



**MORNINGTON  
PENINSULA**  
*Shire*

**MINUTES**

**COUNCIL MEETING**

**TUESDAY, 18 OCTOBER 2022**

**5.30PM**

**MUNICIPAL OFFICES  
BESGROVE STREET, ROSEBUD**

## MORNINGTON PENINSULA SHIRE COUNCIL

### WARDS AND COUNCILLORS

<b>Briars</b>	<b>Cr Steve Holland Cr Anthony Marsh Cr Despi O'Connor</b>
<b>Cerberus</b>	<b>Cr Lisa Dixon</b>
<b>Nepean</b>	<b>Cr Susan Bissinger Cr Sarah Race</b>
<b>Red Hill</b>	<b>Cr David Gill</b>
<b>Seawinds</b>	<b>Cr Antonella Celi Cr Kerri McCafferty Cr Debra Mar</b>
<b>Watson</b>	<b>Cr Paul Mercurio</b>

### SENIOR LEADERSHIP TEAM

<b>Mr John Baker Ms Jo Bradshaw Ms Sam Stanton Mr Mike McIntosh</b>	<b>Chief Executive Officer Acting Director – Community Strengthening Director – Corporate Strategy and Business Improvement Director – Planning and Infrastructure</b>
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### RECORDING

Please note that this Council Meeting was livestreamed to the Mornington Peninsula Shire's YouTube channel and a recording of the meeting is available on the Shire's website.

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# 1 OPENING AND WELCOME

Meeting opened at 5.34pm

Appointed Chairperson – Mayor, Cr Anthony Marsh

## 1.1 Acknowledgement of Country

(Read by Cr McCafferty)

*Mornington Peninsula Shire acknowledges the Bunurong people, who have been the custodians of this land for many thousands of years; and pays respect to their elders past and present. We acknowledge that the land on which we meet is the place of age-old ceremonies, celebrations, initiation and renewal; and that the Bunurong peoples' living culture continues to have a unique role in the life of this region.*

## 2 PROCEDURAL MATTERS

### Present

Mayor, Cr Anthony Marsh (Chairperson)  
Cr Susan Bissinger  
Deputy Mayor, Cr Lisa Dixon  
Cr David Gill  
Cr Steve Holland  
Cr Debra Mar  
Cr Kerri McCafferty  
Cr Despi O'Connor  
Cr Sarah Race

Mr John Baker, Chief Executive Officer

### 2.1 Apologies

Cr Antonella Celi (Apology)  
Cr Paul Mercurio (Leave of Absence)

### 2.2 Disclosure of Conflicts of Interest Pursuant to Sections 126 – 131 of the *Local Government Act 2020*

Cr Race declared a material conflict of interest in relation to Item 7.1 - Residual Waste - Opportunities Review as her partner works in the waste sector.

### 2.3 Confirmation of Minutes

#### RECOMMENDATION

That the Minutes of the previous Council Meetings held on 4 and 7 October 2022, be confirmed.

#### COUNCIL DECISION

Moved: Cr Race  
Seconded: Cr O'Connor

That the recommendation be adopted.

**Carried Unanimously**

**2.4 Council Decision Register**

**RECOMMENDATION**

That Council receives and notes the Decision Register Summaries for 2019-2022 (Attachments 1-4) as at 10 October 2022.

**COUNCIL DECISION**

**Moved: Cr Race**  
**Seconded: Cr Dixon**

**That the recommendation be adopted.**

**Carried Unanimously**

## 2.5 Public Question Time

### Dog Excrement Bag Dispensers

Mr David Lines, a resident of Somerville asked the following question:

*Has any further action has been taken, for a trial of dog excreta (poo) bag dispensers? I note in the letters section of the local newspaper, that letters are already complaining about dog poo in our streets and nature strips, it will be an ongoing saga.*

Mr Shannon Maynard, Manager of Community Safety and Compliance provided the following response:

Council has recently adopted the Community Amenity Local Law, which includes the following provisions:

#### 24. Animal Excrement

- (1) *A person in charge of an animal must not allow any part of the animal's excrement to remain on a road or Council land and must immediately collect and dispose of the excrement.*
- (2) *A person in charge of an animal on a road or Council land must carry sufficient litter devices to collect and dispose of animal excrement.*
- (3) *A person in charge of an animal on a road or Council land must produce a litter device at the request of an Authorised Officer.*

This places the obligation on the person walking the animal, in this example a dog, to not only clean up after the dog, but have sufficient litter collection devices to manage their dogs waste.

