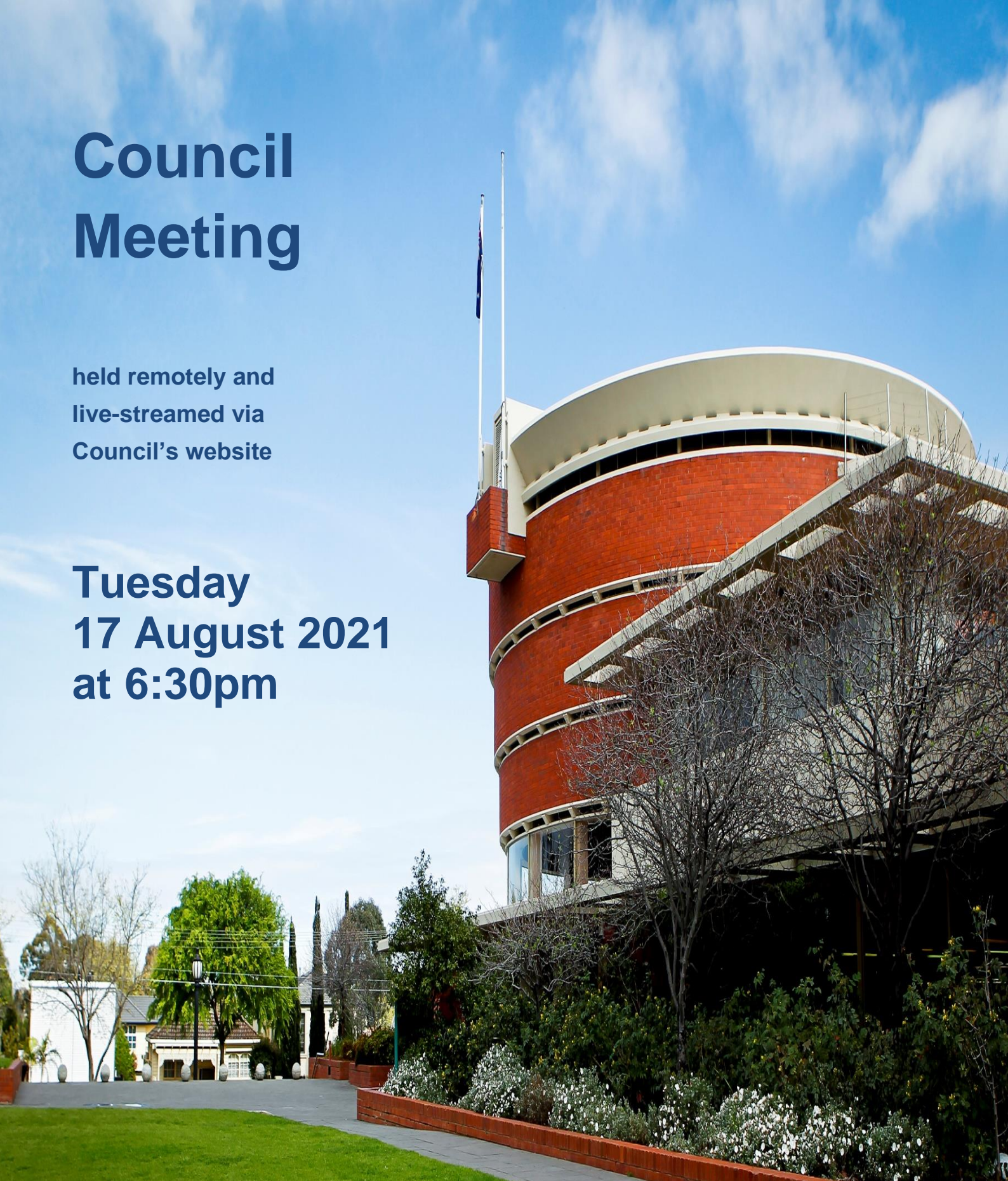


Council Meeting

held remotely and
live-streamed via
Council's website

**Tuesday
17 August 2021
at 6:30pm**



Minutes

PRESENT:

Chair: Cr Laurence Evans OAM (Mayor)

Councillors: Cr Sonia Castelli (Deputy Mayor)
Cr Alex del Porto
Cr Hanna El Mouallem
Cr Clarke Martin
Cr Jo Samuel-King MBBS
Cr Fiona Stitfold

Officers: Mick Cummins – Chief Executive Officer
Jill Colson – Director Corporate Services
Bryce Craggs – Director Community and Customer Experience
Matthew Cripps – Director City Planning and Amenity
Adam McSwain – Director Environment, Recreation and Infrastructure
Juliana Aya – Acting Manager Transport and Sustainability
Terry Callant – Manager Governance and Corporate Reporting
Bill Shanahan – Manager Finance
Damien Van Trier – Manager Open Space, Recreation and Wellbeing
Tom Vercoe – Acting Manager Urban Strategy
Robert Lamb – Governance Officer

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The Mayor declared the Council Meeting open at 6:30pm and noted that the meeting was being held remotely via electronic media. The meeting was recorded and streamed live on the internet.

The Mayor invited Cr Castelli to read the prayer.

1. Prayer

Cr Castelli 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 del Porto 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.

Procedural Motion**Moved: Cr del Porto****Seconded: Cr Castelli**

That Council:

1. considers the meeting to be adjourned for 10 minutes from the commencement of any technical problem which prevents Council from livestreaming the meeting
2. adjourns the meeting to be reconvened on Wednesday 18 August 2021 at 6:30pm via livestreaming on Council's website, in the event livestreaming cannot be resumed within 30 minutes from the commencement of the technical problem which prevents livestreaming on Council's website.

