

Council Meeting

Council Chamber
Civic Centre
Boxshall Street Brighton

Tuesday
18 February 2025
at 6.30pm



Minutes

PRESENT:

Chairperson: Cr Hanna El Mouallem (Mayor)

Councillors: Cr Andrew Hockley
Cr Robert Irlicht
Cr Geoff Leigh
Cr Kylie McIntosh
Cr Elli Murray
Cr Debbie Taylor-Haynes (Deputy Mayor)

Officers: Mick Cummins – Chief Executive Officer
Tilla Buden – Director Community and Customer Experience
Matthew Cripps – Director City Planning and Amenity
Jill Colson – Director Environment, Recreation and Infrastructure
Kathryn Tozer – Director Corporate Services
Rachael Bragg – Executive Manager People and Strategy
Julian Adler – Chief Information Officer
Jordan Allan – A/Manager Climate, Waste and Integrated Transport
Natalie Brown – Manager Customer, Libraries and Cultural Services
Roslyn Pruden – Manager Family, Youth and Wellbeing
Keryn Fisher – Manager Communication and Engagement
James Roscoe – Manager Project Services
Bill Shanahan – Chief Financial Officer
Jason Stubbs – Manager Commercial Services
Michelle Tipton – Manager Governance
Robert Lamb – Council Business Lead
Lily Bowe – Administration Support Officer

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The Mayor declared the Council Meeting open at 6:30pm and advised members of the public gallery that the 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 Irlicht to read the prayer.

1. Prayer

Cr Irlicht 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 Country

Cr Murray read the Acknowledgement of Country.

- ♦ Bayside City Council proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respects to their Elders, past, present and emerging as well as any Aboriginal or Torres Strait Islander community members with us today.

3. Apologies

There were no apologies submitted to the meeting.

4. Disclosure of 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 17 December 2024.

Moved: Cr Hockley

Seconded: Cr McIntosh

That the minutes of the Ordinary meeting of Bayside City Council held on 17 December 2024, as previously circulated, be confirmed as an accurate record of proceedings.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht,
 Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh
 and Hanna El Mouallem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

6. Public Question Time

1. **Mr Ian Cochrane (on behalf of Sandringham Traders Association)** submitted a question related to train replacement buses, and Mr Cochrane asked:

Question

Although Traders are not new to buses replacing trains, we have not seen parked buses to the extent experienced December 6-17 causing a massive depletion of parking for pre-Christmas trading.

Part 1 Can these events be scheduled for other than directly before Christmas?

Part 2 We also ask if any non-urgent works, could be actioned other than during business hours?

Response from the CEO

Rail replacement bus works are carried out by Metro Trains to support their works program on the heavy rail network. Council has already met with Metro Trains representatives to advocate for work to be phased to reduce the impact to local traders, particularly during peak trade periods such as Christmas.

2. **Ms Kylie Rowe** submitted a question related to public tree maintenance, and Ms Rowe asked:

Question

Could Council please clarify who is responsible for a nature strip tree, which the Council has assessed as fine, that later falls and causes damage to private property?

Response from the CEO

Bayside City Council is committed to providing a safe environment for all people to enjoy. Council delivers on this commitment through regular inspection of all trees, roads, footpaths, open spaces, drains and infrastructure.

Council manages over 70,000 street and park trees in the public realm. All public trees are subject to a 24-month inspection program with higher risk trees inspected more frequently. Any member of the public may request an inspection of a public tree and Council arborists may undertake an out of schedule inspection to understand the health of the tree and any potential change to the risk the tree poses.

Council has a standardised process for anyone requesting compensation for any injury, loss or damage due to negligence by Bayside City Council. Information for both requesting a tree inspection and requesting compensation are available on Council's website.

3. **Ms Marika Okkas** submitted a question related to Planning Scheme Amendment C192 Bays, and Ms Okkas asked:

Question

The expert panel appointed by the Victorian government Planning minister, recommended nearly 12 months ago that the Interim Heritage Covenant over my title be removed. When is this going to happen please?

