

Council Meeting

Council Chamber
Civic Centre
Boxshall Street Brighton

Tuesday
17 May 2022
at 6:30pm



Minutes

PRESENT:

Chairperson: Cr Alex del Porto (Mayor)

Councillors: Cr Sonia Castelli
Cr Hanna El Mouallem (Deputy Mayor)
Cr Laurence Evans OAM
Cr Clarke Martin
Cr Jo Samuel-King MBBS
Cr Fiona Stitfold

Officers: Jill Colson – Director Corporate Services
Matthew Cripps – Director City Planning and Amenity
Kristy Green – Acting Director Community and Customer Experience
Adam McSwain – Director Environment, Recreation and Infrastructure
Juliana Aya – Manager Urban Strategy
Terry Callant – Manager Governance
John Coates – Manager Amenity Protection
Anita Johnstone – Manager City Assets and Presentation
James Roscoe – Manager Climate, Waste and Integrated Transport
Bill Shanahan – Manager Finance
Damien Van Trier – Manager Open Space, Recreation and Wellbeing
Robert Lamb – Governance 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 Martin to read the prayer.

1. Prayer

Cr Martin 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 Stitfold read the acknowledgement of the original inhabitants of this land.

- ◆ 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.
- ◆ Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, songlines, dance, art and living culture.
- ◆ Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Island Elders who have guided and continue to guide the work we do.

3. Apologies

There were no apologies submitted to the meeting.

4. Disclosure of Conflict of Interest of any Councillor

Cr El Mouallem declared a general conflict of interest in item 10.3 – Bayside Parklet Policy and Design Guidelines given his wife operates a business in Church Street, an area which is subject to the parklet policy.

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 26 April 2022.

Moved: Cr Evans OAM

Seconded: Cr Castelli

That the minutes of the Ordinary meeting of Bayside City Council held on 26 April 2022, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

6. Public Question Time

In accordance with the resolution at the June 2021 Council Meeting, temporary meeting procedures with regard to public question time remain in place:

- All questions received and responses are read out at the meeting within the allotted 15 minute timeframe for public question time.
- All questions and responses read out will be recorded in the minutes.
- A written response will be provided to all questions received.

1. Mr Anthony Brosnahan

Mr Anthony Brosnahan submitted a question regarding the Brighton Savoy Hotel and Mr Brosnahan asked:

Question

How is it possible that The Brighton Savoy Hotel is now operating as a drug and alcohol centre without any consultation with neighbours and the community and who authorised their approval?

Response from the Director Environment, Recreation and Infrastructure

The owner enabled the use of the site with a view that it was consistent with the existing land use. Following investigations into this matter, it has been established that the use of the site is defined as a 'community care facility' and requires a separate planning permit.

An application has been lodged with Council and is currently under an initial assessment. Once Council has all the required information, the application will be advertised which will provide an opportunity for the community to make submissions about the application being sought.

It is noted that the current use is operating without a planning permit while the current application is being processed; however, this is consistent with the Victorian Civil and Administrative Tribunal (VCAT) general approach to allow the applicant/owner the opportunity to make an application and seek approvals before any enforcement proceedings are considered.

2. Mr Chris Sutton

Mr Chris Sutton submitted a question regarding Council's Post-War Modern Residential Heritage Study, and Mr Sutton asked:

Question

Is the current Bayside Post-War Modern Residential Heritage Study to identify and document places which should be considered for heritage protection different from the planning process routinely conducted by other Victorian local and regional councils to identify places that should and are covered by heritage protections

Response from the Director Environment, Recreation and Infrastructure

The current draft Post-War Modern Residential Heritage Study has been prepared in the same fashion as other Victorian municipalities who have prepared heritage studies.

Not all councils undertake consultation on their relevant Heritage Study; however, it was considered important that Bayside City Council undertake consultation so that property owners and key stakeholders are properly informed of the findings of the draft Study ahead of any possible decision to adopt the Study and commence the planning scheme amendment process.

3. Mrs Marcie Meinrath

Mrs Marcie Meinrath submitted a question regarding Hurlingham Park Oval, and Mrs Meinrath asked:

Question

Would like to know why there are no gates that close at the Hurlingham Park Oval? It is right next to very busy road- Nepean Highway, and children & dogs can just walk straight out of the oval! I believe this is very dangerous & negligent of council... please consider putting closable gates all around this oval. Thank you!!!

Response from the Director Environment, Recreation and Infrastructure

The decision to remove gates from Hurlingham Oval was taken by Council in response to inappropriate dog behaviour within these spaces including dog faeces being left on the sportsground and holes being dug into the playing surface.

