



Minutes of the Ordinary Meeting of Bayside City Council

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Tuesday 18 October 2016

The Meeting commenced at 7:00pm

PRESENT:

Cr Alex del Porto
Cr Bruce Lowe
Cr Laurence Evans
Cr James Long BM JP
Cr Heather Stewart
Cr Michael Heffernan
Cr Felicity Frederico

OFFICERS IN ATTENDANCE:

Adrian Robb	Chief Executive Officer
Mick Cummins	Director Corporate Services
Shiran Wickramasinghe	Director City Planning & Community Services
Steven White	Director Environment, Recreation & Infrastructure
Terry Callant	Governance Manager

Table of Contents

1.	Prayer	
2.	Acknowledgement of Original Inhabitants	
3.	Apologies	
4.	Disclosure of any Conflict of Interest of any Councillor	
5.	Adoption and Confirmation of the minutes of previous meeting	
6.	Public Question Time	
7.	Petitions to Council	
	Nil	
8.	Minutes of Advisory Committees	
8.1	Minutes of the Arts and Culture Advisory Committee meeting held on 19 September 2016.....	5
8.2	Minutes of the Chief Executive Officer's Employment Matters Committee held on 10 October 2016.....	6
9.	Reports by Special Committees	
	Nil	
10.	Reports by the Organisation	
10.1	August 2016 Financial Report	8
10.2	Council Action Awaiting Report	9
10.3	VCAT Decisions	10
11.	Reports by Delegates	
12.	Urgent Business	
13.	Notices of Motion	
	Nil	

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 Stewart to read the prayer.

1. Prayer

Cr Stewart 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 Evans 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 13 September 2016.

Moved: Cr del Porto

Seconded: Cr Evans

That the minutes of the Ordinary meeting of Bayside City Council held on 13 September 2016, 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, 3 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 Barry Brooker**

In duly recognising people of having a valid right to know and it being unfair and improper for others being held accountable for actions which they were not a party to, will Council now in public interest, quickly investigate and inform rate-paying residents', traders' and travellers' the number of car parking and loading bay waivers in the municipality (ward by Ward), it has wilfully granted in perpetuity over the last four years 2012-2016? (Luke 8: 17-18)

Response by the Mayor

Council seeks a high level of compliance with the car parking (Clause 52.06) and loading and unloading bay requirements (Clause 52.07). Any proposed waiver the requirements are subject to a detailed assessment by a suitably qualified traffic engineers.

Each site is different and any waiver is assessed on the specific site context to prevent loss of amenity and adverse impact on traffic flow and road safety.

Council does not have aggregate data on the number of car parking and loading bay requirement waivers that have been issued.

2. **Mr Barry Brooker**

Mr Brooker your second proposed question appears to be a statement and not a question. On that basis it is not admitted to public question time. However, Mr Brooker is welcomed to rephrase it as a question and submit it to the next Ordinary Meeting of Council.

3. **Mr Kevin Spencer**

In the summery analysis for the two months ending on the 31 August 2016 under Capital Forecast Expenditure, the figure of \$275,000 was given for additional works required for Hurlingham Park to modify the oval perimeter drain and other associated change of which are the following included in this budged blowout.

- (A) As stated in the Hurlingham Park master plan, a new 390 Metre Chain Mesh fence (Quoted 2014-\$35,000) to the Nepean Highway boundary has yet to be installed or will the recently planted costly rain garden vegetation be allowed to die off and the area reverted to a car park as with the previous pavilion.
- (B) At what cost did council install the fifteen (15) seemingly useless, expensive "Secure Posts" in the area fronting the public toilets, when the boundary chain wire fencing will secure the area for whatever need.

Response by the Chief Executiv Officer

- (A) *The Hurlingham Park Master Plan is being implemented in stages. Subject to Council's annual budget processes, a new 1.1 metre high black chain mesh fence is planned to be installed along the Nepean Highway boundary of Hurlingham Park during the 2017/18 financial year.*
- (B) *The cost of the posts was \$4,200 and was part of the pavilion construction works to protect the newly installed in-ground water tank which catches roof rain water to supply water to flush all the pavilion toilets. The posts prevent maintenance vehicles from driving over and causing damage to the tank and associated pipework.*

4. **Mr Kevin Spencer**

Mr Spencer's second question relates to the damage to the Town Hall gardens Brighton back in July 2016 and he asks:

- (A) Why was the damaged lawns not professionally rectified under councils Insurance Indemnity cover, instead of placing a paltry amount of sand in the deep tracks that present a dangerous trip hazard.
- (B) It is now some months since the attempt to rectify the damage to the lawns, will council give an understanding as to when the necessary work will be acted upon professionally and the elimination of trip hazard's.

