



# MEETING OF THE PORT PHILLIP CITY COUNCIL

## MINUTES

15 MAY 2024



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

The meeting opened at 6:35pm.

**IN ATTENDANCE**

Cr Cunsolo (Chairperson), Cr Baxter (online), Cr Bond (online), 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, Claire Stevens, General Manager Organisational Capability and Experience, Lauren Bialkower, Executive Manager City Growth and Culture, Simon Hill, Executive Manager Waste and City Maintenance, Sophie McCarthy, Executive Director South Melbourne Market, Teneille Summers, Coordinator Diversity, Equity and Inclusion, Xavier Smerdon, Head of Governance, Emily Williams, Council Business Advisor, Carly Eyckens, Mayoral Executive Assistant.

*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.*

**REMOVAL OF AGENDA ITEM**

Mayor Cunsolo advised that following a request for removal of Confidential item 17.1 'VCAT Matter' from the CEO and with their consent, the item was removed from the agenda in accordance with Rule 19 of Council's Governance Rules.

*Brian Tee, General Manager City Growth and Development advised that item 17.1 'VCAT Matter' was scheduled on the agenda following correspondence from the Victorian Civil and Administrative Tribunal (VCAT) which indicated the possibility of requiring a Council decision in relation to this matter. Subsequently, Council was advised by VCAT that due to a change in circumstances, the decision of Council was no longer required, therefore the item was withdrawn from the agenda.*

**1. APOLOGIES**

Nil.

**2. CONFIRMATION OF MINUTES**

**Moved Crs Nyaguy/Martin**

That the minutes of the Meeting of the Port Phillip City Council held on 1 May 2024 be confirmed.

**A vote was taken and the MOTION was CARRIED unanimously.**



### 3. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Clark declared a material conflict of interest in confidential item 17.3 *Commercial Matter* due to the nature of their professional work.

Councillor Martin declared a general conflict of interest in confidential item 17.2 *JL Murphy Reserve Pitch 2 & Pitch 3 Upgrade Tender Award* due to their role as Secretary of the Port Melbourne Colts Football Club.

Mayor Cunsolo declared a general conflict of interest in confidential item 17.2 *JL Murphy Reserve Pitch 2 & Pitch 3 Upgrade Tender Award* as their husband is Treasurer of the Port Melbourne Colts Football Club.

### 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: <http://webcast.portphillip.vic.gov.au/archivephp>.

#### Public Question Time:

- **Ian George:** In relation to the South African Soldiers memorial that is being reinstated at the moment at the Albert Reserve. The genesis of this memorial was back in 1916 when a public meeting was held to discuss the construction of the memorial in honour of the Australians who fought and died in the Boer War 1889-1902. A committee was raised to organise the funds to build it and it was eventually completed and situated prominently on the Albert Reserve, close to the verge of St Kilda Road and dedicated in 1924. It was funded by public subscription and on dedication was accepted by the Mayor of City of South Melbourne for custody and care and maintenance and this was passed to the City of Port Phillip when the Councils were amalgamated. I use the term custody deliberately because it can be seen from history that the monument is a Victorian State Memorial, owned by the citizens of Victoria, who financed the original construction. The bronze plaque which adorns the face of the monument bears the words "In honour. Erected by the people of Victoria in memory of the Australians who fell in the South African War fighting for the unity of the empire which is our strength and common heritage". In 2016 the monument was dismantled with the permit of heritage Victoria. Will the Council hold a rededication ceremony for the reinstatement of the monument?