Council removed the gates to ensure that dog owners monitor the behaviour of their dogs appropriately. It is a requirement of Council's Local Law that off-leash dogs be under effective voice control at all times.

Council has no plans at this time to install additional gates at Hurlingham Park.

4. Mrs Janice Cook

Mrs Janice Cook submitted a question regarding pet management in Bayside, and Mrs Cook asked:

Question

Many cat owners are not aware of what is happening in Bayside concerning cat enclosure 24 hours a day.

How fast are you thinking of introducing this measure?

Response from the Director Environment, Recreation and Infrastructure

Consultation on the draft Domestic Animal Management Plan (DAMP) was widely promoted in print and digital formats, including via 'Let's Talk Bayside' magazine which is sent to all Bayside households, as well as direct email and social media advertising targeting pet owners.

Increased cat containment restrictions are proposed in the draft DAMP to be implemented as part of the year 4 (2025–26) actions. An extensive education and awareness program is proposed to be undertaken if the DAMP is adopted to support cat owners through the transition before the changes come into effect.

5. Mrs Fiona Hare

Mrs Fiona Hare submitted a question regarding pet management in Bayside, and Mrs Hare asked:

Question

- a) What % of cat and dog owners completed the survey on the suggested pet management rules?
- b) Are the statistics you quote representative of pet owners?

Response from the Director Environment, Recreation and Infrastructure

The initial research survey (phase one engagement) which informed the drafting of the Domestic Animal Management Plan (DAMP), was based on survey data from the wider community including representative views of pet owner (44.5%) and non-pet owner (55.5%) households.

Survey responses for the draft DAMP (phase two engagement) were predominantly from pet owners (78%), with 53% cat owners and 43% dog owners.

6. Mr Darren Mitchell

Mr Darren Mitchell submitted a question regarding Council's Open Space Strategy, and Mr Mitchell asked:

Question

My question relates to Council's Open Space Strategy dated April 2012, which states on page 13, "A review of the Bayside Open Space Strategy is scheduled for 2022."

- a) When exactly will the review of the strategy take place?
- b) When the review takes place will it include community consultation?

Response from the Director Environment, Recreation and Infrastructure

In considering a range of strategic projects, Council has prioritised other open space planning and biodiversity work and currently has no plans to review its current Open Space Strategy in 2022–23. Council will consider this review as part of the preparation of future budgets.

7. Mr Kevin Howard

Mr Kevin Howard submitted a question regarding pet registrations, and Mr Howard asked:

Question

My question relates to pet registrations

- a) On average over recent years, how many NON-DESEXED dogs are registered for the first time with Council each year?
- b) Question part 2. Before the Covid pandemic, how many warnings and fines are issued to owners of unregistered dogs

Response from the Director Environment, Recreation and Infrastructure

- a) *Annually, between 2018 and 2021, there has been on average 249 first time non-desexed dogs registered with Council.*
- b) *Council issued 1 warning and 358 fines for unregistered dogs in the financial year (2018–19) prior to the Covid Pandemic.*

8. Mr Kevin Howard

Mr Kevin Howard submitted a further question regarding Council's draft Budget, and Mr Howard asked:

Question

My question relates to Council's current draft budget.

- a) Is any of the capital expenditure in the budget being funded by Government grants and/or promises of Government funding?
- b) There appears to be no reference to purchase of carbon credits in the budget. Does this mean Council will not be purchasing carbon credits in the next financial year?

Response from the Director Environment, Recreation and Infrastructure

- a) *The 2022–23 budget includes \$4.350 million of grant funding for capital projects based on signed funding agreements. Pledges for grant funding are not included in the budget.*
- b) *Although not separately identified, carbon credits of \$100,000 are included in the 2022–23 budget.*

9. Mrs Mary Larsen

Mrs Mary Larsen submitted a question regarding heritage overlays, and Mrs Larsen asked:

Question

Does a building need significant architectural/aesthetic features which can be viewed from the street to warrant a heritage overlay?

Response from the Director Environment, Recreation and Infrastructure

A building does not need significant architectural or aesthetic features visible from the street to warrant a Heritage Overlay being applied. In determining whether properties are considered to meet the threshold for heritage significance, the State Government Planning Practice Note 1: 'Applying the Heritage Overlay' is utilised alongside the principles of the ICOMOS Burra Charter 'Understanding and assessing cultural significance' Practice Note.