The provision of dispensers reverses the responsibility onto Council to provide facilities and makes owners reliant on public dispensers rather than being prepared for situations where the dispenser is empty or damaged.

Council has committed, via its Domestic Animal Management Plan, to support a strategic and consistent approach to leash free and dog prohibited areas across the Shire. The Dogs in Public Places policy is being presented to Council tonight, with a view of being released for public consultation. We would encourage Mr Lines to participate in that public consultation.

Council is committed to reducing dog waste in public places, however, it remains to be determined as to whether this will include the provision of public dispensers.

### Peninsula Aero Club

Two questions have been received in relation to the payment of \$350,000 to the Tyabb Airfield from Mr David Lines, a resident of Somerville and Ms Louise Page, a resident of Tyabb.

Ms Amanda Sapolu, Executive Advisor to the Chief Executive Officer provided the following response:

This item is being considered tonight as part of Council's public agenda. Members of the community will be able to consider the debate and the Council's Decision at that time.



## Cemetery Estate

Mr Dale Stohr, a resident of Crib Point asked the following question:

*Over 200 blocks of residential land were sold at Cemetery Estate on Long Island Point, Hastings in the early 1960's. Due to the construction of Esso oil and gas facilities, blocks of land were later considered unsuitable for human habitation. How many blocks of land at Cemetery Estate, Hastings are owned by Mornington Peninsula Shire and is Council aware of any plans to develop land at Cemetery Estate?*

Mr David Simon, Manager of Development Services provided the following response:

Mornington Peninsula Shire Council own approximately 130 lots within the Cemetery Estate Area. Council is not aware of any current plans to develop the area.

## Temporary Fence

Ms Laura Harvey, a resident of Tyabb asked the following question:

*A house in Tyabb has had a temporary fence for two years so far. It looks awful, bring down our values and serves no purpose. Council refuses to enforce it being taken down. How do we go about getting this temporary fence removed?*

Mr Shannon Maynard, Manager – Community Safety and Compliance provided the following response:

Council's General Amenity Local Law 2022 states:

### 9. Unsightly Land

- (1) *An occupier of land must not keep or allow another person to keep that land in a manner which is, in the opinion of Council or an Authorised Officer:*
  - (a) *unsightly; or*
  - (b) *detrimental to the general amenity of the neighbourhood in which it is located.*
- (2) *Without limiting the generality of Clause 9(1), land may be unsightly or detrimental to the general amenity of the neighbourhood in which it is located by the presence of:*
  - (a) *disused excavation;*
  - (b) *a building which is incomplete and not currently being constructed;*
  - (c) *unconstrained rubbish, litter, waste material or any stockpile that adversely affects the amenity of the land or neighbourhood;*
  - (d) *growth of vegetation and undergrowth exceeding a height of 200 millimetres;*
  - (e) *second-hand materials, scrap metal, building materials or building refuse;*
  - (f) *derelict vehicles and machinery, or vehicle- or machinery parts;*
  - (g) *graffiti on exterior walls of buildings or fences; or*
  - (h) *any material or substance that makes the land out of character with the appearance of other land in the neighbourhood, irrespective of whether it can be seen from a neighbouring property or a public place.*

Upon looking at the photos provided, I don't consider the fencing to be unsightly. Council encourages fencing of vacant land to dissuade people from dumping rubbish on vacant land, which is prevalent within the Municipality.

### **Proposed Telecommunications Tower**

Ms Linda MacKniven, a resident of Somerville, asked the following question:

*Why is the Mornington Peninsula Shire allowing those who will benefit financially to dictate the location of mobile towers rather than through good public policy of co-designing the solutions with community?*

A response was not available for the meeting, however Mr David Simon, Manager – Development Services has since provided the following response:

Council does not consider whether a proposal will 'benefit financially' as it is not a relevant consideration that Council can consider in determining an application under the *Planning and Environment Act 1987* or the Planning Scheme. As such, that does not dictate the location of mobile towers, nor does Council. Council must consider, amongst other things, A Code of Practice for Telecommunications Facilities in Victoria, July 2004 and the relevant Zones and Overlays applying to a particular property.