CARRIED**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 20 July 2021.

Moved: Cr Martin**Seconded: Cr Samuel-King MBBS**

That the minutes of the Ordinary meeting of Bayside City Council held on 20 July 2021, 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, **8** 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. Ms Elinor Poci

Ms Elinor Poci submitted a question regarding swimming facilities in Bayside, and Ms Poci asked:

Question

- Part 1 - I am concerned that new owners BlueFit at tulip st are not providing the requisite 2 lanes to the public. Whilst COVID may apply at the moment I want to be assured they will not ignore lap swimmers in the future as it's difficult to swim there anyway with schools and lessons.
- Part 2 Is there any proposal for the future of our only bayside pool? Swimmers are desperate for more availability in Bayside. Is there any plan for a new pool in the future budget?

Response from the CEO

- Part 1 Covid regulations will periodically limit patron numbers in swimming pools. The lease requires the tenant to provide lanes for lap swimming. As the tenant for the swimming Pool at the Sandringham Family Leisure Centre, Bluefit has assured Council that it will work to address any concerns swimming patrons have during this difficult period. All residents with questions regarding lane availability should access the Bluefit customer services enquiry portal on its website.*
- Part 2 Council is developing long-term future options for the Sandringham Family Leisure Centre including the provision of aquatic facilities. Planning for the development of a warm water facility in Bayside is also underway with Council due to receive more detailed analysis at the October 2021 Council meeting.*

2. Mrs Mary Larsen

Mrs Mary Larsen submitted a question regarding Council's heritage study, and Mrs Larsen asked:

Question

With reference to the current Mid-Century Modern heritage study - a member of a local lobby group was a passenger in a car parked outside my home recently. How can Council guarantee to me and other homeowners that no members of local lobby groups/historical groups or Council Staff Members are accompanying heritage consultations on site visits.

Response from the CEO

Council's heritage consultant is an independent consultancy firm engaged to undertake site visits in the public realm. They have not undertaken these site visits with anyone that is not employed by their firm.

Undertaking site visits is within the roles and responsibilities of Council officers and it is standard practice on many Council projects (particularly planning matters) for officers to undertake site visits accompanied by independent experts.

3. Mrs Erin Hetrel

Mrs Erin Hetrel submitted a question regarding Council's heritage study, and Mrs Hetrel asked:

Question

Why is my home being listed as heritage without my consent?

Response from the CEO

Council resolved at its Ordinary Meeting on 23 June 2020 to prioritise the commencement of a Mid-Century Modern Heritage Study.

Following this, Council appointed a heritage consultant to undertake assessment of residential places in Bayside and to identify places of local heritage significance within the Draft Mid-Century Modern Heritage Study.

To date, Council and its consultant has not finalised its assessment of residential places and therefore is yet to make any recommendation as to what properties should be considered for inclusion in the Heritage Overlay.

Once a draft Study has been finalised and a list of properties to be included has been completed, Council will be consulting with all affected property owners.

4. Mr Edward Haddad

Mr Edward Haddad submitted a question regarding fencing at Brighton Golf Course, and Mr Haddad asked:

Question

- Part 1 Can council please clarify whose responsibility it is to provide adequate fencing to the Brighton golf course.
- Part 2 Will the council take action and either budget for increased fencing or make adequate fencing heights a requirement under the lease terms?

Response from the CEO

- Part 1 *The tenant is responsible for managing the escape of golf balls from the Golf Course. Should additional netting or other mechanisms be required, under the lease this would be the responsibility of the tenant.*
- Part 2 *Council will continue to work with the tenant to consider where improvements to fencing, screening or planting could be made to reduce the risk of stray golf balls.*

5. Dr Zena Burgess

Dr Zena Burges submitted a question regarding Council's heritage study, and Dr Burgess asked:

Question

re Heritage overlay

Please describe in exact detail what consultation means and how specifically how the will of home owners will be taken into account.

Response from the CEO

Council is proposing to undertake two stages of consultation to inform the final Mid-Century Modern Heritage Study and the planning scheme amendment process to include recommended properties within the Heritage Overlay of the Bayside Planning Scheme.

Once the draft Study has been finalised, it is envisaged that Council will engage with affected property owners regarding the findings for their property. This will also provide an opportunity for property owners to understand the process and how they can best challenge or question the findings.

Following this, the Study will be presented to Council for a decision. It is envisaged that Council will then commence a planning scheme amendment to include the identified properties within the Heritage Overlay, which provides for a second public consultation process.

Through the planning scheme amendment process, all affected property owners and any other interested parties will be provided an opportunity to make submissions regarding the amendment, including the opportunity to engage any required expert evidence. If submissions are received, Council may request that an Independent Planning Panel be appointed to hear submissions and evidence from both Council and any submitters, for the Panel to consider the evidence and provide recommendations to Council as to how to best proceed with the amendment.

The Minister for Planning makes the final decision whether to approve or refuse the amendment to introduce the Heritage Overlay to properties within the Bayside Planning Scheme.

6. Dr Zena Burgess

Dr Zena Burgess submitted a further question regarding Council's heritage study, and Dr Burgess asked:

Question

re Heritage Overlay

if Bayside council want control over mid century homes in the area why not purchase a select number and pay market rates. Why is this terrible process being pursued to destroy the value of homes and destroy the future of elderly residents to pay for their future care. your elected role is to advocate for residents not against us !