As outlined in the Practice Note, there are several criteria that properties are assessed against and places must meet one or more of these criteria to be deemed significant.

10. Mrs Mary Larsen

Mrs Mary Larsen submitted a further question regarding Council's Post-War Modern Residential Heritage Study, and Mrs Larsen asked:

Question

What is the reason

- (a) the name of the current heritage study was altered from Mid-Century Modern to Post-War Modern
- (b) who was present at the meeting when the name was altered

Response from the Director Environment, Recreation and Infrastructure

Bayside City Council commissioned GJM Heritage to undertake the City of Bayside Mid-Century Modern Heritage Study in December 2020. Up to this point, Council had termed the study its 'Mid-Century Modern Heritage Study' as this is what the style of architecture to be considered within the study had been colloquially termed as.

The name of the study was revised to the Post-War Modern Residential Heritage Study by Council's appointed consultants to accurately reflect the scope of the Study from a heritage perspective. The title was not a focus of a documented meeting with Council officers and the heritage consultants advice around the correct titling of the study was followed.

11. Mr Ian Larsen

Mr Ian Larsen submitted a question regarding Council's Post-War Modern Residential Heritage Study, and Mr Larsen asked:

Question

Does Council acknowledge that the heritage listing of 50 year old homes can have a negative impact on neighbourhoods, driving down property values?

Response from the Director Environment, Recreation and Infrastructure

There are suburbs within Melbourne and Victoria that have a high percentage of heritage listed homes which is not considered to have negatively impacted on the surrounding neighbourhoods.

Property prices go up and down for a number of reasons: market conditions, seasonal fluctuations, location, size, amenity, the state of neighbouring properties, building use, rental return, economic conditions, quality of buildings, etc. It is therefore difficult to isolate the specific effects of heritage listing. If heritage features are in excellent condition/restoration, easily maintained and do not reduce functionality or involve long-term costs, they have been found to increase the property's value.

As such, the impact of controls on property values are not a relevant planning consideration.

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/22/31 – Doc No: DOC/22/137006

Moved: Cr Martin

Seconded: Cr Castelli

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:

- 3 May 2022 Councillor Briefing.

CARRIED

8.2 MINUTES OF THE DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING HELD ON 4 APRIL 2022

Corporate Services - Governance
File No: PSF/22/31 – Doc No: DOC/22/135422

Moved: Cr Martin

Seconded: Cr El Mouallem (Deputy Mayor)

That Council notes the minutes of the Disability Access and Inclusion Advisory Committee meeting held on 4 April 2022.

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:

In accordance with Chapter 2, Division 10 of Council's Governance Rules (Individual Presentations), the following individuals submitted written statements or were granted two minutes each to speak to an item indicated below:

Item 10.1		For (F) Against (A)
Domestic Animal Management Plan 2022–26		
Written Statements		
1.	Ms Anna-Louise Bellarts	(A)
Requests to Speak		
1.	Mrs Jeanette McTaggart	(F)

Item 10.4		For (F) Against (A)
Wilson Recreation Reserve - Brighton Grammar School Rugby and Community Access		
Written Statements		
1.	Mrs Therese Mickelborough	(A)
2.	Mrs Corinne Rico Estrada	(F)
3.	Mr Ross Featherston (on behalf of Brighton Grammar)	(F)
4.	Mrs Aleta Jacob	(F)
5.	Mrs Michele Williams	(F)
6.	Ms Sonia Wagner	(F)
7.	Mr James Coleman	(F)
8.	Mr Fadi Ayache	(F)
9.	Ms Tessa Court	(F)
10.	Mr William Swanepoel	(F)
11.	Mrs Melanie Harcourt	(F)
12.	Mr Niall McConville	(F)
13.	Mrs Andrea Jacob	(F)
14.	Mrs Chantal Albert	(F)
15.	Ms Trudi Davies	(F)
16.	Mrs Kirsty Wiseman	(F)
17.	Mr Paul Thomson	(F)
18.	Mrs Eve Smith	(F)
19.	Mrs Lorinda Morley	(F)
20.	Ms Katrina Spence	(F)
21.	Mr Rodney Mackintosh	(F)

