

Council Meeting

Council Chamber
Civic Centre
Boxshall Street Brighton

Tuesday
21 May 2024
at 6.30pm



Minutes

PRESENT:

Chairperson: Cr Fiona Stiffold (Mayor)

Councillors: Cr Sonia Castelli
C Alex del Porto (Deputy Mayor)
Cr Hanna El Moullem
Cr Laurence Evans OAM
Cr Clarke Martin
Cr Jo Samuel-King

Officers: Mick Cummins – Chief Executive Officer
Tilla Buden – Director Community and Customer Experience
Jill Colson – Director Environment, Recreation and Infrastructure
Matthew Cripps – Director City Planning and Amenity
Kathryn Tozer – Director Corporate Services
Terry Callant – Manager Governance
Anita Johnstone – Manager City Assets and Presentation
Jason Stubbs – Manager Commercial Services
Tom Vercoe – Manager Open Space and Recreation
Vanessa Bradley – Community Engagement Coordinator
Rachael Hudson – Strategic Planning Coordinator
Anthony Jacobs – Economic Development Coordinator
David Nankervis – Acting Open Space Coordinator
Robert Lamb – Council Business Lead

Membership and Quorum

Bayside City Council consists of 7 Councillors. The quorum for a Council meeting is a majority of Councillors (4).

A quorum for this meeting was reached with no less than (6) Councillors present at any given time.

Table of Contents

- 1. Prayer
- 2. Acknowledgement of Country
- 3. Apologies
- 4. Disclosure of Conflict of Interest of any Councillor
- 5. Adoption and Confirmation of the minutes of previous meeting
- 6. Public Question Time
- 7. Petitions to Council
 - 7.1 Petition for Council to adjust its lease to Elsternwick Park Tennis Centre to include adjacent vacant land for installation of 2 new multi-sport / pickleball courts 15
- 8. Minutes of Advisory Committees
 - 8.1 Records of meetings held under the auspices of Council..... 16
- 9. Reports by Special Committees

There were no reports by Special Committees submitted to the meeting.
- 10. Reports by the Organisation
 - 10.1 Neighbourhood Character Study Review - proposed planning scheme amendment..... 18
 - 10.2 State Government-led projects - future impacts on Bayside community 19
 - 10.3 Parklet Policy and Design Guidelines - First Year Review 21
 - 10.4 Public Toilet Strategy 2024–28..... 22
 - 10.5 South Eastern Council Biodiversity Network Update..... 23
 - 10.6 Events in Public Places Policy 2024 and response to Notice of Motion 328..... 24
 - 10.7 Proposed Sale of Land adjoining 8 First Street, Black Rock 25
 - 10.8 Proposed Grant of a new Lease for an existing Telecommunication Site to Vodafone..... 26
 - 10.9 Proposed Discontinuance and Sale of Road adjoining 328 South Road, Hampton East..... 27
 - 10.10 2023–24 3rd Quarter Performance Report (January to March 2024) 28

- 10.11 CONTRACT CON/21/68 Road Renewal Program 2021–23..... 29
- 10.12 Council Action Awaiting Report 30

- 11. Reports by Delegates

- 12. Urgent Business

- 13. Notices of Motion

- 14. Confidential Business
 - 14.1 Minutes of the Chief Executive Officer's Employment Matters
Advisory Committee held on 30 April 2024 32

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 El Mouallem to read the prayer.

1. Prayer

Cr El Mouallem 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 Samuel-King 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.
- ◆ 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

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 meeting of Bayside City Council held on 23 April 2024.

Moved: Cr del Porto (Deputy Mayor) Seconded: Cr Martin

That the minutes of the meeting of Bayside City Council held on 23 April 2024, as previously circulated, be confirmed as an accurate record of proceedings.

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

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

CARRIED

- 5.2 Confirmation of the Minutes of the Special meeting of Bayside City Council held on 30 April 2024.

Moved: Cr del Porto (Deputy Mayor) Seconded: Cr Evans OAM

That the minutes of the Special meeting of Bayside City Council held on 30 April 2024, as previously circulated, be confirmed as an accurate record of proceedings.

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

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

CARRIED

Cr Samuel-King left the meeting at 6.43 pm and returned to the meeting at 6.44 pm.