Response from the CEO

Planning Scheme Amendment C192bays implementing the Post War Modern Heritage Study was submitted to the Minister for Planning for approval on 5 August 2024. Approval was sought at this time to extend the interim heritage overlay on the properties that remained in the amendment post the panel hearing, with the removal of those places that Council adopted to remove. The Minister for Planning elected to keep interim controls on all properties that were exhibited in the amendment until such time as final decision had been made on C192bays. Timing on the approval of the amendment, and the removal of interim controls is at the discretion of the Minister for Planning and outside of Council control.

4. **Mr James Campbell** submitted a question related to Planning Scheme Amendment C192bays, and Mr Campbell asked:

Question

Bayside's Planning Scheme contains multiple interim heritage overlays. Two groups of properties have controls that are due to expire in April and October this year, including all the properties covered by C192bays.

I understand from a dated informal inquiry that the required submissions to amend Bayside's Planning Scheme sit with the Minister for Transport and Planning and that she is in receipt of the report provided by Planning Panels Victoria in relation to C192bays.

1. Is this understanding correct?
2. Have the responsible Council officers pursued this matter with their Departmental counterpart to establish whether the Minister has all that she requires to make a decision on all outstanding overlays without further delay?

Response from the CEO

Planning Scheme Amendment C192bays implementing the Post War Modern Heritage Study was submitted to the Minister for Planning for approval on 5 August 2024. Approval was sought at this time to extend the interim heritage overlay on the properties that remained in the amendment post the panel hearing, with the removal of those places that Council opted to remove. The Minister for Planning elected to keep the interim overlay on all properties that were exhibited in the amendment until such time as final decision had been made on C192bays.

The amendment was submitted to the Minister with copies of all submissions and the panel report. Council officers continue to be in regular contact with the Department of Transport and Planning regarding the amendment. The department has advised it does not require any further information to process the amendment.

5. **Mr Graham Roberts** submitted a question related to bus parking zones, and Mr Roberts asked:

Question

Can I please ask council to re-consider the Bus Parking Zone installed in October 2024 opposite the Brighton Savoy Hotel on the Esplanade?

Response from the CEO

Council is currently collecting data in traffic and parking movements in the vicinity of Dendy Beach Pavilion and will use this data to refine parking controls.

6. **Ms Michelle Bentley** submitted a question related to cost of Warm Water Pool project, and Ms Bentley asked:

Question

How much money has Bayside City Council already spent, plus committed to spend, on the Warm Water Pool Project, including initial community surveys, research into finding a site, community consultations, Council officers' time including Bluefit negotiations, cultural explorations, expert physiotherapy consultations, design and architect fees and anything else which is relevant to the project?

Response from the CEO

Warm Water Pool expenditure since 2021–22 to date includes:

\$1.33M expenditure (feasibility, salaries, consulting and design)

A further \$0.785M committed to the project.

Total: \$2.12 million.

7. **Ms Michelle Bentley** submitted a further question related to the Warm Water Pool project, and Ms Bentley asked:

Question

Community members have heard that the completion of the Warm Water Pool project might not have the support of the new council.

Does this Council support this project?

Response from the CEO

Council will be considering its 4-year budget over the next few months which will include a review of the capital works program. The proposed budget will be released for public comment in April/May 2025.

8. **Mr Robert Hay** submitted a question related to active transport infrastructure, and Mr Hay asked:

Question

The Bayside area is falling well behind many other inner-city councils in active transport infrastructure.

Part 1 When will Bayside council get serious about active transport infrastructure and what active transport initiatives are currently funded within the budget.

Part 2 When will we see a genuine commitment away from car dependency and support for people who choose not to drive everywhere?

Response from the CEO

Part 1 There are a number of active transport initiatives in the current financial year budget, including pedestrian priority crossing treatments being developed at 2 roundabouts on New Street, a shared space treatment on Allard Street, a new footpath connection under a rail bridge on Durrant Street, and development and delivery of improvements on the Bay Trail. Council's Transport team has also been successful in securing around \$100k grant funding from the State government to support delivery of the New Street projects.

Part 2 The above projects demonstrate Council's support for those who choose not to drive. Recent projects have delivered improvements to on-road cycling on Asling Street, a cycling connection from Sandringham Station to Royal Avenue, pedestrian priority crossings on George Street, improved connection from the footpath to the bus stop on New Street, bench seating at bus stops, and bicycle parking infrastructure in activity centres.