22.	Dr Eva Aschman	(F)
23.	Mrs N. Lawrence	(F)
24.	Mrs Cathie Strahan	(F)
25.	Ms Suzanne Liu	(F)
26.	Mrs Anita Owen	(F)
27.	Mr Richard Owen	(F)
28.	Mrs Catherine Beckingham	(F)
29.	Mr Mark Nicholls	(F)
30.	Dr Deborah Clift	(F)
31.	Ms Annette King	(F)
32.	Ms Susan Power	(F)
33.	Mrs Jane Hogan	(F)
34.	Mrs Sophie Edmunds	(F)
35.	Mrs Liz Van der Slot	(F)
36.	Mr Wayne Moulton	(F)
37.	Ms Julia Aschman	(F)
38.	Mr Luke Horton	(F)
39.	Mr David Moreton	(F)
40.	Mrs Libby Bailey	(F)
41.	Mr Andrew Bath	(F)
42.	Mrs Kelly Bramley	(F)
43.	Mrs Kena Roach	(F)
44.	Mrs Karina Louw	(F)
45.	Mrs Pam Moulton	(F)
46.	Mr Robert Tyler	(F)
47.	Mrs Navdeep Lalh	(F)
48.	Mr Tyrone Landsman	(F)
49.	Mr Owen Smith	(F)
50.	Mrs Marlea Naughton	(F)
51.	Prof. Jacqui True	(F)
52.	Mrs Helen Mastos	(F)
53.	Mrs Simone Landsman	(F)
54.	Ms Yolande Retief	(F)
55.	Dr Michael Mintrom	(F)
56.	Ms Joanna Dougan	(F)
57.	Mr Joshua Dougan-Bath	(F)
58.	Mrs Jessamy Shiell	(F)
59.	Mr Alex Rico	(F)
60.	Dr Jeff Ward	(F)
61.	Mr Charlie Bramley	(F)
62.	Mr Johann Louw	(F)
63.	Mr Fraser McMillan	(F)
64.	Mrs Kirsty Ristevski	(F)
65.	Mr James Dalrymple	(F)
66.	Dr Edwina Rice	(F)
67.	Dr Ian Dickson AM	(F)
68.	Ms Margaret Pasoce	(F)
69.	Ms Kellie Tapping	(F)
70.	Mrs Natalie Graf	(F)
71.	Ms Lisa Unsworth	(F)
72.	Ms Marita Evans	(F)
73.	Mrs Basia Quill	(F)
74.	Mrs Suzanne Farley	(F)

75.	Mrs Maureen Secatore	(F)
76.	Ms Breanna McGrath	(F)
77.	Mrs Joanna Upstill	(F)
78.	Mrs Charlotte Forster	(F)
79.	Mr Andrew Forster	(F)
80.	Ms Thanh Huynh	(F)
81.	Mr Justin Farley	(F)
Requests to Speak		
1.	Mr Samson Adams	(F)
2.	Mrs Michele Williams	(F)
3.	Ms Joanna Dougan	(F)

10.1 DOMESTIC ANIMAL MANAGEMENT PLAN 2022-26

City Planning and Amenity - Amenity Protection
File No: PSF/22/37 – Doc No: DOC/22/134750

It is recorded that Ms Anna-Louise Bellart submitted a written statement in relation to this item. It is further recorded that Mrs Jeanette McTaggart registered to speak for this item though was not present in the meeting.

Moved: Cr Samuel-King MBBS

Seconded: Cr Stitfold

That Council:

1. adopts the Domestic Animal Management Plan 2022–26 contained in Attachment 2 to this report
2. amends the Council Order made pursuant to section 25 of the *Domestic Animals Act 1994* requiring all owners of a cat to keep that cat securely confined to the owner's property and not allow that cat to wander at large outside the owner's premises:
 - a. during any period of Summer Time under the *Summer Time Act 1972*; between the hours of 9.00 pm and 6.00 am the next day, or
 - b. at any other time between 6.00 pm and 6.00 am the next day
3. causes the changes to the Council Order to come into effect from 1 January 2023 and cover all areas of the municipality
4. notes the regulation changes required to implement further cat containment requirements will include permission for cat owners to walk their cat on lead when outside of their property; unless an area is determined to be a prohibited area such as a conservation reserve.

