

# Council Meeting

Council Chamber  
Civic Centre  
Boxshall Street Brighton

Tuesday  
18 June 2024  
at 6.30pm



# Minutes

**PRESENT:**

**Chairperson:** Cr Fiona Stitfold (Mayor)

**Councillors:** Cr Sonia Castelli  
C Alex del Porto (Deputy Mayor)  
Cr Hanna El Mouallem  
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  
Kelly Archibald – Manager Urban Strategy  
Anita Johnstone – Manager City Assets and Presentation  
James Roscoe – Acting Manager Project Services  
Bill Shanahan – Chief Financial Officer  
Jason Stubbs – Manager Commercial Services  
Tom Vercoe – Manager Open Space and Recreation  
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 (5) Councillors present at any given time.

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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 Evans to read the prayer.

## **1. Prayer**

Cr Evans 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 de Porto 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**

- Cr Samuel-King declared a General Conflict of Interest in item 10.5 (Dendy Beach Visitor Management Plan) given Cr Samuel-King owns a property adjacent to GreenPoint, and the Plan mentions parking within Green Point which could impact Cr Samuel-King’s property.
- Cr Castelli declared a General Conflict of Interest in item 10.5 (Dendy Beach Visitor Management Plan) given Cr Castelli’s partner owns a bathing box at Dendy Street Beach.
- Cr Castelli declared a General Conflict of Interest in item 10.9 (Dendy Street Beach - Erosion Mitigation Update) given Cr Castelli’s partner owns a bathing box at Dendy Street Beach.

**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 21 May 2024.

**Moved: Cr Martin**

**Seconded: Cr Evans OAM**

That the minutes of the Bayside City Council meeting held on 21 May 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 Stiffold (Mayor), Laurence Evans OAM and Hanna El Mouallem (7)

**AGAINST:** Nil (0)

**CARRIED**

## 6. Public Question Time

1. **Ms Faiza Nouman** submitted a question related to proposed height regulations by the Suburban Rail Loop Authority, and Ms Nouman asked:

### Question

The Highett Progress Association and the broader Highett community have significant concerns regarding the proposed height regulations by the Suburban Rail Loop Authority, which include increasing building heights up to 18 stories at the former CSIRO site (now The Highett Commons).

Part 1. Does Bayside City Council have data and analysis to support whether the surrounding infrastructure can handle such increased density?

Part 2 Furthermore, how does the Council plan to respond to the SRLA to protect the liveability and neighbourhood character, including safeguarding areas like The Highett Grassy Woodlands from the potential negative impacts of these extreme height and density increases?

### Response from the CEO

*Part 1 Bayside City Council shares the concern of the community regarding the increased building heights throughout the Suburban Rail Loop precinct, including those at the former CSIRO site. Council officers have requested the data and analysis that supports the increased density from the Suburban Rail Loop Authority to justify the increased density; however, this has not been provided.*

*Part 2 Council officers are currently preparing a submission to the Suburban Rail Loop Authority Key Emerging Directions which will be considered by Council at its July meeting. Council is also undertaking an advocacy campaign which includes meeting with State and Federal elected members to discuss Council's concerns and opportunities with the Suburban Rail Loop Program.*

2. **Ms Faiza Nouman** submitted a further 2 questions; however, Council's Governance Rules permit a maximum of 2 questions per individual or group for public question time. Therefore, only the first 2 questions will be responded to. The 2<sup>nd</sup> question from Ms Nouman relates to tree removals with urban forestry goals, and Ms Nouman asked:

### Question

Part 1 With multiple Local Law Tree Removal applications being approved in recent meetings, including those on Potter Street, Scott Street, and Sarah Street, what long-term strategies is the Council implementing to balance necessary tree removals with urban forestry goals?

Part 2 How are these strategies designed to ensure the continued health and expansion of Bayside's urban tree canopy?

### Response from the CEO

*Part 1 When it is permitted for a tree to be removed under the Local Law, it is required that the tree be replaced with cumulative mature canopy or ground cover of 200% of the removed tree. This results in an increase in the canopy coverage over the long-term, whilst facilitating the removal of trees where necessary.*

*Part 2 Council adopted its Urban Forest Strategy in 2022 which sets the target of 30% canopy coverage by 2040. Actions of the adopted Strategy aim to increase the planting of new trees whilst protecting established trees.*

3. **Mr Jeff Naylor** submitted a question related to Council's disability action plan, and Mr Naylor asked:

#### **Question**

What specific line items of Council's disability action plan have and haven't been delivered since June 30 2023?

#### **Response from the CEO**

*Council's 2021–25 Disability Action Plan currently has 29 actions. This plan is reviewed annually. Of the 29 actions, there are 15 actions that are on track to be completed by 30 June 2024 and 14 actions in 'monitor' status.*

*Council has commenced an independent evaluation of the annual action plan to support the progression of actions into year 4 of the plan.*

*A 6-month status report on individual actions will be provided in the written response to this question to Mr Naylor.*

4. **Mr Jeff Naylor** submitted a further question and the questions relates to changing places facilities and Mr Naylor asked:

#### **Question**

Now that Council has effectively delayed a changing places bathroom at the beach (half moon bay) to beyond the current council term, 2 years after announcing it, how long will the Rickett's point feasibility study take and when would this changing places be delivered?

