



MEETING OF THE PORT PHILLIP CITY COUNCIL

AGENDA

24 SEPTEMBER 2025



Please consider
the environment
before printing



Consider carefully how
the information in this
document is transmitted

MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



Welcome

Welcome to this Meeting of the Port Phillip City Council.

Council Meetings are an important way to ensure that your democratically elected representatives are working for you in a fair and transparent way. They also allow the public to be involved in the decision-making process of Council.

About this meeting

There are a few things to know about tonight's meeting. The first page of tonight's Agenda itemises all the different parts to the meeting. Some of the items are administrative and are required by law. In the agenda you will also find a list of all the items to be discussed this evening.

Each report is written by a Council officer outlining the purpose of the report, all relevant information and a recommendation. Council will consider the report and either accept the recommendation or make amendments to it. All decisions of Council are adopted if they receive a majority vote from the Councillors present at the meeting.

Public Question Time and Submissions

Provision is made at the beginning of the meeting for general question time from members of the public.

All contributions from the public will be heard at the start of the meeting during the agenda item 'Public Questions and Submissions.' Members of the public have the option to either participate in person or join the meeting virtually via Teams to ask their questions live during the meeting.

If you would like to address the Council and /or ask a question on any of the items being discussed, please submit a 'Request to Speak form' by midday on the day of the meeting via Council's website:

[Request to speak at a Council meeting - City of Port Phillip](#)





MEETING OF THE PORT PHILLIP CITY COUNCIL

To Councillors

Notice is hereby given that a **Meeting of the Port Phillip City Council** will be held in **St Kilda Town Hall and Virtually via Teams** on **Wednesday, 24 September 2025 at 6:30 PM**. At their discretion, Councillors may suspend the meeting for short breaks as required.

AGENDA

- 1 **APOLOGIES**
- 2 **MINUTES OF PREVIOUS MEETINGS**
[*Minutes of the Meeting of the Port Phillip City Council 17 September 2025.*](#)
- 3 **DECLARATIONS OF CONFLICTS OF INTEREST**
- 4 **PUBLIC QUESTION TIME AND SUBMISSIONS**
- 5 **COUNCILLOR QUESTION TIME**
- 6 **PETITIONS, JOINT LETTERS & DEPUTATIONS**
Nil
- 7 **PRESENTATION OF CEO REPORT**
7.1 *Presentation of CEO Report Issue 120 - July 2025* 6
- 8 **A HEALTHY AND CONNECTED COMMUNITY** 45
8.1 *PDPL/00117/2025 - 1/16A Murchison Street ST KILDA* 46
- 9 **AN ENVIRONMENTALLY SUSTAINABLE AND RESILIENT CITY**
Nil
- 10 **A SAFE AND LIVEABLE CITY**
Nil
- 11 **A VIBRANT AND THRIVING COMMUNITY** 123
11.1 *Carlisle Street Proposed Sale of Land - Recommendation* 124
- 12 **AN ENGAGED AND EMPOWERED COMMUNITY** 153
12.1 *Status of Council Decisions and Questions taken on Notice Recorded by Council: 1 April - 30 June 2025* 154
12.2 *Councillor Expenses Monthly Reporting - August 2025* 200

MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



13	A TRUSTED AND HIGH PERFORMING ORGANISATION	206
13.1	<i>Procurement Australia Renewal 2026 - 2029</i>	<i>207</i>
13.2	<i>Proposed Discontinuance and Sale - Part Union Place (Adjoining 154-158 Bank Street) South Melbourne</i>	<i>215</i>

14 NOTICES OF MOTION

Nil

15 REPORTS BY COUNCILLOR DELEGATES

16 URGENT BUSINESS

17 CONFIDENTIAL MATTERS 223

The information contained in the following Council reports is considered to be Confidential Information in accordance with Section 3 of the Local Government Act 2020.

17.1 Update on the implementation of the Village Model

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

Reason: The report contains information that if prematurely released would impact Council's ability to deliver aged care services, including service planning and delivery given it operates within a competitive and market-driven landscape

MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



1. APOLOGIES

2. MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION:

That the [minutes of the Meeting of the Port Phillip City Council held on 17 September 2025](#) be confirmed.

3. DECLARATIONS OF CONFLICTS OF INTEREST

4. PUBLIC QUESTION TIME AND SUBMISSIONS

5. COUNCILLOR QUESTION TIME

6. PETITIONS, JOINT LETTERS & DEPUTATIONS

Nil

7. PRESENTATION OF CEO REPORT

7.1 *Presentation of CEO Report Issue 120 - July 2025* 6

MEETING OF THE PORT PHILLIP CITY COUNCIL

24 SEPTEMBER 2025



7.1 PRESENTATION OF CEO REPORT ISSUE 120 - JULY 2025

EXECUTIVE MEMBER: ROBYN BORLEY, DIRECTOR, GOVERNANCE AND ORGANISATIONAL PERFORMANCE

PREPARED BY: KIHM ISAAC, CORPORATE PLANNING AND PERFORMANCE ADVISOR

SAMUEL GEORGI, CORPORATE PLANNING AND PERFORMANCE ADVISOR

1. PURPOSE

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

2. EXECUTIVE SUMMARY

- 2.1 In March 2014, the City of Port Phillip introduced a program of more regular performance reporting through the CEO Report.
- 2.2 The attached CEO Report – Issue 120 (Attachment 1) focuses on Council's performance for July 2025
- 2.3 In September 2024, Council approved funding to expand the Elwood Park Stormwater Harvesting Scheme and plantings along Elwood Canal, with both projects included in the 2025/26 Council Plan and Budget. Both projects are due for completion in June 2028.
- 2.4 These projects progressed further in May 2025 with a formal funding agreement signed with the State Government, as we were awarded \$1.7 million from the Urban Rivers and Catchment Program. Of this, \$1.1 million will go towards expanding the Elwood Park Stormwater Harvesting Scheme, and \$600,000 towards plantings along Elwood Canal.
- 2.5 Council is also contributing \$1.55 million, bringing the total project budget to \$3.25 million. These figures align with the signed funding agreement with the State Government and have minimal difference to the already allocated budget from the 2025/26 Council Plan and Budget process. However, we note Council's contribution is higher than the \$1.44 million that Council endorsed in September 2024. All Council contributions are from the Stormwater Harvesting Program which has over \$6 million in budget over the next five years.

3. RECOMMENDATION

That Council:

- 3.1 Notes the CEO Report – Issue 120 (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.
- 3.3 Approves the increase in funding from \$1.44 million to \$1.55 million from the Stormwater Harvesting Program for Council's contribution to the Elwood Park Expansion Stormwater Harvesting Scheme.

MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



4. OFFICER MATERIAL OR GENERAL INTEREST

- 4.1 No officers involved in the preparation of this report has declared a material or general interest in the matter.

ATTACHMENTS 1. CEO Report Issue 120 - July 



CEO Report

Issue 120, July 2025

Wominjeka. Council respectfully acknowledges the Traditional Owners and Custodians of the Kulin Nation. We acknowledge their legacy and spiritual connection to the land and waterways across the City of Port Phillip and pay our heartfelt respect to their Elders, past, present, and emerging.



City of Port Phillip

99a Carlisle Street
St Kilda VIC 3182

Phone: **ASSIST** 03 9209 6777

Email: portphillip.vic.gov.au/contact-us

Website: portphillip.vic.gov.au

Diversity

Receive the latest news from your City and Council
portphillip.vic.gov.au/divercity



National Relay Service

If you are deaf or have a hearing or speech impairment, you can phone us through the National Relay Service (NRS):

TTY users, dial 133677, ask for 03 9209 6777.

Voice Relay users, phone 1300 555 727,

then ask for 03 9209 6777.

relayservice.gov.au



Please consider
the environment
before printing.

Welcome to the July CEO report –
an update on our progress towards
delivering the Plan for Port Phillip
2025–2035.

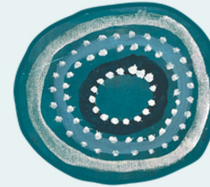
Contents

A healthy and connected community	4
An environmentally sustainable and resilient City	10
A safe and liveable City	14
A vibrant and thriving community	21
An engaged and empowered community	26
A trusted and high-performing organisation	29
Project portfolio report	34
Financial update	35

In July...



We formally opened the new Port Phillip EcoCentre – a \$6.7M world-leading sustainable hub, inspiring action for wildlife, waterways and climate.



We opened NAIDOC Week 2025 with Bunurong Elder Mark Brown's inspiring speech at St Kilda Town Hall, celebrating 50 years of NAIDOC.

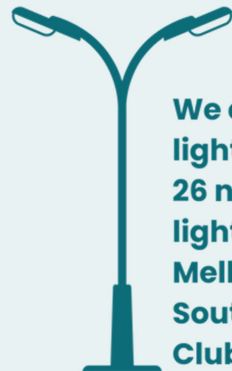


We delivered the first in-person Solihul Parenting Program.

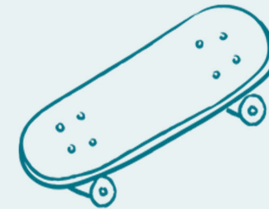
Project portfolio performance

94%

projects on track (incl. those at risk)



We completed the Bay Trail lighting renewal project. 26 new energy efficient LED light poles from Port Melbourne Lifesaving Club to South Melbourne Lifesaving Club.



We officially opened the upgraded Port Melbourne Skatepark. A new inclusive space for all ages and abilities.



Strategic direction 1

A healthy and connected community

Highlights

NAIDOC Week 2025

To open NAIDOC week celebrations, on 7 July, Bunurong Elder Mark Brown delivered an inspiring speech on the importance of cultural learning and preservation at the St Kilda Town Hall Front Lawn.

This year marks 50 years of NAIDOC Week, a national celebration of Aboriginal and Torres Strait Islander culture, achievements, and voices. The 2025 theme, "The Next Generation: Strength, Vision & Legacy" honours intergenerational leadership and the ongoing journey of cultural preservation and empowerment. The event attracted a vibrant and diverse crowd of over 150 attendees and saw the beginning of a week of events across the City of Port Phillip.

Supporting families at St Kilda Library

Every fortnight, the Early Years Assertive Outreach team joins Baby Rhyme Time and Toddler Story Time at St Kilda Library, offering

friendly, informal support to parents and caregivers.

Between six and eight families each session receive help with childcare waitlists and enrolments, parenting advice, and referrals to local services. Families value the accessible setting, accurate information, and quick follow-up, which all help improve access to early childhood education and support family wellbeing.

St Kilda playgroup finds a new home

In July, St Kilda Playgroup relocated from Bubup Nairn Children and Family Centre to Betty Day Community Centre to support Council's redevelopment of six early education and care centres.

The Family Services team worked closely with the Playgroup Committee to ensure a smooth move, including finding the new venue, adding temporary soft flooring for children's comfort, and providing ongoing support. This



St Kilda Playgroup at Betty Day Centre

reflects Council's commitment to community playgroups and toy libraries under the City of Port Phillip Children's Services Policy.

Winter school holidays

Our recent school holiday program provided a safe, fun, and supportive space for some of Port Phillip's most vulnerable children.

Highlights included bouldering at Blochau, bike repair workshops with Dr Cranky's (with donated bikes going to new arrivals from Ethiopia), and NAIDOC Week celebrations with Aunty Jacko and Uncle Les.

Children also enjoyed mindfulness sessions from Balanced Bubs, sports clinics by the Australian International Sports Organisation, and creative activities like stop-motion animation and tote bag printing.

First face-to-face Solihull Parenting Program

In July, the Family Support Services and Maternal Child Health team delivered the first fully face-to-face Solihull Parenting Program. Originally offered online or as a hybrid during COVID, parent feedback in 2023 and 2024 showed a strong preference for in-person sessions to better connect with local families. This shift supports deeper connections and shared learning among parents in our community.

Twelve local families recently took part in the parenting program, which builds skills, confidence, and connections through shared experiences. The group explored parenting styles, understanding feelings, repairing relationships, and rethinking unhelpful generational habits. Parents reflected on their child's development and their own role, with many reporting positive changes at home.

One parent shared:



"I really got a lot out of it and think it's already had a big impact on my parenting approach and confidence, allowing

me to relax and enjoy it all more!" Another said: "I feel more present for my children... One of my children is expressing their feelings more too. I don't yell now unless it is about safety."



Assisting the Alma Park Community House gardening program

Council is supporting community-led greening at Alma Park Community House and Te-Arai Reserve. Over the past year, we've collaborated with passionate locals to refresh communal garden beds and ensure they remain accessible and well-maintained.

At Alma Park Community House, Council has provided indigenous plants to enhance biodiversity. During a recent delivery, participants showed strong interest in native species, prompting our Community Greening Officer to extend the visit and deliver an impromptu workshop. This spontaneous session deepened the program's impact by fostering community connections and promoting the value of biodiversity through hands-on learning and shared gardening experiences.

Changes to the Maternal and Child Health Sleep and Settle Program

The Maternal and Child Health Sleep and Settle Group sessions which were run as part of the Sleep and Settle Program have ceased to be offered to the community because of a State Government funding change.

Families will continue to be supported through the Sleep and Settle Outreach



Te-Arai Community Gardens

program which provides up to six hours of added support for families experiencing sleep and settling concerns. The consultations provide more intensive and tailored sleep and settling information and support to parents and caregivers in their home or other suitable community setting.

Families will also be offered the newborn sleep and settle session as part of the New Parent Group program for families having their first baby.

Free menstrual health supplies at South Melbourne Market

South Melbourne Market is proud to take part in the Free Pads and Tampons in Public Places initiative, led by the Victorian Government's Department of Families, Fairness and Housing (DFFH).

Two new vending machines have now been installed at the Market to offer completely free pads and tampons to anyone who needs them - because these products are not a

luxury, but a necessity. The machines can be found in the Food Hall and Aisle D bathrooms.

This initiative is part of a wider state rollout, with more than 1,500 machines being installed across Victoria at up to 700 locations. Within the City of Port Phillip, you can find a further two machines at Albert Park Library, one machine at Emerald Hill Library and two machines at St Kilda Library. The goal: ensure that all Victorians - especially those who need it most - can access period products with dignity, wherever they are.

Pads and tampons aren't a luxury. They are essential to health and wellbeing. Victorians should be able to access them whenever and wherever they need to.



Free pads and tampons, an initiative by the Victorian Government



Major initiatives 2025/26

Council delivers multiple projects that contribute to **a healthy and connected community**. Following are the major initiatives (priority projects) we are starting, continuing, or completing in 2025/26.

Major Initiative	Stage	Status	Update	Completion Date	Forecast \$'000	Budget \$'000
Children's Facilities Upgrade Program Redevelop six Council and community-managed childcare centres across the municipality to improve condition and functionality.	Discovery & Concept/Planning & Design	●	The overall children's facilities upgrade program is on-track. Preparations are underway to commence procurement for the refurbishment of the Eildon Road Childcare Centre. The program for Eildon Road is very tight and is being actively managed to ensure construction can commence early in 2026. Shortly, a tender will also be released for the construction of the new facility at The Avenue. Planning and early works are underway to prepare for the use of Bubup Nairn and North St Kilda Childcare Centres as part of the relocation of centres during refurbishment works.	November 2031	2,979	3,014
Community Infrastructure Plan Develop a municipal-wide Community Infrastructure Plan.	Project Initiation	●	The Community Infrastructure Plan (CIP) will be developed to understand community facilities and infrastructure requirements into the future to meet the changing needs of our residents. The development of the CIP is on track with a consultant commissioned to support the first phase of exploratory engagement planned for later in 2025. The exploratory engagement will test the results of the community infrastructure needs assessment to understand community preferences and potential prioritisation in terms of timing and location. If endorsed, CIP community engagement will be a key focus of the neighbourhood engagement program.	June 2026	60	60

Major Initiative	Stage	Status	Update	Completion Date	Forecast \$'000	Budget \$'000
Affordable Housing and Homelessness Strategy Delivery of the final year of the In Our Backyard implementation project (previous housing strategy) and a funding allocation for Council's new Homelessness and Affordable Housing Strategy.	Project		Delivery of Wellington Street Common Ground is nearing completion with a launch date expected in early October ahead of tenancy. Port Phillip will make the final payment when occupancy certification is received in August/September.	June 2025	1,000	1,600
	Candidate	●	An integrated homelessness and housing strategy is currently in draft form, to replace the In Our Backyard Strategy. This will be presented for Councillor briefing in August ahead of proposed release for engagement at Council meeting in September.			
St Kilda Adventure Playground Upgrade A multi-year project to plan and deliver upgrade works to St Kilda Adventure Playground.	Planning and Design	●	<p>The St Kilda Adventure Playground project is on track to meet the timelines outlined in the most recent change request.</p> <p>After feedback from Councillors on 10 July, we are progressing with preferred hero play equipment piece. The project team is now working with Council's Arts team to explore ways for local artists to run workshops with children to create a special environment at the upgraded playground.</p> <p>50% of the design documents have been completed, and a meeting with the Municipal Building Surveyor is planned for 4 August to review the clubhouse design before applying for a building permit. The planning permit was submitted on 18 July.</p>	September 2025	1,160	1,438

Legend

● On Track/Complete

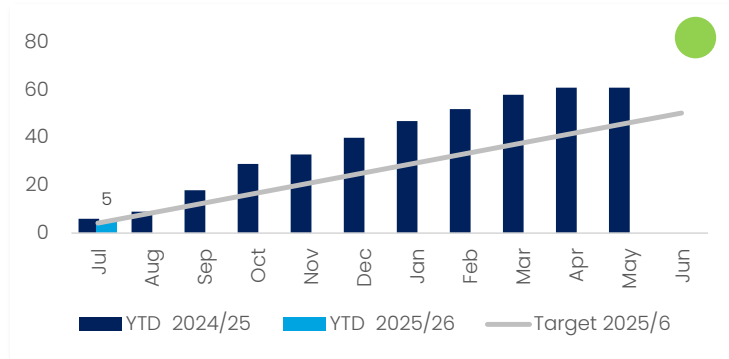
◆ At Risk

■ Off Track



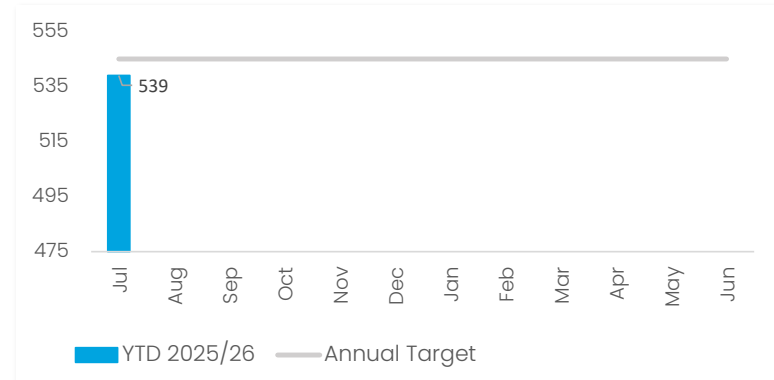
Service performance measures

Number of older persons housed



For July 2025, there were five older persons housed against a monthly target of 4 persons. The annual target for this measure is 50 older persons housed over the year.

Number of individuals who access a Village Model Service



In July, 539 unique clients accessed a Village Model Service, bringing us very close to the annual target of 545. Attendance at Community Connector popup events contributed to the strong July figures. Based on current trends, we expect to exceed the annual target in August.



Strategic direction 2

An environmentally sustainable and resilient City

Highlights

Port Phillip welcomes the new EcoCentre

City of Port Phillip was proud to formally announce the completion of the newly built Port Phillip EcoCentre on 25 July 2025. After several years of dedicated planning and construction, this world-leading example of sustainable design was completed.

Council partnered with the Department of Energy, Environment and Climate Action to deliver an updated, functional, and sustainable building. The \$6.7 million project was made possible by the Victorian Government matching Council's contribution of \$3.35 million.

Designed by architects Bourke + Bouteloup, the new building will enable the EcoCentre to continue its great work, transforming our community's understanding of wildlife, waterways and climate change.

The new centre will provide benefits to the thousands of community members who use its programs and spaces, including:

- an improved look and feel that balances modern and heritage elements
- a large collection of community spaces that together will be three times the capacity as the original facilities, within the same built footprint
- improved visitor and worker experience, including a reception and separated office and community spaces
- the inclusion of Australia's first Citizen Science Lab
- a building that meets modern accessibility standards, featuring a lift and accessible toilet.

The building has a number of sustainable design features. It is designed to produce at least as much energy as it consumes, while keeping water usage to a minimum, featuring a Cross Laminated Timber (CLT) structure

with a highly insulated thermal envelope and fully electric-powered facilities, with solar panels and energy storage onsite for minimal reliance on the grid.




The EcoCentre is expected to achieve a six-star green building rating – a certification that is awarded after the building has been in operation for over a year.



Current and former City of Port Phillip councillors, Victorian Government representatives, community and project team members open the Port Phillip EcoCentre.

Major initiatives 2025/26

Council delivers multiple projects that contribute to **an environmentally sustainable and resilient community**. Following are the major initiatives (priority projects) we are starting, continuing, or completing in 2025/26.

Major Initiative	Stage	Status	Update	Completion Date	Forecast \$'000	Budget \$'000
EcoCentre Redevelopment	Delivery		A Certificate of Occupancy has been issued and the EcoCentre has commenced moving into the building. Minor building defects are being addressed.	August 2025	2,025	-
Greening Port Phillip Implement the Urban Forest Strategy by delivering urban forest projects across the municipality, increasing canopy cover, greening and biodiversity while reducing the urban heat island effect.	Delivery		<p>The first stage of scoping projects is underway for identified street upgrades including Fulton, Raglan, Princes and Dickens Streets. Council is also working with VicRoads on a planting program along the centre median of Brighton Road.</p> <p>The New Nature Strips Program and Communal Garden Bed Program are in scoping stages and will move to planning in the next few months.</p> <p>The first Port Phillip Urban Forest Precinct Plan is due for adoption in August.</p> <p>The Danks Street Biolink remains on track. The planting plan has been finalised, and all works are scheduled for completion before the end of the financial year.</p>	June 2026	1,563	1,563
Provision of Kerbside Collection Service Provision of Kerbside Collection Contract including specification, development, procurement, transition and implementation of new waste and recycling collection contract.	Discovery and Concept		The project is at risk as the tender evaluation period has been extended. As a result, the scheduled Council decision date for the tender award is likely not be achievable. Despite the delays, it is not anticipated that there will be any impact on the transition and commencement of services from mid-2026.	April 2027	49	85



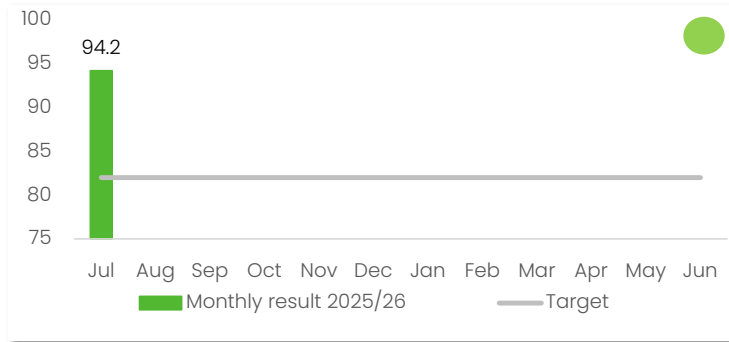
Major Initiative	Stage	Status	Update	Completion Date	Forecast \$'000	Budget \$'000
Stormwater Harvesting Conduct feasibility and concept designs of potential stormwater harvesting schemes across the municipality and make sure existing assets are maintained and renewed.	Discovery and Concept	●	The Elwood Park Stormwater Harvesting Expansion project is advancing through key procurement stages. A contract for the Cultural Heritage Management Plan (CHMP) has been awarded, and procurement for detailed design services has been released to market as planned. The Elwood Canal Planting project, which supports the broader harvesting initiative, has also made progress. Grant funding has been secured for staged revegetation works along Elster Creek through to 2028. Early engagement with Melbourne Water has begun, and a draft Communications and Engagement Plan has been prepared ahead of the project kick-off meeting in August.	June 2028	425	425

Legend ● On Track/Complete ◆ At Risk ■ Off Track



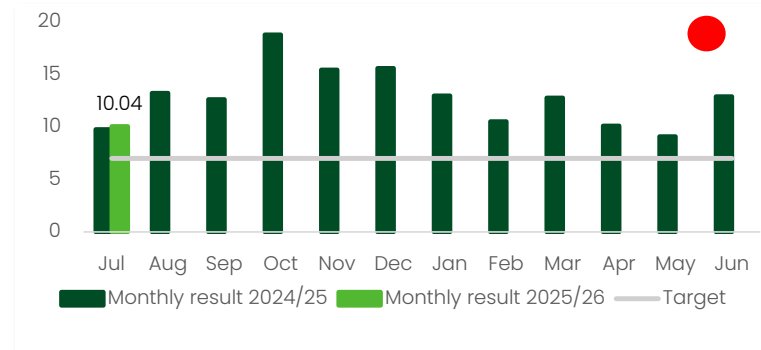
Service performance measures

Drainage and flooding requests completed on time



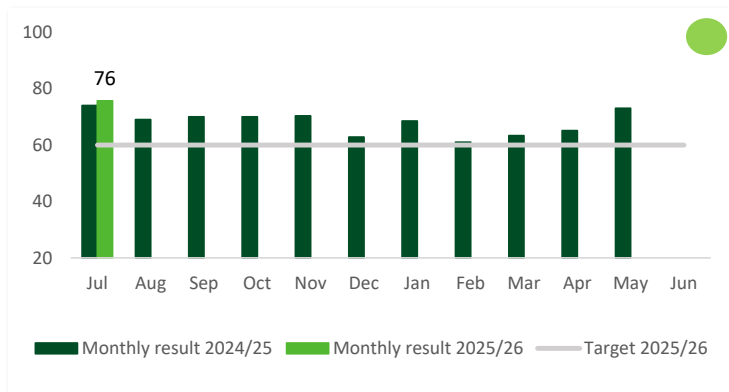
For July, 94 Per cent of drainage and flooding requests were completed within the timeframe. This result surpassed the 82 per cent target.

Kerbside collection bins missed per 10,000 bin lifts



Kerbside bins missed in July was 10.04 per 10,000 collections against a monthly target of no more than 7 missed bins per 10,000 collections.

Investment in fossil-free institutions as a percentage of overall investment



We continue to exceed our 60% target with 75.6% of our investment portfolio placed with fossil-free institutions at the end of July. We monitor financial markets and interest rates, which are expected to decline in the coming months and will continue to maintain a balanced portfolio which optimises investment returns while prioritising capital preservation, liquidity and ensuring we meet our 60% corporate social responsibility target.



Strategic direction 3

A safe and liveable City

Highlights

Bay Trail lighting renewal completed

Construction for Stage 3 of the Bay Trail Lighting Renewal finished on 1 August, delivering 26 new energy-efficient LED light poles from Port Melbourne Life Saving Club to South Melbourne Life Saving Club. This final stage completes the project, providing consistent, modern lighting along the entire Bay Trail after earlier upgrades in previous years.

The works also included replacing around 200 concrete pavers affected by trenching, plus landscaping near Port Melbourne Life Saving Club with a new path and native coastal plants.

A few light poles are temporarily out of service while replacement fittings are awaited in September due to shipping delays. Signs have been placed to inform trail users of the situation.



Upgraded lighting along Bay Trail

Port Phillip SES at South Melbourne Market

The State Emergency Service (SES) Port Phillip Unit popped up at the market in July.

This was an opportunity for the community to connect with local SES volunteer members and learn practical, potentially life-saving information about:

- Flood and storm preparedness – How to protect your family, home, and community during extreme weather.
- Local emergency information – What to do when disaster strikes in Port Phillip and surrounding suburbs.
- Community resilience – Discover how you can get involved, stay informed, and support your neighbourhood.

There was also giveaways, interactive displays, and helpful tips for households, businesses, and renters.



SES pop up at South Melbourne Market

Coffee with a Cop at South Melbourne Market

Victoria Police hosted monthly Coffee with a Cop session at South Melbourne Market and Ackland Street, giving a relaxed opportunity for community members to connect with local officers. The informal gatherings encouraged open conversation, allowing people to ask questions, share concerns, or simply say hello. The City of Port Phillip supported the initiative as part of broader efforts to foster community engagement.



Coffee with a Cop in July at South Melbourne Market



Major initiatives 2025/26

Council delivers multiple projects that contribute to **a safe and liveable City**. Following are the major initiatives (priority projects) we are starting, continuing, or completing in 2025/26.

Major Initiative	Stage	Status	Update	Completion Date	Forecast \$'000	Budget \$'000
Community Safety Plan Create and implement a new Community Safety Plan to enhance the safety and resilience of our community.	Delivery	●	The next Community Safety Plan is being drafted, informed by community engagement undertaken from May to June this year, and the Community Safety Roundtable Report and Recommendations. The draft Plan will be presented to Council in September to seek release for community feedback.	December 2025		Operating Budget
Elwood Foreshore Masterplan Develop and implement a master plan for the redevelopment of the Elwood foreshore including buildings, carparks and open spaces. The program includes working closely with Melbourne Water on the upgrade of the Elwood Main Drain.	Project Initiation	●	The overall Elwood Masterplan is on-track with masterplan design work continuing. Procurement of specialist design and technical consultants for the reconstruction of the Croquette Club pavilion and courts, and sports fields is underway. Melbourne Water's duplication of the Head Street Main Drain has been delayed. This is having flow on effects on Council's planned works.	June 2034	889	860
Johnson Street Park (Fishermans Bend) Develop a new park in Fishermans Bend, delivered by adjacent developer.	Delivery	◆	We are supporting the Johnson Street Park development as the design is adjusted to meet budget requirements and the requirements of Melbourne Water.	June 2026	4,528	1,868

Major Initiative	Stage	Status	Update	Completion Date	Forecast \$'000	Budget \$'000
Municipal Emergency Management Plan (MEMP) Review and renew the Municipal Emergency Management Plan (MEMP) for City of Port Phillip.	Delivery	●	The Municipal Emergency Management Plan (MEMP) has been completed and is undergoing a self-assurance process through the Regional Emergency Management Planning Committee (REMPC). This group provides the formal endorsement of the MEMP, and we expect to find out the outcome in August.	August 2025		Operating Budget
Open Space and Tree maintenance contract Procurement Deliver the open space and tree maintenance procurement project to make sure the City's open spaces and urban forest are well maintained.	Project Initiation	●	The project is on track and progressing as planned. The tree maintenance tender period has concluded, and the tenders are under assessment. The open space tender closes in July and will be assessed throughout August. It is anticipated that Council will consider both tenders in October. The project is on-track for new contracts to commence in Q4 2025/26.	December 2026	32	70
Shrine to Sea works Upgrade Kerferd Road median strip and foreshore, increasing greening, pathways, wayfinding signage and pedestrian amenities.	Planning and Design	●	The project is on track. Engagement on the detailed design will begin on 25 August 2025.	June 2026	322	364
Sol Green Playground Upgrade Upgrade of Sol Green playground.	Delivery	●	The Sol Green Reserve Upgrade is progressing smoothly and everything is on track. Work on site is going well, and we're looking forward to completing the project by mid-October 2025.	June 2026	880	1,044
St Kilda Pier Landside Works Upgrade Partner with the state government to deliver landside works for the St Kilda Pier	Delivery	◆	St Kilda Landside Program is at risk due to tight timeline for contract execution for the St Kilda Landside project. The draft contract document has been prepared and issued to the contractor for review. Construction works will commence in August 2025.	June 2026	2,354	2,403



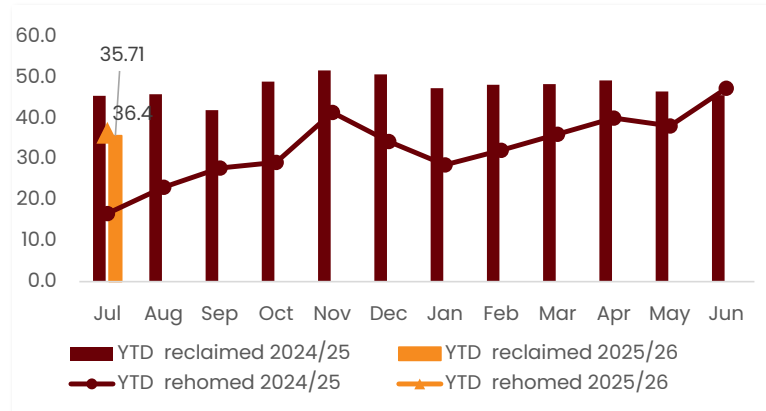
Major Initiative	Stage	Status	Update	Completion Date	Forecast \$'000	Budget \$'000
including a feasibility study for Pier Road.			The design options are now complete for the Pier Road and Bay Trail Safety Upgrade, along with a staging plan. They have been presented to internal stakeholders. Preparation of a preliminary cost plan by an external consultant is currently underway and will be finalised next month.			
St Vincent Gardens Playgrounds Upgrade of St Vincent Gardens playground.	Delivery	◆	<p>The St Vincent Gardens Playground Upgrade is At Risk. Some unexpected survey discrepancies were discovered during construction, which means a few design adjustments are needed. As part of our commitment to preserving heritage values, Heritage Victoria has been notified of these proposed changes and will review them in line with the existing permit conditions.</p> <p>This review process is expected to take around 3–4 weeks. While this may affect the overall timeline depending on the outcome, our contractors are continuing with other parts of the project and have advised that this short delay should not impact the final completion date.</p>	June 2026	1,325	1,355

Legend ● On Track/Complete ◆ At Risk ■ Off Track



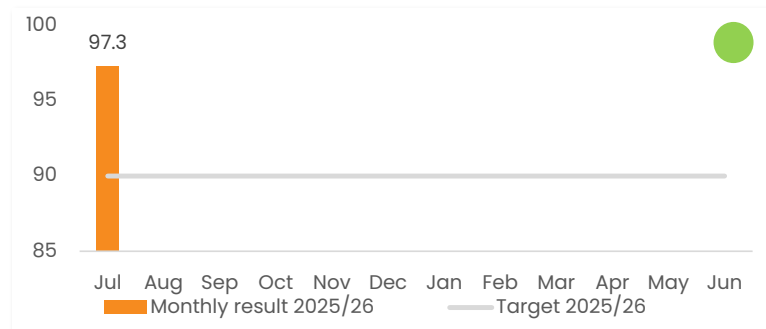
Service performance measures

Percentage of animals reclaimed and rehomed



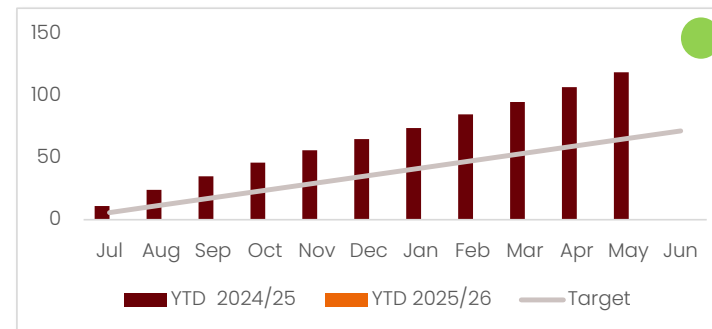
Of the 11 animals that were surrendered or not reclaimed, 4 animals were rehomed (36.36 per cent). Animals go through health and behaviour testing to determine if they are suitable for adoptions. All avenues are explored to ensure animals find new homes. The foster carer network is used to rehabilitate pets if there are health or behavioural concerns. A further 4 animals (36.36 per cent) out of the remaining (11) animals were being assessed at the time this report was generated. All avenues are explored to ensure animals find new homes. Two out of the 16 animals collected were surrendered by their owners (12.50 per cent).

Dumped rubbish requests completed on time



For July, 97.3 per cent of dumped rubbish requests were completed on time. This surpassed the 90 per cent target as well as performance for the same time last year (92 per cent for July 2024).

Sealed local road requests per 100 km of sealed local road



There were 0 requests received in July. We started well for the annual target of less than 68 per 100km of road.



Excessive or unreasonable noise requests responded to on time



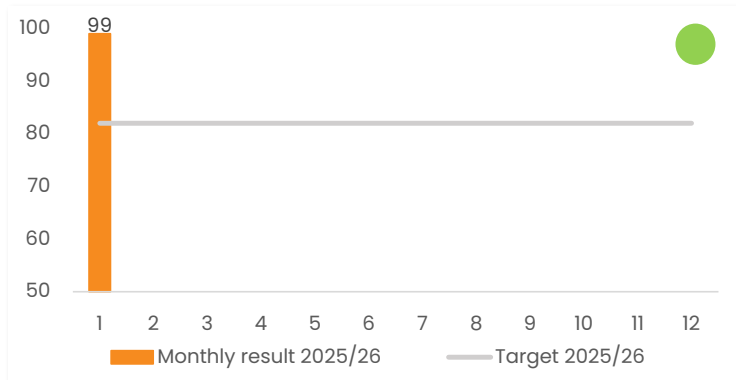
In July, 94.9 per cent of excessive or unreasonable noise requests were responded to on time exceeding the >82 per cent target.

Street and laneway cleaning requests responded to on time



In July, 95.6 per cent of street and laneway cleaning requests were responded to on time exceeding the >82 per cent target.

Graffiti management requests completed on time



In July, 99 per cent of community graffiti management requests were completed on time, exceeding the 82 per cent target



8. A HEALTHY AND CONNECTED COMMUNITY

8.1 PDPL/00117/2025 - 1/16A Murchison Street ST KILDA.....46

MEETING OF THE PORT PHILLIP CITY COUNCIL

24 SEPTEMBER 2025



8.1 PDPL/00117/2025 - 1/16A MURCHISON STREET ST KILDA

LOCATION/ADDRESS: 1/16A MURCHISON STREET ST KILDA

EXECUTIVE MEMBER: BRIAN TEE, GENERAL MANAGER, CITY GROWTH AND DEVELOPMENT

PREPARED BY: MATTHEW SCHREUDER, PRINCIPAL PLANNER
PAUL WOOD, MANAGER CITY DEVELOPMENT

1. PURPOSE

- 1.1 To consider and determine Planning Application PDPL/00117/2025 for partial demolition and buildings and works comprising an extension to the two existing dwellings in the Neighbourhood Residential Zone – Schedule 5 and the Heritage Overlay.

2. EXECUTIVE SUMMARY

WARD:	Alma
TRIGGER FOR DETERMINATION BY COUNCIL:	More than 16 objections
APPLICATION NO:	PDPL/00117/2025
APPLICANT:	Opat Architects
EXISTING USE:	Residential
ABUTTING USES:	Residential
ZONING:	Neighbourhood Residential Zone Schedule 5 (Garden Suburban)
OVERLAYS:	Heritage Overlay Schedule 391 (Murchison Street and Wavenhoe Avenue Precinct)

- 2.1 The application proposes the partial demolition of the dwellings and the entire demolition of all associated outbuildings and the construction of additions to the two dwellings. The demolition is predominately at the rear of the building.
- 2.2 The key issues include the acceptability of the extension in relation to the heritage significance of the building and off-site amenity impacts.
- 2.3 The additions comprise of an increase to floor areas to both dwellings to provide larger open plan kitchen, living and dining areas. Basement car parking is also proposed.
- 2.4 The land is within the Neighbourhood Residential Zone, Schedule 5 (NRZ5) and is affected by Heritage Overlay 391 – St Kilda East: Murchinson Street and Wavenhoe Avenue Precinct (HO391). As there are two dwellings on the lot a permit is triggered under the zone. Therefore, the provisions of Clause 55 (Two or more dwellings on a lot and residential buildings) is a consideration of this application.
- 2.5 The application was publicly notified and received 24 objections. Key concerns raised include neighbourhood and heritage character, amenity impacts, and construction issues.
- 2.6 A consultation meeting was held on 28 August 2025. The meeting was attended councillors, the applicant, objectors and planning officers.



- 2.7 No amended plans were submitted as a result of the consultation meeting.
- 2.8 The proposal is acceptable because it:
 - It responds to the heritage character of the precinct.
 - will not result in unreasonable off-site amenity impacts.
 - improves the amenity for future occupants of the dwellings.
- 2.9 The concerns raised by the objectors are acknowledged and discussed within this report.
- 2.10 The proposal is recommended for approval, subject to the conditions below.

3. RECOMMENDATION

- 3.1 That the Responsible Authority, having caused the application to be advertised and having received and noted the objections, issue a Notice of Decision to Grant a Permit.
- 3.2 That a Notice of Decision to Grant a Permit be issued subject to the following permissions:

Planning Scheme Clause No:	Description of what is allowed
32.09- 7	Extend a dwelling if there are two or more dwellings on the lot
43.01-1	Demolish or remove a building
43.01-1	Construct a building or construct or carry out works

- 3.3 That the decision be issued subject to the following conditions:

Amended plans required

- 1 Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the application plans identified as 16A Murchison Street St Kilda Alterations and Additions pages TP01-TP17 and prepared by Opat Architecture Pty Ltd, but further modified to show:
 - a) Storage areas for each apartment in accordance with Standard B3-11 of the Storage Objective of Clause 55.03-11.
 - b) Solar protection to the ground floor north facing windows of Apartment 1 in accordance with Standard B5-4 of the Solar protection to new north facing windows objective of Clause 55.05-4.
 - c) Any changes as required by the landscape plans required by Condition 12 of this permit in accordance with Standard B2-7 of the tree canopy objective of Clause 55.02-7.



- d) Any changes as required by the water sensitive urban design report required by Condition 7 of this permit in accordance with Standard B5-1 of the Permeability and Stormwater Management Objective of Clause 55.05-1.

No alterations

- 2 The development as shown on the endorsed plans must not be altered or modified (unless the Port Phillip Planning Scheme specifies a permit is not required) except with the prior written consent of the Responsible Authority.

Walls on or facing boundaries

- 3 Before the building is occupied, the walls on or facing the boundary of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority. Painted or bagged walls must be finished to a uniform standard and unpainted or unrendered walls must have all excess mortar removed.

No equipment or services

- 4 No plant, equipment or domestic services (including any associated screening devices) or architectural features, other than those shown on the endorsed plan are permitted, except where they would not be visible from a street frontage (other than a lane) or public park except with the prior written consent of the Responsible Authority.

Water Sensitive Urban Design response

- 5 Concurrent with the endorsement of plans required by Condition 1, a Water Sensitive Urban Design Response must be submitted to and approved by the Responsible Authority. When approved, the Water Sensitive Urban Design Response will be endorsed and will then form part of the permit. It must:
- a) Demonstrate how the development meets the water quality performance objectives as set out in the Urban Stormwater – Best Practice Environmental Management Guidelines (CSIRO, 1999) or its updated equivalent. This must include:
- i. Design details of the water sensitive urban design stormwater treatments to be used, including cross-sections and connection to legal point of discharge.
 - ii. A plan showing all stormwater catchment areas, permeable and impermeable areas in square metres (m²).
 - iii. A plan illustrating the location of the nominated water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas, with connection notations.
- b) Details of how the water sensitive urban design stormwater treatment measures will be maintained on an on-going basis. This must be demonstrated by providing a maintenance manual including the following information:
- i. A full list of maintenance tasks.
 - ii. The required frequency of each maintenance task (monthly, annually etc.).



- iii. Person responsible for each maintenance task.

Incorporation of Water Sensitive Urban Design measures

- 6 The provisions, recommendations and requirements of the endorsed Water Sensitive Urban Design Response must be implemented and complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

Pre-occupation compliance with Water Sensitive Urban Design requirements

- 7 Before the development is occupied, a report must be submitted confirming that all measures specified in the endorsed Water Sensitive Urban Design Response have been implemented in accordance with the approved plan. The report must be prepared by a suitably qualified professional and be to the satisfaction of the Responsible Authority.

Construction Management Water Sensitive Urban Design

- 8 The developer must ensure that throughout the construction of the development and construction and carrying out of works allowed by this permit:
- a) No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the site.
 - b) All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system.
 - c) The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the site.
 - d) No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter the stormwater drainage system.
 - e) The site is developed and managed to minimise the risks of stormwater pollution through the contamination of run-off by chemicals, sediments, animal wastes or gross pollutants in accordance with currently accepted best practice.

Car parking area must be available

- 9 Car parking areas and access lanes must be developed and kept available for those purposes at all times and must not be used for any other purpose such as storage to the satisfaction of the Responsible Authority.

Lighting

- 10 External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

Landscape and canopy tree plan

- 11 Before the development starts, a Landscape and Canopy Tree Plan (LCTP) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the LCTP will be endorsed and will then form part of the permit. The LCTP must be prepared by a suitably qualified or experienced in landscape design, drawn to scale with dimensions, and show how the proposal meets the canopy cover, tree type, deep soil, and planter



requirements of Standard B2-7 of Clause 55.02-7, or indicate how and alternative solution provides a suitable outcome, through submission of the following:

- a) A site plans that indicates the required amount of canopy cover, number and type of canopy trees, deep soil, and planter requirements
- b) A development summary table that includes:
 - i. The site area
 - ii. The required number of canopy trees and their size in diameter, and total amount of canopy cover provided for the site, including any existing trees that are retained and can be used in calculating canopy cover
 - iii. The required amount of deep soil and volume of planter soil, and the total amount provided for the site.
- c) A planting schedule of all proposed vegetation including botanical names, common names, pot sizes, sizes at maturity, quantities of each plant, and details of surface finishes throughout landscaped areas.
- d) Canopy tree species selection to be to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.

The responsible authority may consent in writing to vary these requirements.

Landscaping implementation

- 12** Before the dwellings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works (including canopy tree planting) shown on the endorsed Landscape and Canopy Tree Plan must be carried out and completed to the satisfaction of the Responsible Authority.

Landscape maintenance

- 13** The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.

Permit expiry

- 14** This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of *Planning and Environment Act 1987*.

