

Council Meeting

Council Chamber
Civic Centre
Boxshall Street Brighton

Tuesday
18 March 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
Jason Stubbs – A/Director Corporate Services
Jordan Allan – A/Manager Climate, Waste and Integrated Transport
Kelly Archibald – Manager Urban Strategy
James Roscoe – A/Manager Project Services
Keryn Fisher – Manager Communication and Engagement
Anita Johnstone – Manager City Assets and Presentation
Michelle Tipton – Manager Governance
Tom Vercoe – Manager Open Space and Recreation
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 McIntosh to read the prayer.

1. Prayer

Cr McIntosh 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 Hockley 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 Bayside City Council meeting held on 18 February 2025.

Moved: Cr Taylor-Haynes (Deputy Mayor) Seconded: Cr Hockley

That the minutes of the Bayside City Council meeting held on 18 February 2025, as previously circulated, be confirmed as an accurate record of proceedings.

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

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

CARRIED

6. Public Question Time

1. **Ms Alison Joseph** submitted a question related to the Dendy beach Pavilion project, and Ms Joseph asked:

Question

Part 1 What was the total cost of the Dendy Beach Pavilion project (ie all project related costs including planning, design, soil contamination assessment and works, earthworks and soil disposal, road works, concrete forecourt, building planning and works, storm water planning and construction, carpark, leasing costs , total legal cost, consultant costs, project management cost and internal staff costs etc)?

Part 2 What rent does the Council receive for this outlay?

Response from the CEO

Part 1: *The total project expenditure on the Dendy Beach Pavilion to date from its conception in 2014–15, is \$24.9 million. This includes the storm water drainage improvements and realignment of the Bay Trail.*

Part 2: *There are two tenants on the site. The Brighton Life Saving Club pays a community rental of \$3,294 + GST per annum, escalating at a fixed 3% percent per annum.*

The Dendy Beach Pavilion Café pays a market rent of \$80,000 + GST per annum, escalating at a fixed 5% per annum. The café is also subject to an annual turnover rental.

2. **Mr Stephen Tonini** submitted a question related to the bus parking zone at the Brighton Savoy Hotel and Mr Tonini 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.

3. **Mr Ben Lonsdale** submitted a question related to the bike facility at the corner of Tulip Street and Reserve Road, and Mr Lonsdale asked:

Question

The Wangara Reserve Masterplan was adopted in July 2024, with a recommendation to upgrade the Tulip St bike reserve. Can council please advise the scope of these works and a timeline for completion? The current Tulip St facility is outdated and unsafe for most users, and there is an obvious desire within the community for a modern offroad cycling facility in Bayside.

Response from the CEO

The upgrade to the Reserve Road pump track has not currently been scoped and has not had a schedule developed. The Council resolution in July 2024 referred the matter of minor upgrades to the dirt track to Council's 2025–26 budget process which is currently under consideration.

4. **Mr Ian Cochrane** submitted a question related to the Bay Road/Station Street roundabout in Sandringham, and Mr Cochrane asked:

Question

The condition of the Bay Road/Station Street roundabout in Sandringham Village has been raised many times since 2003 in both writing and discussion by individual ratepayers and at least 2-community groups. This village entry point was also raised at a STA info meeting 12-months ago.

Can Bayside Council please play its part to find a solution and finish the job regardless of the often-stated problems?

Response from the CEO

The Bay Road/Station Road roundabout is a Department of Transport and Planning asset and as such Council has no control over the maintenance and appearance of it. Council officers are exploring options with the Department of Transport and Planning regarding appropriate aesthetic improvements, that are not to the detriment to the operation of the roundabout.

5. **Ms Michelle Bentley** submitted a question related to the Bayside Warm Water Pool facility, and Ms Bentley asked:

Question

What is the percentage of the proposed Warm Water Pool footprint which will be occupied by Bluefit's Golf Pro Shop?

Response from the CEO

The floor area of the overall warm water pool facility is approximately 1750 square metres, with the Pro-shop comprising approximately 128 square metres, or 7.3%.

6. **Ms Michelle Bentley** submitted a further question related to payment for the Warm Water Pool's architect, and Ms Bentley asked:

Question

Some time ago at a BCC meeting Council voted to approve to increase the payment for the Warm Water Pool's architect above the then existing threshold of \$1million. What has the architect actually been paid?