*Lauren Bialkower, Executive Manager City Growth and Culture advised that officers are looking forward to seeing the South African Soldiers Memorial reinstated after a lengthy period in storage due to the State Government's Metro Tunnel works. We are continuing to liaise with Heritage Victoria and Metro Tunnel contractors to ensure the memorial's reinstatement meets the required levels of conservation and have requested a maintenance plan be submitted to Council upon completion of the work for its future preservation. The State Government has not provided budget for a reinstatement ceremony as part of this project and Council has no budget currently allocated. Interested community members have been advised they may wish to make a budget bid to Council to support them in holding such a ceremony, but Council has no current plans to organise one themselves.*

**Mayor Cunsolo** followed up to ask if a quick response grant could be offered in this case?

*Lauren Bialkower, Executive Manager City Growth and Culture advised that there most likely is not a grant program that would be appropriate for a reinstatement ceremony.*

**Councillor Pearl** asked Ian George what they had in mind that Council do for the ceremony?



*Ian George responded that they didn't have anything in particular mind for the format of the ceremony, but the monument was originally commemorated or dedicated when it was originally erected. Now it has been moved some 30-50 meters further away from St Kilda Road towards Kings Way, we believe that it's either the City of Port Phillip as a custodian, the State Government, or the builder themselves who is responsible for dedicating it. My organization, the Boer War Association, is small and has no, or very little, funds and is not in a position to conduct a ceremony, although we do conduct an annual ceremony at the Shrine of Remembrance to commemorate the conclusion of the Boer War.*

**Councillor Pearl** thanked Ian for coming and bringing this to Council's attention.

- **Isaac Hermann:** My questions are concerning Elwood Foreshore. How many M<sup>3</sup>s of contaminated material spoil from the Elwood Reserve Ovals has been dumped in the Elwood Tea Tree Reserve and adjacent parkland from the works of 2008, 2016 and 2017? Where in the Foreshore and Hinterland Vegetation Management Plan of June 2015 does it allow for the Tea Tree Reserve and surrounds to be used as a Class C toxic waste dump? In the foreshore reserve just south of the Elwood Scouts Water Activity Centre – unremediated contaminated soil is exposed: at least half the site is exposed to sunbathers and the elements overall. The only groundcover appears to be sparse and self-sown seasonal weeds, in which state or local government policy or plan, such as Council's Soil Contamination Management Policy, could this be deemed acceptable?
  - has the Soil Management Plan for this site failed?
  - from *Item 5.1 Responsibilities* has council failed to *allocate appropriate resources for undertaking assessments and remediation*.
  - and from *Item 5.2* has the General Management Team also failed in its responsibility *for monitoring the implementation of this policy*.

Why have council officers intentionally chosen to neglect this concern?

With the proposed construction of new facilities by Wattie Watson Oval, where will excavation spoils be removed to? Given that the Elwood Main Drain Duplication \$65million Project has been costed, and that Council is liaising with Melbourne Water, where are the approximately 12,000 M<sup>3</sup>s of toxic soil waste destined to be dumped? Will councillors move a motion to prohibit any further degradation of the Elwood foreshore by contaminated material?

*Lachlan Johnson, General Manager Operations and Infrastructure advised that Council has a dedicated site contamination officer who is responsible for ensuring Council meets its legislative requirements and obligations that are outlined in Council's Soil Contamination Management Plan. Lachlan Johnson noted that Council's Site Contamination Officer is going to meet with Isaac later this week in Elwood to discuss the concerns raised. In the time since Isaac's questions were received, officers have not yet been able to locate and consolidate all of the historical information about the soil movements in the Tea Tree Reserve and surrounds but undertook to investigate these claims.*

*Lachlan Johnson confirmed that the Foreshore Hinterland Vegetation Management Plan 2015 does not include any provision for the placement of contaminated material in the Tea Tree Reserve, Elwood. We are working through the issues with the bare patches of soil that Isaac had raised. Unfortunately in some high foot traffic areas we do occasionally have bare patches that arise. We often respond to these with turf installation, irrigation or other approaches. Officers are investigating this section of the reserve as a priority to make sure that we can get the coverage back over those areas.*



*With regard to resourcing, as part of Council's annual budget, funding is allocated to not only fund the contamination officer, but also to undertake regular testing across the municipality. Any development as part of the Elwood Master Plan, including that planned for the native vegetation area between the road and Wattie Watson Reserve, will require compliance with the relevant legislation. Contaminated material will not be imported into the site as part of these works.*

*The Melbourne Water Main Drain duplication is a very large scale project, it is likely to resolve some significant quantities of material being removed to make way for the new Box Culverts. As this project is being delivered by Melbourne Water, they are responsible for ensuring that the spoil from the site is managed appropriately. There are no plans to store this spoil long-term in Elwood Reserve, but questions regarding the disposal of material and what their plans are are best put to Melbourne Water.*

- **Michael Barrett:** 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. Under a Freedom of Information request I obtained a copy of a document "RFT00164 Waste & Recycling Collection Services". Contained within this document service specification, Section B1 Attachment B, B1.1 List of Main Roads, contains a data table with representative samples of point to point physical distances measured in metres along various roads in the City of Port Phillip. I took a random sample of six roads from within this data table and physically measured the distances myself. Of the six roads, two were larger roads and precise in distance to within one metre of the stated distance on the tables, however the remaining four which were smaller streets and roads, the distances within the table were understated by a total of 117 metres over the total distance of 4930 metres for all six roads as stated in the tables. I then applied this margin of understatement across the total of all road distances shown within the table and arrived at a cumulative margin of understatement of 12.70kms. On the basis for weekly collection across the four year life cycle of this waste disposal contract, this would amount to a total understatement of over 600 kilometres or approximately the distance of Melbourne to Canberra. If this same margin of error was applied across the total roads network within the City of Port Phillip, the distances would be enormous. Would you care to comment on that?

*Simon Hill, Executive Manager City Waste and Maintenance advised that Section B1 Attachment B B1.1 List of Main Roads contained in the Waste and Recycling Collection Services specification refers to a list of main roads within Port Phillip and states their approximate length rounded to the nearest 10 metres. It is provided as a guide to tenderers. I have checked the calculations you have provided and I am unable to reconcile your calculations. A 117 metre margin of error over your sample of 4930 metres when converted to a percentage is just 2.37%. When this is applied to the total approximate road length provided in the table which is 55,230 metres an understatement of 1310 metres or 1.31 kilometres is reached, not 12.7 kilometres as you refer. Assuming your measurements are correct, I believe, this margin for error of 2.37 % is acceptable given the road length measurements were referred to as approximate.*

### **Council Report Submissions:**

#### **Item 10.1 Inkerman Safety Improvement Project - Project Recommendations**

- Mathieu Cadet
- Belinda Bailey
- Leanne Tolra

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- Benjamin Richardson
- Robert Mahoney
- Aaron Haifley
- Geoffrey Edwards
- Anne Boyd
- Rose Middleton
- Ben Avramides
- George Dellas
- Ariel Lewin
- Simon Watson
- Lee Bryars
- Lital Weiz
- Pierre Te Angina
- Chris Tortyna
- Jeremy Burns
- Christine Fitzherbert OAM
- Jonathan Green
- Ruth Slonimsky
- Cassie Johnstone
- Gregor Brownlee
- Trevor Hanna
- Jacob Unfranger
- Paul Haskin
- Dean McBeth
- Alana Sowman
- Jacob Sacher
- Justin Halliday
- Julie Clutterbuck
- Peter Holland
- Beti Jay
- Kade Lengyel
- Henry Green
- Katherine Aistrope
- Stephen Liddicut
- Warren Middleton
- Tony Schneeweiss
- Jaz Bradley
- Helen Phillips
- Stephen Hedger
- Claire Havens
- Claire Mear
- Dennis Mouy
- Rhonda Small
- Barry Reynolds

*The following submissions were read out by the Head of Governance:*

- Hilary Adair
- Tarryn Holland
- Ella Reed

*The Mayor adjourned the meeting for a break at 8:00pm*

*The meeting resumed at 8:07pm.*

## **Item 10.2 Domain Precinct Parking Review**

- Beti Jay

## **Item 12.1 Business Parklet Guidelines 2024**

- Adrian King
- David Blakeley

## **Item 12.2 South Melbourne Market Project Connect Scope Endorsement**

- Amanda Stevens
- Beti Jay

## **Item 14.1 Notice of Motion – Mayor Heather Cunsolo – Life Saving Clubs Parking Permits**

- Alison Porter



## 5. COUNCILLOR QUESTION TIME

- **Councillor Pearl:** I have noticed recent reports regarding Extinction Rebellions blockade of the West Gate bridge which resulted in significant delays to emergency services and endangering people's lives. It has been indicated that the Eco-Centre is being used by the local group PECAN reportedly as an affiliate of Extinction Rebellion. Could Officers please provide details on the actions taken by Port Phillip Council to investigate these activities of these groups and their members? Additionally, what is the current status of these investigations and when will we expect measures to ensure our facilities are not being misused by activist groups?

*Brian Tee, General Manger City Growth and Development advised that Council has considered these allegations, has had a look at the lease and funding agreement that we have with the EcoCentre, and has contacted the EcoCentre and has received and reviewed the venue hire policy.*

*Will not tolerate any illegal activity and will reserve our rights in relation to any lease where there is any illegality or any breaches of Council policies. Council have not received any evidence of any of those breaches. Having reviewed the lease and the funding agreement, I can confirm that the permitted use of the facility is in relation to matters like environmental education, volunteering and practical action projects like vegetation, regeneration and so on.*

*The EcoCentre venue hire policy has a number of ineligible uses of their premises, and quoting from the policy, 'the EcoCente may not be booked for activities or groups with a purpose that causes harm to the environment or people', and 'the EcoCentre premises may not be booked for activities not permitted in the City of Port Phillip community facilities'. In essence, there's an alignment between what the EcoCentre facilities can be used for, and the groups that can use those facilities, and Council facilities.*

*We have also contacted the EcoCentre who have indicated that they have no evidence of any illegal activities or indeed any breaches of their policies including the venue hire policy.*

*We will continue to monitor the situation.*

- **Councillor Pearl:** In relation to the State Government's commitment to build the Park Street tram extension by the time that Anzac Station opens. Can officers provide a status update on how that project is tracking towards their commitment and what Council's position on that is please?

*Brian Tee, General Manger City Growth and Development advised Council are pursuing, and have been pursued for quite some time an update from the State Government in relation to the timelines for the opening of the tram link. We are unable to provide any further information having not received any updates from the State Government in relation to that project.*

- **Councillor Nyaguy:** Can officers please clarify in relation to the Park Street tram link? I continue to hear from my colleagues that they are very excited about it, but I have never seen it on any public website or heard any mention of it when I was working in State Government. I know my colleagues are very enamoured about it but I would be curious to know where these commitments were made and where any public evidence of this project is actually a commitment of the State Government rather than just a plan or a thought bubble?

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



## 6. SEALING SCHEDULE

Nil.

## 7. PETITIONS AND JOINT LETTERS

Nil.

## 8. PRESENTATION OF CEO REPORT

### 8.1 Presentation of CEO Report Issue 106 - Q3, 2024

#### Purpose

- 1.1 To provide Council with a regular update from the Chief Executive Officer regarding Council's activities and performance.

#### MOVED Crs Clark/Crawford

That Council:

- 3.1 Notes the CEO Report – Issue 106 (provided as Attachment 1).
- 3.2 Authorises the CEO or their delegate to make minor editorial amendments that do not substantially alter the content of the report.

**A vote was taken and the MOTION was CARRIED unanimously.**

## 9. INCLUSIVE PORT PHILLIP

### 9.1 Response to Notice of Motion - Councillor Baxter - Safe Delivery of LGBTIQA+ Programs, Events and Recognition

#### Purpose

- 1.1 To provide a report back to Council on the 21 June 2023 Notice of Motion, regarding the continuation of work with key bodies on the safe delivery of LGBTIQA+ programs, community events and recognition.