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

DIVISION: **FOR:** Crs Alex del Porto (Mayor), Clarke Martin, Jo Samuel-King
MBBS, Fiona Stitfold and Laurence Evans OAM (5)
AGAINST: Crs Sonia Castelli and Hanna El Mouallem (Deputy Mayor) (2)

CARRIED

10.2 PROPOSED TERMS OF REFERENCE TO GOVERN THE MANAGEMENT MODEL FOR THE OPERATION OF ELSTERNWICK PARK NATURE RESERVE

Environment, Recreation and Infrastructure - Open Space, Recreation and Wellbeing
File No: PSF/22/27 – Doc No: DOC/22/37266

Moved: Cr Samuel-King MBBS

Seconded: Cr El Mouallem (Deputy Mayor)

That Council:

1. adopts the Elsternwick Park Nature Reserve Committee of Management (EPNRCOM) Terms of Reference (ToR) subject to the following amendments:
 - A. Confirm the current goals of the reserve with the following amendments and specifically include these goals (as written) in the ToR for the EPNRCOM:

Goals for the Elsternwick Park Nature Reserve:

 1. Environment – i.e. growing habitat for wildlife and refuge particularly for rare and endangered flora and fauna
 2. Flood mitigation
 3. Water quality, water reuse
 4. Public amenity – in particular:
 - a. to provide a safe, accessible and appealing space for passive recreation
 - b. volunteer engagement
 - c. research and education
 - d. reconciliation with the traditional owners
 - B. Amend Introduction:

That the introduction of the ToR to include the Goals as outlined in Point 1).
 - C. Amend Objectives:

Include the following points under objectives:

 - Weed, pest and domestic animal management strategies
 - Habitat enhancement activities
 - Activities to enhance public amenity, passive recreation and visitor experience

Amend the following points:

 - Undertake and keep a record of species....change to “Support the EPA to continue their recording of (flora and fauna) present within the Reserve, including pest and domestic species”.
 - Undertake data collection... change to “Work with the community to undertake data collection and record keeping to monitor Key Performance Indicators (KPIs) as appropriate”.
 - D. Amend Membership:

As per previous council decision and original recommendation by the EPNR Community Reference Panel except that 2 council officers are removed and the maximum committee size be reduced accordingly.

- 2 Councillors – ward councillor given preference but not compulsory.
- 2 Community representatives-representing relevant community groups-in particular the Friends of Group for the EPNR, currently known as the Elsternwick Park Association.
- 2 Experts – across all Reserve goals including habitat, management and volunteer engagement.
- 4 residents, rate payers or people with strong connections to the reserve.

E. Amend Selection criteria:

Add additional point:

- Can demonstrate interest, skills, knowledge and or expertise relevant to the goals of the Reserve.
- Demonstrated ability to work as a member of a team.

F. Amend Formation and Selection:

- Priority for some of the positions (as per 18 August 2020 Council motion) will be given to nominations from the EPNR 'Friends of Group' currently known as the Elsternwick Park Association.
- Recommendations – to be made by a selection panel made up of the Chair of the Committee, responsible Director and Council officer.
- The membership of the Committee to be appointed by Council.

2. supports the ongoing formation and management of the Plantlab – a Bayside supported, community based, indigenous nursery, dedicated to growing indigenous plants for the EPNR and to achieving the goals of the Urban Forest Strategy and Habitat and Linkage Plan
3. discontinues the Community Reference Panel, and writes to all Panel members expressing Council's appreciation for their ongoing commitment, dedication and expertise over the past four years
4. establishes the Elsternwick Park Nature Reserve Committee of Management (EPNRCOM)
5. commences the process of recruiting and appointing members to the Committee of Management
6. receives a further report at a future Council meeting recommending membership to the Committee of Management.

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

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

AGAINST: Nil (0)

CARRIED

10.3 BAYSIDE PARKLET POLICY AND DESIGN GUIDELINES

City Planning and Amenity - Urban Strategy
File No: PSF/22/35 – Doc No: DOC/22/137062

It is recorded that Cr El Mouallem declared a general conflict of interest in this item given his wife operates a business in Church Street, an area which is subject to the parklet policy. Cr El Mouallem left the meeting at 7.44 pm.

Moved: Cr Castelli

That Council:

1. adopts the Parklet Policy as outlined in Attachment 1 to this report
2. adopts the Parklet Design Guidelines as outlined in Attachment 2 to this report
3. calls for expression of interest for Parklet installations
4. amends the Parklet Policy and Parklet Design Guidelines to provide a cap of no more than 2 carparking spaces to be considered per application/business.

LAPSED FOR WANT OF A SECONDER

Moved: Cr Martin

Seconded: Cr Stitfold

That Council:

1. adopts the Parklet Policy as outlined as Attachment 1 in the report
2. adopts the Parklet Design Guidelines as outlined in Attachment 2 in the report
3. calls for expression of interest for Parklet installations.