6. Public Question Time

1. Miss Marissa Williams

Miss Marissa Williams submitted a question related to lighting at Wishart Reserve, and Miss Williams asked:

Question

Why are there no lights at wishart dog park?

Couldn't we have lights on a timer or energy efficient solar lights (hence not disturbing neighbours) its so dark and feels dangerous?

Response from the CEO

Lighting was not included within the scope of works for the improvements to Wishart Reserve and feedback from adjoining residents was not supportive of the introduction of lighting within the reserve. The budget was insufficient to accommodate any significant lighting upgrades and was not raised as a significant theme during community engagement.

2. The Honourable Timothy Wilson

The Honourable Timothy Wilson submitted a question related to Federal Government funding for Council projects and Mr Wilson asked:

Question

Our community lost \$100 million of local funding in the 2022 Federal Budget, should that funding be secured from the Federal government for the same projects would the Council accept the funding?

Response from the CEO

Council's advocacy priorities for the next Federal election are currently being refined and will be pursued with all political parties over the coming months.

3. Mrs Courtney De Cesare (on behalf of The Highett Progress Association)

Mrs Courtney De Cesare (on behalf of The Highett Progress Association) submitted a question related to height regulations proposed for the Suburban Rail Loop, and Mrs De Cesare asked:

Question

The Highett Progress Association and the greater Highett community have grave concerns about the new height regulations proposed by the Suburban Rail Loop Authority, specifically increased heights up to 18 stories at the former CSIRO site (now The Highett Commons) across its 15 towers.

1: Does Bayside City Council possess relevant data and analysis which would prove that surrounding infrastructure cannot support an increase of such magnitude on this specific site?

2: How does the Council intend to respond to the SRLA regarding this site and what measures will be taken to protect the new and existing community's liveability and Neighbourhood Character, including The Highett Grassy Woodlands which could be decimated by such extreme height and density.

Response from the CEO

- 1. The release of the information by the SRLA has proposed significant changes to the land use and built form outcomes in the Highett and Pennydale areas. Council has not undertaken any analysis to understand the capacity or limitations our infrastructure will have on growth.*

It is noted that the proposed increases in density would require significant investment and upgrade of existing assets including roads, stormwater drainage, open space, and community facilities.

- 2. A report will be presented to the July 2024 Council Meeting in response to the recently published Suburban Rail Loop Key Emerging Directions. This report will provide a recommendation for Council to consider as its position on the published plans.*

4. Mrs Angela Burr (on behalf of the Highett Progress Association)

Mrs Angela Burr submitted a question related to traffic and pedestrian safety in Highett, and Mrs Burr asked:

Question

With the recent release of Councils 2024/25 budget, The Highett Progress Association is alarmed that no allocation has been made to assess and update Highett's traffic and pedestrian safety crisis amidst the extreme development and growth expected in the next financial year and beyond. Our members would like to ask:

- 1: How much incremental income has Council already received to date in rates from the Sunkin Highett Commons (former CSIRO) development and what is expected in 2024/25?
- 2: Even if the data to answer question 1 is considered confidential, whether it is reasonable that a portion of that increment be invested to understand the immediate and long term impact on the surrounding community and deploy mitigating actions where feasible?

Response from the CEO

1. *Council has received a total of \$394,200 to date in rates in association with the property at 37 Graham Street, Highett. It is expected that rates in 2024–25 will be approximately \$82,000.*
2. *The approval of the Highett Common development included traffic modelling which has been approved as an acceptable response to managing traffic generated by that site. The response will also support the wider traffic network.*

As part of the current SRLA work, when the data becomes available, Council will be undertaking its own independent assessment of the traffic analysis to understand what additional network improvements will be required.

5. Mrs Ruth Sabella

Mrs Ruth Sabella submitted a question related to traffic surrounding the former CSIRO site in Highett, and Mrs Sabella asked:

Question

In March 2022 Council planners approved the Stage 1 Development Plan of The Highett Commons (Former CSIRO site) which included a newly created Exit Road onto Middleton Street, which in doing so created the fastest and shortest exit for the entire site (up to 4,000 daily car movements) to dangerously rat-run directly into the quiet Neighbourhood Residential Zone.