#### **Response from the CEO**

*Following public consultation, Rickett's Point became the preferred site for a Changing Places toilet. A feasibility report will be undertaken by Council officers within the 2024–25 financial year including consideration of planning, conservation, engineering and cost.*

*The Ricketts Point public toilet replacement is currently scheduled for 2027–28.*

5. **Mr Leigh Funston** submitted a question related to parks and reserves in Bayside, and Mr Funston asked:

#### **Question**

Can Bayside City Council please name the five largest parks or reserves (not including golf courses or sporting ovals) in the municipality and identify in which wards each of the five parks/reserves are located?

#### **Response from the CEO**

*Excluding reserves that contain golf courses or sporting ovals/fields, the five largest reserves in Bayside are as follows:*

- 1. The foreshore reserve which spans Dendy, Castlefield, Boyd, Ebden and Beckett wards (99ha).*
- 2. The Yalukit Willam Nature Reserve in Dendy Ward (14ha).*
- 3. Royal Avenue Reserve in Boyd Ward (8.6ha).*
- 4. Cheltenham Flora and Fauna Reserve in Ebden Ward (5.3ha).*
- 5. Landcox Park in Bleazby Ward (4.9ha).*



6. **Mr Geoff Leigh** submitted a question related to State Government payments for services and activities to Bayside Council, and Mr Leigh asked:

#### Question

Each year the Victorian State Government has reduced payments for services and activities to Bayside Council. As a result the state had cost shifted its role to council, requiring council to fund or cancel these programs or activities.

Part 1 List the total amount of funds for the financial years 2020/2021, 2021/2022, 2022/2023, 2023/2024 that the state no longer funds by its cost shifting.

Part 2 Provide a list of programs or activities that the state no long provide for each of the financial years listed in item (1)

#### Response from the CEO

*The State Government has for many years shifted costs onto Local Government through the following processes:*

- 1. Inadequate indexation of recurrent grants provided to deliver services, for example school crossing supervision, Libraries and Maternal and Child Health.*
- 2. The imposition of levies on Council activities, for example, the Landfill Levy and the Animal Registration levy.*
- 3. Freezing fees and charges that Local Government recover for some services, for example Planning fees were not indexed for many years.*

*The impact of these actions by the State is that councils are required to fund an increasing proportion of the costs of delivering services over time. Whilst the impact in any one year may be modest, the cumulative impact over a number of years is significant.*

*Council publishes a cost shifting report each year as part of its Annual Report with the impact estimated to be in excess of \$2 million per annum.*

7. **Mr Geoff Leigh** submitted a further question and the question relates to the Suburban Rail Loop Project, and Mr Leigh asked:

#### Question

Since the announcement by the then Victorian Premier Daniel Andrew's during the 2018 election campaign to construct from East Cheltenham to Box Hill the Suburban Rail Loop (SRL) provide

Part 1 From the announcement in 2018 to 11/06/24 what are the total hours spent by council staff in dealing with the SRL project with reports and other activities.

Part 2 Council provide the total amount of all funds paid to consultants or any other party in respect of the SRL project from 2018 to 11/06/24

#### Response from the CEO

*Part 1 Council's response to the Suburban Rail Loop program is one that encompasses a number of Council departments. Given the breadth of officer involvement and the time period in question, the total hours spent on the project is unable to be quantified. However, there is no doubt that a significant amount of staff hours have been spent on responding to the issues raised by the Suburban Rail Loop.*

*Part 2 Council has expended \$185,973 responding to the Suburban Rail Loop program since 2018.*

8. **Mr Douglas Klein (on behalf of Highett Progress Association)** submitted a question related to the Highett Grassy Woodland, and Mr Klein asked:

#### Question

As Community members are keen to access and enjoy the Highett Grassy Woodland as soon as possible, can Council advise:

- Part 1 Whether the restriction from entering the Woodland for safety reasons is to be applied for the entire construction of Highett Commons, potentially another 5 years or more, or whether this ban would be for a shorter period.
- Part 2 Whether there is any realistic hope of an entrance from Bay Road given the objections and apparently strong legal position of the industrial complex at 337 Bay Road?

#### Response from the CEO

- Part 1 The timeframe of broader public access to the Highett Grassy Woodland from the Highett Common site is currently unknown, as it will be contingent upon access being provided via the opening of the internal road network in the Highett Common development. Once occupants begin to reside in the Highett Common development and the road becomes trafficable to achieve access to the site, Council is committed to opening the site as soon as reasonably practicable.*
- Part 2 Council will continue to investigate the mechanisms available to provide the connection from the Highett Grassy Woodland to Bay Road.*

9. **Mr Robert Telling** submitted a question related to Council's Engagement processes, and Mr Telling asked:

#### Question

With regard the Council's Have Your Say engagement website and the very small number of responses received ie 10 out of a potential 7000. I would like to suggest that whenever council have a Have Your Say topic, that an email, specific to that topic, is sent out to all ratepayers and not hidden in a link on the Council Newsletter.