4. RELEVANT BACKGROUND

Planning Permit PDVP/00034/2025

- 4.1 Planning permit PDVP/00034/2025 was issued by Council on 21 February 2025 for the demolition of an outbuilding in the Heritage Overlay (Schedule 391). The permit



approved the demolition of the detached shed/garage at the rear of the building. The application was assessed as a VicSmart application. Clause 71.06 exempts VicSmart applications from notice and review rights. The permit has been acted upon.

Planning Permit PDPL/00410/2025

4.2 Planning permit application PDPL/00410/2025 is currently being assessed. The application seeks to enclose the rear north elevation external staircase to provide access between the two floors to better facilitate the building to be used as one dwelling while the application being considered by this Council Report is determined.

5. PROPOSAL

5.1 The application proposes partial demolition of the existing building and the construction of an extension to each of the dwellings including a basement car park. The proposal includes the following:

Demolition

- Removal of stairs on the east (side) and north (rear) elevation.
- Partial demolition of the eastern wall, including windows and sections of the rear northern wall.
- Removal of the rear northern pitch of the roof.

Proposed ground floor

- Ramp to side entrances along east boundary.
- Reconstruction of southern stair wall.
- Enclosure of stairs at southeastern corner of building that provide access to the first-floor dwelling entry.
- Addition of open plan kitchen, dining and living rooms.
- Two bedrooms, one with ensuite set at a lower finished floor level than the existing bedroom floor level accessed via stairs.
- Rear private open space with direct access from living room.

Proposed first floor

- Addition of open plan kitchen and living room.
- Two bedrooms, one with walk in robe and ensuite.
- Additional bathroom and fire room (living room).

General

- 9.99 metre maximum building height.
- 40% site coverage.
- 170 square metres of private open space of which 90 square metres will be secluded private open space within the rear yard.
- A basement car park with two car spaces. Vehicles will be able to exit the site in a forward direction.

- An expanded area of roof space with access to the roof for maintenance.

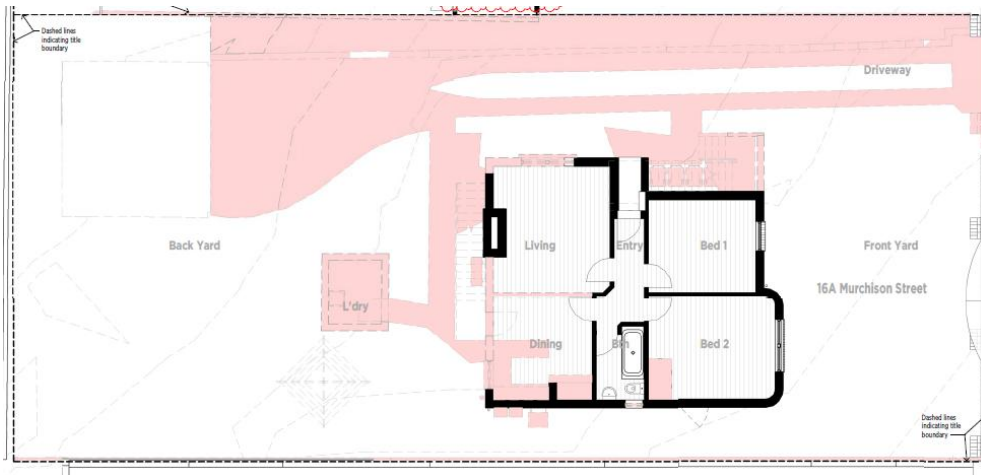


Figure 1 - Ground floor demolition plan.

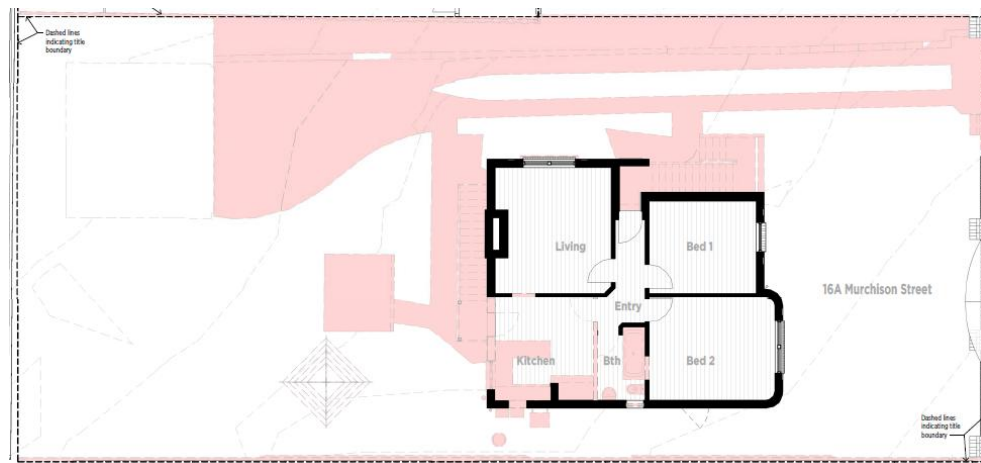


Figure 2 - First floor demolition

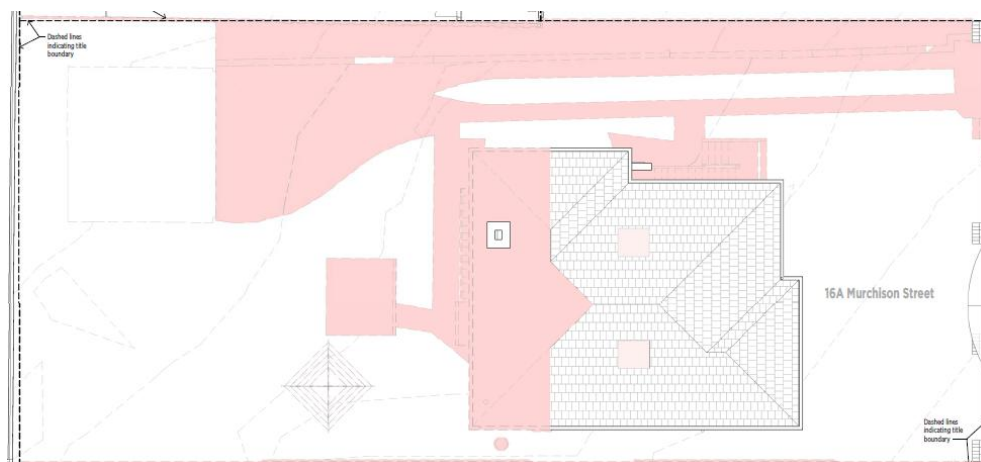


Figure 3 - Roof demolition plan.

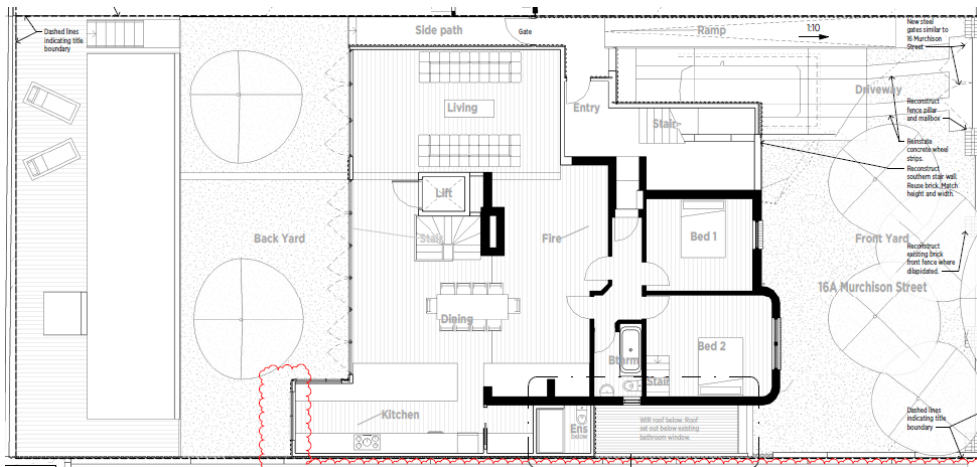


Figure 4 - Proposed ground floor plan.