Response from the CEO

A contract has been executed with the architectural firm to the value of \$1,113,980.

To date, Council has approved payments to the design team to the value of \$547,570.

7. **Mr George Reynolds** submitted a question related to Council's provision for GST, and Mr Reynolds asked:

Question

We ask a question on Council's provision for GST.

- Part 1 As GST must be charged on services provided by the Municipal Corporation (ACN 163566638), where in Council's budget and accounts is this provision accounted for
- Part 2 Has the Audit and Risk Committee been advised that this important matter has not been reported?

Response from the CEO

- Part 1 *Council charges GST on all applicable goods and services.*

As required in [AASB Interpretation 1031 Accounting for the Goods and Services Tax \(GST\)](#) (AASB Interpretation 1031), revenue and expenses are recognised net of the GST amount in the budget.

The net amount of GST recoverable from, or payable to the Australian Taxation Office (ATO), is included as part of a receivable or payable in the balance sheet. Receivables and payables are disclosed inclusive of GST.

- Part 2 *There is no requirement to advise the Audit and Risk Committee as Council is complying with all its GST reporting requirements.*

8. **Mr George Reynolds** submitted a further question related to fees and fines, and Mr Reynolds asked:

Question

We ask a question on fees and fines collected by Council.

- Part 1 As fees and fines are collected for breaches of Local Laws, etc., is it appropriate to account for them to be accounted for as revenue received by Own-source Revenue, an activity which must follow Corporations Law
- Part 2 Has the Audit and Risk Committee been advised of this questionable matter?

Response from the CEO

Fees and fines collected by Council for breaches of Local Laws are recorded on Council's comprehensive income statement under 'fees and charges' which is compliant with applicable accounting standards. The Audit and Risk Committee does not need to be advised because there is no question about this treatment as it is fairly straight forward.

7. Petitions to Council

7.1 PETITION FOR COUNCIL TO REDIRECT FUNDING TO DEAL WITH CRIME WITHIN BAYSIDE

Community and Customer Experience - Community Care
File No: PSF/25/59 – Doc No: DOC/25/55593

Moved: Cr Irlicht

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 Kylie McIntosh, Geoff Leigh, Hanna El Moullem (Mayor),
Elli Murray, Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht
and Andrew Hockley (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/25/72549

Moved: Cr Hockley

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:

- 25 February 2025 Strategic Issues Discussion
- 4 March 2025 Councillor Briefing

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

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

CARRIED

8.2 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 24 FEBRUARY 2025

Corporate Services - Governance
File No: PSF/25/33 – Doc No: DOC/25/77788

Moved: Cr Taylor-Haynes (Deputy Mayor)

Seconded: Cr Leigh

That Council notes the Minutes of the Audit and Risk Committee meeting (Attachment 1) held on 24 February 2025.

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

DIVISION: **FOR:** Crs Kylie McIntosh, Geoff Leigh, Hanna El Mouallem (Mayor),
 Elli Murray, Debbie Taylor-Haynes (Deputy Mayor), Robert Irlight
 and Andrew Hockley (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		Against (A) For (F)
Heritage Action Plan Review 2024		
Written Statements		
1.	Mr James Campbell	(A)
2.	Mr Giles Gillison	(A)
3.	Ms Fiona Stitfold	(F)
4.	Mrs Lindsey Lewis	(F)
5.	Ms Monica Kerlin on behalf of Bayside Heritage Group	(F)
6.	Dr Michael Daly	(F)
Requests to Speak		
1.	Mr James Campbell	(A)
2.	Mr Peter Corfield	(A)
3.	Ms Marika Okkas	(A)
4.	Dr Zena Burgess	(A)
5.	Ms Monica Kerlin on behalf of Bayside Heritage Group	(F)

10.1 HERITAGE ACTION PLAN REVIEW 2024

City Planning and Amenity - Urban Strategy
File No: PSF/25/52 – Doc No: DOC/25/77044

It is recorded that Mr James Campbell, Mr Peter Corfield, Ms Marika Okkas, Dr Zena Burgess, and Ms Monica Kerlin (on behalf of Bayside Heritage Group) each spoke for 2 minutes in relation to this item.