#### Response from the CEO

*Council encourages community members to register with its engagement website, Have Your Say, to ensure they receive notification via email when projects that match their interests open for consultation. Residents must opt-in to receive email communications from Council to ensure compliance with the Privacy and Data Protection Act 2014.*

*To maximise community reach and awareness about projects open for feedback, Council also includes information through a variety of communication channels including:*

- *Council weekly e-newsletter, This Week in Bayside, throughout a consultation period*
- *Let's Talk Bayside magazine, which is letterbox delivered to all Bayside households*
- *Via social media, printed collateral and website articles.*

## 7. Petitions to Council

### 7.1 PETITION FOR COUNCIL TO INSTALL AN OUTDOOR BASKETBALL COURT OR HALF COURT IN BAYSIDE, SPECIFICALLY IN DENDY PARK

Environment, Recreation and Infrastructure - Open Space and Recreation  
File No: PSF/24/102 – Doc No: DOC/24/174639

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**Moved: Cr El Moullem**

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

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

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

**DIVISION:**    **FOR:**        Crs 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**

## 8. Minutes of Advisory Committees

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

**CARRIED/LOST**

### 8.1 RECORDS OF MEETINGS HELD UNDER THE AUSPICES OF COUNCIL

Corporate Services - Governance  
File No: PSF/24/100 – Doc No: DOC/24/164453

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Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

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:

- 28 May 2024 Strategic Issues Discussion
- 4 June 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**

**NOTE:** Item 8.1 was **CARRIED** as part of a block motion.

**8.2 MINUTES OF THE DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING HELD ON 29 APRIL 2024**

Corporate Services - Governance  
File No: PSF/24/100 – Doc No: DOC/24/173283

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**Moved: Cr Castelli**

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

That Council notes the minutes of the Disability Access and Inclusion Advisory Committee meeting held on 29 April 2024 (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 Mouallem (7)

**AGAINST:** Nil (0)

**CARRIED**

**NOTE:** Item 8.2 was **CARRIED** as part of a block motion.

**8.3 MINUTES OF THE RECONCILIATION ACTION PLAN ADVISORY GROUP MEETING HELD ON 15 MAY 2024**

Corporate Services - Governance  
File No: PSF/24/100 – Doc No: DOC/24/173280

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**Moved: Cr Castelli**

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

That Council notes the minutes of the Reconciliation Action Plan Advisory Group meeting held on 15 May 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**

**NOTE:** Item 8.3 was **CARRIED** as part of a block motion.

## 8.4 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 27 MAY 2024

Corporate Services - Governance  
File No: PSF/24/100 – Doc No: DOC/24/164011

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**Moved: Cr Castelli**

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

That Council:

1. notes the minutes of the Audit and Risk Committee meeting held on 27 May 2024
2. adopts the following recommendations of the Audit and Risk Committee held on 27 May 2024

*Item 9.3.1. Four Year Strategic Internal Audit Plan (Specific emphasis on 2024–25)*

*That the Audit and Risk Committee:*

1. *noted the draft four-year Strategic Internal Audit Plan for 2024–25 to 2027–28 with specific emphasis on 2024–25*
2. *noted the scheduling of the audits*
3. *recommends to the Audit and Risk Committee and Council that the draft program of internal audits to be undertaken in 2024–25 be adopted.*

*Item 9.8.1. Results of the Audit and Risk Committee Self-Assessment 2024*

*That the Audit and Risk Committee notes the findings of the Audit and Risk Committee April 2024 self-assessment, and a copy of the annual assessment be provided to the Chief Executive Officer for tabling at the June Council meeting in accordance with Section 54 (4)(b) of the Local Government Act 2020.*

3. receives and notes the results of the Audit and Risk Committee self-assessment in accordance with Section 54 (4) of the Local Government Act 2020
4. re-appoints External Independent Member, Mick Jaensch for a further term of 3 years commencing 1 October 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**

**NOTE:** Item 8.4 was **CARRIED** as part of a block motion.

## 8.5 MINUTES OF THE BAYSIDE ARTS AND GALLERY ADVISORY COMMITTEE MEETING HELD ON 29 MAY 2024

Corporate Services - Governance  
File No: PSF/24/100 – Doc No: DOC/24/173276

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**Moved: Cr Castelli**

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

That Council:

1. notes the minutes of the Bayside Arts and Gallery Advisory Committee meeting held on 29 May 2024 (Attachment 1)
2. adopts the following recommendations of the Bayside Arts and Gallery Advisory Committee meeting held on 29 May 2024:

Item 6.2 Sandringham Activity Centre Artwork 'A Delicate Balance' Extension to agreement and future of site

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

1. *supports extending the Agreement for 'A Delicate Balance' by Bernie Gorman to remain in the Sandringham Activity Centre for a further 12 months, until 30 June 2025, following the conclusion of the current agreement which ends on 30 June 2024*
2. *includes a clause in the Agreement that allows the artist to remove the sculpture with 30 days' notice*
3. *considers the site as a future location for Public Art, along with other sites*
4. *considers allocating funding for the site and other sites in future capital budgets for the commissioning of a permanent public artwork that aligns with the aims of the Placemaking Strategy and the 2023–27 Bayside Arts, Culture and Library Strategy.*