### **Proposed Telecommunications Tower**

Ms Linda MacKniven, a resident of Somerville, asked another question:

*Why would it even be considered to place a 40 metre high, visually high impact 5G tower on Green Wedge and ESO land and also so close to residential properties?*

A response was not available for the meeting, however Mr David Simon, Manager – Development Services has since provided the following response:

Council does not have a choice in relation to what applications are made to it by an applicant. *The Planning and Environment Act 1987* states that Council must consider every application it receives. It must therefore follow due process and assess it against the relevant criteria contained with the Mornington Peninsula Planning Scheme.

### **Proposed Telecommunications Tower**

Mr Glenton Watson and Ms Hendrika Waston, residents of Somerville, asked the following question:

*Will the Council take into consideration the impact this tower will have on nearby residents, not only as a visual eyesore but the potential health risks associated? We have to live with this tower 24/7, the owner of the property gets to go home.*

The question was taken on notice. A written response will be provided to Mr and Ms Watson and published on the website

### **Overgrown Vegetation, Flooding and Pot Holes**

Mr Frederick Crump, resident of Hastings, asked the following question:

*Overgrown hedgerows, country roads flooded caused by blocked drains and dangerous pot holes bigger than hanging baskets. When are these serious issues going to be sorted out?*

The question was taken on notice. A written response will be provided to Mr Frederick Crump and published on the website.

**Hastings Foreshore International Kite Festival**

Mr Frederick Crump, resident of Hastings, asked another question:

*During the days before the Council's amalgamated, the former City of Hastings used to organise a kite festival on the Hastings foreshore. Why can't the Shire organise another International Kite Festival in Hastings where the area is much bigger and safer for Ukrainian refugees similar to the kite festival in the UK festival for Christmas?*

The question was taken on notice. A written response will be provided to Mr Frederick Crump and published on the website.

### **3 MANAGEMENT REPORTS**

#### **CORPORATE STRATEGY & BUSINESS IMPROVEMENT**

##### **3.1 2021-2022 Annual Report**

###### **RECOMMENDATION**

That Council, having considered its contents, receives, and notes the 2021-22 Annual Report (Attachment 1).

###### **COUNCIL DECISION**

**Moved:** Cr O'Connor

**Seconded:** Cr Race

That the recommendation be adopted.

**Carried Unanimously**

###### **PROCEDURAL MATTER**

**Moved:** Cr Holland

**Seconded:** Cr O'Connor

That Item 3.8 be the next item heard.

**Carried**

## OFFICE OF THE CEO

### 3.2 Removal of Section 173 Agreement - Peninsula Aero Club Pty Ltd and Westernport Airfield Pty Ltd

#### RECOMMENDATION

That the Council notes this post settlement report titled 'Removal of Section 173 Agreement – Peninsula Aero Club Pty Ltd and Westernport Airfield Pty Ltd'.

#### COUNCIL DECISION

Moved: Cr Holland  
Seconded: Cr O'Connor

That the recommendation be adopted.

Carried Unanimously

#### ADJOURNMENT OF MEETING

The meeting was adjourned at 6.35pm for a short recess.

#### RESUMPTION OF MEETING

The meeting resumed at 6.41pm.

## PLANNING & INFRASTRUCTURE

### 3.3 Draft Recreational Facilities for Mountain Bike and BMX Strategy

#### RECOMMENDATION

That Council:

1. Place the draft Recreational Facilities for Mountain Bike and BMX Strategy (Attachment 1) on public exhibition for a period of 6 weeks from 20 October to 1 December 2022.
2. Endorse the commencement and delivery of the six week Dirt Jumps Pilot Program at Citation Reserve, Mount Martha from 30 October until 11 December 2022.

#### COUNCIL DECISION

Moved: Cr O'Connor

Seconded: Cr Gill

That the recommendation be adopted.