9. **Mr George Reynolds** submitted a question related to rates and charges, and Mr Reynolds asked:

Question

We ask a question about the use of the rates and charges surplus to provide a capital reserve which is used for the exclusive benefit of the Corporate Entity ACN 163 566 621.

Part 1 As the surplus of \$36.781million is collected from non-voluntary contributions, held in trust funds and may be shown to be an unlawful transfer to the Corporate Entity, the Corporation will be \$36.78 million short of funds to carry out its capital works programme

Part 2 Is the Corporation now faced with the need to raise at least \$36.78 million by borrowing to maintain its works programme?

Response from the CEO

Part 1: Rates and charges have been raised in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

The total amount of rates and charges revenue forecast in 2024–25 of \$117.377 million will fund services provided to the community of \$77.1 million with the surplus balance of \$40.3M funding the capital program.

Part 2: Council has no current requirement to borrow funds to maintain its capital works program.

- 10. Mr George Reynolds** submitted a further question related to the use of fees and fines, and Mr Reynolds asked:

Question

We ask a question on use of fees and fines which are collected from breaches of State Law and Local Law.

- Part 1 As a budget item of \$9.74 million has been credited to Own-source Revenue from Fees and fines. and the Corporate Entity has to operate under Corporations Law, it cannot use the authority given to Council (the non-corporate entity), are the fees and fines going to be refunded as the staff had no authority to act
- Part 2 Is the Corporate Entity also faced with refunding to the non-corporate entity other revenue claimed such as interest payments, some user fees, and some rental fees?

Response from the CEO

- Part 1: *Council's statutory fees and fines budget of \$9.47M predominately includes fees for parking, building and planning enforceable through state or local laws. As previously advised, all fines and fees are valid and enforceable, including authorised officers' ability to issue infringements.*
- Part 2: *Council has no requirement to refund other revenue including interest, user fees and rental fees.*

- 11. Mr Jeremy Abbott** submitted a question related to the Reconciliation Action Plan Advisory Committee, and Mr Abbott asked:

Question

How many First Nations community members has each council member had a discussion with before making a decision on the Reconciliation Action Plan Advisory Committee?

Response from the CEO

I have no knowledge of what conversations, if any, have been held with Committee members.

12. **Mrs Karen Fitzgerald** submitted a question related to fines issued to dog owners at Ricketts Point, and Mrs Fitzgerald asked:

Question

Can Council please provide the number of fines issued to dog owners at Ricketts Point in each of the financial years 2022–23 and 2023–24?

Response from the CEO

For financial year 2022–23, Council issued 10 warnings and 2 fines for dog offences at Ricketts Point. In 2023–24, Council issued 4 warnings and 0 fines.

13. **Mr Simon Ward** submitted a question related to bus parking restrictions on Brighton Beach esplanade, and Mr Ward asked:

Question

In relation to the new bus only parking area at Brighton Beach esplanade (opposite Brighton Savoy and 166 Esplanade) would council advise the usage of this large area for bus parking since implementing the new parking restrictions, how many buses and times of day is it being used?

Response from the CEO

Council is currently collecting data on traffic and parking movements in the vicinity of Dendy Beach Pavilion and will use this data to refine parking controls.

14. **Ms Carolyn Amott** submitted a question related to bus zone on Brighton Esplanade, and Ms Amott asked:

Question

Since the implementation of the new bus zone along Brighton Beach esplanade this area is not being utilised by buses sufficiently to justify the great inconvenience and restriction to Bayside rate payers access to the beach. Would council reconsider this parking zone restriction to allow greater access for the rate payers to enjoy the beach?

Response from the CEO

Council is currently collecting data on traffic and parking movements in the vicinity of Dendy Beach Pavilion and will use this data to refine parking controls.