1. The Donald Street Residents Group would like to know, If an updated traffic assessment was required before such an impactful approval, why were Middleton Street and Graham Rd confirmed by Council planners to be the ONLY roads recently assessed and no reporting and analysis done independently on the several surrounding streets and already dangerous and known intersections where future traffic will now exceed theoretical capabilities?
2. What measures will Council now take to reduce and slow traffic that funnels from the enormous and growing Highett Commons site directly into the Neighbourhood Residential Zone?

Response from the CEO

1. *The Development Plan approval for 37 Graham Road, Highett was approved by Council at its October 2021 Council Meeting and included a requirement for a revised Traffic Impact Assessment and the provision of one-way access onto Middleton Street in lieu of the originally proposed two-way access.*

Updated Traffic Modelling for the one-way exit arrangement was deemed to be the most appropriate design outcome. This was subsequently agreed to and approved by the relevant authorities including the Department for Transport (now Department of Transport and Planning) and the Responsible Authority.

2. *Any measures required to manage traffic in the area to the west of the 37 Graham Road, Highett site are a responsibility of Council as the Road Management Authority and would be considered under the provisions of Council's Local Area Traffic Management Policy 2023.*

6. Mr Jim Griffin

Mr Jim Griffin submitted a question related to a tree removal and traffic arrangements at the former CSIRO site in Highett, and Mr Griffin asked:

Question

1. What if any was the monetary compensation Council received from Sunkin to remove the large, healthy and significant Red Flowering Gum tree from Middleton Street in January 2024 in order to build a new Exit Road from the Highett Commons?
2. Why wasn't realignment of the road or an Entrance Only configuration mandated by council both to protect this tree and the Neighbourhood Residential Zone from extreme volumes of Exit traffic?

Response from the CEO

1. *As part of this application, a referral was made to Council's Open Space team who provided a tree amenity valuation for the tree to the value of \$11,616.38 which was paid by the applicant before a permit was granted.*
2. *Multiple traffic arrangements were explored as part of the assessment of the Development Plan approval process. As part of the approval of the Development Plan by Council at its October 2021 Council Meeting, a requirement for a revised Traffic Impact Assessment and the provision of one-way access onto Middleton Street in lieu of the originally proposed two-way access was sought.*

Updated Traffic Modelling for the one-way exit arrangement was deemed to be the most appropriate design outcome. This was subsequently agreed to and approved by the relevant authorities including the Department for Transport.

7. Mr David Frauman

Mr David Frauman submitted a question related to Federal funding for the Bayside community, and Mr Frauman asked:

Question

We lost \$100m of local funding when Zoe Daniel voted for Federal Labor's 2022 Budget, given it has now been revealed she also voted for \$2 billion in new coal rebates, has Council written to these companies seeking \$100 million of funding for our community"?

Response from the CEO

Council has not and does not intend to write to these companies to seek funding.

8. Mrs Andree Leigh

Mrs Andree Leigh submitted a question related to funds paid by Bayside Council to Citywide Service Solutions, and Mrs Leigh asked:

Question

In financial years of 2020/2021, 2021/2022 and 2022/2023 list the funds paid by Bayside Council to Citywide Service Solutions.

- (1) The total amount of the funds paid in those years for all services provided.
- (2) List the amounts paid each of those years for tree lopping on or around the power lines in Bayside streets.

Response from the CEO

- (1) *The total amount of funds paid in those years for all contracted Citywide services (including GST) is:*

2020-21	\$21,580,000.
2021-22	\$23,164,000.
2022-23	\$23,869,000.

- (2) *As part of the integrated service delivery contract, the specific breakdown of tree lopping around power lines is not individually reported on. The total value of tree related services within the contract for the requested period (including GST) is:*

2020-21	\$2,087,000.
2021-22	\$2,345,000.
2022-23	\$2,448,000.

9. Mr Geoff Leigh

Mr Geoff Leigh submitted a question related to the Bayside Community Sports Centre and Mr Leigh asked:

Question

From the time of agreement by Bayside Council to develop the Netball Courts on the Driving Range Wangara Road Sandringham to council's decision to move the courts to Sandringham College.

- (1) Provide the total combined payments made to all parties involved with the project till the last payment made.
- (2) Provide the total payments of any further works or reports currently to the date as close of 15/05/24

Response from the CEO

Total combined payments for the Wangara Rd netball site up until the decision to move to Sandringham College were \$909,426.