**Carried Unanimously**

**3.4 Draft Coastal and Marine Management Plans - Flinders, Mount Eliza and Portsea**

**RECOMMENDATION**

That Council resolves to place the draft Coastal and Marine Management Plans for Flinders, Mount Eliza and Portsea (Attachments 1-3) on public exhibition for six weeks from 21 October 2022 to 4 December 2022.

**COUNCIL DECISION**

**Moved: Cr Bissinger**

**Seconded: Cr Race**

**That Council resolves to place the draft Coastal and Marine Management Plans for Flinders, Mount Eliza and Portsea (Attachments 1-3) on public exhibition for 12 weeks from 21 October 2022 to 15 January 2023.**

**Carried Unanimously**

**ATTENDANCE**

Cr McCafferty left the meeting at 7.21pm and returned at 7.22pm.

**ADJOURNMENT OF MEETING**

The meeting was adjourned at 7.22pm for a short recess.

**RESUMPTION OF MEETING**

The meeting resumed at 7.31pm.

### 3.5 CN2645 - Alexandra Park Pavilion Upgrade

#### RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer B for the lump sum value of \$XXX plus \$XXX GST being for CN2645 – Alexandra Park Pavilion Upgrade, Mornington which includes the recommended tender options listed within this report.
2. Approves the contingency sum identified within the confidential section of this report, which is not to be disclosed to the tenderer until and if required by a contract variation.
3. Delegates the execution of the contract for the awarded tender to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*.

#### Part B

That Council resolves that Attachment 1 to this report be retained as a confidential item, pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as it contains private commercial information that if released would unreasonably expose the business, commercial or financial undertaking to disadvantage.

#### COUNCIL DECISION

**Moved:** Cr O'Connor  
**Seconded:** Cr Holland

That Council:

1. **Having considered all tender submissions, hereby accepts the tender submission received from Devco Constructions for the lump sum value of \$8,673,892 plus \$867,389.20 GST being for CN2645 – Alexandra Park Pavilion Upgrade, Mornington which includes the recommended tender options listed within this report.**
2. **Approves the contingency sum identified within the confidential section of this report, which is not to be disclosed to the tenderer until and if required by a contract variation.**
3. **Delegates the execution of the contract for the awarded tender to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*.**

#### Part B

That Council resolves that Attachment 1 to this report be retained as a confidential item, pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as it contains private commercial information that if released would unreasonably expose the business, commercial or financial undertaking to disadvantage.

**Carried Unanimously**



**3.6 Response to Notice of Motion 341 regarding Combustible Cladding**

Report withdrawn prior to meeting.

## COMMUNITY STRENGTHENING

### 3.7 Dogs in Public Places Policy

#### RECOMMENDATION

That Council releases the draft Dogs in Public Places Policy (Attachment 1) for public comment from 20 October 2022 to 1 December 2022.

#### COUNCIL DECISION

Moved: Cr Bissinger

Seconded: Cr Race

That the recommendation be adopted.

**Carried Unanimously**

## OFFICE OF THE CEO

### 3.8 Making a Confidential Resolution Public

*This Item was heard after Item 3.1*

#### RECOMMENDATION

That the resolution made at item 7.2 at the Ordinary Council Meeting held on 6 September 2022 be determined as no longer confidential.

#### COUNCIL DECISION

Moved: Cr McCafferty

Seconded: Cr Holland

That the recommendation be adopted.

**Carried Unanimously**

## 4 COUNCILLORS AND DELEGATES REPORTS

### Literacy Advisory Committee (Cr Mar)

Due to a number of apologies, the Literacy Advisory Committee meeting held on 6 October 2022 meeting was cancelled. A new date will be announced soon.

But I do want to make mention of some funding the State Government has provided to the Mornington Peninsula Shire (Shire).

The Victorian Government will provide just over \$1 million dollars to the Shire as part of the *Public Libraries Funding Program* which assists in providing library services to our libraries.

The total amount under the *Public Libraries Funding Program* for the whole state was \$48.1 million which was divided throughout Victorian public libraries.

In addition to the recurrent funding support provided to local government through this program, the Victorian Government is also supporting public libraries in 2022-2023 through the \$1.1 million *Premier's Reading Challenge Book Fund* to enable libraries to purchase additional resources, and through the \$4.5 million *Living Libraries Infrastructure Program* to improve public libraries facilities.