Moved: Cr McIntosh

Seconded: Cr Murray

That Council:

1. notes the Heritage Action Plan Background Report 2025
2. adopts the revised Heritage Action Plan 2025, which sets out a holistic approach to assessing and managing heritage, including:
 - a. undertaking a review of the existing Bayside Thematic Environmental History 1999 within a 12-month period, as the highest priority action subject to the appropriate allocation of funding
 - b. proceeding with the implementation of high priority actions that sit within the business-as-usual operational budget.

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

DIVISION: **FOR:** Crs Kylie McIntosh, Elli Murray and Andrew Hockley (3)
 AGAINST: Crs Geoff Leigh, Hanna El Mouallem (Mayor), Debbie Taylor-Haynes (Deputy Mayor) and Robert Irlicht (*Abstained) (4)

LOST

**In accordance with the Local Government Act 2020, for the purpose of determining the result of a vote, a Councillor present at the meeting who does not vote is taken to have voted against the question.*

Moved: Cr Leigh

Lapsed for want of a seconder

That Council:

1. notes the Heritage Action Plan Background Report 2025
2. adopts the revised Heritage Action Plan 2025, which sets out a holistic approach to assessing and managing heritage, including:
 - a. undertaking a review of the existing Bayside Thematic Environmental History 1999 as the highest priority action subject to securing State Government Funding/Grant to enable the commencement and completion of the study
 - b. proceeding with the implementation of high priority actions that sit within the business-as-usual operational budget.

LAPSED

Moved: Cr Irlicht

Seconded: Cr Hockley

That Council:

1. notes the Heritage Action Plan Background Report 2025
2. adopts the revised Heritage Action Plan 2025, which sets out a holistic approach to assessing and managing heritage, including:
 - a. undertaking a review of the existing Bayside Thematic Environmental History 1999 within a 12-month period, as the highest priority action subject to a ceiling of \$100k being allocated for the study, and the appropriate allocation of funding within the ordinary budget process
 - b. proceeding with the implementation of high priority actions that sit within the business-as-usual operational budget.

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

DIVISION: **FOR:** Crs Kylie McIntosh, Geoff Leigh, Elli Murray, Robert Irlicht and Andrew Hockley (5)
 AGAINST: Crs Hanna El Mouallem (Mayor) and Debbie Taylor-Haynes (Deputy Mayor) (2)

CARRIED

10.2 DENDY BEACH VISITOR MANAGEMENT PLAN - UPDATE ON PARKING, TRANSPORT AND THE GENERAL UPKEEP OF THE AREA

City Planning and Amenity - Urban Strategy
File No: FOL/25/930 – Doc No: DOC/25/67667

Moved: Cr Leigh

Seconded: Cr McIntosh

That Council:

1. notes the progress on the implementation of the Dendy Beach Visitor Management Plan, including completed critical actions and ongoing advocacy efforts
2. acknowledges the delays in obtaining comprehensive traffic data due to external utility provider issues, with continued efforts to complete data collection
3. receives a report no later than the March 2026 Council meeting on:
 - the management of tour buses at Dendy Beach, including any changes or improvements
 - updated visitor count data to support ongoing management and decision-making around parking provision
 - the ability to implement tour operator permits and the opportunities to maximise visitation spend locally, along with proposed timelines and next steps.

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

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

CARRIED

**10.3 RESPONSE TO NOTICE OF MOTION 337 - DENDY STREET BEACH
BATHING BOXES - SECURITY AND PUBLIC SAFETY**

Corporate Services - Commercial Services
File No: PSF/25/63 – Doc No: DOC/25/72356

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

That Council notes this report and that

1. a further report on additional lighting to Dendy be presented to Council for consideration once lighting models are finalised
2. a further report on security to the bathing boxes on Dendy Beach be provided once a further submission from the Brighton Bathing Box Association (BBBA) has been received and reviewed
3. Council officers continue to work with stakeholders including Victoria Police, Heritage Victoria and the BBBA in relation to developing solutions for protection of the heritage bathing boxes at Dendy Beach.

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

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

CARRIED

10.4 ADDITIONAL ADVICE ON DRAINING OPTIONS FOR LANDCOX PARK LAKE AND BASTERFIELD PARK LAKE

Environment, Recreation and Infrastructure - Open Space and Recreation
File No: PSF/25/54 – Doc No: DOC/25/66283

Moved: Cr McIntosh

Seconded: Cr Hockley

That Council notes this report and considers actions from the Bayside Freshwater Bodies Management Plans as part of future budget processes.