10. Mr Geoff Leigh

Mr Geoff Leigh submitted a further question related to the Bayside Community Sports Centre and Mr Leigh asked:

Question

From the decision by Bayside Council to cancel the Netball Courts at Wangara Road and relocate them to Sandringham Collage Holloway Road Sandringham

(1) To the closest date of 15/05/2024 what is the total amount of the combined funds has council either committed or spent on the relocation to the college.

(2) What extra funds has council has spent, expecting or planning to spend this financial year.

Response from the CEO

- 1) *Council has contributed \$18.05M towards the Bayside Community Sports Centre at Sandringham College inclusive of a \$4 million Commonwealth Government grant.*
- 2) *Council has also spent \$569,423 towards traffic management plan implementation for the site. There is an additional \$145,000 allocated to undertake minor additional works to the facility. An additional \$15,000 will be spent on a review of traffic conditions.*

11. Mrs Alysia Regan

Mrs Alysia Regan submitted a question related to the Suburban Rail Loop, and Mrs Regan asked:

Question

Bayside has been working with the Suburban Rail Loop Authority to advocate for positive outcomes within Bayside specifically Highett and Hampton East.

At the most recent SRL meeting the community were advised it will be another two years before confirmation of heights and set the rules around setbacks and actual planning rules.

What does this current advocacy look like and could the community please be given examples?

Response from the CEO

Council officers have been responding formally to the SRLA as part of all community consultation periods including:

1. *the Suburban Rail Loop East Inquiry and Advisory Committee in response to the EES, in February 2022*
2. *the SRL Precinct Discussion Paper, released in September 2023*
3. *the SRL Draft Precinct Vision for Cheltenham SRL East, released in December 2023.*

More recently, the SRLA is undertaking community consultation on the Key Emerging Directions for the SRL Cheltenham Precinct which will conclude at the end of June. Council officers are currently preparing a formal submission which is proposed to be presented to the July 2024 Council Meeting for formal endorsement.

Council's advocacy to date has centred around building heights and density, connectivity and traffic impacts, and open space in line with feedback received from the community.

12. Mr Leigh Funston

Mr Leigh Funston submitted a question related to offshore wind proposals, and Mr Funston asked:

Question

Would any offshore wind proposal for Port Phillip Bay be given a fair hearing by Bayside City Council as part of its path to net zero and the expansion of renewables, or be rejected outright?

Response from the CEO

Any offshore wind proposals for Port Phillip Bay would fall outside of our municipal jurisdiction and would likely require a Public Environment Report or Environmental Impact Statement under the Federal Environment Protection and Biodiversity Conservation Act 1999.

The remaining 7 questions received from Mr Leigh Funston, Mr George Reynolds, Mr Paul Langley and Mr Fraser Gibson were not read at the meeting out as the 15 minutes allowable for public question time had expired. These questions (and those that were read out) will be responded to in writing

7. Petitions to Council

7.1 PETITION FOR COUNCIL TO ADJUST ITS LEASE TO ELSTERNWICK PARK TENNIS CENTRE TO INCLUDE ADJACENT VACANT LAND FOR INSTALLATION OF 2 NEW MULTI-SPORT / PICKLEBALL COURTS

Environment, Recreation and Infrastructure - Open Space and Recreation
File No: PSF/24/102 – Doc No: DOC/24/140763

The Mayor noted an amendment to this report being that the Elsternwick Park Tennis Centre is seeking to lease the adjacent land at the site for 2 multi-sport / pickleball courts (not 4 as indicated in the report). For clarification, there are already 2 courts of this type at the site under the current lease.

Moved: Cr El Mouallem

Seconded: Cr Samuel-King

That the petition be received and a report be submitted to the 20 August 2024 Council Meeting for consideration.

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

DIVISION: **FOR:** Crs Alex del Porto (Deputy Mayor), Clarke Martin, Sonia Castelli, Jo Samuel-King, Fiona Stiffold (Mayor), Laurence Evans OAM and Hanna El Mouallem (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/24/100 – Doc No: DOC/24/130087

Moved: Cr del Porto (Deputy Mayor)

Seconded: Cr Evans OAM

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:

- 30 April 2024 Strategic Issues Discussion
- 7 May 2024 Councillor Briefing.

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

DIVISION: **FOR:** Crs Alex del Porto (Deputy Mayor), Clarke Martin, Sonia Castelli, Jo Samuel-King, Fiona Stitfold (Mayor), Laurence Evans OAM and Hanna El Moullem (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		For (F) Against (A)
Neighbourhood Character Study Review - proposed planning scheme amendment		
Requests to Speak		
1.	Mr Geoff Leigh	(A)
2.	Mr Derek Screen (on behalf of Pennydale Residents Action Group)	(F)

Item 10.2		For (F) Against (A)
State Government-led projects - future impacts on Bayside community		
Requests to Speak		
1.	Mr Geoff Leigh	(A)
2.	Mr Douglas Klein (on behalf of Highett Progress Association)	(F)
3.	Mrs Courtney DeCesare (on behalf of Donald Street Residents Group)	(F)
4.	Mr Derek Screen (on behalf of Pennydale Residents Action Group)	(F)

10.1 NEIGHBOURHOOD CHARACTER STUDY REVIEW - PROPOSED PLANNING SCHEME AMENDMENT

City Planning and Amenity - Urban Strategy
File No: PSF/24/105 – Doc No: DOC/24/138263

It is recorded that Mr Geoff Leigh, and Mr Derek Screen (on behalf of Pennydale Residents Action Group) each spoke for 2 minutes in relation to this item.

Moved: Cr Martin

Seconded: Cr Evans OAM

That Council:

1. notes the Background Report prepared by Council officers and the recommended approach to implementing improved Neighbourhood Character controls in the Bayside Planning Scheme
2. defers the preparation of any Planning Scheme Amendment in accordance with the approach outlined in this report until there is a clearer understanding from the State Government as to what kind of housing targets and planning policy is being proposed as part of the:
 - a) draft Plan for Victoria including housing targets
 - b) the Suburban Rail Loop Structure Plan process
 - c) the Moorabbin / Hampton East Activity Centre Review Program
3. instructs Council officers to engage with officers at the Department of Transport and Planning regarding comparing Council's Housing Strategy and Neighbourhood Character review with the recent housing targets, Suburban Rail Loop Structure Plan and Moorabbin/Hampton East Activity Centre Review Program, based on Council's housing analysis that has concluded there is sufficient housing capacity to meet anticipated population increases over the next 15 years to 2036 as required by current State planning policy.

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

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

CARRIED

10.2 STATE GOVERNMENT-LED PROJECTS - FUTURE IMPACTS ON BAYSIDE COMMUNITY

City Planning and Amenity - Urban Strategy
File No: FOL/24/351 – Doc No: DOC/24/139979

It is recorded that Mr Geoff Leigh, Mr Douglas Klein (on behalf of Highett Progress Association), Mrs Courtney DeCesare (on behalf of Donald Street Residents Group), and Mr Derek Screen (on behalf of Pennydale Residents Action Group) each spoke for 2 minutes in relation to this item.

Moved: Cr Martin

Seconded: Cr Evans OAM

That Council

- 1) receives a report to the July 2024 Council meeting on the proposed response/submission to the Suburban Rail Loop (SRL) Key Emerging Directions, including the following key concerns:
 - a) height and density
 - b) Bay Road narrowing
 - c) developer contributions
 - d) open space network
 - e) the need to ensure quality construction of new buildings which respond to Environmentally Sustainable Development principles
 - f) lack of genuine consultation with councils and the community
 - g) the impacts of future growth and development on the road network efficiency and traffic
 - h) the ability to deliver Cycle and PMD (Personal Mobility Device) pathways along the rail corridor and throughout the precinct
- 2) writes to Bayside's State and Federal elected members and relevant advocacy groups to seek meetings to discuss Council's concerns and opportunities with the Suburban Rail Loop and Activity Centres programs
- 3) writes to all councils affected by the Activity Centres Program and the Suburban Rail Loop to seek support and contribution to develop a common advocacy position and program which will be addressed to the State Government, and in particular the Minister for Planning and Minister for Transport and Suburban Rail Loop
- 4) invites the Mayors of Glen Eira and Kingston councils to a meeting to discuss common grounds of concern with the Suburban Rail Loop and Activity Centres program, and opportunities for joint advocacy
- 5) writes to the Minister for Planning and Minister for Transport and Suburban Rail Loop communicating Council's strong objection to the manner in which these projects are being undertaken, the opportunity for a constructive working relationship, and the impact of these programs on the Bayside community

- 6) writes to the Minister for Planning and Minister for Transport and Suburban Rail Loop requesting that any proposed amendments to significantly increase building heights within the suburban rail loop precinct be delayed until a time that is closer to the commencement of the SRL station to mitigate amenity impacts.