Item 6.4 Bayside Council Art and Heritage Collection acquisition proposal

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

1. *approves the acquisition of the work Evening, farewell (2022) by purchase for \$22,000 and acquires by donation through the Cultural Gifts Program the work Drift (surface and below) valued at \$5,000 for a total of \$23,000 (includes \$1,000 in associated costs related to the valuation) by Lynne Boyd*
2. *approves the donation of the following works by Dean Bowen under the Australian Government's Cultural Gifts Program valued at \$61,600 (includes \$1,400 in associated cost related to the valuation):*

*Babel 2016 Oil on Board 35 X 122 cm*

*Cargo Boat (Red Star) 2015 Oil on Board 35 X 122*

*Mammoth 2015 Oil on Board 35 X 122 cm*

*Magpie 2016 Oil on Board 100 X 100 cm*



*Boy with an owl 2005 Bronze 19 X 39 X 9 cm*

*Owl on my Head 2007 Bronze, 43 X 34 X 10 cm*

*Tree with Perching Owls (Mother and Baby II) 2014 Bronze, 95 X 26 X 13 cm.*

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 8.5 was **CARRIED** as part of a block motion.

## **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

<b>Item 10.1</b>		<b>For (F) Against (A)</b>
<b>Council Plan 2021–25 Year 4 Review and Annual Action Plan 2024–25</b>		
<b>Requests to Speak</b>		
1.	Mr Geoff Leigh	(A)
<b>Item 10.2</b>		<b>For (F) Against (A)</b>
<b>2024-25 Budget</b>		
<b>Requests to Speak</b>		
1.	Mrs Courtney DeCesare	(A)
2.	Mr Andrew Hockley	(A)
3.	Mr Geoff Leigh	(A)
4.	Mrs Angela Burr (on behalf of Highett Progress Association)	(A)
5.	Ms Kirsty Galloway McLean	(A)
<b>Item 10.3</b>		<b>For (F) Against (A)</b>
<b>Declaration of rates and charges</b>		
<b>Written Statements</b>		
1.	Mr George Reynolds	(A)
<b>Requests to Speak</b>		
1.	Mr Geoff Leigh	(A)
<b>Item 10.4</b>		<b>For (F) Against (A)</b>
<b>Economic Development Tourism and Placemaking Strategy 2024–29</b>		
<b>Requests to Speak</b>		
1.	Mr Evan Packer (on behalf of Hampton Street Traders Association)	(F)

Item 10.6		For (F) Against (A)
<b>Response to Petition for Council to Review Heritage and Neighbourhood Character Studies</b>		
<b>Written Statements</b>		
1.	Dr Warwick Pattinson	(A)
2.	Mrs Fiona Austin (on behalf of Beaumaris Modern)	(A)
3.	Mr Stephen Greenham	(F)
4.	Mrs Sarah Humphris	(F)
5.	Mr Stuart Legg	(F)
6.	Ms Helen Graham	(F)
7.	Dr Bernice Greenham	(F)
8.	Dr Michael Daly	(F)
9.	Mrs Heidi Jilek	(F)
10.	Mr Dean Elliott	(F)
<b>Requests to Speak</b>		
1.	Ms Monica Kerlin (on behalf of Bayside Heritage Group)	(F)
2.	Ms Melany Antcliffe	(F)

Item 10.7		For (F) Against (A)
<b>Bayside Affordable Housing Contributions</b>		
<b>Written Statements</b>		
1.	Mr Gavin Jackman (on behalf of Homes for Homes)	(F)
<b>Requests to Speak</b>		
1.	Mr Gavin Jackman (on behalf of Homes for Homes)	(F)

Item 10.10		For (F) Against (A)
<b>Bayside Biodiversity Action Plan 2024–29</b>		
<b>Written Statements</b>		
1.	Ms Anne Jessel (on behalf of Friends of Native Wildlife)	(F)

Item 10.11		For (F) Against (A)
<b>Highbett Grassy Woodland Masterplan 2024</b>		
<b>Written Statements</b>		
1.	Ms Anne Jessel (on behalf of Friends of Native Wildlife)	(F)
<b>Requests to Speak</b>		
1.	Mr Michael Norris	(F)
2.	Ms Pauline Reynolds	(F)

<b>Item 10.12</b>		<b>For (F) Against (A)</b>
<b>Lake Management Plans</b>		
<b>Written Statements</b>		
1.	Ms Heather Stewart	(F)
2.	Ms Anne Jessel (on behalf of Friends of Native Wildlife)	(F)

<b>Item 10.13</b>		<b>For (F) Against (A)</b>
<b>Climate Emergency Action Plan - Annual Update</b>		
<b>Requests to Speak</b>		
1.	Ms Una Steele (on behalf of Council Watch)	(A)

<b>Item 10.18</b>		<b>For (F) Against (A)</b>
<b>Council Action Awaiting Report</b>		
<b>Requests to Speak</b>		
1.	Mr Geoff Leigh	(A)

**10.1 COUNCIL PLAN 2021–25 YEAR 4 REVIEW AND ANNUAL ACTION PLAN  
2024–25**

Corporate Services - Governance  
File No: PSF/24/100 – Doc No: DOC/24/166572

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*It is recorded that Mr Geoff Leigh spoke for 2 minutes in relation to this item.*

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

**Seconded: Cr Samuel-King**

That Council:

1. adopts the changes as articulated in the Year 4 Review of Council Plan (2021–25) as contained in Attachment 3
2. adopts the Annual Action Plan 2024–25 as contained in Attachment 4
3. receives quarterly performance reports against the Annual Action Plan.

