



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

5 JUNE 2024



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MINUTES - MEETING OF THE PORT PHILLIP CITY COUNCIL - 5 JUNE 2024



MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL HELD 5 JUNE 2024 IN ST KILDA TOWN HALL AND VIRTUAL VIA TEAMS

The meeting opened at 6:30pm.

IN ATTENDANCE

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

Chris Carroll, Chief Executive Officer, Lauren Bialkower, Acting 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, Joanne McNeill, Executive Manager Governance and Organisational Performance, Rebecca Purvis, Head of Governance, Carly Eyckens, Mayoral Executive Assistant, Eden Aspinall, Council Business Advisor, Beth McLachlan, Head of Sustainability and Climate Change, Thomas Mason, Coordinator Transport Safety, Dana Pritchard, Manager Open Space, Recreation and Community Resilience, James Gullan, Head of Advocacy, Economic Development and Partnerships,

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 Crawford/Martin

That the minutes of the Special Meeting of the Port Phillip City Council held on 14 May 2024, and the Meeting of the Port Phillip City Council held on 15 May, 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: <http://webcast.portphillip.vic.gov.au/archivephp>.

Public Question Time:

- **Simon Spain** – At the 15 May 2024 Council meeting it was stated that Park Street tram link was waiting on the State Government, however there is reference to Park Street in this agenda. Can Council clearly define all state and council run projects in Park street South Melbourne? Can Council delineate the roles and responsibilities of the key stakeholders or advise the key stakeholders in each project? Would there be any impact to the Park Street landscape by the tram link works potentially resulting in re-work and additional costs? Is there any overlap between the projects, and double up in costs? Would it be more cost efficient to combine projects into one to maximise spend, and reduce costs?

Fiona van der Hoeven, Manager City Design and Sustainability, advised that there are two separate projects occurring on Park Street and they understand that there may be confusion at the moment. One project is the Park Street streetscape improvement project, which aims to create a safe, connected and refreshed streetscape for those living nearby and travelling through Park Street. This applies to Park St from St Kilda Road to Kings Way. At the Council Meeting held on 2 March 2022, Council decided to proceed with detailed design and construction of that project. Detailed design has been completed and procurement is underway. That item is on tonight's confidential agenda for Council's consideration. The second project is the Park Street Tram Link and this is a Department of Transport and Planning project which seeks to link the Park Street tram line between Heather Street and Kings Way. The timeline for this project is managed through DTP and Council has not been advised of a project timeline. The projects are progressing independently of each other, at different stages of implementation, and apply to different part of Park St. As such there are efficiencies in carrying on with the current program.

- **Beti Jay** – What is happening with Park Street South Melbourne? When will the Parking signs be returned to Palmerston Cres, Kings Place/Cobden Place and the street signs on Millers Lane? When will the park on Albert Rd be open, allowing use of the Bike lane and and the 20 car park spots that are all currently fenced off? Can we move the cyclone fencing back so that people can use this public space?

Fiona van der Hoeven, Manager City Design and Sustainability, advised that the kerbside parking bays along Palmerston Crescent and Kings Place were converted to no stopping zones to accommodate construction activities for the development at 8 Palmerston Crescent. Our officers have recently confirmed the completion of construction, and will prepare for public parking to be returned. Parking spaces are anticipated to be returned to public parking in four weeks.

The construction in Albert Road is part of the Metro Tunnel Project and Anzac Station being delivered by the Victorian Government. The project is managed by Metro Tunnel Project and being delivered by Cross Yarra Partnerships. The area in question is currently managed by Cross Yarra Partnerships. Council cannot require the area to be open to the public at this stage. Once practical completion has been achieved, works will go through a handover process prior to Council taking receipt of the area. Once handover has been finalised, Cross Yarra Partnerships will remove fences and the area will be open to the public.

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- **Lauren Sherson** - What changes are being made to the Dog Off Leash Guidelines as a result of the Have Your Say consultation?

Dana Pritchard, Manager Open Space, Recreation and Community Resilience, advised that Officers are currently collating all the feedback from the dog off-leash consultation process. This feedback will inform changes to the guidelines and will be reported back to Council for consideration at the 3 July Council meeting.