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

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

CARRIED

10.5 ROAD MANAGEMENT PLAN REVIEW

Environment, Recreation and Infrastructure - City Assets and Presentation

File No: PSF/25/65 – Doc No: DOC/25/35648

Moved: Cr Murray

Seconded: Cr Hockley

That Council

1. notes this report
2. endorses the draft 'Road Management Plan 2025' for the purpose of community consultation between 20 March to 17 April 2025
3. receives a further report at the May 2025 Council meeting for consideration and adoption of the final 'Road Management Plan 2025'.

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

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

CARRIED

**10.6 PROPOSED GRANT OF A NEW LEASE FOR AN EXISTING
TELECOMMUNICATION SITE TO TELSTRA**

Corporate Services - Commercial Services
File No: PSF/25/63 – Doc No: DOC/25/87530

Moved: Cr McIntosh**Seconded: Cr Hockley**

That Council:

1. commences the statutory procedures under Section 115 of the Local Government Act 2020 (the Act), to enter into a new Lease with Telstra Corporation Limited in accordance with the Heads of Agreements provided in Attachment 1, for the occupation of one site, being part of the Sandringham Athletics Track
2. authorises the Director Corporate Services to undertake the administrative procedures necessary to enable Council to carry out its functions under Section 115 of the Act in relation to the Lease proposed and in accordance with Council's Community and Stakeholder Engagement Policy 2021
3. gives Public Notice on Council's website outlining the proposal in accordance with Section 115 of the Act
4. 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 Kylie McIntosh, Geoff Leigh, Hanna El Mouallem (Mayor),
 Elli Murray, Debbie Taylor-Haynes (Deputy Mayor), Robert Irlicht
 and Andrew Hockley (7)
 AGAINST: Nil (0)

CARRIED

**10.7 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/25/84942

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

AGAINST: Nil (0)

CARRIED

10.8 CONTRACT CON2375 KERB AND CHANNEL MAJOR RENEWAL PROGRAM

Environment, Recreation and Infrastructure - Project Services
File No: PSF/25/56 – Doc No: DOC/25/38118

Moved: Cr Hockley

Seconded: Cr Leigh

That Council authorises the Chief Executive Officer to execute all necessary documentation to extend the Contract CON/23/75 Kerb and Channel Major Renewal Program for the period 1 July 2025 to 30 June 2026 and notify the panel contractors as per the Deed provision.

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

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

CARRIED

10.9 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/25/33 – Doc No: DOC/25/85889

Moved: Cr Taylor-Haynes (Deputy Mayor)

Seconded: Cr Leigh

That Council notes the Council Action Awaiting Report.

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

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

CARRIED

11. Reports by Delegates

1. **Association of Bayside Municipalities** – Director Environment, Recreation and Infrastructure
2. **Metropolitan Transport Forum** – Cr Geoff Leigh
3. **Municipal Association of Victoria** – The Mayor, Cr Hanna El Mouallem
4. **Inner South Metropolitan Mayors' Forum** – The Mayor, Cr Hanna El Mouallem
5. **South East Councils Climate Change Alliance** – Cr Kylie McIntosh

Moved: Cr Hockley

Seconded: Cr McIntosh

That the Reports by Delegates be received and noted.

The Motion was PUT:

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

CARRIED

The Mayor called for a motion that item 13.1 on the agenda be considered at this stage of the meeting to allow for the consideration of urgent business items to conclude the meeting.

Procedural Motion

Moved: Cr Hockley

Seconded: Cr McIntosh

That Item 13.1 (Notice of Motion – 342 – State Government Planning Reforms) be considered at this stage of the meeting.

CARRIED

It is recorded that the agenda was reordered so that the following items in section 12 of the agenda were considered after item 13. The agenda then resumed with item 14.

12. Urgent Business

The Mayor noted that there were two matters of urgent business.

The 22 April 2025 Planning and Amenity Delegated Committee meeting is no longer required due to operational requirements and is proposed to be cancelled.

Additionally, this will be the last Bayside City Council meeting for the Chief Executive Officer, Mr Mick Cummins who has tendered his resignation from the role effective from 28 March, 2025. The Mayor proposed a letter under the seal of Council be extended to Mr Cummins in recognition of his contribution to the organisation and the Bayside community.

The Mayor called for a motion to introduce these matters as items of urgent business.