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

DIVISION: **FOR:** Crs Alex del Porto (Mayor), Clarke Martin, Sonia Castelli, Jo Samuel-King MBBS, Fiona Stitfold and Laurence Evans OAM
(6)
AGAINST: Nil (0)

CARRIED

It is recorded that Cr El Mouallem was not present in the meeting during debate or when the vote was taken on the above matter.

Cr El Mouallem returned to the meeting at 8.07 pm.

10.4 WILSON RECREATION RESERVE - BRIGHTON GRAMMAR SCHOOL RUGBY AND COMMUNITY ACCESS

Environment, Recreation and Infrastructure - Environment, Recreation and Infrastructure
File No: PSF/22/27 – Doc No: DOC/22/138321

It is recorded that the following individuals submitted a written statement in relation to this item: Mrs Therese Mickelborough, Mrs Corinne Rico Estrada, Mr Ross Featherston (on behalf of Brighton Grammar), Mrs Aleta Jacob, Mrs Michele Williams, Ms Sonia Wagner, Mr James Coleman, Mr Fadi Ayache, Ms Tessa Court, Mr William Swanepoel, Mrs Melanie Harcourt, Mr Niall McConville, Mrs Andrea Jacob, Mrs Chantal Albert, Ms Trudi Davies, Mrs Kirsty Wiseman, Mr Paul Thomson, Mrs Eve Smith, Mrs Lorinda Morley, Ms Katrina Spence, Mr Rodney Mackintosh, Dr Eva Aschman, Mrs N. Lawrence, Mrs Cathie Strahan, Ms Suzanne Liu, Mrs Anita Owen, Mr Richard Owen, Mrs Catherine Beckingham, Mr Mark Nicholls, Dr Deborah Clift, Ms Annette King, Ms Susan Power, Mrs Jane Hogan, Mrs Sophie Edmunds, Mrs Liz Van der Slot, Mr Wayne Moulton, Ms Julia Aschman, Mr Luke Horton, Mr David Moreton, Mrs Libby Bailey, Mr Andrew Bath, Mrs Kelly Bramley, Mrs Kena Roach, Mrs Karina Louw, Mrs Pam Moulton, Mr Robert Tyler, Mrs Navdeep Lalh, Mr Tyrone Landsman, Mr Owen Smith, Mrs Marlea Naughton, Prof. Jacqui True, Mrs Helen Mastos, Mrs Simone Landsman, Ms Yolande Retief, Dr Michael Mintrom, Ms Joanna Dougan, Mr Joshua Dougan-Bath, Mrs Jessamy Shiell, Mr Alex Rico, Dr Jeff Ward, Mr Charlie Bramley, Mr Johann Louw, Mr Fraser McMillan, Mrs Kirsty Ristevski, Mr James Dalrymple, Dr Edwina Rice, Dr Ian Dickson AM, Ms Margaret Pascoe, Ms Kellie Tapping, Mrs Natalie Graf, Ms Lisa Unsworth, Ms Marita Evans, Mrs Basia Quill, Mrs Suzanne Farley, Mrs Maureen Secatore, Ms Breanna McGrath, Mrs Joanna Upstill, Mrs Charlotte Forster, Mr Andrew Forster, Ms Thanh Huynh, and Mr Justin Farley.

It is further recorded that Mr Samson Adams, and Ms Joanna Dougan each spoke for 2 minutes in relation to this item. Mrs Michele Williams registered to speak though was not present at the meeting.

Moved: Cr El Mouallem (Deputy Mayor) Seconded: Cr Samuel-King MBBS

That Council:

1. enters into a Memorandum of Understanding (MOU) with Brighton Grammar School for the 2022 season to allow rugby games to be played on Wilson Reserve in line with the rugby season fixture and to provide passive family/community access to the Brighton Grammar School Crowther Oval on Sundays from 10am to 3pm in line with the rugby season fixture
2. notes that community use of the Crowther Oval will strictly prohibit the access of dogs and/or other animals and that any formalised, commercial, large group or high intensity uses would also be prohibited.

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

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

CARRIED

10.5 RESPONSE TO PETITION TO IMPLEMENT PERMIT PARKING ON GOULD STREET, BRIGHTON

Environment, Recreation and Infrastructure - Climate, Waste and Integrated Transport
File No: PSF/22/26 – Doc No: DOC/22/125255

Moved: Cr El Mouallem (Deputy Mayor) Seconded: Cr Evans OAM

That Council:

1. notes this report and outcome of community consultation on the potential introduction of parking controls in Gould Street, Brighton
2. does not proceed with any changes to parking conditions in Gould Street, Brighton.