### Peninsula Advisory Committee For Elders (PACE) (Cr Mar)

The highlight of the meeting was guest speaker Professor Keith Hill from the Rehabilitation Ageing and Independent Living Centre (known as RAIL), at Monash University.

RAIL commenced in July 2019 and concentrates on three streams of work – rehabilitation, ageing and independent living and is set-up to focus on the Mornington Peninsula and South Eastern corridor.

The ageing stream of RAIL's work incorporates health promotion and prevention, aged friendly design and environments, mental and physical health and wellbeing, falls and injury prevention.

Professor Hill gave an overview of some of RAIL's research projects which include:

- Seniors exercise parks - equipment purposely-built for older people, focusing on balance and health.
- Impact and limitations on the health and wellbeing of older carers.

PACE members can now get involved and support RAIL's work by joining Friends of RAIL.

The PACE group is very happy with the Shire's Shout Out for the Peninsula campaign particularly around the public transport campaign.

The PACE group is still hearing about issues with the domestic cleaners not turning up to clean houses after transitioning out of 'Shire ran home care services' to Mecwacare and Bolton Clarke.

A Positive Ageing Community Summit will be held on Thursday 24 November at the Peninsula Community Theatre. Forty-eight per cent of all residents on the Mornington Peninsula are over the age of 50 so these type of community summits are important to ensure we all experience ageing in a positive way.

**4.1 (Cont.)**

Lastly, unfortunately only five nominations were received for the Delys Sargeant Age-Friendly Awards, therefore the deadline for submissions was extended to Friday 14 October.

Nominations have been received in all categories and are currently being collated in preparation for the Awards panel to meet in a few weeks' time.

The Panel's recommendations will then proceed through Council processes for endorsement. An Awards presentation ceremony will then follow.

**Municipal Association of Victoria State Council Meeting (Cr Marsh)**

As the Mayor of the Mornington Peninsula Shire, Cr Marsh attended the Municipal Association of Victoria State Council Meeting on Friday 14 October 2022.

Thirty-two motions were addressed at the meeting. A lot of the motions show councils coming together addressing many issues that arguably are not in the local government domain.

An interesting conversation can be had about the effectiveness of these groups advocating for councils. It allows Council to look at what the Mornington Peninsula, ratepayers and residents get out of these forums.

Going forward Council can look at how we can better activate these groups to serve our purposes. Once the minutes of the meeting are public Cr Marsh will circulate the report.

## 5 NOTICES OF MOTION

### PROCEDURAL MATTER

Moved: Cr McCafferty  
Seconded: Cr Gill

That Item 5.4 be heard before Item 5.1.

**Carried**

### 5.1 Notice of Motion 368 (Cr Gill)

### COUNCIL DECISION

Moved: Cr Gill  
Seconded: Cr Mar

1. That following on from the koala research being undertaken by Desley Whisson from Deakin University and the Citizens Science efforts of local koala protection groups an interim count of koalas on the Mornington Peninsula be published as soon as possible.
2. That interim outcomes be reported in time for the Council Koala Forum being held in March 2023.
3. That local Members of Parliament and State election candidates be asked to publicly support actions to protect our koala population and consider what they can do to ensure the viability of our wildlife on the Mornington Peninsula.
4. That following completion of the research being undertaken by Deakin University, Council advocates to State Government for the development and implementation of a local koala protection plan.

**Carried Unanimously**

### ATTENDANCE

Cr Holland and Cr McCafferty left the meeting at 8.09pm and returned at 8.11pm.

**5.2 Notice of Motion 369 (Cr Gill)**

**COUNCIL DECISION**

**Moved: Cr Gill**  
**Seconded: Cr McCafferty**

- 1. That Councillors provide concise background information to a Notice of Motion that is published on the public agenda.**
- 2. That the Chief Executive Officer will ensure any background information that is incorrect, defamatory, discriminatory or offensive is amended, reworded or removed prior to inclusion in the public agenda.**

**Carried Unanimously**

**5.3 Notice of Motion 370 (Cr Gill)**

**COUNCIL DECISION**

**Moved: Cr Gill**  
**Seconded: Cr McCafferty**

**That Council agrees in principle for a hand beach cleaning program on Mornington Peninsula Shire beaches and that the Chief Executive Officer brings back to Council a recommendation on whether implementation should go ahead based on cost, efficiency, community benefit and consideration of the role of volunteers.**

**Carried**

**ADJOURNMENT OF MEETING**

The meeting was adjourned at 8.35pm for a short recess.