7. Petitions to Council

7.1 PETITION FOR COUNCIL TO REVIEW PARKING CONDITIONS FOR HAROLD STREET, SANDRINGHAM

Environment, Recreation and Infrastructure - Climate, Waste & Integrated Transport
File No: PSF/25/64 – Doc No: DOC/24/652022

Moved: Cr McIntosh

Seconded: Cr Leigh

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

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlight,
Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
Hanna El Mouallem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

7.2 JOINT LETTER FOR COUNCIL TO RESTORE PUBLIC ACCESS TO CRISP STREET RESERVE, HAMPTON

Environment, Recreation and Infrastructure - Open Space and Recreation
File No: PSF/25/33 – Doc No: DOC/25/41380

Moved: Cr McIntosh

Seconded: Cr Leigh

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

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht,
Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
Hanna El Mouallem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

8. Minutes of Advisory Committees

8.1 RECORDS OF MEETINGS HELD UNDER THE AUSPICES OF COUNCIL

Corporate Services - Governance
File No: PSF/25/33 – Doc No: DOC/25/38443

Moved: Cr Irlicht

Seconded: Cr Murray

That Council notes the records of meeting/s held under the auspices of Council as required by the *Local Government Act 2020* and Council's Governance Rules:

- 4 February 2025 Councillor Briefing.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht,
 Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
 Hanna El Muallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

9. Reports by Special Committees

There were no reports by Special Committees submitted to the meeting.

10. Reports by the Organisation

REQUESTS TO BE HEARD:

Item 10.1 2024–25 Second Quarter Performance Report (October – December 2024)		Against (A) For (F)
Written Statements		
1.	Mr George Reynolds	(A)

Item 10.2 Council Advisory Committees		Against (A) For (F)
Requests to Speak		
1.	Mr Joshua Jose Toscano (on behalf of Reconciliation Action Plan Advisory Committee)	(F)

Item 10.8 Planning and Amenity Extension of Time request – 184 South Road, Brighton East		Against (A) For (F)
Requests to Speak		
1.	Mrs Seema Saraw	(F)

10.1 2024-25 SECOND QUARTER PERFORMANCE REPORT (OCTOBER - DECEMBER 2024)

Corporate Services - Governance
File No: PSF/25/100 – Doc No: DOC/25/46118

It is recorded that Mr George Reynolds submitted a written statement in relation to this item.

Moved: Cr Murray

Seconded: Cr Leigh

That Council notes the 2024–25 Quarter 2 Performance Report for the period October to December 2024; and that the Chief Executive Officer confirms in accordance with S97(3) of the Local Government Act 2020 that a revised budget is not required.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht,
 Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
 Hanna El Mouallem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

10.2 COUNCIL ADVISORY COMMITTEES

Corporate Services - Governance
File No: PSF/25/33 – Doc No: DOC/25/40180

It is recorded that Mr Joshua Jose Toscano (on behalf of Reconciliation Action Plan Advisory Committee) spoke for 2 minutes in relation to this item.

Moved: Cr Leigh

Seconded: Cr Murray

That Council defers a decision on this matter to the April 2025 Council meeting to allow for further consideration of all available options.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht,
 Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
 Hanna El Mouallem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

10.3 PROCESS FOR POST IMPLEMENTATION REVIEW OF MAJOR PROJECTS

Environment, Recreation and Infrastructure - Project Services
File No: FOL/21/2314 – Doc No: DOC/25/40405

Moved: Cr Irlicht

Seconded: Cr Leigh

That Council:

1. endorses the introduction of a two stage Post Implementation Review (PIR) process for major projects
2. notes that final Post Implementation Review (PIR) reports for major projects be submitted to Council's Audit and Risk Committee for review.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht,
 Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
 Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.4 MUNICIPAL ASSOCIATION OF VICTORIA - STATE COUNCIL MEETING - CALL FOR MOTIONS

Corporate Services - Governance
File No: PSF/25/33 – Doc No: DOC/25/23418

Moved: Cr Murray

Seconded: Cr Leigh

That Council:

1. endorses the following motions to be put forward at the MAV State Council Meeting to be held on Friday 16 May 2025:
 - a) Early Years Advocacy for funding for Infrastructure (as per Attachment 1)
 - b) Impact on Drainage Infrastructure (as per Attachment 2)
 - c) Community Safety (as per Attachment 3)
 - d) Impact on Planning Controls (as per Attachment 4)
 - e) Cost Shifting (as per Attachment 5)
2. authorises the Chief Executive Officer to update a motion or improve the wording of a motion relative to any changes to the issue that may have occurred between the Council meeting and the date of lodgement with the MAV
3. nominates Cr Geoff Leigh to be the substitute delegate to the Association of the State Council Meeting to be held on Friday 16 May 2025.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht, Elli Murray, Kylie McIntosh, Geoff Leigh and Hanna El Mouallem (Mayor) (6)
 AGAINST: Cr Andrew Hockley (Abstained)(1)