- **Isaac Hermann** – With regards to our heritage laneways, Council has an excellent set of guidelines. A few months ago, I met with a number of very polite and professional officers whom, even after many years of service were totally unfamiliar with Council policy and guidelines in this area. How did this state of affairs come to be? Who is responsible for Council officers in this area to be adequately informed? Why have they failed? Our heritage zoned laneways are falling to criterion determined by asset engineering alone, with next to no consideration for heritage values, and specifically zero regard for original construction methods. Could Council provide a more balanced approach in this regard, with demonstrably more protection for our heritage in line with the Charter for Conservation of Places of Cultural Significance? Other agencies such as South East Water often conduct work in our laneways and are not required to work to any acceptable heritage standards. Their work devalues our neighbourhoods. Will Council officers, now that they are aware of council policy and guidelines, make an effort to advise and inspect and hold accountable outside agencies to the required standards?

Will Council attend to these following heritage concerns that I have specifically reported:

- despite some recent repairs - the increasingly dilapidated state of the rotunda in the Clement Hodgkinson 1867 designed Alma Park?
- to reinstate the rare bluestone bollard in the laneway by Finn Barr, 155 Cecil St South Melbourne?

Following S E Water's mains water line renewal along Wave Street Elwood (c.2021) where they butchered the root system of significant gum tree – that resulted in major die back. This significant habitat tree was the subject of recent council discussions and subsequent pruning. Will Council hold S E Water accountable for the entailed works considering the decline and pending loss of this very significant and valuable tree ?

Chris Carroll, Chief Executive Officer, took the questions on notice for further response and advised that they would seek further information from Mr Hermann regarding their concerns around Council officers.

- **Michael Barrett** – Regarding the waste disposal contract awarded by the City of Port Phillip in 2023, I understand that the Victorian Government Better Regulation Victoria agency has initiated a preliminary examination into the tender submitted by the contractor Citywide to the City of Port Phillip. I believe that one of the initial steps in this examination process is for this regulator to speak to either the CEO or COO (or both) of the City of Port Phillip. Can the Mayor confirm that these discussions have been had or are scheduled to be had? I understand that the City of Port Phillip asked for and received a 4 year's non-disclosure agreement from the contractor who held the waste disposal contract with the City of Port Phillip up until 30th June 2023. Can you confirm that this information is correct and could you explain the reasons why you believe that this non-disclosure agreement was necessary in the context of this contract? Regarding the consultant's report into what could best be described as the debacle of the changeover of waste disposal contractors managed by the City of Port Phillip, do you agree that the Council's insistence on the NDA



being signed by the previous contractor, meant that any assistance offered by the previous contractor to the incoming contractor would have technically have put them in breach of the NDA and that this in fact exacerbated the severity of the issues encountered by the City of Port Phillip in the changeover of the contractors?

Mayor Cunsolo advised that, in relation to the first question, the CEO has confirmed no discussions have been had, or are scheduled to be had.

Lachlan Johnson, General Manager Operations and Infrastructure, confirmed that that there has never been a non-disclosure agreement executed between Council and Four Seasons Waste. This includes prior to 30 June 2023 or post 30 June 2023. There was no clause in the previous Waste Collection Contract with Four Seasons Waste that restricted the sharing of information or data between Four Seasons Waste and Citywide. Clause 13 of their contract at the time required them to participate in a transition process.

- **Peter Holland** – Asked a series of questions relating to U3A courses at the Peanut Farm Sports Pavilion. What is Council policy regarding community use of sports pavilions, in particular the pavilion at the Peanut Farm Oval and the future pavilion at the Lagoon Reserve Oval? Should one deal with Council officers (in consultation with the sports groups of course) or directly with the sports groups? We missed an opportunity with the Peanut Farm pavilion renovation to build a second storey with a Multi-Function Room that could have been used by sports groups on match days or practice days and for fund-raisers but also by community groups at other times. Is there any thought to adding another storey – or perhaps demolishing the existing pavilion and building one that is more useful? Can Council provide some useful background financial information for the two ovals? In particular, what is the cost of each pavilion, the oval upgrading (in future for the Peanut Farm), and the annual maintenance? Who pays what – the Council, the State Government, the sporting associations, the individual clubs?

Dana Pritchard, Manager Open Space, Recreation and Community Resilience, advised that Sports pavilions are considered community facilities and anyone can book them. Whilst they are primarily used for sporting use, there is a significant amount of additional time in which others can book these facilities. Peanut Farm is available for bookings, and Lagoon Reserve will have community space available once it has been built. Bookings should be made via Council website. The Peanut Farm Pavilion was upgraded in 2019 and there are no plans to change or modify this building. Lagoon Reserve will have a second story which will also be open for public use. Lagoon Reserve Oval is nearing completion at a cost of approximately \$2.3m. The pavilion is currently under design, but has an expected construction cost of approximately \$6m. We are currently undertaking site investigations to upgrade the playing surface at Peanut Farm. Projects are prioritised by Council and budgeted within Council's capital works program. Council also actively advocates to the State and Federal Government for financial support in community facilities upgrades. Sporting clubs also contribute to this funding.

Councillor Bond clarified that the reason Peanut Farm and Murphys Reserve facilities have no second floor is because, at the time of funding, investigations showed that the existing buildings and foundations would not support a second story at either building.

Chris Carroll, Chief executive officer, advised there were learning from these projects and now where we do have opportunities to do a second story, and better cater for community access, we are now doing that. Lagoon Reserve is a prime example of this where the community facility will be separate to the sporting use facility and bookable by community groups.

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- **Alex Darton** - Will the City of Port Phillip be submitting feedback to the state Government for their Minimum Standards for Rental Properties and Rooming Houses?

Lauren Bialkower, Acting General Manager City Growth and Development, advised that Council has not specifically been consulted on the Victorian Government's "Minimum Standards for Rental Properties and Rooming Houses". The consultation opened on 3 June 2024 and we have been in contact with partner organisations SECCCA and CASBE and will be looking to make a joint submission. We note that the changes proposed would be implemented through the Residential Tenancies Act 1997 and Council does not have jurisdiction under the relevant sections of that Act. Council separately advocates or plans for improved residential development standards and environmental sustainable design outcomes for all housing options. This includes through the preparation of Council's Housing Strategy, and the Elevating ESD Targets Planning Policy Amendment that is currently with the Minister for Planning for authorisation.

Council Report Submissions:

Item 7.1 Petition – Submission for Irrigation in Gill Reserve

- **Simone Britton**

Item 11.1 Draft Urban Forest Strategy – For Engagement

- **Alex Darton**
- **Jack Halliday**

Item 11.2 Community Electric Vehicle (EV) Program

- **Claire Kermond**
- **Marisa Callipo**
- **Rod Walker**
- **Sarah Miller**
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Item 13.2 City of Port Phillip Strategic Memberships Review 2024

- **Janine Shearer**
- **Rhys Thomas**

Item 14.1 Notice of Motion – Councillor Louise Crawford – Caravan Parking

- **Justin Halliday**
- **Michelle Marr-Deszcz**

Item 14.2 Notice of Motion – Councillor Louise Crawford – Elster Creek

- **Tracy Harvey**
- **Jillian Sokol**
- **Isaac Hermann**
- **Paul Cullity**



5. COUNCILLOR QUESTION TIME

Councillor Cunsolo: Community members have raised concerns over palm trees in Gasworks to make way for more shade trees. Can officers provide an update on the future of these palm trees and whether relocation is being considered?

Dana Pritchard, Manager Open Space, Recreation and Community Resilience, advised that the design for Gasworks Arts Park will now be relocating the two large palm trees to frame the new angel stage, and the two smaller palms will be relocated to a project in St Kilda.

Councillor Nyaguy: In relation to the consultation for minimum standards for rental properties and rooming houses, whether there would be an opportunity for Councillors to provide feedback before that submission was put forward and whether there would be time for that to come to a Council meeting?

Lauren Bialkower, Acting General Manager City Growth and Development, advised that they would need to enquire regarding timing for getting a report to a Council meeting, but ensured officers would share the submission with Councillors and seek their feedback prior to submitting.

Councillor Pearl: Can Council officers provide a detailed update on the actions from the Council report 10.3 of December 6, 2023, specifically regarding the budget allocation needed to complete the works in Queens Lane and the reasons for the delay in signage installations?

Fiona van der Hoeven, Manager City Design and Sustainability, advised that the budget allocation for the line marking works at the intersection of Kings Way and Queens Lane is \$80,000. The budget allocations for the upgrades at the intersections of Queens Lane/Arthur Street and Queens Lane/Leopold Street is \$610,000. These costs include contingency. A review of the 40km/h signage has been completed. Work orders have been submitted and signs were installed in April 2024.

Fiona van der Hoeven, Manager City Design and Sustainability, took part of the question on notice to provide further information on actions arising from the 6 December report.

Councillor Pearl: What plans are in place to ensure coordination of traffic management activities in and around Queens Lane, considering the high volume of new construction projects in the area? Additionally, what information is the Council providing to residents regarding traffic movements from the construction sites?

Fiona van der Hoeven, Manager City Design and Sustainability, advised all traffic management plans for construction sites are reviewed by Council's Transport Safety team. Council's Development Permitting officers work with Council's Traffic Engineers and directly with developers to ensure all conflicting sites are coordinated, to minimise any disruption on affected residents and businesses.

Fiona van der Hoeven, Manager City Design and Sustainability, took part of the question on notice to provide further detail on what information Council is providing to residents on this matter.

Councillor Pearl: Could Officers provide an update on the reinstatement of the Captain Cook Statue? When is it going back up?

Lauren Bialkower, Acting General Manager City Growth and Development, advised that since the last update to Councillors in early May, officers have confirmed permit details and timelines with Heritage Victoria and finalised all costs relating to damage and reinstatement and have now submitted an insurance claim to recoup those costs. Officers have met with



the State Government through Local Government Victoria to advise on process and timeline and seek State Government support for additional elements for the site including interpretive panels and traditional owner engagement. We have contacted both traditional owner groups with to understand their interest and ability to work with Council on various elements of the site, including the interpretive panels. We are aiming for a date no later than October for reinstatement.

Councillor Martin: There has been considerable angst in the community regarding the closure of the Shakespeare Grove Post Office. Can officers advise whether Council has been able to offer any advocacy on this matter? If not, is Council able to take any action at all to influence the impending closure of this post officer?

Lauren Bialkower, Acting General Manager City Growth and Development, advised that we have connected Acland Court with the owners of Australia Post who were offering a free site for Australia Post to relocate to.

James Gullan, Head of Advocacy, Economic Development and Partnerships, advised that officers have worked closely with Josh Burns MP's office on this issue and have written formally to the federal minister for communications requesting their support to a resolution. Officers have also written to the Head of Governance at Australia Post to request a resolution. We met recently with John Burns MP on Friday regarding this issue. At the moment this issue remains unresolved with no definitive outcome.

6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

Item 7.1 Petition: Submission for irrigation in Gill Reserve

A Petition containing 18 signatures, was received from local residents.

MOVED Crs Martin/Crawford

That Council:

Receives and notes the Petition and provides a response to a future council meeting.

A vote was taken and the MOTION was CARRIED unanimously

8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report Issue 107 - April, 2024

1. PURPOSE

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

MOVED Crs Martin/Crawford

That Council:

- 3.1 Notes the CEO Report – Issue 107 (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 State of Children's Services 3rd Annual Report

The following question was taken on notice during discussion of the item:

Councillor Pearl: The report refers to the 'St Kilda Mums' group. I'm just wondering how much of the St Kilda Mum's operation is still in the City of Port Phillip, given that they recently moved. The report relies quite heavily on this.

Felicity Leahy, Executive Manager, Family Youth & Children and Divisional Performance, advised that Maternal Child Health Nurses are still working with the group, but took the question on notice for further consideration.

1. PURPOSE

- 1.1 In line with the implementation of the *Every Child, Our Future Children's Services Policy* (the Policy), the draft *The State of Children's Services Within Port Phillip Annual Report 2024* (Draft Annual Report 2024) has been prepared to give a snapshot of Children's Services in the municipality.
- 1.2 The purpose of this report is to present the Draft Annual Report 2024 for endorsement by Council, which provides an update on the implementation of the of the Children's Services Policy throughout 2023 and through the life of the Policy, including the performance of Council managed children's centres.

MOVED Crs Martin/Crawford

That Council:

- 3.1 Endorses the draft The State of Children's Services Within Port Phillip Annual Report 2024.

A vote was taken and the MOTION was CARRIED unanimously

9.2 Fair Access in Sport Policy and Action Plan

1. PURPOSE

- 1.1 To provide the final draft Fair Access in Sport Policy and Action Plan for endorsement, including outcomes from community engagement.

MOVED Crs Martin/Bond

That Council:

- 3.1 Endorses the Fair Access in Sport Policy and Fair Access in Sport Action Plan.

A vote was taken and the MOTION was CARRIED unanimously

10. LIVEABLE PORT PHILLIP

Nil.



11. SUSTAINABLE PORT PHILLIP

11.1 Draft Urban Forest Strategy - for Engagement

1. PURPOSE

- 1.1 To present the draft Urban Forest Strategy to Council for endorsement to go out for community engagement.

MOVED Crs Martin/Nyaguy

That Council:

- 3.1 Releases the draft Urban Forest Strategy for community consultation.
- 3.2 Authorises the CEO, or their delegate, to make amendments to the draft Urban Forest Strategy to reflect any changes through this resolution and to make minor editorial adjustments to prepare the document for consultation.

A vote was taken and the MOTION was CARRIED unanimously

The Mayor adjourned the meeting for a break at 8:30pm.

The meeting resumed at 8:38pm.

11.2 Community Electric Vehicle(EV) Program

1. PURPOSE

- 1.1 To recommend options to progress the delivery of the Community Electric Vehicle (EV) Program.

MOVED Crs Cunsolo/Bond

That Council:

- 3.1 Notes the decision at the 1 May 2024 Council meeting to “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:
 - 3.1.1 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.
 - 3.1.2 Consider safety implications in determining the location of on-street EV Chargers.
 - 3.1.3 Prioritise the spread of locations across the City of Port Phillip to provide access to EV charging across the municipality.
 - 3.1.4 Consider the outcome of community engagement with residents in the streets where on-street EV chargers are proposed to be installed.”
 - 3.1.5 And delegates authority to the CEO to enter agreements with EVX Pty. Ltd to deliver public EV charging infrastructure based on above endorsed criteria.
- 3.2 Authorises the CEO or their delegate to enter agreements with public EV charger providers that meet the criteria in 3.1.



3.3 Continue the private EV charger model:

3.3.1 to permit private chargers

- that extends for a period of 4 years OR the installation of 100 private EV chargers, whichever comes first, after which time the model will be reviewed.
- that accepts permit applications in batches. New calls for applications will be made as existing batches are completed.
- that renews permits annually, with audits to ensure compliance of conditions.
- Permit renewals could be declined if the location of private EV chargers constrains Council works on Council roads and footpaths.

3.3.2 Continue the current criteria to private EV chargers with the following updates:

- Permit holders will be strongly encouraged to hold appropriate insurance cover and are made aware by Council of the risks and their legal liability in the absence of appropriate cover.
- All current and future permit holders will be required to register their chargers with Dial Before You Dig Australia and renew their registration as required.
- Applications for properties in flood prone areas, will not be considered until relevant authorities' recommend approval. Existing chargers in flood prone areas will be reviewed and permits may not be renewed.
- Permit application fees to be increased from \$132 to \$500. All other fees will remain the same subject to cpi (i.e., Street Occupation permit, Working within roads reserve consent, Planning Permit).
- A bond of \$500 is paid and refunded upon completion of installation and reinstatement of footpaths as per Council standards. A separate bond of \$500 is secured to ensure removal of charger and reinstatement of the footpath. The bond value will be assessed and increased if required based on site conditions.

3.3.3 Undertake a review of the need for private EV chargers at the end of 4 years OR the installation of 100 private EV chargers, whichever comes first.

3.3.4 Authorise resourcing of up to 0.4FTE (\$50k) and \$30k for legal /consultant fees to support implementation of private EV charger model.

A vote was taken and the MOTION was CARRIED.

Cr Nyaguy called for a DIVISION.

FOR: Crs Baxter, Crawford, Bond, Sirakoff, Martin, Pearl and Cunsolo

AGAINST: Crs Clark and Nyaguy

The MOTION was CARRIED.

12. VIBRANT PORT PHILLIP



Nil.

13. WELL GOVERNED PORT PHILLIP

13.1 Proposal to Lease - 129 Beaconsfield Parade, Albert Park

1. PURPOSE

- 1.1 The purpose of this report is to outline the process for establishing a tenant for a new lease of the building at 129 Beaconsfield Parade, Albert Park, and to inform of key milestones involved in the process.
- 1.2 It is recommended that Council seek Expressions of Interest (EOI) to identify a preferred tenant and undertake the legislative processes to establish a new lease.

MOVED Crs Bond/Nyaguy

That Council:

- 3.1 Undertakes an Expression of Interest process to determine a preferred tenant for a long-term lease of 129 Beaconsfield Parade, Albert Park that seeks to maximise the benefits of a commercial lease for Council.
- 3.2 Evaluates submissions made in response to the Expression of Interest in accordance with the published Assessment Criteria.
- 3.3 Authorises officers to consult with the community on the lease proposal in accordance with Section 115 of the *Local Government Act 2020 (Vic)* and Council's Community Engagement Policy by:
 - 3.3.1 Advertising a Notice of Intention to Lease inviting submissions from interested persons and allowing 28 days for submissions to be received, and
 - 3.3.2 Notifying submitters that they can speak in support of their submission at a future meeting of Council before submissions are considered and a final decision is made by Council on whether or not to grant a lease.

A vote was taken and the MOTION was CARRIED unanimously

13.2 City of Port Phillip Strategic Memberships Review 2024

1. PURPOSE

- 1.1 To consider the outcome of the 2024 review of Council's strategic memberships.

The Mayor advised the vote would be taken in two parts.

MOVED Crs Crawford/Nyaguy

That Council:

Part 1

- 3.1 Notes the findings of the 2024 Membership Review as outlined in Attachment 1.
- 3.2 Maintains membership to the following organisations:



- 3.2.1 Association of Bayside Municipalities
- 3.2.2 M9
- 3.2.3 Metro Transport Forum (MTF)
- 3.2.4 Municipal Association of Victoria (MAV)
- 3.2.5 Victorian Local Governance Association (VLGA)
- 3.3 Maintains its membership to Committee for Melbourne but moves to a corporate level membership.
- 3.5 Notes that the next strategic membership review will occur in 2026 as part of the Advocacy Priorities report due that year.

A vote was taken and the MOTION was CARRIED unanimously

Part 2

- 3.4 Maintains its membership to South East Councils Climate Change Alliance (SECCCA) at a rate of \$40,000 for membership and an additional \$38,000 for projects that are to be funded from the Act and Adapt budget. If SECCCA do not support Council's continued membership at the proposed rate, Council investigates membership of alternative change alliances such as Eastern Alliance for Greenhouse Action (EAGA).

A vote was taken and the MOTION was CARRIED.

13.3 Proposed Discontinuance of Road (in part) Johnson Street, South Melbourne

1. PURPOSE

- 1.1 To consider whether a segment of Johnson Street between Normanby Road and Munro Street, South Melbourne, shown shaded red on the image below (Road), should be discontinued pursuant to the *Local Government Act 1989* (Act) and retained by Council.

MOVED Crs Nyaguy/Crawford

That Council:

Having considered that there were no submissions in response to the public notice regarding Council's proposal to discontinue a segment of Johnson Street between Normanby Road and Munro Street, South Melbourne (Road):

- 3.1 Resolves to discontinue and retain the Road as it considers that the Road is not reasonably required for public use for the following reasons:
 - 3.1.1 It is not required to maintain the urban character of the area;
 - 3.1.2 It may result in a better use of land through the provision of public open space;
 - 3.1.3 It is not required for access to other premises; and



3.1.4 It may result in amenity improvements through the delivery of a public park;
and

3.2 Directs that a notice pursuant to clause 3 of Schedule 10 of the *Local Government Act 1989* is published in the Victorian Government Gazette.

A vote was taken and the MOTION was CARRIED unanimously

13.4 Status of Council Decisions and Questions Taken on Notice recorded by Council: 1 January - 31 March 2024

1. PURPOSE

- 1.1 To provide Councillors with an update on the status of all Resolutions passed by Council at Council and Planning Committee Meetings between 1 January to 31 March 2024 and the status of actions that were previously reported as outstanding in the last quarterly status report.
- 1.2 To provide Council with an update on the status of Questions Taken on Notice during Council Meetings from 1 January to 31 March 2024.

MOVED Crs Crawford/Nyaguy

That Council:

- 3.1 Notes the implementation status of Council and Planning Committee Resolutions as contained in Attachments 1 and 2.
- 3.2 Notes the response status of questions taken on notice during Council Meetings as contained in Attachment 3.

A vote was taken and the MOTION was CARRIED unanimously

13.5 Records of Informal Meetings of Council

1. 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 Nyaguy/Martin

That Council

- 2.1 Receives and notes the written records of Informal Meetings of Council (attached) as required by the Governance Rules.
- 2.2 Requests officers to correct the 8 May 2024 Port Phillip Zero briefing record to reflect that Councillor Nyaguy attended this briefing virtually.

A vote was taken and the MOTION was CARRIED unanimously.



14. NOTICES OF MOTION

Item 14.1 Notice of Motion - Councillor Louise Crawford - Caravan Parking

MOVED Crs Crawford/Baxter

That Council:-

1. Request officers to investigate options to reduce the amenity impacts of long-term parking of caravans, trailers, and boats on Alexandra Street, St Kilda East, and report back to Council at a future meeting.

AMENDMENT

MOVED Crs Nyaguy/Martin

2. Separately considers a local law amendment that applies municipality wide.

A vote was taken and the AMENDMENT was CARRIED unanimously.

The AMENDMENT became the SUBSTANTIVE MOTION.

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

Item 14.2 Notice of Motion – Councillor Louise Crawford - Elster Creek

MOVED Crs Crawford/Baxter

That Council:-

1. Notes the local community concerns relating to litter in the Elster Creek
2. Supports council's active participation in the Elster Creek Catchment Litter Collaboration with the City of Glen Eira and Melbourne Water, and implementation of the action plan, which includes investigation into potential litter management solutions.
3. Undertakes an audit of councils existing Gross Pollutant Traps that are located near the Elster Creek to review their effectiveness in reducing litter in the creek.
4. Writes to the Minister of Water to raise awareness of the issue and request Ministerial support for action to reduce litter and pollutants in the Elster Creek.
5. Embeds learnings from the Elster Creek Litter Collaboration across the municipality to protect the Bay through litter management within the stormwater network.

A vote was taken and the MOTION was CARRIED unanimously

15. REPORTS BY COUNCILLOR DELEGATES

Nil.

16. URGENT BUSINESS

Nil.



17. CONFIDENTIAL MATTERS

MOVED Crs Nyaguy/Pearl

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 VCAT matter

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

Reason - This matter reports on confidential without prejudice negotiations as part of a VCAT Compulsory Conference process.

17.2 Park Street Streetscape Improvement Project and Road Reconstruction

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

Reason - Council will be undertaking procurement during the time of the Council meeting. If the briefing is not confidential, this may impact the value of quotes submitted to undertake these works.

17.3 Shrine to Sea Masterplan Advocacy and Implementation

3(1)(c). land use planning information, being information that if prematurely released is likely to encourage speculation in land values

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

Reason - While Council have endorsed the draft Masterplan, the final Masterplan is yet to approved by the Minister for public release. This is expected to be in the next few months. The MOU/Victorian funding agreement between agencies contains legally privileged information and financial information that is unable to be shared prior to the public release of the Masterplan.

17.4 Legal Matter

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

Reason - This report contains sensitive information on Council's position in a legal matter.

A vote was taken and the MOTION was CARRIED.

The meeting was closed to the public at 10.30pm.

The meeting reopened to the public at 11.30pm.

As there was no further business the meeting closed at 11.30pm.

Confirmed: 19 June 2024

MINUTES - MEETING OF THE PORT PHILLIP CITY
COUNCIL - 5 JUNE 2024



Chairperson _____