Response from the CEO

Council has a responsibility for heritage preservation, consistent with the objective located at Section 4(1)(d) of the Planning and Environment Act 1987 to "conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value".

This objective relates to all local governments across Victoria. It is Council's responsibility to administer the Bayside Planning Scheme which includes applying planning controls to guide the orderly use and development of land within the municipality. This includes the application of the Heritage Overlay to properties identified as being of heritage significance.

7. Mr Kevin Howard

Mr Kevin Howard submitted a question regarding Wilson Recreation Reserve, and Mr Howard asked:

Question

The recent Wilson Rec Reserve public consultation CLOSED at midnight on 14th July. Eight days after it had closed, the public consultation was RE-OPENED on 22nd July until 1st August.

- Part 1 Of the community responses in favour of the BGS proposal, what proportion was received in the two separate consultation periods?
- Part 2 Do any Council officers who have been involved in this project have any direct or INDIRECT interest in this matter (including family members or relatives who attend BGS)?

Response from the CEO

- Part 1 *There is significant work to compile this data and to ensure accuracy a written response will be provided to the submitter in due course.*
- Part 2 *No Council officer involved in this project has a direct or indirect interest in this matter.*

8. Mr Kevin Howard

Mr Kevin Howard submitted a further question regarding the use of public reserves and sportsgrounds in Bayside by private schools, and Mr Howard asked:

Question

This question is about use of public reserves and sportsgrounds in Bayside by private schools.

Part 1 Is any single reserve or sportsground booked for use by a private school more than the combined hours that Wilson Recreation Reserve is booked by Brighton Grammar School?

Part 2 Please detail the summer and winter usage/bookings of Bayside City Council owned public reserves and sportsgrounds by PRIVATE schools in 2019 and 2020

Response from the CEO

Part 1 & 2. There is significant work to compile this data and to ensure accuracy, a written response will be provided to the submitter in due course.

7. Petitions to Council

There were no petitions submitted to the meeting.

8. Minutes of Advisory Committees

8.1 RECORDS OF MEETINGS HELD UNDER THE AUSPICES OF COUNCIL

Corporate Services - Governance

File No: PSF/21/23 – Doc No: DOC/21/244123

Moved: Cr Martin

Seconded: Cr Castelli (Deputy Mayor)

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

- 27 July 2021 Meeting with Member for Brighton, James Newbury MP
- 27 July 2021 Strategic Issues Discussion
- 3 August 2021 Site Visit
- 3 August 2021 Councillor Briefing.

CARRIED

8.2 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 24 MAY 2021

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/21/179831

Moved: Cr Castelli (Deputy Mayor)

Seconded: Cr del Porto

That Council

1. notes the minutes of the Audit and Risk Committee meeting held on 24 May 2021 (contained in Confidential Attachment 1)
2. for the purpose of Section 54 (4)(b) of the *Local Government Act 2020*, notes the results of the Audit and Risk Committee annual self-assessment (contained in Attachment 2).

CARRIED

**8.3 MINUTES OF THE DISABILITY ACCESS AND INCLUSION ADVISORY
COMMITTEE MEETING HELD ON 26 JULY 2021**

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/21/233854

Moved: Cr Martin

Seconded: Cr El Mouallem

That Council notes the minutes of the Disability Access and Inclusion Advisory Committee meeting held on 26 July 2021.

CARRIED

8.4 MINUTES OF THE BAYSIDE ARTS AND GALLERY ADVISORY COMMITTEE MEETING HELD ON 28 JULY 2021

Corporate Services - Governance

File No: PSF/21/23 – Doc No: DOC/21/244271

Moved: Cr del Porto

Seconded: Cr Castelli (Deputy Mayor)

That Council:

1. notes the minutes of the Bayside Arts and Gallery Advisory Committee meeting held on 28 July 2021
2. adopts the recommendations of the Bayside Arts and Gallery Advisory Committee in relation to the following matter:

Item 6.3 – Future mural projects in Bayside

That the Bayside Arts and Gallery Advisory Committee:

1. *recommends Council commission murals on 2 of the following properties on the condition that permission is granted by the property owners and an MOU is signed by both Council and property owner; and*
2. *endorses the following proposed sites in order of preference and priority:*
 - 1st Preference - 123 Church Street North Brighton*
 - 2nd Preference - 144 Martin Street Brighton*
 - 3rd Preference - 141 Martin Street Brighton*
 - 4th Preference - 126 Martin Street Brighton*

Item 6.4 – Billilla Future Use and Artists Studio Program

That the Bayside Arts and Gallery Advisory Committee recommends that Council:

1. *continues to operate the Billilla Artists Studio Program in 2022 with a call for submissions to be promoted in September 2021 with selected artists to be approved by the Arts Committee at the 27 October 2021 Meeting*
2. *provides appropriate consideration to the 2050 Community Vision Theme: Nurturing Creativity when reviewing the options for future use of Billilla.*

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:

The Mayor noted that temporary changes to the Council meeting procedures are in place with regard to Chapter 2, Division 10 of Council's Governance Rules (Individual Presentations), whereby:

- *in place of speaking in-person at a Council / Committee meeting, members of the public may submit a written statement (maximum of four (4) A4 single pages) which must be sent electronically, or delivered to Council's Corporate Centre, by 9:00am on the day of the meeting*
- *written statements received after 9:00am on the day of the meeting will not be considered by the meeting*
- *a person may only make a written statement to an Ordinary Meeting/Special Committee Meeting in relation to an item listed in the agenda under Reports by the Organisation, and even then not if the item is in the nature of a report summarising a decision already made by another body; or if the report relates to a Tender Report relating to the awarding of a contract*
- *in accordance with Chapter 2, Section 83(1) of Council's Governance Rules 2020, any statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community may not be accepted*
- *where a person has formally made a written statement in relation to an item on the agenda, the statement will be provided to all councillors in advance of the meeting*
- *written statements are not confidential and, following the closure for receipt of statements, will be published (including first and last names only) on Council's website as an attachment to the Agenda for the relevant meeting*
- *written statements will not be read out at the meeting; however, the Chairperson will advise the meeting of the number of statements received to each item.*

The following individuals submitted written statements to the meeting:

Item 10.1 Draft Bayside Urban Forest Strategy

1. Ms Heather Knowles
2. Mr George Leighfield
3. Ms Caroline Lawton
4. Ms Jo Pritchard (on behalf of Beaumaris Modern)
5. Ms Annie Price, Mr Jamie Paterson, and Miss Dottie Paterson
6. Mr Derek Screen (on behalf of Pennydale Residents Action Group Inc)
7. Mr Chris Sutton

Item 10.3 Outcomes of community engagement - Wilson Recreation Reserve - Brighton Grammar Proposal

1. Mr Jeff Naylor
2. Mrs Cathy Henderson
3. Ms Jen Bishop
4. Ms Katrina Fraser & Brett Goodrich
5. Ms Glenys Fraser & Mr Ian Pascarl
6. Mr Basil Tambanis
7. Mr Kevin Howard
8. Ms Pauline Reynolds
9. Miss Jenelle McKenzie
10. Miss Dianne Anderson

Item 10.6 New Street Brighton Public Housing Renewal Project - Submission to Homes Victoria

1. Mr Viraj Perera (on behalf of Homes Victoria)

Item 10.7 Potential Multi-Deck Commuter Car Park in Service Street, Hampton

1. Mr George Leighfield
2. Ms Pauline Reynolds

Item 10.8 Integrated Transport Strategy 2018 - Implementation Progress During 2020–21

1. Mr Fraser Gibson

Item 10.10 Uluru Statement from the Heart

1. Ms Pauline Reynolds

Item 10.12 Response to petition and joint letter - Melrose Street Sandringham spacelets

1. Mr Erik Purcell
2. Mrs Vicki Degrenis, Mr Ilias Degrenis & Mr Dimitri Degrenis

10.1 DRAFT BAYSIDE URBAN FOREST STRATEGY

City Planning and Amenity -

File No: PSF/21/27 – Doc No: DOC/21/243239

It is recorded that Ms Heather Knowles, Mr George Leighfield, Ms Caroline Lawton, Ms Jo Pritchard (on behalf of Beaumaris Modern), Ms Annie Price, Mr Jamie Paterson, & Miss Dottie Paterson, Mr Derek Screen (on behalf of Pennydale Residents Action Group Inc), and Mr Chris Sutton each submitted a written statement in relation to this item.

Moved: Cr Samuel-King MBBS

Seconded: Cr Martin

That Council:

1. endorses the draft Urban Forest Strategy (UFS) for the purpose of community engagement, subject to the following modifications:
 - a. that our vision wording change from “habitat for biodiversity” to “habitat for biodiversity with a focus on the locally endangered, native species”
 - b. add an action to Theme 1 to read “Undertake the strategic justification to amend the current Vegetation Protection Overlay in Beaumaris and Black Rock to strengthen protection of Native Vegetation and non-native species of existing canopy trees”
2. considers:
 - a. doubling the tree canopy and indigenous vegetation within Bayside by 2040 (32% target) with an intermediate tree canopy target of 25% by 2030
 - b. doubling the inland areas set aside for conservation by 2025
 - c. engaging the expertise of an ecologist or equivalent to maximise the biodiversity gains to be achieved through the UFS recommendations and actions, including but not limited to:
 - i. the landscape guidelines review which will have an emphasis on habitat provisions for native, locally endangered species
 - d. the role of and opportunity for pocket parks, microforests and habitat corridors, especially in the MACs and areas experiencing high urban density
3. develops a timeline for implementation of the UFS that includes:
 - a. on the ground work, including tree planting in parks and reserves to begin in July 2022
 - b. the strengthening and possible expansion of planning controls by 30 June 2023
 - c. inland reserves to be declared as conservation areas by 30 June 2023
4. allocates \$15,000 from savings in the operating budget to support the expert ecology advice
5. advocates to the State Government to review the effectiveness of the VicSmart Planning process for vegetation removal application
6. commences a community engagement process on the draft Urban Forest Strategy for a minimum of 5 weeks.

CARRIED

10.2 OUTCOMES OF THE AVOIDABLE SINGLE-USE PLASTICS PROGRAM

Environment, Recreation and Infrastructure - Sustainability and Transport
File No: PSF/21/36 – Doc No: DOC/21/241474

Moved: Cr Martin

Seconded: Cr Samuel-King MBBS

That Council implements the following actions for all Council-owned properties over the next 18 months in the lead up to the Victorian state government single-use plastics ban in February 2023:

1. Source separation infrastructure

All sporting clubs and community centres to be equipped with quality internal waste infrastructure to support correct source separation.

2. Organics recycling

All organisations leasing Council land to be encouraged to introduce a third waste stream for organics recycling to reduce food waste from landfill and allow for compostability of alternative packaging in the long-term.

Investigate opportunities to support businesses to introduce a third waste stream for organics recycling to reduce food waste from landfill across the 21/22 and 22/23 financial year

3. Replace avoidable single-use plastics

Avoidable single-use plastic items to be removed altogether and replaced by a reusable or, at best, compostable/recyclable alternative. These items include:

- Plastic drinking straws
Plastic straws to be eliminated entirely and be replaced with paper/compostable alternative. Additionally, they should only be provided to patrons upon request as opposed to the public having access to them.
- Take-away serving-ware
Take-away serving-ware to be replaced with compostable alternatives and only provided to patrons when needed.
- Plastic/polystyrene takeaway packaging
Plastic/polystyrene takeaway packaging to be replaced with compostable alternatives.
- Individual sachets (soy sauce, tomato sauce, BBQ sauce, honey, etc.)
Individual sachets to be eliminated entirely and be replaced with larger sauce bottles and reusable or compostable ramekins for business and/or public use.
- Coffee cups
Where possible, reusable cups to be encouraged, and all single-use cups to be replaced with a compostable alternative that have a polylactic acid (PLA) lining.
- Soft drinks
Replace plastic bottled soft drinks with aluminium can or glass bottle alternatives.

4. Water bottles

Council venues (Corporate Centre, Libraries, Gallery and Council Chamber) to cease all sale, provision, or distribution of bottled water. Alternatively, free access to water is to be provided.

Sporting clubs, vendors at festivals and others participating in Council events or in events at Council sites would be permitted to continue bottled water sale; however, will be required to consider and promote reusable options (e.g. providing jugs and reusable cups for patron usage, promotion/supply of refillable drinking bottles, etc.).

5. Drinking fountains/water bubblers

All sporting club pavilions to be equipped with a drinking fountain within proximity of the building.

6. Compatibility of compostable items

Single-use alternative products such as compostable packaging, to be compatible with the contracted waste processor to ensure the recovery of these products as opposed to the landfilling of them.

7. Educational resources

Develop an interactive webpage with downloadable resources for each of the three Council facility categories: community centres, sporting clubs, and food vendors. Resources include downloadable signage on:

- what goes in what bin
- encouraging BYO coffee cup and water bottle
- why we've gone plastic free
- information on what constitutes 'compostable' and to be weary of greenwashing when selecting alternatives
- list of plastics to be eliminated
- relevant templates.

8. Plastic Free Policy

Develop a plastic free policy as a guiding document for organisations to work towards in tandem with Council's assistance and resources.

LOST

Moved: Cr El Mouallem

Seconded: Cr del Porto

That this matter be deferred for 12 months given the current impacts of COVID-19 on businesses in the community.

LOST

Moved: Cr Samuel-King MBBS

Seconded: Cr Martin

That this matter be deferred for one month for further consideration with particular emphasis on point two of the previous motion.

CARRIED

10.3 OUTCOMES OF COMMUNITY ENGAGEMENT - WILSON RECREATION RESERVE - BRIGHTON GRAMMAR PROPOSAL

Environment, Recreation and Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/21/19 – Doc No: DOC/21/214788

It is recorded that Mr Jeff Naylor, Mrs Cathy Henderson, Ms Jen Bishop, Ms Katrina Fraser & Brett Goodrich, Ms Glenys Fraser & Mr Ian Pascarl, Mr Basil Tambanis, Mr Kevin Howard, Ms Pauline Reynolds, Miss Jenelle McKenzie, and Miss Dianne Anderson each submitted a written statement in relation to this item.

Moved: Cr El Mouallem

Seconded: Cr Samuel-King MBBS

That Council:

1. thanks the community for its feedback concerning the Brighton Grammar School proposal
2. notes that Brighton Grammar School has withdrawn the proposal to redevelop Wilson Recreation Reserve, and as such, is no longer seeking a nine-year licence with Council
3. continues to support Brighton Grammar School's use of Wilson Recreation Reserve for school rugby training and matches between 1 April and 30 September (two training sessions and 1 match per week)
4. discontinues any recess or lunchtime overflow usage by Schools on Wilson Reserve from the commencement of the 2022 calendar year
5. encourages other local schools to book Wilson Recreation Reserve for the purposes of school sport
6. provides other local schools with regular bookings of Wilson Recreation Reserve
7. provides access to a toilet facility to be constructed adjacent to the reserve as part of the redevelopment of the Brighton Recreation Centre
8. supports all schools, including Brighton Grammar, with the important role they play in the Bayside community and provides access to Council's sportsgrounds to support healthy and active sports participation
9. ensures Brighton Cricket Club's use of Wilson Recreation Reserve through the summer sportsground allocation process
10. based on the feedback provided, considers park improvements at Wilson Recreation Reserve, such as: improvement and better maintenance to the playing surface, addition of seating, drinking fountain, BBQ and an accessible connection to Bayley House as part of the preparation of future Council budgets
11. facilitates a community connection event at Wilson Recreation Reserve with residents and relevant stakeholders to plant an indigenous tree and understorey planting
12. receives a report by no later than 31 December 2022 updating on the implementation of this Motion with a focus on the park improvements implemented and the use of the Reserve by Brighton Grammar School and other Bayside schools.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli (Deputy Mayor), Hanna El Mouallem, Jo Samuel-King MBBS, Fiona Stitfold and Laurence Evans OAM (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.4 FINANCIAL HARDSHIP POLICY