CARRIED

10.6 ROAD MANAGEMENT PLAN - FOOTPATH DEFECT INTERVENTION LEVELS AND RESPONSE TIMES

Environment, Recreation and Infrastructure - City Assets and Presentation
File No: PSF/22/29 – Doc No: DOC/22/135330

Moved: Cr El Mouallem (Deputy Mayor) Seconded: Cr Castelli

That Council:

1. retains the Road Management Plan footpath displacement intervention and resolution timeframe at 25mm and 60 days
2. notes that the additional \$250,000 allocated in the draft 2022–23 Budget will be utilised to undertake additional renewal of footpaths in activity centres based on condition data
3. notes that the additional \$80,000 allocated in the draft 2022–23 Budget will provide for additional focus on targeted minor works on footpaths in activity centres
4. monitors the effectiveness of these additional funding allocations and considers further funding for future years as part of the annual budget and capital program discussion.

CARRIED

10.7 REVIEW OF DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE - 2022

Environment, Recreation and Infrastructure - Open Space, Recreation and Wellbeing
File No: PSF/22/27 – Doc No: DOC/22/128103

Moved: Cr Martin

Seconded: Cr El Mouallem (Deputy Mayor)

That Council:

1. continues the Disability Access and Inclusion Advisory Committee
2. adopts changes to the Disability Access and Inclusion Advisory Committee Terms of Reference outlined in Attachment 2
3. writes to the existing Disability Access and Inclusion Advisory Committee members to thank them for their contribution and advice to Council
4. commences the process of reappointment and/or seeks expressions of interest for new members to the ongoing Disability Access and Inclusion Advisory Committee.

CARRIED

10.8 BAYSIDE BUILT ENVIRONMENT AWARDS 2023

City Planning and Amenity - Urban Strategy
File No: PSF/22/35 – Doc No: DOC/22/135740

Moved: Cr Samuel-King MBBS

Seconded: Cr Evans OAM

That Council:

1. notes the inclusion of the Environmentally Sustainable Design evaluation criteria
2. confirms that the Bayside Built Environment Awards will commence no later than early 2023 with the award ceremony to be conducted in August/September 2023.

CARRIED

10.9 CONTRACT CON/22/1 - RECEIPT, PROCESSING AND RESPONSIBLE TRADE OF COMMINGLED RECYCLABLES

Environment, Recreation and Infrastructure - Climate, Waste and Integrated Transport
File No: PSF/22/26 – Doc No: DOC/22/127704

Moved: Cr Castelli

Seconded: Cr Evans OAM

That Council:

1. notes this report and outcome of the tender evaluation for Contract CON/22/1 Receipt, Processing and Responsible Trade of Commingled Recyclables
2. authorises the Chief Executive Officer or their delegate to negotiate the final terms and award the contract for the Receipt, Processing and Responsible Trade of Commingled Recyclables (CON/22/1) to Visy Recycling (ABN 49 984 541 896), in accordance with the rate shown in Confidential Attachment 2, for the period 1 July 2022 to 30 June 2027 and execute this in accordance with the terms and conditions of the contract.

CARRIED

NOTE: Item 10.9 was **CARRIED** as part of a block motion.

10.10 CONTRACT CON/22/37 - SUPPLY AND DELIVERY OF NEW MOBILE GARBAGE BINS

Environment, Recreation and Infrastructure - Climate, Waste and Integrated Transport
File No: PSF/22/26 – Doc No: DOC/22/133352

Moved: Cr Castelli

Seconded: Cr Evans OAM

That Council:

1. notes the report and the outcome of the procurement process
2. authorises the Chief Executive Officer or his delegate to award the Contract for the Supply and Delivery of new Mobile Garbage Bins (CON/22/37) to Sulo MGB Australia (ABN 27 002 605 192), in accordance with the rate shown in Confidential Attachment 1 and execute this in accordance with the terms and conditions of the contract.

CARRIED

NOTE: Item 10.10 was **CARRIED** as part of a block motion.

10.11 CONTRACT CON/22/44 - BANKING SERVICES

Corporate Services - Finance

File No: PSF/22/32 – Doc No: DOC/22/128913

Moved: Cr Castelli

Seconded: Cr Evans OAM

That Council:

1. awards Contract CON/22/44 to the National Australia Bank as part of the State Purchasing Contract panel arrangement for the provision of Banking and Bill Payment Services for a period of five years to 30 September 2026
2. authorises the Chief Executive Officer to sign all necessary documentation related to CON/22/44 Banking and Bill Payment Services contract.