Response by the Chief Executive Officer

- (A) & (B) This was not an insurable event as grass at this location is generally not an insured item.

Council responded appropriately to this matter by filling the wheel ruts with turf sand and applying fertiliser to encourage the turf to cover the bare areas. An inspection on 17 October 2016, identified that the majority of wheel ruts have been completely covered over and no trip hazards were observed. Two small depressed sections were identified which will be topped up with turf sand this week.

7. Petitions to Council

Nil

8. Minutes of Advisory Committees

8.1 MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING HELD ON 19 SEPTEMBER 2016

Corporate Services - Governance
File No: PSF/15/8758 – Doc No: DOC/16/186960

Moved: Cr del Porto

Seconded: Cr Frederico

That Council notes the minutes of the Arts and Culture Advisory Committee meeting held on 19 September 2016.

CARRIED

8.2 MINUTES OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT MATTERS COMMITTEE HELD ON 10 OCTOBER 2016

Corporate Services - Governance
File No: PSF/15/8758 – Doc No: DOC/16/187425

Moved: Cr Stewart

Seconded: Cr Heffernan

That Council notes the minutes of the Chief Executive Officer's Employment Matters Committee held on 10 October 2016.

CARRIED

9. Reports by Special Committees

Nil

10. Reports by the Organisation

REQUESTS TO BE HEARD:

In accordance with Council’s Governance Local Law No.1 Clause 69, the following individual was granted three minutes to speak to the item indicated below.

- 10.1 **August 2016 Financial Report**
1. Mr George Reynolds

10.1 AUGUST 2016 FINANCIAL REPORT

Corporate Services - Finance
File No: PSF/15/8759 – Doc No: DOC/16/177425

It is recorded that Mr George Reynolds spoke for three minutes in relation to this item.

Moved: Cr Stewart

Seconded: Cr del Porto

That Council notes the operating and capital financial report for the two months to 31 August 2016.

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

DIVISION: **FOR:** Crs del Porto, Lowe, Evans, Long, Stewart, Heffernan and Frederico (7)
AGAINST: Nil (0)

CARRIED

10.2 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/15/8758 – Doc No: DOC/16/176922

Moved: Cr del Porto

Seconded: Cr Evans

That Council notes the Council Action Awaiting Report.

CARRIED

10.3 VCAT DECISIONS

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/16/181655

Moved: Cr Stewart

Seconded: Cr del Porto

That the report on the VCAT decisions on the planning applications handed down during the months of September 2016 be received and noted.

CARRIED

11. Reports by Delegates

1. **Association of Bayside Municipalities** – Cr Frederico – (Cr Frederico indicated that there has not been a meeting of the ABM since the last Council Meeting, therefore no report is submitted to the meeting)
2. **MAV Environment Committee** – Director Environment, Recreation & Infrastructure - (Mr Steven White indicated that there has not been a meeting of the MAV Environment Committee since the last Council Meeting therefore no report is submitted to the meeting).
3. **Metropolitan Transport Forum** – Director Environment, Recreation & Infrastructure - (Mr Steven White indicated that there has not been a meeting of the Metropolitan Transport Forum since the last Council Meeting therefore no report is submitted to the meeting).
4. **Municipal Association of Victoria** – Cr Frederico - (Cr Frederico indicated that there has not been a meeting of the MAV since the last Council Meeting, therefore no report is submitted to the meeting)
5. **Inner South Metropolitan Mayors' Forum** – Cr Long reported on his attendance at the meeting held last week at City of Stonnington which was the last meeting for this Council year.
6. **Metro Waste & Resource Recovery Group** – The Director Environment, Recreation & Infrastructure attended the meeting on 29 September 2016.

Moved Cr del Porto

Seconded Cr Stewart

That the Councillors' reports to external organisations be received and noted.

CARRIED

Councillor del Porto left the Meeting at 8:01 PM

13. Notices of Motion

There were no Notices of Motions submitted to the meeting.

The Mayor expressed his appreciation to this fellow Councillors and thanked their commitment, dedication and passion over the past 4 years.

Councillor del Porto returned to the Meeting at 8:03 PM

The Chief Executive Officer thanked the Councillors for their stewardship over the term, and the individual Councillors acknowledged each other.

The Mayor declared the meeting closed at 8.23pm

CONFIRMED THIS INSERT 29 DAY OF NOVEMBER 2016

CHAIRPERSON:

