



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

1 MAY 2024



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**MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL HELD
1 MAY 2024 IN ST KILDA TOWN HALL AND VIRTUAL VIA TEAMS**

The meeting opened at 6:31pm.

IN ATTENDANCE

Cr Cunsolo (Chairperson), Cr Baxter, Cr Bond, Cr Clark, Cr Crawford, Cr Martin, Cr Nyaguy, Cr Pearl, Cr Sirakoff.

Chris Carroll, Chief Executive Officer, Brian Tee, General Manager City Growth and Development, Tarnya McKenzie, Interim General Manager Community Wellbeing and Inclusion, Lachlan Johnson, General Manager, Operations and Infrastructure, Joanne McNeill, Executive Manager Governance and Organisational Performance, Fiona van der Hoeven, Manager City Planning and Sustainability, Simon Hill, Executive Manager Waste and City Maintenance, Xavier Smerdon, Head of Governance, Rebecca Purvis, Senior Council Business Advisor, Emily Williams, Council Business Advisor.

The City of Port Phillip respectfully acknowledges the Traditional Owners of this land, the people of the Kulin Nations. We pay our respect to their Elders, past and present. We acknowledge and uphold their continuing relationship to this land.

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

MOVED Crs Baxter/Martin

That the minutes of the Meeting of the Port Phillip City Council held on 17 April 2024 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.



4. PUBLIC QUESTION TIME AND SUBMISSIONS

Public questions are summarised below. The submissions were made verbally and can be listened to in full on our website: <https://webcast.portphillip.vic.gov.au/archive.php>

Public Question Time:

- **Adam Ferrier:** I've been a resident of Port Phillip for about 15 years, in that time I've seen Acland and Fitzroy Streets continue to decay. What responsibility does the council take for their decay? I know everyone is doing their best and trying to make good decisions, but it's not working. I'm wondering if you can reflect yourselves and think what do we need to do differently as a Council. What inputs do you need that might be different to get a better result than what you're currently presiding over?

Brian Tee, General Manager City Growth and Development, advised that the Council does take its responsibilities in Acland and Fitzroy streets very seriously. We are working very hard with the local traders, landlords, venue operators, the community and Victoria Police. We share a desire for a vibrant and welcoming place. Our focus is on both crime prevention and revitalisation. We are doing a number of new things all the time to try and improve outcomes, including daily patrols by our local laws officers and thanks to the advocacy of our Councillors and officers, we now have joint patrols with the police which occur frequently, which didn't occur in the past. Council has recently purchased a mobile CCTV which is used by police often in Acland Street, we also maintain the CCTV cameras there for the police. These are the items on the crime prevention side.

We are also looking at the revitalisation. We have our vacant shop front program for new businesses that are coming through. We have created lighting which commenced over the last few weeks to make it attractive. The live music precinct declaration, the first in Victoria, is a branding exercise to improve visitation, protecting those businesses. We are working with traders and we provide them with grants and activations and so on. We continue to work with police and look for opportunities, we continue to engage with people like yourself and are very happy to have conversations with the community to ensure we are doing everything we can to make it a safe environment. Brian Tee acknowledged that there is always room for improvement and we don't have all of the answers but provided assurance that Council are committed and working hard and trying new things all the time.

- **Michael Barrett:** I believe that my questions could be responded to with only a yes or a no response. Regarding the tendering process for Waste disposal services by the City of Port Phillip and the changeover of contractors with affect from 1 July 2023. I'm in possession of the report titled "Cause Analysis and Recommendations Report" March 2024 by the Commercial Advisory Partnership. I'm also in possession of the council's response to that report. Previously I have spoken regarding the concept of competitive neutrality and the requirement for this concept to be embedded in the tender process for contracts of this nature. Now that you have the consultant's report, do you still believe that the Council has complied and is still compliant with the concept of competitive neutrality in this contract and that you could provide evidence to this effect in the case of a complaint being initiated with Better Regulations Victoria? Resulting from the consultant's report, has any member of staff of the City of Port Phillip had initiated or is in the process of having initiated, a performance improvement plan or a performance management plan relating to their ongoing employment by the Council?

Chris Carroll, Chief Executive Officer advised that they wouldn't just give a simple yes or no answer but advised that we do have two independent waste review reports and we

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understand the interest from the community around that. We are working with Council's Audit and Risk Committee to finalise the management action plan which we have had consultation with Councillors on. This action plan will be finalised in May 2024 and is due to come back to a Council meeting in June to report back to the community to be transparent on Council's response and the various actions that we are taking. In the interim, we are not just sitting here, we are doing and have made a range of improvements and will continue to do so in response to those audits. In terms of competitive neutrality, that relates to subsidising of an entity by the Government where it competes against other providers in the market. This is governed by federal legislation related to national competition policy. In the case of the procurement of waste collection services, Council was purchasing these services from the marketplace. There are no NCP implications or obligations on the purchaser, in this case, the City of Port Phillip, whereas there are considerable requirements on providers. Council does not have concerns about the application of NCP requirements and procurement of kerbside collection services. If someone was to make a complaint to Better Regulations and if Better Regulations decide to investigate it, we would be happy to participate in that process.

In terms of performance management plans, these are obviously confidential matters that we cannot discuss. It's important to note that we do take the reports seriously and that we are implementing its recommendations and will continue to work on that. The CEO advised from a generic point of view, that all staff at the City of Port Phillip are required to have a performance and development plan and for that to be reviewed at least twice a year. Often there are ongoing discussions around those plans and that ensuring timely implementations of actions in response to audits is a key focus for all leaders in those plans.

- **Isaac Hermann:** Concerning the Elster Creek Catchment Memorandum of Understanding (MOU): Council stated that the MoU has expired and has not been extended. Though according to the Community Advisory Panel, Council has been looking to either renew and/or redraft the MoU for a new term. Is this in fact correct and if so, why has this topic been unaddressed or obscured? what changes to the memorandum are being considered and why? will all of community be consulted or sidelined?

Regarding permeability: Council officers expressed at the last Council meeting that: Monitoring permeability was a 10 year project and as such council was unable to indicate what changes in permeability had occurred since 2019. Yet there is a Spatial Vision document. Council has, and I quote {Council have} a baseline of information which can be replicated at a later date to determine change over time and track effects of policies implemented. So are Council officers not tracking outcomes in the interim? Even though according to the Baseline Assessment Report: '3600m² of equivalent permeability per year is the recommended target for CoPP to strive towards through Council's various works programs. It is also recommended that this target is assessed 12-24 months after tracking begins to assess its suitability. And if Council is tracking permeability, then why are the results not available to the community?

Per the whole municipality and per each catchment has permeability improved or declined since 2019? Given this Council's and of course Glen Eira's relentless efforts to seal as many laneways as possible with bitumen and concrete. Would it be accurate to say that we are actually hurtling backwards despite having sustainability policies? And lastly, I am still waiting for answers to questions regarding permeability taken on notice on 17 April:

Fiona van der Hoeven, Manager City Planning and Sustainability responded in relation Elster Creek Collaboration and the MOU. There is no current MOU in place for the Elster Creek Collaboration however officers continue to work with Melbourne Water and our neighbouring

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Councils as per the original MOU. At the CEO Forum in late February, the group agreed to create a new Terms of Reference and MOU, noting the scope and working group representation to be confirmed. Drafting has not commenced however, and the working group is planning to meet in May to begin discussions on scoping the terms of reference for the next iteration of this collaboration.

Community representation on water related issue in the catchment is a priority, however, the MOU is more an operational document and deals with how the various parties work together and what the scope of matters to be considered. Of course, the community itself will be consulted on with any significant decisions to be made.

In relation to tracking and monitoring permeability and change across the municipality, Council tracks permeability via individual projects. For example, we know that in the Alma Park Play Space upgrade we converted approx. 400 sqm of paving to permeable concrete. We also tracking private developments, with an audit of planning permits. In an urban catchment we see minimal change in permeable surfaces over a short term and as such we aim to monitor municipal changes over a 10 year period. Our understanding of permeability has evolved since 2019 with several technical reports being completed since the Baseline report and these results of changes from the baseline report will be available for the community when the permeability project is concluded in 2025.

In relation to the sealing of laneways with bitumen and concrete and use of permeable paving in high foot traffic areas, laneways are reinstated like-for-like unless there is an engineering issue. Permeability testing is carried out before design is completed. The use of permeable paving in high foot traffic areas, such as the St Kilda Botanical Gardens, has been successful to some extent. The widespread use of permeable paving for a footpath material in high foot traffic areas is currently limited. Granitic sand has its place in certain applications. Council carefully evaluates the specific needs and conditions of each location to decide on the most appropriate footpath material to use in these locations.

- **Christopher McMillan:** In the context of the St Kilda area, as winter sets in I feel for those that are sleeping rough and for the homeless that increasingly I am seeing on the streets of St Kilda. Probably more public as I understand, number of residents that are "sleeping rough" on the street instead of somewhere warm, comfortable and safe. Understanding all of the deep complexities involved, are there any active Council strategies that the Council are engaging in that directly address how to bring these residents of St Kilda off the streets to more comfortable and safe places. And if there are strategies, are there KPI's behind those strategies, how are we going against them?

Tarnya McKenzie, Interim General Manager Community Wellbeing and Inclusion advised that Council shares Christopher's concerns and feelings. Council has established the Port Phillip Zero program in partnership with 13 member agencies. Since 2019, Port Phillip Zero has achieved a 60% reduction in actively homeless individuals and facilitated over 120 housing outcomes. Through Port Phillip Zero, people experiencing homelessness are supported via daily outreach, shared patrols, service coordination and, importantly are known to services by name. Port Phillip Zero is an ongoing program that enables greater confidence and capacity in our homelessness response.

- **Justin Halliday:** Drawing your attention to the recent Port Phillip coastal hazard report which included upward bounds of a sea level rise of 1.4 metres and as we've seen recently, sea level rise is constantly being revised upwards as we hurdle past all of our Climate change goals. In this context, in relation to the St Kilda Marina Project, we have



just learnt that the soil remediation project costs have increased to a current maximum, before they start, of \$15 million. Council removed its cost contribution cap on the remediation of these soils which was originally at \$750,000. Over the course of this project Council will only see rental revenue from that site of \$60 million over 50 years, yet we are incurring upfront up to \$15 million. What was the basis of which the \$750,000 cap on Council's contribution to soil remediation removed? What is Council's estimate for the highest costs of soil remediation on the site? What other costs will Council incur during the redevelopment and during its ongoing operations of this site? What level of sea level rise was used in the planning application and planning approvals for this site? What is Council's exposure to future liability due to sea level rise, storm surge, and coastal inundation on this site? At the completion of the lease, who is responsible for further subsequent remediation of the site? If Council estimates total rent payments of \$60m over the course of the 50 year lease, what are Council's total subsidies for the project at present value?

Joanne McNeill, Executive Manager Governance and Organisational Performance advised that Council is currently working through clarifying the cost of the remediation through a combination of soil removal and construction methodology so that cost has not been finalised, but took the questions on notice to provide a detailed response.

Council Report Submissions:

Item 7.1 Joint Petition: Stop the loss of Car parking on Inkerman Street - Inkerman Street Safety Improvement Project.

- Warren Middleton
- Anne Boyd

Item 10.1 Proposed Amendment C220port: St Kilda Live Music Precinct - Authorisation

- Janet Rosenberg

Item 11.1 Community Electric Vehicle (EV) program

- Alex Graul
- Deborah Sykes
- Kary Grant
- Rod Walker
- Kevin English
- Sarah Miller

13.3 Lifting of the confidentiality status of information considered by Council in closed meetings of Council.

- Dean Hurlston



5. COUNCILLOR QUESTION TIME

- **Councillor Clark:** Can Council officers please confirm when the street cleaning of Ormond Road and Elwood Village was last undertaken? What is the rotation of the cleaning for Elwood village. What, if anything, can be done about dog urine on the footpath on Ormond Road?

Simon Hill, Executive Manager Waste and City Maintenance took the question on notice.

- **Councillor Pearl:** Could the officers please provide a detailed update on the current lease arrangements for South Port Residential Care Facility near Gasworks Park in Albert Park? Additionally, could you outline the process and timeline for evaluating future steps as the lease period concludes, including the consultation process regarding the future use of the site?

Councillor Crawford declared that they are on an aged care board within the City of Port Phillip.

Simon Hill, Executive Manager Waste and City Maintenance responded that South Port Residential Care is a high care residential aged care facility located at 18-30 Richardson Street, Albert Park. The facility is operated by Claremont & South Port Aged Care referred to as CaSPA Care and this entity holds a peppercorn lease with the City of Port Phillip over the Crown land site, which has an area of approximately 3,700 square meters. The lease commenced on 15 of April 1980 for an initial 25-year term. The lease allowed for a further term of 25 years, which was taken up by the tenant. The lease is due to expire on 14 April 2030. Prior to the lease expiration, officers will review the usage of the site in line with relevant policy. Such review is likely to commence in financial year 2027/28. Where a need for consultation is identified, it would be conducted in accordance with statutory requirements, including Council's community engagement policy.

Chris Carroll, Chief Executive Officer undertook to review the timeline with officers and report back.

Councillor Pearl thanked the CEO and requested as part of the timeline review that it be brought forward.

- **Councillor Pearl:** I am getting reports of missing bin collection in Albert Park this week. Can officer provide details on how mid spread this issue is and what is being done to rectify it?

Simon Hill, Executive Manager Waste and City Maintenance advised that Council received eight separate requests for missed bins from Monday 29 April for the Albert park area. They were all collected the next day after the report was received. We have not noticed an increase in missed bins in that area and total numbers of missed bins continues to stabilise. We continue to meet with our contractor daily to discuss any issues to ensure service delivery continues to improve.

Simon Hill confirmed that there was one report of a missed bin within Richardson Street, but that report did refer to other missed bins, our reports confirmed that all bins were collected.

Councillor Pearl further commented that these bins were still out this morning (Wednesday) from the Monday collection and requested officers to further follow up.

Simon Hill undertook to follow up.

- **Councillor Crawford:** There has been community interest in the Sugar gum tree that is to be removed at 34 Wave Street and we were doing some investigation on the impact to fauna. Can we get an update as to what is going to happen with that tree now?



Simon Hill, Executive Manager Waste and City Maintenance advised that Councils arborists are passionate and dedicated to trees, wildlife and ecological preservation. The decision in this case to remove the tree trunk concurrently with pruning required under the Electrical Line Clearance Act was based on the ecological value of the tree left in-situ versus repurpose and relocate the trunk to one of our natural vegetation areas for fauna habitat. Before any removal an ecologist is engaged to undertake an ecological assessment to ensure Council complies with legislative requirements and industry best practice. Repurposing, was considered the most appropriate environmental outcome in this case as the whole trunk would provide fauna habitat for approximately 10-15 years as it safely decomposed, and allows new appropriate trees to be planted outside 34 Wave Street, providing additional canopy cover and biodiversity for the street. Officers have advised that leaving the tree trunk for fauna habitat in situ outside 34 Wave Street is plausible and the tree would provide habitat for approximately 3-5 years. When the structural integrity of the tree requires removal, the trunk would be removed in smaller pieces and disposed of, avoiding a power shut down which costs Council approximately an additional \$25,000. Given the additional community feedback, officers are happy to review this decision and retain the tree trunk in situ for habitat purposes. Works to prune the tree will take place on 8 May and an ecologist will be on site to monitor any effects on wildlife, however the trunk will not be removed.

- **Councillor Crawford:** We have adopted our Public Open Space Strategy in 2021 and a big part of that strategy was acquisition of open space. I'd like to know what ones we can put on record that we have purchased please?

Lachlan Johnson, General Manager Operations and Infrastructure advised that in December 2021, Council did adopt its Public Space Strategy which envisaged acquisition of public property across the City for open spaces. Over the past 18 months Council has acquired six properties for public open space. This includes two properties abutting Pakington Street Reserve in St Kilda, one property abutting Jim Duggan reserve, St Kilda, two properties along Lansdowne Road, St Kilda East and one property in Fishermans Bend at Williamstown Road Port Melbourne. Council will settle most of the purchases of these properties this year and has already begun early planning for the conversion of these properties to parks and open spaces. Lachlan Johnson took the opportunity to thank the relevant land owners for their constructive negotiations that have resulted in these purchases. We are also in negotiations to purchase other properties in the municipality to further advance the vision and the actions of the Public Space Strategy and hope to be able to share the details of these in due course.

- **Mayor Cunsolo:** Have officers received an update yet on the Barak Beacon Housing development yet to know if Housing Victoria has taken on board resolution of Council at the 6 March 2024 Council meeting?

Brian Tee, General Manager City Growth and Development took the question on notice.

6. SEALING SCHEDULE

Nil.



7. PETITIONS AND JOINT LETTERS

7.1 Joint Petition: Stop the loss of Car parking on Inkerman Street - Inkerman Street Safety Improvement Project

Two petitions were received in relation to the Inkerman Safety Improvement Project.

1: Petition: Stop the destruction of Inkerman Street Community (*containing 358 signatures was received via change.org*)

2: Petition against any parking loss in Inkerman Street (*containing 166 hardcopy signatures from residents, businesses, and their customers*)

MOVED Crs Pearl/Bond

That Council:

1. Receives and notes both Petitions.
2. Thanks their petitioners for their petitions.
3. Notes that a report on the Inkerman Safety Improvement Project will be considered by Council at an upcoming Council meeting to determine how to proceed with the project, and that the petition will be noted within that report.

A vote was taken and the MOTION was CARRIED.

8. PRESENTATION OF CEO REPORT

Nil.

9. INCLUSIVE PORT PHILLIP

9.1 Draft Port Phillip Reconciliation Action Plan 3

Purpose

- 1.1 For Council to consider the consultation draft Reconciliation Action Plan 3 (RAP3) and endorse its release for community consultation.

MOVED Crs Nyaguy/Baxter

That Council:

- 3.1 Releases the draft Port Phillip Reconciliation Action Plan 3 (Attachment 1) for a 4-week period of community consultation from 2 May to 30 May 2024.
- 3.2 Notes that a report will be presented to Council in July 2024 outlining feedback received through the consultation period and any proposed changes to the plan.

A vote was taken and the MOTION was CARRIED unanimously.



10. LIVEABLE PORT PHILLIP

10.1 Proposed Amendment C220port: St Kilda Live Music Precinct - Authorisation

Purpose

- 1.1 The purpose of this officer report is for Council to consider:
- The background of the St Kilda Live Music Precinct (**SKLMP**) and the findings and recommendations of the SKLMP Planning Study project.
 - Proposed Amendment C220port to the Port Phillip Planning Scheme to implement the findings of the SKLMP Planning Study project.
 - Whether to adopt the SKLMP Planning Study (stages 1 and 2) and seek authorisation from the Minister for Planning to prepare and exhibit Amendment C220port to the Port Phillip Planning Scheme.

MOVED Crs Bond/Sirakoff

That Council:

- Notes the officer report and Attachments 1, 2, and 3 in relation to the St Kilda Live Music Precinct Planning Study project and proposed Amendment C220port to the Port Phillip Planning Scheme (**Amendment**).
- Adopts the *St Kilda Precinct Planning Study* (Hodyl & Co, Echelon Planning and Enfield Acoustics, July 2023) and the *Stage 2: detailed investigations & recommendations* (Hansen Partnership, April 2024) at Attachments 1 and 2, respectively, as the basis for the Amendment.
- As the planning authority, apply to the Minister for Planning (**Minister**) under section 8A of the *Planning and Environment Act 1987 (Act)*, for authorisation to prepare the Amendment (**Option A**).
- If authorisation to prepare the Amendment is received under section 8A of the Act, or if the Minister has not notified Council of their decision within 10 business days after receiving the application:
 - As the planning authority, prepare the Amendment in accordance with section 8A(2) or section 8A(7) of the Act as relevant.
 - Authorise officers to make changes to the draft Amendment documentation at Attachment 3 as required prior to exhibition of the Amendment to correct any administrative errors and to meet any conditions the Minister imposes through authorisation.
 - Endorse, for the purpose of exhibition, the draft Amendment documentation at Attachment 3, subject to any changes required under 3.4 (b) above.
 - Exhibit the Amendment in accordance with sections 17, 18 and 19 of the Act.

A vote was taken and the MOTION was CARRIED unanimously.



11. SUSTAINABLE PORT PHILLIP

11.1 Community Electric Vehicle (EV) Program

Purpose

- 1.1 To consider the proposed next steps for the **Private** Kerbside Electric Vehicle (EV) Charger Pilot and **Public** Utility Pole-Mounted and Kerbside EV Charger Project.

Mayor Cunsolo advised that the vote would be taken in 2 parts.

Part 1:

MOVED Crs Bond/Crawford

That Council:

- 3.1 Defers consideration of the Private Kerbside Electric Vehicle (EV) Charger Pilot to the 5 June Council Meeting.

A vote was taken of the MOTION was CARRIED.

Part 2:

MOVED Crs Bond/Crawford

- 3.2 Support the continued exploration and installation of on-street **Public** Utility Pole-Mounted and Kerbside EV Charger technology including using the following criteria to determine the locations for on-street EV Chargers:
 - 3.2.1 Prioritise street locations outside Permit Zones unless the Permit Zone street has no access to off-street parking and there is high demand for EV chargers.
 - 3.2.2 Consider safety implications in determining the location of on-street EV Chargers.
 - 3.2.3 Prioritise the spread of locations across the City of Port Phillip to provide access to EV charging across the municipality.
 - 3.2.4 Consider the outcome of community engagement with residents in the streets where on-street EV chargers are proposed to be installed.

A vote was taken and the MOTION was CARRIED unanimously.

12. VIBRANT PORT PHILLIP

Nil.



13. WELL GOVERNED PORT PHILLIP

13.1 Information Protection Agreement - Department of Transport and Planning (VicRoads)

Purpose

- 1.1 To seek Council's approval for the CEO to enter an Information Protection Agreement with the Department of Transport and Planning (VicRoads) to obtain vehicle owner information for law enforcement purposes from 1 July 2024 to 30 June 2029.

MOVED Crs Bond/Martin

That Council:

- 3.1 Authorises the CEO to enter into a new Information Protection Agreement with the Department of Transport and Planning (VicRoads) for the provision of vehicle owner information for law enforcement purposes from 1 July 2024 to 30 June 2029. The estimated value of this service over the maximum five-year term is \$1,644,048 (GST exempt).
- 3.2 Notes that this provision of information is fully budgeted for the 2024-25 financial year, being estimated at \$304,058. Costs of this service are fully off-set by income generated through parking infringement penalty reminder notices.

A vote was taken and the MOTION was CARRIED unanimously.

The mayor adjourned the meeting for a break at 7:56pm.

The meeting resumed at 8:10pm.

13.2 Policy Completion Dates

Purpose

- 1.1 To seek approval to extend the expiry date for policies that have expired, or will expire before their scheduled renewal date.

MOVED Crs Pearl/Bond

That Council:

- 3.1 Approves to extend the expiry date of the following policies:
 - 3.1.1 Community Flagpole and Banner Scheme Schedule to July 2024
 - 3.1.2 Every Child, Our Future Children's Services Policy to September 2026
 - 3.1.3 Footpath Trading Fee Policy to May 2025
 - 3.1.4 Fraud and Corruption Awareness and Prevention Policy to September 2024
 - 3.1.5 Port Phillip Collection Policy to July 2025
 - 3.1.6 Site Contamination Management Policy to July 2025

A vote was taken and the MOTION was CARRIED unanimously.



13.3 Lifting of the confidentiality status of information considered by Council in closed meetings of Council

Purpose

- 1.1 For Council to consider releasing certain confidential information in relation to decisions made by Council during meetings that were closed to members of the public in accordance with the Public Transparency Policy.

MOVED Crs Baxter/Martin

That Council:

- 3.1 Resolves that the confidential information, as contained in confidential Attachment 1, be deemed to be not confidential pursuant to the Local Government Acts 1989 and 2020, and that this information be publicly released on Council's website.

A vote was taken and the MOTION was CARRIED unanimously.

14. NOTICES OF MOTION

Nil

15. REPORTS BY COUNCILLOR DELEGATES

Mayor Cunsolo reported to Council about their recent self-funded trip to visit the City of Port Phillip's sister City in Obu, Japan. It was a delightful trip for me personally as I was visiting Japan for the first time and travelling solo. I met with 12 St Kilda Primary students, and their parents, who were also on an exchange program there. They did excellent presentations in Japanese and it was fun to enjoy the various activities together. We visited a site where Elwood College students had planted trees last November and had a tour of all the plaques that the City of Port Phillip have contributed to over the course of the sister city relationship.

Councillor Baxter reported as the delegate to the Friends of Suai/Covalima Reference Committee who held their annual trivia night last week. The powerhouse Baxter team was able to take the championship and win 12 months' worth of bragging rights. Most importantly the night raised several thousands of dollars for the amazing work that Friends of Suai Covalima do our partnership with the Covalima Community Centre, and the education, hygiene, village lighting and reforestation programs that they run.

Councillor Martin acknowledged the outstanding effort of all the of Council officers and my fellow Council colleagues over the ANZAC day memorial service commemorations. Not just the official ones which get bigger and better every year that our Council does a fantastic job of promoting, but the local schools and sporting clubs do an outstanding job too.

16. URGENT BUSINESS

Nil.



17. CONFIDENTIAL MATTERS

Mayor Cunsolo advised that in accordance with rule 19 of the Governance Rules the CEO had requested, and the Mayor had agreed, to defer item 17.2 Commercial Matter to a future Council meeting.

Chris Carroll, Chief Executive Officer, advised that officers had received feedback from Councillors which will require further consideration. The report will come back to Council as soon as possible.

MOVED CRS BOND/MARTIN

That Council resolves to move into confidential to deal with the following matters pursuant to section 66(2) of the *Local Government Act 2020*:

17.1 St Kilda Pier Landside Works Upgrade - Budget Update

3(1)(a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.*

Reason: *The information provided within this briefing contains detailed information on approach for project contingency. Releasing this information would reduce Council's negotiation stance if information is released prior to procurement, in October 2024.*

17.2 Commercial Matter

3(1)(a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.*

3(1)(e) *legal privileged information, being information to which legal professional privilege or client legal privilege applies;*

3(1)(g)(ii) *private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage*

Reason: *This report will consider commercially and legally sensitive information that could impact Councils ability to manage an ongoing contract. Council will consider what information is to be released publicly.*

A vote was taken and the MOTION was CARRIED unanimously.

The meeting closed to members of the public at 8:18pm.

The meeting reopened to members of the public at 8:31pm.

As there was no further business the meeting closed at 8:31pm.

Confirmed: 15 May 2024

Chairperson _____