**RESUMPTION OF MEETING**

The meeting resumed at 8.41pm.

5.4 Notice of Motion 371 (Cr Holland)

*This Item was heard before Item 5.1*

**COUNCIL DECISION**

Moved: Cr Holland  
Seconded: Cr O'Connor

1. Mornington Peninsula Shire Council requests that any risk or engineering reports or advice that informed the decision to temporarily close the Beleura Cliff Path on Friday 16 September 2022 be provided to Councillors.
2. Council also requests a briefing following the completion of the commissioned 'Options Report' and affirms that the report will be made available publicly to the full extent practicable.
3. That stakeholders will be appropriately engaged in this process.

**Carried Unanimously**



**5.5 Notice of Motion 372 (Cr Holland)****COUNCIL DECISION****Moved: Cr Holland****Seconded: Cr Mar**

- 1. Mornington Peninsula Shire Council requests that a Tree Canopy (Urban Forest) Strategy be developed and presented to Council for adoption before 1 August 2023.**
- 2. An initial report should be brought to Council before 1 January 2023 outlining a preliminary timeline to develop, workshop and implement such a strategy, and also include any potential costs (initial or ongoing) that should be considered as part of the 2023-24 Budget process.**
- 3. The strategy would apply to all areas on the Mornington Peninsula within the Urban Growth Boundary and the purpose of the strategy would be to:**
  - Substantially increase canopy cover across residential and commercial areas on the Mornington Peninsula (by a percentage and date to be determined)**
  - Improve general amenity, recognising the value of established vegetation in relation to the character of our townships and the wellbeing of our residents**
  - Increase flora diversity and improve the health of our local ecosystems**
  - Mitigate the urban heat island effect and reduce average ground temperatures in summer.**
- 4. The Council acknowledges that the implementation of such a strategy may necessitate the amendment of existing Council policies, including those relating to nature strip landscaping.**

**Carried Unanimously**

**5.6 Notice of Motion 373 (Cr Mar)****COUNCIL DECISION**

**Moved: Cr Mar**  
**Seconded: Cr Race**

- 1. A workshop with Officers and Councillors to be held before the end of March 2023. This will include an outline of future challenges for our wildlife and the health and wellness of our communities associated with the loss of habitat, biodiversity and ecosystems considering that the 'Rights of Nature' and biodiversity have the right to exist and flourish on the Mornington Peninsula.**
- 2. That this workshop includes the latest developments in recognising 'Rights of Nature' including the challenges and opportunities of implementation as a potential principal factor in Council's operational, planning processes and advocacy.**

**Vote By Division** (Requested by Cr Bissinger)

**For:** Cr Gill, Cr Holland, Cr O'Connor, Cr Race, Cr Mar and Cr McCafferty

**Against:** Cr Dixon, Cr Bissinger and Cr Marsh

**Carried**

**5.7 Notice of Motion 374 (Cr Holland)****MOTION**

**Moved:** Cr Holland  
**Seconded:** Cr Bissinger

**Council requests that a review of the Footpaths and the Pedestrian Access Strategy commences before the end of 2022, and returns to Council for amendment before 1 April 2023, incorporating the following priorities:**

- Residents' pedestrian safety
- Residents' basic amenity
- The character of the area

**AMENDMENT**

**Moved:** Cr Gill  
**Seconded:** Cr Mar

**Council requests that a review of the Footpaths and the Pedestrian Access Strategy commences before the end of 2022, and returns to Council for amendment before 1 August 2023, incorporating the following priorities:**