Corporate Services - Finance

File No: PSF/21/24 – Doc No: DOC/21/247000

Moved: Cr Castelli (Deputy Mayor)

Seconded: Cr El Mouallem

That Council adopts the Rates Financial Hardship Policy contained in Attachment 1.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli (Deputy Mayor), Hanna El Mouallem, Jo Samuel-King MBBS, Fiona Stitfold and Laurence Evans OAM (Mayor) (7)
AGAINST: Nil (0)

CARRIED

10.5 SUBURBAN RAIL LOOP PROJECT, STAGE 1, ADVOCACY POSITION

City Planning and Amenity - Urban Strategy
File No: PSF/21/36 – Doc No: DOC/21/244713

Moved: Cr Martin**Seconded: Cr Stitfold**

That Council:

1. adopts the Draft Suburban Rail Loop Project Stage 1 Advocacy Action Plan contained in Attachment 1 subject to:
 - the inclusion of an action seeking the requirement of a detailed assessment of the climate impact of and mitigation strategies for the proposed project in the Environmental Effects Statement
 - inclusion of the following statement under the heading of 'Delivering an integrated transport system' to read:

"Establish safe and direct connections through the network of open spaces that support the use of sustainable transport modes between the former CSIRO Highett Site, the Suburban Rail Loop Cheltenham Station and Cheltenham Station"
2. seeks community feedback on the Action Plan
3. receives a report following community feedback by no later than the December 2021 Council meeting.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli (Deputy Mayor), Hanna El Mouallem, Jo Samuel-King MBBS, Fiona Stitfold and Laurence Evans OAM (Mayor) (7)
AGAINST: Nil (0)

CARRIED

**10.6 NEW STREET BRIGHTON PUBLIC HOUSING RENEWAL PROJECT -
SUBMISSION TO HOMES VICTORIA**

City Planning and Amenity - Urban Strategy
File No: PSF/21/27 – Doc No: DOC/21/244297

It is recorded that Mr Viraj Perera (on behalf of Homes Victoria) submitted a written statement in relation to this item.

Moved: Cr El Mouallem

Seconded: Cr del Porto

That Council endorses the officers' submission to Homes Victoria contained in Attachment 1, subject to the inclusion of:

1. widening of the pedestrian walkway from 5 metres to 8 metres
2. consideration of all available measures to reduce the impact on residential properties to the north of the site
3. the relocation of the community facility to the south side of the property
4. reduction of buildings B and C by at least one storey and redistribution to Buildings A and D
5. use of a different roof form to reduce the overall building heights
6. the requirement of indigenous planting along the creek to support the creation of a habitat corridor
7. the requirement of best practice Environmentally Sustainable Development outcomes through all aspects of the development
8. the requirement for the location and design of the Brickwood Street vehicle access to minimise any adverse impact on pedestrian/public safety
9. the Mayor writing to Homes Victoria to advocate the above motion.

CARRIED

10.7 POTENTIAL MULTI-DECK COMMUTER CAR PARK IN SERVICE STREET, HAMPTON

City Planning and Amenity - Urban Strategy
File No: PSF/21/27 – Doc No: DOC/21/243482

It is recorded that Mr George Leighfield, and Ms Pauline Reynolds each submitted a written statement in relation to this item.

Moved: Cr Stitfold

Seconded: Cr Samuel-King MBBS

That:

1. given Council has declared a Climate Emergency and the recent release of the Inter-Governmental Panel on Climate Change (IPCC) report, the proposal to construct a car park in Service Street, Hampton not proceed due to the potential impact on abutting properties and the environmental implications of the construction
2. Council advocates to the State Government for significant improvements to the bus network and in particular the linkages between railway stations and bus services
3. through the review of the Bayside Parking Strategy, creative ways of addressing parking are explored.

LOST

Moved: Cr del Porto

Seconded: Cr Castelli (Deputy Mayor)

That Council:

1. explores an alternative design for the site, incorporating:
 - a. two levels of basement parking
 - b. a maximum building height of two storeys above ground
 - c. electric charging stations
 - d. a green roof structure including a community garden and provision for bee hives
 - e. no net loss of short-term/visitor parking at the site
2. undertakes a feasibility of the proposed design to further inform costs
3. allocates \$60,000 from Council's Infrastructure Reserve to complete the work
4. advocates to the State Government for significant improvements to the bus network and in particular the linkages between railway stations and bus services
5. through the review of the Bayside Parking Strategy, creative ways of addressing parking are explored
6. receives a report at the 21 December 2021 Council Meeting with the outcomes.

DIVISION: **FOR:** Crs Alex del Porto, Sonia Castelli (Deputy Mayor), Hanna El Mouallem and Laurence Evans OAM (Mayor) (4)
AGAINST: Crs Clarke Martin, Jo Samuel-King MBBS and Fiona Stitfold (3)

CARRIED

10.8 INTEGRATED TRANSPORT STRATEGY 2018 - IMPLEMENTATION PROGRESS DURING 2020–21

Environment, Recreation and Infrastructure - Sustainability & Transport
File No: PSF/21/36 – Doc No: DOC/21/109276

It is recorded that Mr Fraser Gibson submitted a written statement in relation to this item.

Moved: Cr Martin

Seconded: Cr del Porto

That Council:

1. notes the Integrated Transport Strategy 2018–2028 implementation actions progressed in 2020–21 subject to the following amendments:
Page 254 – Replace Action 8 with the following wording:
“Request the consultants undertaking the development of Council’s Parking Strategy to engage directly with car share providers and brief Council on the outcomes through the development of this Strategy”
Page 261 – Include additional wording to Action 67 with the following wording:
“Include information to promote these opportunities on Council’s upgraded website and review the broader opportunity as part of the Car Parking Strategy”
2. receives a report of the implementation actions progressed in 2021–22 from the Integrated Transport Strategy 2018–2028 in August 2022.
3. receives a report not later than 6 months from this meeting on the implementation and delivery of the Bayside Planning Scheme Structure Plans actions specifically relating to pedestrian actions, walkways and connectivity to the residential areas.

CARRIED

10.9 BRIGHTON SECONDARY COLLEGE SYNTHETIC HOCKEY FACILITY - MANAGEMENT UPDATE

Environment, Recreation and Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/21/19 – Doc No: DOC/21/243847

Moved: Cr del Porto

Seconded: Cr Castelli (Deputy Mayor)

That Council notes the management arrangements currently in place for the Brighton Secondary College synthetic hockey facility.

CARRIED

10.10 ULURU STATEMENT FROM THE HEART

Corporate Services - Governance

File No: PSF/21/23 – Doc No: DOC/21/216635

It is recorded that Ms Pauline Reynolds submitted a written statement in relation to this item.

Moved: Cr Stitfold**Seconded: Cr del Porto**

That Council:

1. supports the Uluru Statement from the Heart which calls on the Australian people to walk with First Nations in a people's movement for Voice, Treaty, Truth
2. displays the Uluru Statement from the Heart on Council's website
3. registers its support for the Uluru Statement from the Heart on the website <https://www.1voiceuluru.org/>
4. writes to the Member for the federal electorate of Goldstein calling on the Australian Government to support Constitutional Recognition for Aboriginal and Torres Strait Islander peoples and the key principles of the 'Uluru Statement from the Heart'
5. submits a motion to the MAV State Council Meeting encouraging all Victorian councils to support the Uluru Statement from the Heart and to write to their respective federal member calling on the Australian government to support Constitutional Recognition for Aboriginal and Torres Strait Islander peoples and the key principles of the Uluru Statement from the Heart.

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

DIVISION: **FOR:** Crs Alex del Porto, Clarke Martin, Sonia Castelli (Deputy Mayor), Hanna El Mouallem, Jo Samuel-King MBBS, Fiona Stitfold and Laurence Evans OAM (Mayor) (7)
 AGAINST: Nil (0)

CARRIED

10.11 AMENDMENT C175BAYS SANDRINGHAM GOLF COURSE

City Planning and Amenity - Urban Strategy
File No: PSF/21/27 – Doc No: DOC/21/245860

Moved: Cr Martin

Seconded: Cr del Porto

That Council:

1. adopts Amendment C175bays and requests the Minister for Planning approve the combined planning permit and planning scheme amendment
2. adds the following conditions to the planning permit:
 - a. The sign may only be illuminated between the hours of 6:00am and 11:00pm except with the prior written consent of the Responsible Authority.
 - b. The sign lighting must be coloured to prevent any adverse effect on wildlife to the satisfaction of the Responsible Authority.
 - c. The lighting must be baffled to ensure no nearby habitat is unreasonably affected to the satisfaction of the Responsible Authority.

CARRIED

10.12 RESPONSE TO PETITION AND JOINT LETTER - MELROSE STREET SANDRINGHAM SPACELETS

City Planning and Amenity - Urban Strategy
File No: PSF/21/27 – Doc No: DOC/21/247061

It is recorded that Mr Erik Purcell, and Mrs Vicki Degrenis, Mr Ilias Degrenis & Mr Dimitri Degrenis each submitted a written statement in relation to this item.

Moved: Cr Stitfold

Seconded: Cr del Porto

That Council:

1. writes to the lead petitioner informing them that the spacelets and the partial closure of Melrose Street will be referred to the review of the Footpath Trading Guidelines which is due to be reported to Council by November 2021
2. writes to the first named signatory of the joint letter informing them that as part of the Bayside Local Economy Plan, the spacelets are to remain in place until 31 August 2021.

CARRIED

10.13 BAYSIDE DRAINAGE DEVELOPMENT CONTRIBUTIONS PLAN REVIEW

City Planning and Amenity - Development Services
File No: PSF/21/27 – Doc No: DOC/21/244573

Moved: Cr Castelli (Deputy Mayor)

Seconded: Cr Samuel-King MBBS

That Council:

1. notes the Drainage Development Contributions Plan (DCP) Review report
2. considers as part of the 2022–23 budget process to undertake new flood modelling to support the development of an updated Drainage Upgrade Strategy
3. completes the preparation of a new Drainage Upgrade Strategy that includes specific DCP projects for delivery over the DCP timeframe to 2037
4. investigates the opportunities and specification required for the inclusion of Water Sensitive Urban Design Projects within the Drainage Upgrade Strategy to be funded via the DCP
5. undertakes a planning scheme amendment to have regard to the proposed alterations to the DCP following the adoption of the updated Drainage Upgrade Strategy.

