside Leader for information purposes.
3. That in addition, all of Council’s statutory public notices be published on the Bayside City Council website.

**CARRIED**

The Chairman declared the meeting closed 8.22pm

**Confirmed this 29 Day of November 2016**

**Chairman .....**