#### MOVED Crs Baxter/Nyaguy

That Council:

- 3.1 Notes the update on the safe delivery of LGBTIQA+ programs, community events and recognition; and
- 3.2 Notes that consultation with Council's LGBTIQA+ Advisory Committee, the Victorian Pride Centre, Municipal Association of Victoria, Victoria Police, and other key bodies has been undertaken to draw on their knowledge and increase organisational capacity to safely deliver LGBTIQA+ programs, community events and recognition in future.
- 3.3 Notes consultation and collaboration with Council's LGBTIQA+ Advisory Committee, the Victorian Pride Centre, Municipal Association of Victoria, Victoria Police, and





other key bodies is ongoing to ensure advice and expertise are up to date according to the changing landscape and latest recommendations.

- 3.4 Notes that strategies, tools, and controls as outlined in the *Information Pack – Guidance for Planning Safe and Inclusive Council Events* (as provided in attachment 1) have been investigated and developed to enable Council to confidently plan, host and support safe events for the LGBTIQA+ community, as well as other diverse communities.

**A vote was taken and the MOTION was CARRIED.**

## 10. LIVEABLE PORT PHILLIP

### 10.1 Inkerman Safety Improvement Project - Project Recommendations

#### Purpose

- 1.1 To consider design options following community engagement for the Inkerman Safety Improvement Project and seek Council endorsement to proceed to detailed design and construction of a preferred design option.

#### MOVED Crs Crawford/Sirakoff

That Council:

- 3.1 Thanks community members who provided feedback on the Inkerman Streetscape Improvement Project.
- 3.2 Endorses proceeding to detailed design and construction of Option B: Safety improvements including on-road buffered bike lanes, and changes set out in Attachment 3.
- 3.3 Notes the total estimated construction cost of \$6,893,000, inclusive of road resurfacing works, with funding from Council's Sustainable Transport Reserve Fund and Asset Renewal budgets.

**A vote was taken and the MOTION was CARRIED.**

**Cr Pearl called for a DIVISION:**

**For: Crs Baxter, Bond, Clark, Crawford, Cunsolo, Sirakoff**

**Against: Crs Nyaguy, Pearl**

**Abstain: Crs Martin**

**The MOTION was CARRIED.**

*The Mayor adjourned the meeting for a break at 10:00pm*

*The Meeting resumed at 10:12pm.*



## 10.2 Domain Precinct Parking Review

### Purpose

- 1.1 To present the Domain Precinct Parking Review report and outline recommendations for Council consideration and adoption.

### MOVED Crs Cunsolo/Pearl

That Council:

- 3.1 Notes the challenges associated with parking in the Domain Precinct and the role that parking management has in enabling access to parking.
- 3.2 Notes the findings and recommendations in the O'Brien Domain Precinct Parking Review report (Attachment 1).
- 3.3 Requests that officers further assess and brief Council on the reconfiguration of road-space in Palmerston Crescent and Bowen Crescent, including:
  - reconfiguration to provide additional parking
  - opportunities for streetscape improvements including planting, and
  - an assessment of probable costs.
- 3.4 Notes that projects in paragraph 3.3 would be subject to the Council budget process with community engagement undertaken as part of any project.
- 3.5 Requests that officers implement proposed changes to locations of loading bays and timed on-street parking restrictions, outlined in the O'Brien report (Attachment 1).
  - 3.5.1 Delegates officers to adjust recommended changes to ensure changes are consistent with Council's Parking Management Policy.
- 3.6 Notes that changes to parking restrictions would be undertaken as part of Council's operating budget.
- 3.7 Notes that access to permit parking in Area 1 is limited, particularly south of Albert Road, and delegates officers to identify and provide changes to parking bays, where appropriate, to offer greater flexibility for parking permit holders in this area.
- 3.8 Notes that officers continue to negotiate with developers to provide onsite loading facilities and visitor parking in new developments.

**A vote was taken and the MOTION was CARRIED.**

## 11. SUSTAINABLE PORT PHILLIP

Nil.



## 12. VIBRANT PORT PHILLIP

### 12.1 Business Parklet Guidelines 2024

#### Purpose

- 1.1 To present revised Business Parklet Guidelines for 2024 onwards and seek Council endorsement.

#### MOVED Crs Bond/Martin

That Council:

- 3.1 Endorses the Business Parklet Guidelines 2024 (Attachment 1).
- 3.2 Authorises the CEO, or their delegate, to make minor amendments that do not materially affect the intent or substance of these guidelines.

**A vote was taken and the MOTION was CARRIED unanimously.**

### 12.2 South Melbourne Market Project Connect Scope Endorsement

#### Purpose

- 1.1 To provide Councillors with details of the South Melbourne Market Project Connect scope for endorsement.
- 1.2 To provide Councillors with findings from the South Melbourne Market Community Consultation program seeking feedback on Project Connect and Market trading days and hours.

*Councillor Bond left the meeting at 10:38pm, was not present for the vote of this item, and did not return for the remainder of the meeting.*

#### MOVED Crs Clark/Sirakoff

That Council:

- 3.1 Endorses the scope for the South Melbourne Market's overarching program of capital works "Project Connect", excluding line 1 of part 6B of the scope being the Closure of Cecil Street northbound to traffic, extend public and tenanted outdoor space only.
- 3.2 Requests officers to bring a report back to Council to consider the possible closure of Cecil Street to allow for separate consideration of this matter.
- 3.3 Notes the feedback from Community Consultation program on Project Connect and the Market's Days and Hours (provided at Attachment 1).
- 3.4 Notes there is no proposal to change current Market trading hours and days at this time.
- 3.5 Authorises the CEO, or their delegate, to make minor adjustments to the Project Connect Scope during concept design as required to ensure alignment with compliance and renewal requirements and strategic vision.

**A vote was taken and the MOTION was CARRIED.**



*Councillor Baxter left the meeting at 10:46pm and did not return for the remainder of the meeting.*

## **13. WELL GOVERNED PORT PHILLIP**

### **13.1 Financial Update 2023-24: Third Quarter**

#### **Purpose**

- 1.1 To provide Council with an overview of the results of the third quarter 2023/24 performance to budget and seek approval for any unbudgeted items.

*Mayor Cunsolo advised the officer report including part 3.4.1 of the recommendation incorrectly stated \$0.54 million for the for St Vincent's Garden Playground Upgrade. The correct figure was \$504,000.*

#### **MOVED Crs Nyaguy/Cunsolo**

That Council:

- 3.1 Notes that full year cumulative cash surplus before the third quarter budget requests is \$0.15 million which is \$0.72 million unfavourable compared to budget of \$0.87 million.
- 3.2 Notes attachment 1 – Financial Statements with accompanying explanatory notes.
- 3.3 Notes the updated cost plan for St Vincent's Garden Playground Upgrade is higher than initial estimates of \$1.2 million due to an increase in project costs, feedback from community engagement and greater design detail through design phase (see detail in attachment 2).
- 3.4 Approves additional funding through project budget re-prioritisation in 2023/24 and 2024/25 with no net impact to the cumulative cash surplus including:
  - 3.4.1 \$0.620 million for St Vincent's Garden Playground Upgrade to proceed with cost escalations associated with the original project scope noting the inclusion of the shelter and the junior timber structure as detailed in the concept design. The funding of this requires re-prioritisation of project budgets including Sol Green Reserve Upgrade.
- 3.5 Notes attachment 3 – Portfolio Deferrals and achievements.

**A vote was taken and the MOTION was CARRIED.**

### **13.2 Appointment of Cr Crawford as Council's Delegate to MAV External Committee**

#### **Purpose**

- 1.1 To appoint Councillor Louise Crawford as Council's primary delegate for the Municipal Association of Victoria (MAV) external committee for the remainder of the Council term.