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

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

CARRIED

10.3 PARKLET POLICY AND DESIGN GUIDELINES - FIRST YEAR REVIEW

City Planning and Amenity - Urban Strategy
File No: FOL/24/351 – Doc No: DOC/24/138171

Moved: Cr Samuel-King

Seconded: Cr del Porto (Deputy Mayor)

That Council

1. notes the report
2. adopts the proposed amendments for inclusion to the Parklet Policy and Design Guidelines 2024.

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

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

AGAINST: Nil (0)

CARRIED

10.4 PUBLIC TOILET STRATEGY 2024–28

Environment, Recreation and Infrastructure - City Assets and Presentation
File No: PSF/24/80 – Doc No: DOC/24/94795

Moved: Cr Samuel-King

Seconded: Cr del Porto (Deputy Mayor)

That Council adopts the Public Toilet Strategy 2024–28 (Attachment 2).

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

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

AGAINST: Nil (0)

CARRIED

10.5 SOUTH EASTERN COUNCIL BIODIVERSITY NETWORK UPDATE

Environment, Recreation and Infrastructure - Open Space and Recreation
File No: PSF/24/102 – Doc No: DOC/24/139836

Moved: Cr Samuel-King

Seconded: Cr Martin

That Council writes to the South Eastern Councils Climate Change Alliance to request that it incorporates the South Eastern Council Biodiversity Network into its operations, potentially as an annual round table event.

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

DIVISION: **FOR:** Crs Alex del Porto (Deputy Mayor), Clarke Martin, Jo Samuel-King, Fiona Stiffold (Mayor) and Laurence Evans OAM (5)

AGAINST: Crs Sonia Castelli and Hanna El Mouallem (2)

CARRIED

10.6 EVENTS IN PUBLIC PLACES POLICY 2024 AND RESPONSE TO NOTICE OF MOTION 328

Community and Customer Experience - Libraries, Cultural and Customer Services
File No: PSF/24/102 – Doc No: DOC/24/106681

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council:

1. notes the findings from the trial outlined in Notice of Motion 328 relating to community events
2. continues to involve community organisations in the planning and delivery of Council-initiated events
3. adopts the updated Events in Public Places Policy 2024 as set out in Attachment 1.

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

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

CARRIED

NOTE: Item 10.6 was **CARRIED** as part of a block motion.

10.7 PROPOSED SALE OF LAND ADJOINING 8 FIRST STREET, BLACK ROCK

Corporate Services - Commercial Services
File No: PSF/24/88 – Doc No: DOC/24/126509

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council:

1. commences the statutory procedures in accordance with the Local Government Act 2020 (the Act) to sell the Subject Land adjoining 8 First Street, Black Rock, outlined in red in Attachment 1, to the adjoining owners of 8 First Street, Black Rock, for \$25,000 plus GST
2. authorises the Director Corporate Services to undertake the administrative procedures necessary to enable Council to carry out its functions under section 114 of the Act in relation to the sale proposal and in accordance with Council's Community and Stakeholder Engagement Policy 2021
3. advertises the Public Notice on Council's website outlining the proposal in accordance with Section 114 of the Act
4. commences a community engagement process in accordance with Section 114(2)(b) of the Act
5. following the consideration of any submissions, receives a further report at a future Council Meeting.

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

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

AGAINST: Nil (0)

CARRIED

NOTE: Item 10.7 was **CARRIED** as part of a block motion.

10.8 PROPOSED GRANT OF A NEW LEASE FOR AN EXISTING TELECOMMUNICATION SITE TO VODAFONE

Corporate Services - Commercial Services
File No: PSF/24/88 – Doc No: DOC/24/126751

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council:

1. commences the statutory procedures under Sections 115 of the Local Government Act 2020 (the Act), to enter into a new Lease with Vodafone Network Pty Ltd 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 Alex del Porto (Deputy Mayor), Clarke Martin, Sonia Castelli, Jo Samuel-King, Fiona Stitfold (Mayor), Laurence Evans OAM and Hanna El Mouallem (7)
AGAINST: Nil (0)

CARRIED

NOTE: Item 10.8 was **CARRIED** as part of a block motion.