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**

**10.2 2024-25 BUDGET**

Corporate Services - Finance  
File No: PSF/24/99 – Doc No: DOC/24/170509

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*It is recorded that Mrs Courtney DeCesare, Mr Andrew Hockley, Mr Geoff Leigh, Mrs Angela Burr (on behalf of Highett Progress Association), and Ms Kirsty Galloway McLean each spoke for 2 minutes in relation to this item.*

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

**Seconded: Cr Evans OAM**

That Council:

1. having considered the submissions received through the community consultation process, adopts the Annual Budget for the financial year 2024-25 and three subsequent financial years 2025-26 to 2027–28 (Attachment 3)
2. adopts the Schedule of Fees and Charges attached to the Annual Budget 2024-25.

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

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

**CARRIED**

### 10.3 DECLARATION OF RATES AND CHARGES

Corporate Services - Finance  
File No: PSF/23/168 – Doc No: DOC/24/172397

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

*It is recorded that Mr Geoff Leigh spoke for 2 minutes in relation to this item.*

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

That Council formally declares the Rates and Charges for the 2024–25 Rating Year as follows:

1. Amount Intended To be Raised

That an amount of \$116,781,422 be declared as the amount which Council intends to raise by General Rates, Municipal Charge, Annual Service Charge and an amount in lieu of General Rates (in accordance with the *Cultural and Recreational Lands Act 1963*) described later in this Resolution, which amount is calculated as follows:

General Rates	\$90,740,820
Municipal Charge	\$8,295,551 (excluding CRLA properties)
Annual Service Charge (Waste)	\$17,441,036
Amount in lieu of General Rates in accordance with Cultural and Recreational Lands Act	\$304,015
<b>TOTAL</b>	<b>\$116,781,422</b>

2. General Rates

- 2.1 That a General Rate be applied at a uniform rate of 0.103074 cents for each dollar of Capital Improved Value be declared in respect of the 2024-25 Financial Year.
- 2.2 That in accordance with the Cultural and Recreational Lands Act 1963, the amounts payable as rates be the amounts set out in the attached “Cultural and Recreational

Lands Summary” in respect of the 2024-25 Financial Year for all land to which that Act applies.

### 3. Municipal Charge

3.1 That a Municipal Charge is declared in respect of the 2024-25 Financial Year.

3.2 That the Municipal Charge is declared for the purpose of covering some of the administrative costs of Council.

3.3 That a Municipal Charge in the sum of \$173.46 for each general rateable land (or part thereof) in respect of which a municipal charge may be levied is declared in respect to the 2024–25 financial year.

3.4 That it is confirmed that the Municipal Charge is declared in respect of all general rateable land within the municipal district in respect of which a Municipal Charge may be levied.

### 4. Annual Service Charges

4.1 That pursuant to the provisions of Section 162 of the Local Government Act 1989, an Annual Service Charge relating to Waste Management be declared for each rateable property:

4.1.1 The Annual Service Charge is charged on each rateable property (excluding Advertising Signs, Electricity Substations, Telecommunication Towers and Bathing Boxes) in the sum of \$501.52 for a 240-litre mobile garbage bin or \$404.45 for a 140-litre mobile garbage bin or a shared 240-litre mobile garbage bin or \$307.38 for an 80-litre mobile garbage bin or a shared 140-litre mobile garbage bin or \$210.31 for a shared 80-litre mobile garbage bin.

4.1.2 That an amount of \$93.14 be charged as a waste contribution if no waste service is available.

4.1.3 That an amount of \$93.14 be charged as a waste availability service charge where no waste service is provided by Council but such a service is available.

4.1.4 That an amount of \$97.07 be charged for each additional 80-litre waste bin, \$194.14 for each additional 140-litre waste bin, and \$291.21 for each additional 240-litre waste bin on each rateable property.

4.1.5 That an amount of \$81.51 be charged for each additional recycling bin on each rateable property, or the first recycling bin if no waste bin is provided.

4.1.6 That an amount of \$99.00 be charged for each additional food and green waste bin on each rateable property, or the first food and green waste bin if no waste bin is provided.

4.1.7 The Annual Service Charge is declared in respect of the 2024–25 Financial Year.



- 4.2 That pursuant to the provisions of Section 221 of the *Local Government Act 1989*, an Annual Service Charge relating to Waste Management is declared on each non-rateable property where the service is provided:
- 4.2.1 The Annual Service Charge is levied on each non-rateable property in the sum of \$501.52 for a 240-litre mobile garbage bin or \$404.45 for a 140-litre mobile garbage bin or a shared 240-litre mobile garbage bin or \$307.38 for an 80-litre mobile garbage bin or a shared 140-litre mobile garbage bin or \$210.31 for a shared 80-litre mobile garbage bin.
- 4.2.2 That an amount of \$97.07 be charged for each additional 80-litre waste bin, \$194.14 for each additional 140-litre waste bin, and \$291.21 for each additional 240-litre waste bin on each non-rateable property.
- 4.2.3 That an amount of \$81.51 be charged for the second or subsequent recycling bin on each non-rateable property, or the first recycling bin if no waste bin is provided.
- 4.2.4 That an amount of \$99.00 be charged for the second or subsequent green waste bin on each non-rateable property, or the first green waste bin if no waste bin is provided.
- 4.2.5 The Annual Service Charge is declared in respect of the 2024-25 Financial Year.

## 5. Incentives

An incentive is given at the rate of 2.2 percent (2.2%) discount in relation to the total amount payable for the sum of the Rates, Municipal Charge and Annual Service Charges if full payment is received by 31 August 2024.

## 6. Rate Payments

- 6.1 Rates are payable in four instalments due by 30 September 2024, 30 November 2024, 28 February 2025 and 31 May 2025.
- 6.2 Where the first instalment has not been paid by 30 September 2024, rates are due in a lump sum and payable by 15 February 2025.

## 7. Consequential

- 7.1 It be recorded that Council requires any person to pay interest on any amounts of rates and charges which:
- That person is liable to pay; and
  - Have not been paid by the date specified for their payment.
- 7.2 The Revenue Coordinator is authorised to levy and recover the rates, municipal and annual service charges and interest described earlier in this Resolution in accordance with the *Local Government Act 1989*.

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 Moullem (2)

**CARRIED**

*It is recorded that the Mayor called for a motion that Item 10.9 be considered at this stage of the meeting, at the request of Cr El Mouallem.*

### **Procedural Motion**

**Moved: Cr del Porto**

**Seconded: Evans**

That item 10.9 be considered at this stage of the meeting.

**CARRIED**

*It is recorded that item 10.9 was dealt with at this stage of the meeting. Following the consideration of item 10.9, the order of business was resumed at item 10.4.*

*Cr Castelli returned to the meeting at 8.10pm.*

## **10.4 ECONOMIC DEVELOPMENT TOURISM AND PLACEMAKING STRATEGY 2024–29**

City Planning and Amenity - Urban Strategy  
File No: FOL/24/351 – Doc No: DOC/24/154045

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*It is recorded that Mr Evan Packer (on behalf of Hampton Street Traders Association) spoke for 2 minutes in relation to this item.*

**Moved: Cr El Mouallem**

**Seconded: Cr Castelli**

### **PART A**

That Council:

1. notes the extensive community consultation and engagement process undertaken in preparing the Economic Development Tourism and Placemaking Strategy 2024–29
2. adopts the Economic Development Tourism and Placemaking Strategy 2024–29, (Attachment 2), subject to:
  - a. the Placemaking Action Plan, Objective 2 to be updated to include an additional action which reads:

*“Consider options to include indigenous cultural history in the development and implementation of Activity Centre interventions.”*

### **PART B**

That Council:

1. as part of the current work to develop a homelessness protocol, directs Council officers to include consideration of support for local traders in responding to those presenting as experiencing homelessness

2. until the homelessness protocol is adopted, continues to partner with Victoria Police and government agencies to respond to the antisocial behaviours experienced by members of our community.

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

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

**LOST**

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

**Seconded: Cr Samuel-King**

That Council:

1. notes the extensive community consultation and engagement process undertaken in preparing the Economic Development Tourism and Placemaking Strategy 2024–29
2. adopts the Economic Development Tourism and Placemaking Strategy 2024–29, (Attachment 2), subject to:
  - a. the Placemaking Action Plan, Objective 2 to be updated to include an additional action which reads:

*“Consider options to include indigenous cultural history in the development and implementation of Activity Centre interventions.”*

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**



Cr Samuel-King returned to the meeting at 8:38 pm.

Cr Castelli returned to the meeting at 8:38 pm.

Councillor El Mouallem left the Meeting at 8:38 pm and did not return to the meeting.

Councillor del Porto (Deputy Mayor) left the Meeting at 8:39 pm. Councillor del Porto returned to the Meeting at 8:42 pm.

## 10.6 RESPONSE TO PETITION FOR COUNCIL TO REVIEW HERITAGE AND NEIGHBOURHOOD CHARACTER STUDIES

City Planning and Amenity - Urban Strategy  
File No: PSF/24/105 – Doc No: DOC/24/154140

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*It is recorded that Dr Warwick Pattinson, Mrs Fiona Austin (on behalf of Beaumaris Modern), Mr Stephen Greenham, Mrs Sarah Humphris, Mr Stuart Legg, Ms Helen Graham, Dr Bernice Greenham, Dr Michael Daly, Mrs Heidi Jilek, and Mr Dean Elliott each submitted a written statement in relation to this item.*

*It is recorded that Ms Monica Kerlin (on behalf of Bayside Heritage Group), and Ms Melany Antcliffe each spoke for 2 minutes in relation to this item.*

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

**Seconded: Cr Martin**

That Council:

1. notes the options available to undertake future heritage studies
2. undertakes a review of the heritage action plan, including recommendations for the progress of the Interwar Heritage Study and any Gap analysis
3. receives a report at the March 2025 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) and Laurence Evans OAM (6)

**AGAINST:** Nil (0)

**CARRIED**

## 10.7 BAYSIDE AFFORDABLE HOUSING CONTRIBUTIONS

City Planning and Amenity - Urban Strategy  
File No: PSF/24/105 – Doc No: DOC/24/145741

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*It is recorded that Mr Gavin Jackman (on behalf of Homes for Homes) submitted a written statement and spoke for 2 minutes in relation to this item.*

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

**Seconded: Cr Samuel-King**

That Council:

1. notes the Affordable Housing Contributions Background report
2. instructs Council officers to prepare a Planning Scheme Amendment to introduce an Affordable Housing Contribution into the Bayside Planning Scheme at the rate of 0.92%
3. writes to the Minister for Planning to seek authorisation to commence a Planning Scheme Amendment for public exhibition in December 2024 at the earliest.

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) and Laurence Evans OAM (6)  
**AGAINST:** Nil (0)

**CARRIED**





*It is recorded that Cr Castelli declared a General Conflict of Interest in this item given Cr Castelli's partner owns a bathing box at Dendy Street Beach. Cr Castelli left the meeting at 7:58 pm.*

*This item was considered directly after item 10.3 on the Agenda.*

## **10.9 DENDY STREET BEACH - EROSION MITIGATION UPDATE**

Environment, Recreation and Infrastructure - Open Space and Recreation  
File No: PSF/24/102 – Doc No: DOC/24/88515

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**Moved: Cr El Mouallem**

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

That Council

1. continues to monitor the condition of Dendy Street Beach
2. continues to undertake beach renourishment along Dendy Street Beach as a medium-term approach to managing beach erosion, with a strong preference for local sand
3. incorporates consideration of a long-term solution as part of Council's Coastal and Marine Management Plan, currently under development
4. continues to engage with the Department of Environment, Energy and Climate Action in relation to long-term options at Dendy Street Beach
5. reports on the condition of the beach as part of the 2025–26 Council budget considerations
6. allocates funding to undertake immediate renourishment works in the case of an emergency such as a significant storm 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), Laurence Evans OAM and Hanna El Mouallem (6)  
**AGAINST:** Nil (0)

**CARRIED**

*It is recorded that Cr Castelli was not present in the meeting during debate or when the vote was taken on the above item.*

**10.10 BAYSIDE BIODIVERSITY ACTION PLAN 2024–29**

Environment, Recreation and Infrastructure - Open Space and Recreation  
File No: PSF/24/102 – Doc No: DOC/24/126492

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*It is recorded that Ms Anne Jessel (on behalf of Friends of Native Wildlife) submitted a written statement in relation to this item.*

**Moved: Cr Samuel-King**

**Seconded: Cr Martin**

That Council:

1. notes the feedback received from Council's 'Friends of' and other environmental groups in relation to the Bayside Biodiversity Action Plan 2024–29
2. adopts the updated Bayside Biodiversity Action Plan 2024–29
3. notifies interested parties who contributed to the Bayside Biodiversity Action Plan update.

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) and Laurence Evans OAM (6)

**AGAINST:** Nil (0)

**CARRIED**





**10.13 CLIMATE EMERGENCY ACTION PLAN - ANNUAL UPDATE**

Environment, Recreation and Infrastructure - Climate, Waste and Integrated Transport  
File No: PSF/24/85 – Doc No: DOC/24/173179

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*It is recorded that Ms Una Steele (on behalf of Council Watch) spoke for 2 minutes in relation to this item.*

**Moved: Cr Samuel-King**

**Seconded: Cr Martin**

That Council

1. notes the actions undertaken in 2023–24 to implement the Climate Emergency Action Plan 2020–25 (Attachment 1)
2. endorses the actions for Year 5 of implementation of the Climate Emergency Action Plan (Attachment 2)
3. communicates progress against its community emissions reduction target on an annual basis and outlines actions that individuals can implement to help reach it
4. ensures that its next Climate Emergency Action Plan (due for development in 2025–26) outlines further actions that assist our community in meeting the emissions reduction target.

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:** Cr Sonia Castelli (1)

**CARRIED**



**10.15 MOORABBIN ACTIVITY CENTRE PROGRAM - SUBMISSION TO STATE GOVERNMENT**

City Planning and Amenity - Urban Strategy  
File No: PSF/24/105 – Doc No: DOC/24/129813

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**Moved: Cr Castelli**

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

That Council:

1. notes the Community Engagement Summary Report (Attachment 1)
2. endorses the submission to the State Government Moorabbin Activity Centre Program (Attachment 2)
3. continues to engage with councils affected by the Activity Centre Program to develop a common advocacy position.

**CARRIED**

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

**10.16 FAIR ACCESS POLICY AND FAIR ACCESS ACTION PLAN**

Environment, Recreation and Infrastructure - Open Space and Recreation  
File No: FOL/23/3410 – Doc No: DOC/24/134019

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**Moved: Cr Castelli**

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

That Council adopts the Fair Access Policy (Attachment 1) and Action Plan (Attachment 2).

**CARRIED/LOST**

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



**10.17 DRAFT GRAFFITI MANAGEMENT POLICY 2024–28**

Environment, Recreation and Infrastructure - City Assets and Presentation

File No: PSF/24/80 – Doc No: DOC/24/153205

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**Moved: Cr Castelli**

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

That Council adopts the Graffiti Management Policy 2024–28 (Attachment 1).

**CARRIED/LOST**

**NOTE:** Item 10.17 was **CARRIED** as part of a block motion.



## 11. Reports by Delegates

1. **Association of Bayside Municipalities** – The Mayor, Cr Fiona Stitfold indicated that a recent meeting was held where it was decided that the rate of subscription for the ABM will not be raised this financial year.

2. **Metropolitan Transport Forum** – The Director Environment, Recreation advised that the MFT held its meeting on 5 June 2024.

Infrastructure Victoria recently completed an informative study and accompanying report representing a year-long review of the bus network. The assessment also included engagement with bus users and the local community. The report is being shared amongst all councils and the Department of Transport and Planning (DTP) alongside transport design and construction groups. The report identified 4 challenges within the current bus network, and 10 recommendations to improve the network, some of which include: increasing the frequency of bus services; providing fast and direct routes; extending hours of operation; providing bus priority; and reducing fares relative to other modes. Infrastructure Victoria will be working with DTP on these findings but request councils continue their advocacy to the State Government to secure improvements.

Councillor Mark Riley (City of Merri-bek) introduced a proposal to establish a transport accessibility advocacy group, focusing initially on tram routes, but with potential to extend to bus routes. His objective is to have the State Government commit to a clear accessibility plan that enables rolling out accessible transport. A motion for consideration will be circulated at the next MTF meeting.

Cr Tony Athanasopoulos (City of Glen Eira) introduced the topic of improving active transport outcomes from Big Build Projects, using state infrastructure projects (e.g. LXP and SRL) as a mechanism to improve this infrastructure. This is in response to seeing major infrastructure projects failing to support or enable active transport connections. These failures are often due to project boundaries not being defined with active transport provision in mind. MTF Members are invited to contact Cr Athanasopoulos as the first step.

Council updates were shared by Manningham and Kingston. Manningham is developing their strategy to implement EV infrastructure, alongside development of its road safety strategy and a car-share trial. Kingston's focus centres on its engagement with Big Build projects including SRL and LXP. Kingston is also progressing its EV policy to support future delivery.

3. **Inner South Metropolitan Mayors' Forum** – The Mayor, Cr Fiona Stitfold advised that no meeting had been held since the last Council meeting.
4. **South East Councils Climate Change Alliance** – Cr Clarke Martin advised that SECCCA met for its recent meeting at the new netball facility in the City of Frankston, Jubilee Park. A new CEO, Helen Steel has been appointed and Simon Woodland will be President. The 2024-28 draft Strategic Plan will be distributed soon to the member CEOs. The advocacy program which has been strengthened since a meeting with the Environment Minister last year. The next meeting is on 18 July 2024 at Bunjil Place in Narre Warren.



*It is recorded that Cr Evans sought leave to amend Notice of Motion – 334 – State Government Projects.*

### **Procedural Motion**

**Moved: Cr del Porto**

**Seconded: Cr Samuel-King**

That Cr Evans be granted leave to amend 'Notice of Motion – 334 – State Government Projects'.

**CARRIED**

## **13. Notices of Motion**

### **13.1 NOTICE OF MOTION - 334 - STATE GOVERNMENT PROJECTS**

City Planning and Amenity - Urban Strategy  
File No: PSF/24/105 – Doc No: DOC/24/177253

**Moved: Cr Evans OAM**

**Seconded: Cr Castelli**

That Council undertakes the following advocacy in relation to the detrimental impact on the character of greater Bayside that is proposed by the Suburban Rail Loop and Activity Centres Programs led by the State Government:

1. undertakes an extensive communications campaign to ensure Bayside residents are informed of Suburban Rail Loop and Activity Centres Program, are aware of their potential impacts and know how to make submissions to the program
2. invites the Mayors of Glen Eira and Kingston councils to meet to discuss the common grounds of concern with the Suburban Rail Loop and Activity Centres program
3. writes to all councils affected by the Activity Centres Program and the Suburban Rail Loop to seek partnership advocacy approach. This program is to be addressed to the State Government and in particular the Minister for Planning and the Minister for Transport and Suburban Rail Loop
4. writes to Bayside's State and Federal elected members and relevant advocacy groups to seek meetings to discuss Council's concerns and opportunities within the Suburban Rail Loop and Activity Centres Programs
5. advocates for the following key issues in the response to the Suburban Rail Loop:
  - a. the need to address interface issues with existing suburbs such as Pennydale, Highett and Highett Grassy Woodland and overshadowing of those sites
  - b. overall height and density concerns