Moved Cr Hockley

Seconded Cr Leigh

That the following matters be admitted to the meeting as items of urgent business:

Item 12.1 The cancellation of the 22 April 2025 Planning and Amenity Delegated Committee meeting.

Item 12.2 Extension of a letter under the seal of Council to the outgoing Chief Executive Officer, Mr Mick Cummins, in recognition of his contribution to Bayside City Council and the Bayside community.

The Motion was PUT:

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

CARRIED

**12.1 CANCELLATION OF 22 APRIL 2025 PLANNING AND AMENITY
DELEGATED COMMITTEE MEETING**

Moved: Cr Taylor-Haynes

Seconded: Cr McIntosh

That Council gives public notice of the cancellation of the 22 April 2025 Planning and Amenity Delegated Committee meeting.

The Motion was PUT:

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

CARRIED

12.2 LETTER UNDER THE SEAL OF COUNCIL IN RECOGNITION OF THE OUTGOING CHIEF EXECUTIVE OFFICER

Councillors each took the opportunity to thank the outgoing Chief Executive Officer, Mr Mick Cummins and noted his compassion, wealth of local government knowledge, involvement in the community and willingness to give back.

Councillors also highlighted the admiration and respect held for Mr Cummins and that the culture of the organisation is a direct result of his leadership. Councillors were also appreciative of the support provided to them as new Councillors over their induction.

The Mayor advised the meeting that Mr Cummins' career in Local Government has spanned 43 years, including 12 years working at Bayside, of which 6 years were in the role of CEO.

The Mayor noted Mr Cummins has worked tirelessly to oversee a comprehensive turnaround of Council's financial position to where it is today and that among his many achievements, Mr Cummins should be particularly proud of the Advanced Waste Project initiative and Council's expansion of its Aged Care Service.

It was also noted that Mr Cummins has performed his role to an exceptional standard and that he leaves behind an experienced and talented Executive Team who will guide the organisation in the months ahead under the leadership of the Acting CEO, Matthew Cripps.

The Mayor wished Mr Cummins well for the future and called for a motion that a letter under the seal of Council be extended to Mr Cummins in recognition of his contribution to Bayside City Council and the Bayside community.

Moved: Cr Hockley

Seconded: Cr Leigh

That Council extends a letter under the seal of Council to the outgoing Chief Executive Officer, Mr Mick Cummins, in recognition of his contribution to Bayside City Council and the Bayside community.

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

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

AGAINST: Nil (0)

CARRIED

It is recorded that the agenda was reordered so that the following item was considered between Item 11 and 12 in the agenda. The agenda then resumed with item 12.

13. Notices of Motion

13.1 NOTICE OF MOTION - 342 - STATE GOVERNMENT PLANNING REFORMS

City Planning and Amenity - Urban Strategy
File No: PSF/25/33 – Doc No: DOC/25/86806

Procedural Motion

Moved Cr McIntosh

Cr Taylor-Haynes

That Cr Leigh be granted leave to amend Notice of Motion 342.

CARRIED

Moved: Cr Leigh

Seconded: Cr Hockley

That Council:

1. publishes in a prominent position on Council's website the following information which has been proposed or implemented by the Allan Government in association with Planning Reforms, including but not limited to:
 - Cheltenham Suburban Rail Loop drawing
 - all drawings and/or photographs of the proposed Activity Centres within Bayside Council
 - a detailed map of the Activity Centres and SRL
 - details of the expected increase of the population within the City of Baysidethrough the Mayor, writes to all state and federal members of Parliament representing the City of Bayside and directs them to the above information published on Council's website, noting that all documents were produced solely by the State Government and not as a result of input from Bayside City Council
3. explores appropriate communication methods to all Bayside Council residents and businesses highlighting the proposed changes
4. considers scheduling public meetings and precinct-based pop-up information sessions about the Allan Government proposal.

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

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

CARRIED

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

AGAINST: Nil (0)

CARRIED

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14.1 APPOINTMENT OF RECRUITMENT AGENCY FOR CHIEF EXECUTIVE OFFICER POSITION

(LGA 2020 Section 3(1)(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.)

It is recorded that the public gallery was vacated to enable Council to consider the above listed items in Confidential Business.

Council can announce that it has formally appointed Future Leadership as the preferred recruitment provider to facilitate the recruitment process for the Chief Executive Officer.

Following consideration of Confidential Business, the Mayor declared the meeting closed at insert time 9.22pm.