CARRIED

NOTE: Item 10.11 was **CARRIED** as part of a block motion.

10.12 2021–22 3RD QUARTER PERFORMANCE REPORT (JANUARY TO MARCH 2022)

Corporate Services - Governance
File No: PSF/22/31 – Doc No: DOC/22/132199

Moved: Cr Samuel-King MBBS

Seconded: Cr Castelli

That Council:

1. notes the 2021–22 3rd Quarter Performance Report for the period January to March 2022
2. for the purposes of annual reporting of Council Plan actions, approves the deferral of the following four actions from reporting year 2021-22 to 2022–23:
 - 1.2.3.3 - Commence development of the Marine and Coastal Management Plan (subject to DELWP input).
 - 2.3.2.1 - Deliver Bayside Business Network events and activities.
 - 2.3.3.2 - Conduct the Built Environment Awards to promote excellence in design incorporating principles of environmental sustainability.
 - 3.1.1.2. - Develop Highett Grassy Woodland Masterplan (CSIRO site).

CARRIED

10.13 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance

File No: PSF/22/31 – Doc No: DOC/22/136993

Moved: Cr Castelli

Seconded: Cr Evans OAM

That Council notes the Council Action Awaiting Report.

CARRIED

NOTE: Item 10.13 was **CARRIED** as part of a block motion.

11. Reports by Delegates

1. **Association of Bayside Municipalities** – Crs Fiona Stitfold and Clarke Martin attended an online meeting held on 2 May 2022. The meeting provided a summary of the history and workings of the ABM. The Chairman also made a statement concerning the lack of a Coastal Management Plan and expressed the urgent need for the Plan from the State Government to assist member councils in managing the Bay.
2. **Metropolitan Transport Forum** – The Director Environment, Recreation and Infrastructure attended the meeting on 4 May 2022 where a number of presentations were made on active transport and signage.
3. **Municipal Association of Victoria** – The Mayor, Cr Alex del Porto indicated that no meeting has been held; however, a South East Metro Region representative meeting will be held this Friday with a view to discuss MAV State Council Motions at the 24 June 2022 meeting.
4. **Inner South Metropolitan Mayors' Forum** – The Mayor, Cr Alex del Porto indicated that the forum has not yet met; however, the Forum will be re-convened within the coming weeks to develop an advocacy program leading up to the State Government elections.
5. **Metropolitan Local Government Waste Forum** – Cr Clarke Martin indicated that the last meeting of this Forum is scheduled to be held at the Melbourne Convention Centre this month.
6. **South East Councils Climate Change Alliance** – Crs Clarke Martin and Fiona Stitfold indicated that a meeting is scheduled to be held this Friday.

Moved: Cr Evans

Seconded: Cr Martin

That the Reports by Delegates be received and noted.

CARRIED

12. Urgent Business

Moved Cr El Mouallem

Seconded Cr Evans

That the following item concerning 'Planning controls to address cumulative impacts associated with the fast pace of development activity' be considered as an item of urgent business.

CARRIED

12.1 **PLANNING CONTROLS TO ADDRESS CUMULATIVE IMPACTS ASSOCIATED WITH THE FAST PACE OF DEVELOPMENT ACTIVITY**

Moved Cr El Mouallem

Seconded Cr Martin

That Council:

1. writes to the Minister for Planning, the Opposition Planning spokesperson and all the local state members of parliament to express its concerns regarding:
 - a. the lack of planning controls to address the cumulative impacts associated with the fast pace of development activity
 - b. the lack of state government investment in state infrastructure to support the increased urban development (including renewables, gas, power, water, sewer, etc)
 - c. the lack of relevant planning controls to manage the cumulative changes which are resulting in the erosion of liveability within the public realm
2. receives a report that articulate the impacts of the lack of planning controls associated with the fast pace of development and explores regulatory changes
3. advocates to the MAV through a State Council motion regarding this matter:

"That the MAV State Council writes to the Minister for Planning and Opposition Planning spokesperson expressing the sectors concerns with regards to:

 - a. *the lack of planning controls to address the cumulative impacts associated with the fast pace of development activity*
 - b. *the lack of state government investment in state infrastructure to support the increased urban development (including renewables, gas, power, water, sewer, etc)*
 - c. *the lack of relevant planning controls to manage the cumulative changes which are resulting in the erosion of liveability within the public realm."*

CARRIED

13. Notices of Motion

There were no Notices of Motion submitted to the meeting.

The Chairperson declared the meeting closed at 9.08pm.