10.9 PROPOSED DISCONTINUANCE AND SALE OF ROAD ADJOINING 328 SOUTH ROAD, HAMPTON EAST

Corporate Services - Commercial Services
File No: PSF/24/88 – Doc No: DOC/24/126513

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council:

1. commences the statutory procedures in accordance with the Local Government Act 1989 and the Local Government Act 2020, to discontinue the Subject Road adjoining 328 South Road, Hampton East outlined in red in Attachment 1, and sells the Subject Road to the adjoining owners of 328 South Road, Hampton East for \$53,000 plus GST
2. gives public notice outlining the proposal in accordance with Section 223 of the Local Government Act 1989
3. establishes a Special Committee of Council and determines the membership of the Committee (with a minimum of three {3} councillors) to hear any submitters that wish to be heard
4. in the event that submission/s are received, convenes a Section 223 Special Committee of Council meeting on 2 July 2024 at 6.00pm at the Council Chamber, Boxshall Street, Brighton to hear any submitters that wish to be heard
5. following the consideration of any submissions, receives a further report at a future Council Meeting.

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

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

AGAINST: Nil (0)

CARRIED

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

10.10 2023–24 3RD QUARTER PERFORMANCE REPORT (JANUARY TO MARCH 2024)

Corporate Services - Governance
File No: PSF/24/100 – Doc No: DOC/24/128992

Moved: Cr Martin

Seconded: Cr Samuel-King

That Council notes the 2023–24 Quarter 3 Performance Report for the period January to March 2024.

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

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

AGAINST: Nil (0)

CARRIED

10.11 CONTRACT CON/21/68 ROAD RENEWAL PROGRAM 2021–23

Environment, Recreation and Infrastructure - Project Services
File No: PSF/24/104 – Doc No: DOC/24/99766

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

That Council

1. authorises the Chief Executive Officer or delegate to extend the current Road Renewal Program Contract CON/21/68 for the period 1 July 2024 to 30 June 2025 and notify the panel contractors as per the deed provision
2. approves price adjustment on all Schedule of Rates items based on VicRoads' (DTP) Section 199 from July 2024 to June 2025 and notifies the panel contractors accordingly.

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

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

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

10.12 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/24/100 – Doc No: DOC/24/143548

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council notes the Council Action Awaiting Report.

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

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

CARRIED

NOTE: Item 10.12 was **CARRIED** as part of a block motion.

11. Reports by Delegates

1. **Association of Bayside Municipalities** – The Mayor, Cr Fiona Stiffold advised there was nothing to report.
2. **Metropolitan Transport Forum** – The Director Environment, Recreation and Infrastructure advised that the Metropolitan Transport Forum held its monthly meeting on 1 May where researchers from RMIT university presented findings on apartment housing developments against public transport service provisioning in Melbourne. The findings concluding that public transport provisioning had increased over a 19-year period though this was largely achieved through measures such as removal of seats and alterations to the rolling stock rather than an increase in carriage capacity. The Forum continues to seek input from councils that have concerns about gaps in transport services particularly for older community members or those with disabilities. Darebin, Hobsons Bay and Hume councils also provide monthly updates.
3. **Inner South Metropolitan Mayors' Forum** – The Mayor, Cr Fiona Stiffold advised there was nothing to report.
4. **South East Councils Climate Change Alliance** – Cr Clarke Martin and The Mayor, Cr Fiona Stiffold advised there was nothing to report.

Moved: Cr del Porto

Seconded: Cr Castelli

That the Reports by Delegates be received and noted.

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

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

CARRIED

12. Urgent Business

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

13. Notices of Motion

There were no Notices of Motion submitted to the meeting.

14. Confidential Business

Moved: Cr del Porto (Deputy Mayor)

Seconded: Cr Samuel-King

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.*

Table of Contents

14.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT MATTERS ADVISORY COMMITTEE HELD ON 30 APRIL 2024

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

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

Following consideration of Confidential Business, the Mayor declared the meeting closed at 9.02pm.