CARRIED

**10.5 S11A INSTRUMENT OF APPOINTMENT TO AUTHORISED OFFICERS
UNDER THE PLANNING AND ENVIRONMENT ACT 1987**

Corporate Services - Governance
File No: PSF/25/33 – Doc No: DOC/25/40298

Moved: Cr Taylor-Haynes (Deputy Mayor)**Seconded: Cr McIntosh**

That Council, in the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, resolves that:

1. the members of Council staff referred to in the Instrument attached be appointed and authorised as set out in the Instrument
2. the Instrument comes into force immediately after the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it
3. the Instrument be sealed.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht,
 Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
 Hanna El Moullem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

10.6 PROPOSED DISCONTINUANCE AND SALE OF ROAD ADJOINING 8 LEWIS STREET, BRIGHTON

Corporate Services - Commercial Services
File No: PSF/25/63 – Doc No: DOC/25/38388

Moved: Cr Taylor-Haynes (Deputy Mayor)

Seconded: Cr Irlicht

That Council:

1. commences the statutory procedures in accordance with the Local Government Act 1989 and the Local Government Act 2020, to discontinue the Subject Road adjoining 8 Lewis Street, Brighton outlined in red in Attachment 1, and sells the Subject Road to the adjoining owners of 8 Lewis Street, Brighton for \$297,000 plus GST
2. gives public notice outlining the proposal in accordance with Section 223 of the Local Government Act 1989
3. establishes a Special Committee of Council and determines the membership of the Committee (with a minimum of three {3} councillors) to hear any submitters that wish to be heard
4. in the event that submission/s are received, convenes a Section 223 Special Committee of Council meeting on 1 April 2025 at 7.30pm at the Council Chamber, Boxshall Street, Brighton to hear any submitters that wish to be heard
5. following the consideration of any submissions, receives a further report at a future Council Meeting.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht,
 Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
 Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.7 RECORD ON COUNCILLOR MANDATORY INDUCTION ACTIVITIES

Corporate Services - Governance
File No: PSF/25/33 – Doc No: DOC/25/34710

Moved: Cr Hockley

Seconded: Cr McIntosh

That Council notes the completed mandatory activities for the Councillor Induction and Mayoral Training.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlight,
 Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
 Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

**10.8 PLANNING AND AMENITY EXTENSION OF TIME REQUEST
184 SOUTH ROAD, BRIGHTON EAST
APPLICATION 2016/150/2 WARD CASTLEFIELD**

City Planning and Amenity - Development Services
File No: PSF/25/61 – Doc No: DOC/25/27413

It is recorded that Mrs Seema Saraw spoke for 2 minutes in relation to this item.

Moved: Cr Murray

Seconded: Cr McIntosh

1. That Council resolves to Approve the Extension of Time of two (2) years to Planning Permit 2016/150/2, so that the development must now commence no later than 15 February 2027 and be completed no later than 15 February 2029.
2. That a note to be added to the approval stating that no further extensions of time will be granted for this permit.
3. The following table is to be included within the 'permit allows' table at the top of the permit:

Planning Scheme Clause	Matter for which a permit has been granted, in accordance with the endorsed plans and subject to the following conditions
32.09-5 – Neighbourhood Residential Zone – Schedule 3	Construct two or more dwellings on a lot
Clause 52.29 – Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road	Create or alter access to a road in a Road Zone, Category 1.

4. The following table is to be added at the end of the permit:

Date of extension	Brief description of the extension	Duration of extension
11 March 2025	The development must now commence no later than 15 February 2027 and be completed no later than 15 February 2029.	2 years

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht, Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and Hanna El Moullem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

10.9 CONTRACT CON/24/130 MICROSOFT SOFTWARE LICENCE RENEWAL

Corporate Services - Information Technology
File No: PSF/25/53 – Doc No: DOC/25/41523

Moved: Cr Irlicht**Seconded: Cr Hockley**

That Council:

1. accepts the quoted price for (contract number CON/24/130) supply of Microsoft Licences from Data#3 (ABN 31 010 545 267), for the total sum of \$2,200,918.47(Excluding GST)
2. authorises the Chief Executive Officer to sign all necessary documentation related to contract number CON/24/130
3. advises the unsuccessful suppliers accordingly.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht,
 Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
 Hanna El Moullem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.10 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/25/33 – Doc No: DOC/25/38448