CARRIED

**10.14 APPOINTMENT OF MEMBERS TO THE BAYSIDE ARTS AND GALLERY
ADVISORY COMMITTEE**

Community and Customer Experience - Customer & Cultural Services
File No: FOL/21/188 – Doc No: DOC/21/243681

Moved: Cr Martin

Seconded: Cr Castelli (Deputy Mayor)

That Council:

1. appoints Lyn Stephens to the Bayside Arts and Gallery Advisory Committee for a period of three years commencing 30 August 2021 and concluding 30 August 2024
2. appoints Brian Long to the Bayside Arts and Gallery Advisory Committee for a period of three years commencing 30 August 2021 and concluding 30 August 2024.

CARRIED

**10.15 REVISED INSTRUMENT OF DELEGATION - PLANNING AND AMENITY
DELEGATED COMMITTEE**

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/21/243475

Moved: Cr del Porto

Seconded: Cr Castelli (Deputy Mayor)

The Council:

1. revokes the Planning and Amenity Committee instrument of Delegation established on 31 July 2020
2. adopts the Planning and Amenity Delegated Committee Instrument of Delegation dated 17 August 2021 as set out in Attachment 1 to the report.

CARRIED

NOTE: Item 10.15 was **CARRIED** as part of a block motion.

10.16 ANNUAL COMMUNITY GRANTS 2021–22

Environment, Recreation and Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/21/19 – Doc No: DOC/21/228232

Moved: Cr del Porto

Seconded: Cr Castelli (Deputy Mayor)

That Council allocates the 2021–22 Annual Community Grants Program as set out in Attachment 1 - Annual Community Grants 2021–22.

CARRIED

NOTE: Item 10.16 was **CARRIED** as part of a block motion.

10.17 LEASE OF ONE TELECOMMUNICATION SITE TO TELSTRA

Corporate Services - Commercial Services
File No: PSF/21/26 – Doc No: DOC/21/230026

Moved: Cr del Porto**Seconded: Cr Castelli (Deputy Mayor)**

That Council:

in accordance with Sections 190 and 223 of the *Local Government Act 1989*, authorises the Director of Corporate Services to execute 1 new Lease with Telstra Corporation Limited in accordance with the Heads of Agreements provided in Attachment 1, for the occupation of 1 site, being part of the Banksia Reserve Beaumaris West under the following terms:

Site: Banksia Reserve, Beaumaris West**Tenant:** Telstra Corporation Limited**Purpose:** Construction, maintenance and operation of a telecommunications network and telecommunications service**Premises:** Part of the Land at Banksia Reserve, Beaumaris West**Commencement Date:** 1 January 2021**Term:** 10 years**Further Term:** One Further Term of Ten Years**Commencing Annual Rent:** \$28,000 plus GST**Rent Escalation:** An annual increase of 3% of the rent payable during the prior year.**CARRIED****NOTE:** Item 10.17 was **CARRIED** as part of a block motion.

10.18 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance

File No: PSF/21/23 – Doc No: DOC/21/245557

Moved: Cr del Porto

Seconded: Cr Castelli (Deputy Mayor)

That Council notes the Council Action Awaiting Report.

CARRIED

NOTE: Item 10.18 was **CARRIED** as part of a block motion.

11. Reports by Delegates

1. **Association of Bayside Municipalities** – Cr Fiona Stitfold indicated that the ABM has not met since the previous Council meeting.
2. **Metropolitan Transport Forum** – Cr Sonia Castelli advised that the MTF met on 4 August and the focus of the meeting was on safer speed limits in urban areas. There were presentations from Victoria Walks and Maribyrnong City Council. Maribyrnong Council have been implementing a number of 40km speed limit areas and have found a significant decrease in the number of vehicle crashes. This has included reducing speed limits, modifying the look and feel of the road to match the reduced speed limits and implementing speed radar signs to show drivers how fast they are travelling.
3. **Municipal Association of Victoria** – Cr Alex del Porto reported that he had received an email from the President of the MAV, Cr David Clark which indicated that the MAV explored the financial impacts of a proposition of a rate exemption on the 85,000 social housing dwellings which are owned and operated by the Victorian Government and community housing providers, and found it would equate to an estimated annual cost to Victorian ratepayers of \$136.8 million. Over 10 years, more than \$1.6 billion would be removed from councils' existing rates base. That is \$1.6 billion of lost investment in local services and infrastructure for our communities.
4. **Inner South Metropolitan Mayors' Forum** – The Mayor, Cr Laurence Evans OAM indicated that the ISMMF has not met this year.
5. **Metropolitan Local Government Waste Forum** – Cr Clarke Martin recently attended a tour of a glass recycling centre with the Metropolitan Waste Forum. Cr Martin also indicated that the Forum put forward a motion to write to the Minister for Energy, Environment & Climate Change to seek early intervention to ensure the MWRRG receives the required support and resources / funding from the State Government to immediately commence an Advanced Waste Processing Facility Procurement Process for councils in the northwest of metropolitan Melbourne, based on the learnings for the south east metropolitan Melbourne councils procurement process.
6. **South East Councils Climate Change Alliance** – Crs Clarke Martin and Fiona Stitfold indicated that the SECCCA has not met since the previous Council meeting.

Moved Cr Stitfold

Seconded Cr El Moullem

That Council:

1. notes the reports by Council delegates
2. appoints Cr Clarke Martin as Council's joint representative to the Association of Bayside Municipalities in conjunction with Cr Fiona Stitfold for the remainder of the 2020–21 Council year.

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 Castelli (Deputy Mayor)

Seconded: Cr del Porto

Motion

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.*

CARRIED

Table of Contents

14.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT MATTERS COMMITTEE HELD ON 2 AUGUST 2021

(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 Chairperson declared the meeting closed at 10:55pm.