**Vote By Division** (Requested by Cr Holland)

**For:** Cr Gill, Cr Dixon, Cr Race, Cr Mar and Cr McCafferty

**Against:** Cr Holland, Cr O'Connor, Cr Bissinger and Cr Marsh

**Carried**

**The amendment became part of the substantive motion which was then put**

**Vote By Division** (Requested by Cr Bissinger)

**For:** Cr Gill, Cr Holland, Cr Dixon, Cr Bissinger, Cr Mar and Cr Marsh

**Against:** Cr O'Connor, Cr Race and Cr McCafferty

**Carried**

For clarity the Council decision is repeated below

**COUNCIL DECISION**

**Moved:** Cr Holland  
**Seconded:** Cr Bissinger

**Council requests that a review of the Footpaths and the Pedestrian Access Strategy commences before the end of 2022, and returns to Council for amendment before 1 August 2023, incorporating the following priorities:**

- Residents' pedestrian safety

**5.7 (Cont.)**

- Residents' basic amenity
- The character of the area

**Carried**

## 6 URGENT BUSINESS

### 6.1 Electoral Signage Guidelines

Cr Dixon sought leave to introduce an item of Urgent Business.

#### COUNCIL DECISION

Moved: Cr Dixon  
Seconded: Cr McCafferty

That Council agrees to introduce an item of Urgent Business.

Carried Unanimously

#### COUNCIL DECISION

Moved: Cr Dixon  
Seconded: Cr McCafferty

Council resolves as per our existing Electoral Signage Guidelines:

1. That permission will not be given to erect an election sign on Shire land, and any election signage currently erected on Shire land is to be removed immediately.
2. That sporting clubs and community organisations are not authorised to erect or permit election signage on Shire land.
3. That 'sponsorship' signage on Shire land exhibiting any political party or candidate be temporarily covered during the election period (from the issuing of the writs on 1 November 2022 until the day after election day 26 November 2022).

Carried Unanimously

#### EXTENSION OF MEETING TIME

Moved: Cr Dixon  
Seconded: Cr Gill

That the meeting time be extended to 10.30pm.

Carried

## 7 CONFIDENTIAL ITEMS

### Advice to the Public

All reports, information and recommendations contained in 'Section 7 – Confidential Items' of this Agenda have been designated by the Chief Executive Officer as confidential pursuant to section 66 (2) (a) of the *Local Government Act 2020*.

### MEETING CLOSED TO THE PUBLIC

The Council may resolve that the meeting be closed to members of the public in accordance with section 66 (5) (a) of the *Local Government Act 2020* if the meeting is discussing any of the following:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.
- (b) Security information, being information that if released is likely to endanger the security of Council property or the safety of any person.
- (c) Land use planning information, being information that if prematurely released is likely to encourage speculation in land values.
- (d) Law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person.
- (e) Legal privileged information, being information to which legal professional privilege or client legal privilege applies.
- (f) Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.
- (g) Private commercial information, being information provided by a business, commercial or financial undertaking that:
  - (i) Relates to trade secrets.
  - (ii) If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
- (h) Confidential meeting information, being the records of meetings closed to the public under section 66 (2) (a).
- (i) Internal arbitration information, being information specified in section 145.
- (j) Councillor Conduct Panel confidential information, being information specified in section 169.
- (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*.

**RECOMMENDATION**

That Council considers the confidential report listed below in a meeting closed to the public in accordance with section 66 (2) (a) of the *Local Government Act 2020*:

**7.1 Residual Waste - Opportunities Review**

This matter is considered to be confidential under section 3 (1) (a) of the *Local Government Act 2020* as it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released,

**COUNCIL DECISION**

**Moved: Cr McCafferty**

**Seconded: Cr Race**

**That the recommendation be adopted.**

**Carried Unanimously**

**ATTENDANCE**

Cr Race, having disclosed a conflict of interest, left the meeting at 9.56pm and was not present for deliberation of this item.

**MEETING OPENED TO THE PUBLIC**

**COUNCIL DECISION**

**Moved: Cr Holland**

**Seconded: Cr Dixon**

**That the meeting be reopened to the public at 9.59pm.**

**Carried Unanimously**

**ATTENDANCE**

Cr Race returned to the meeting at 10.00pm.



## **8 MEETING CLOSE**

As there was no further business, the meeting closed at 10:00pm.

**Confirmed 31<sup>st</sup> day of October 2022**

.....  
**Mayor, Cr Anthony Marsh, Chairperson - Council**