Moved: Cr Leigh

Seconded: Cr Murray

That Council notes the Council Action Awaiting Report.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht,
 Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and
 Hanna El Mouallem (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

11. Reports by Delegates

1. **Association of Bayside Municipalities** – The Director Environment, Recreation and Infrastructure advised that the Manager Open Space and Recreation attended the Association of Bayside Municipalities (ABM) meeting held on 13 February 2025. The primary discussion at the meeting was to bring new Councillors in attendance up to date on the ABM, its purpose, Charter and current state of play. Key items included:
 - a motion regarding eligibility given that Bayside and Frankston councils do not have Councillor representatives, which necessitated a change to allow nominated council delegates to vote in elections and to be eligible to stand for a position on the Executive Committee. This motion was passed
 - Cr Szatkowski from Wyndham City Council being elected as ABM President, with Cr Sarah O'Donnell from City of Kingston being elected Vice President.
2. **Metropolitan Transport Forum** – Cr Geoff Leigh advised the meeting that The Metropolitan Transport Forum held its first meeting for 2025, welcoming new members following recent Council elections.
 1. The MTF meeting was attended by Chief Accessibility Advocate for PTV, Tricia Malowney, who shared her experiences and pursuit of best practice in overcoming barriers for customers with disabilities when using public transport.
 2. Strategic Transport Advocacy remains a priority for MTF with councils asked to consider priorities for the MTF Plan 2025–26, with options to tackle transport inequality, accessibility challenges or effectiveness of transport infrastructure projects. Cr Geoff Leigh highlighted the importance of having a focused core set of priorities that the MTF could advocate in 2025–26.
3. **Municipal Association of Victoria** – The Mayor, Cr Hanna El Moullem advised that no meeting of the Municipal Association of Victoria (MAV) has been held since the last Council meeting; however, the Mayor and CEO met recently with the President and CEO of the MAV to discuss current challenges facing Bayside / the Local Government sector.
4. **Inner South Metropolitan Mayors' Forum** – The Mayor, Cr Hanna El Moullem advised the meeting that no meeting of the Inner South Metropolitan Mayors' Forum has been held since the last Council meeting; however, the Mayor and Deputy Mayor have recently met with the Mayor and Deputy Mayor of the City of Glen Eira to discuss similar concerns effecting both municipalities including drainage, the impact of state gov planning changes, community safety and early years infrastructure.
5. **South East Councils Climate Change Alliance** – Cr Kylie McIntosh advised that no meeting of the South East Councils Climate Change Alliance has been held since the last Council meeting.

Moved: Cr Irlicht

Seconded: Cr Hockley

That the Reports by Delegates be received and noted.

The Motion was PUT:

DIVISION: **FOR:** Cr Hanna El Moullem (Mayor), Crs Andrew Hockley, Robert Irlicht, Geoff Leigh, Kylie McIntosh, Elli Murray, Debbie Taylor-Haynes (Deputy Mayor) (7)

AGAINST: Nil (0)

CARRIED

12. Urgent Business

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

13. Notices of Motion

There were no Notices of Motion submitted to the meeting.

14. Confidential Business

Moved: Cr Hockley

Seconded: Cr McIntosh

That pursuant to Section 66(2)(a) of the Local Government Act 2020 (the Act), 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 3(1) (confidential information) of such Act:

- (a) Council business information
- (b) security information
- (c) land use planning information
- (d) law enforcement information
- (e) legal privileged information
- (f) personal information
- (g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - (i) relates to trade secrets; or
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- (h) confidential meeting information
- (i) internal arbitration information
- (j) Councillor Conduct Panel confidential information
- (k) information prescribed by the regulations to be confidential information for the purposes of this definition
- (l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.

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

DIVISION: **FOR:** Crs Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht, Andrew Hockley, Elli Murray, Kylie McIntosh, Geoff Leigh and Hanna El Mouallem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

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14.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT MATTERS ADVISORY COMMITTEE HELD ON 4 FEBRUARY 2025

(LGA 2020 Section 3(1)(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.)

14.2 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

(LGA 2020 Section 3(1)(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.)

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 Mayor declared the meeting closed at 7.41pm.