#### **MOVED Crs Nyaguy/Martin**



That Council:

- 3.1 Appoints Councillor Louise Crawford as Council's primary delegate to the Municipal Association of Victoria external committee for the remainder of the Council term.

**A vote was taken and the MOTION was CARRIED unanimously.**

### **13.3 Councillor Expenses Monthly Reporting - April 2024**

#### **Purpose**

- 1.1 To report on the expenses incurred by Councillors during April 2024, in accordance with the Councillor Expenses and Support Policy.

#### **MOVED Crs Crawford/Pearl**

That Council:

- 3.1 Notes the monthly Councillor expenses report for April 2024 (attachment 1) and that this will be made available on Council's website.

**A vote was taken and the MOTION was CARRIED unanimously.**

### **13.4 Records of Informal Meetings of Council**

#### **Purpose**

- 1.1 To report to Council the written records of Informal Meetings of Councillors at the City of Port Phillip as required by the Governance Rules.

#### **MOVED Crs Sirakoff/Martin**

That Council

- 2.1 Receives and notes the written records of Informal Meetings of Council (attached) as required by the Governance Rules.

**A vote was taken and the MOTION was CARRIED unanimously.**

## **14. NOTICES OF MOTION**

### **14.1 Notice of Motion – Mayor Heather Cunsolo – Life Saving Club Parking Permits**

*The following question was taken on notice during this item:*

**Councillor Nyaguy:** As part of the e permits, are we collecting data on the vehicles that are being scanned? By monitoring and scanning permits regularly I assume this would enable us to get a good data set on how often those permits are being used?

*Tarnya McKenzie, Interim General Manager Community Wellbeing and Inclusion advised that when e permits are implemented, parking enforcement officers will scan vehicle*



*registrations to check for digital permit validity. How the information is translated into the system is not yet known, therefore the question was taken on notice to follow up.*

**Moved Crs Cunsolo/Clark**

That Council

1. Extend the current legacy Foreshore Community Service permits valid from 1 November – 30 April to a year round permit.
2. Reduce the fees for the Foreshore Community Service Permits for the Sandridge, Port Melbourne, South Melbourne, St Kilda and Elwood Life Saving Clubs to \$25 per permit per annum to be reviewed annually through the Council budget process.
3. Increase the cap for legacy Foreshore Club Permits available to Sandridge Life Saving Club from 0 to 10, Port Melbourne Life Saving Club from 1 to 10, South Melbourne Life Saving Club from 6 to 10, St Kilda Life Saving Club from 0 to 10 and Elwood Life Saving Club from 33 to 35 at a cost of \$150 per permit (2023/24), to be reviewed annually through the Council Budget process.
4. Agrees that the Foreshore Community Service Permits and legacy Foreshore Club Permits will be reviewed at the end of the current Parking Management Policy in 2028.

**A vote was taken and the MOTION was CARRIED.**

## **15. REPORTS BY COUNCILLOR DELEGATES**

Nil.

## **16. URGENT BUSINESS**

Nil.

## **17. CONFIDENTIAL MATTERS**

### **MOVED SIRAKOFF/NYAGUY**

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

*A previously advised by Mayor Cunsolo, item 17.1 was removed from the agenda.*

#### **17.1 VCAT Matter (withdrawn)**

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

**Reason:** This matter is subject to legally privileged VCAT settlement discussions. They are required to be undertaken in a confidential without prejudice manner.

#### **17.2 JL Murphy Reserve Pitch 2 & Pitch 3 Upgrade Tender Award**



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

**Reason:** Contractual negotiations regarding the procurement of services of this project are still being undertaken and finalised and the public releasing of the information in the report at this stage may negatively impair Councils ability to effectively negotiate and implement procurement arrangements.

### 17.3 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 11:12pm.

The meeting reopened to members of the public at 11:44pm.

As there was no further business the meeting closed at 11.44pm.

Confirmed: 5 June 2024

Chairperson \_\_\_\_\_