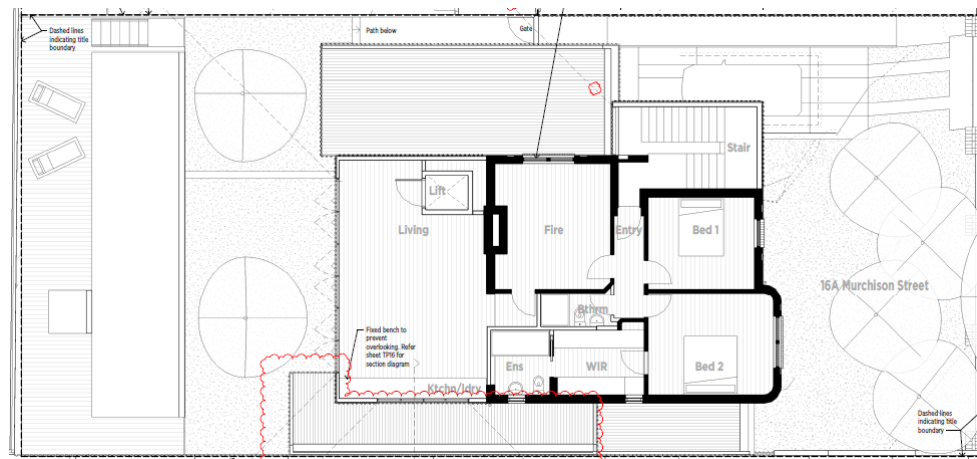


Figure 5 - Proposed first floor plan.

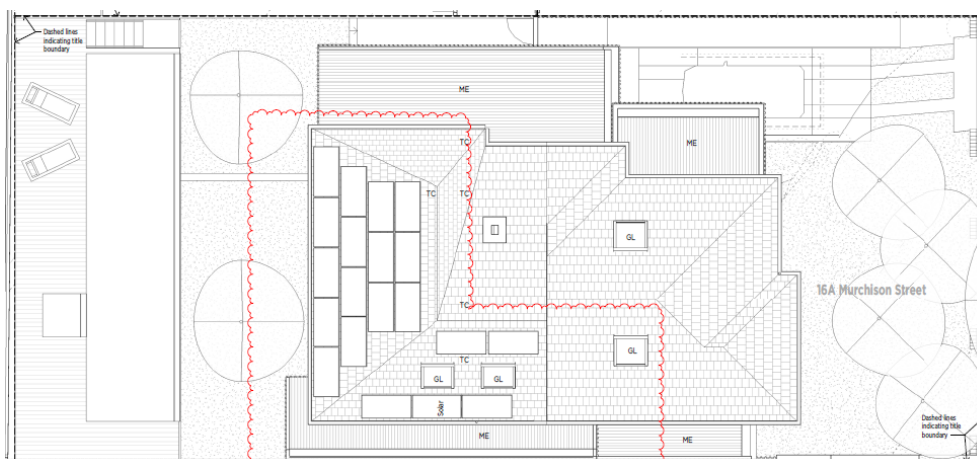


Figure 6 - Proposed roof plan.

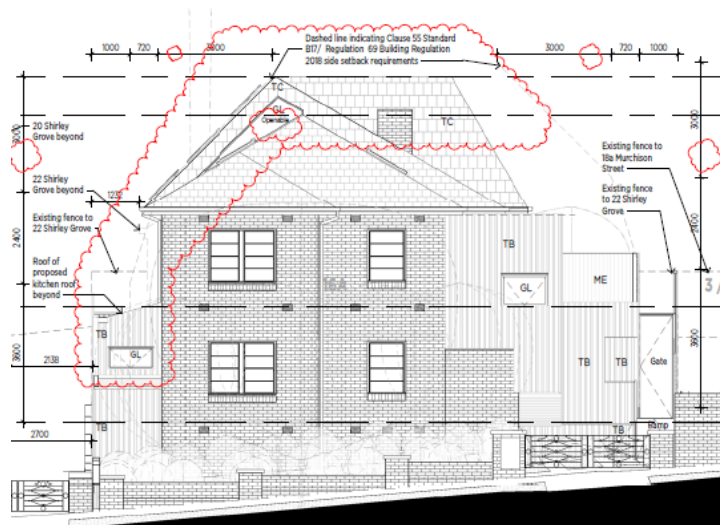


Figure 7 - Front south elevation.

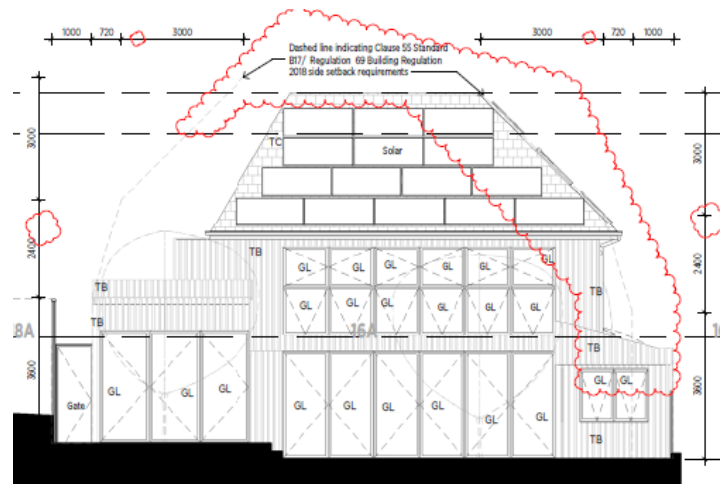


Figure 8 - Rear northern elevation.

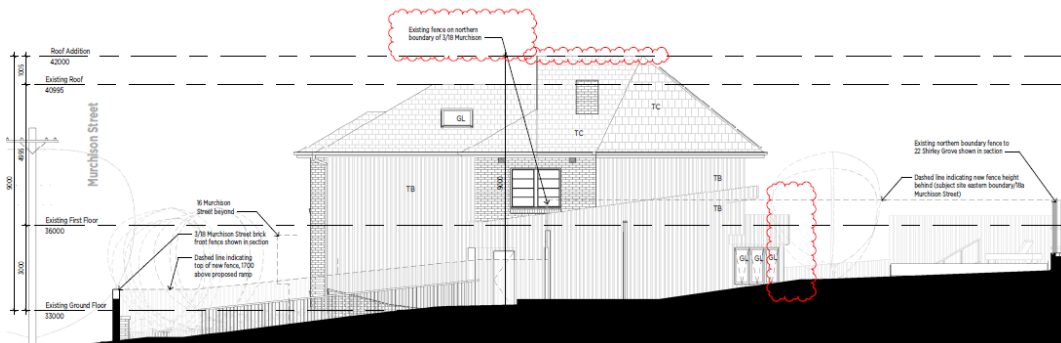


Figure 9 - East elevation.



Figure 10 - West elevation.

6. SUBJECT SITE AND SURROUNDS

Subject site

- 6.1 The subject site is located on the north side of Murchison Street approximately 110 metres east of the intersection with Alexandra Street, St Kilda East. The site is rectangular in shape with a frontage of approximately 15.24 metres to Murchison Street and a depth of approximately 33.22 metres. The site has an area of approximately 503 square metres.
- 6.2 The site has a fall of approximately 3 metres from the rear (north) of the site to the front (south) as well as approximately 1 metre from the east to the west.
- 6.3 The site currently contains a two-storey art deco brick building with a ground and a first-floor dwelling. The applicant advises the site is currently being used as a single dwelling. According to the Heritage Impact Statement by Trethowan Architecture submitted with the application, the building was constructed between 1935 and 1940. The building is 'Moderne' style and has a significant heritage grading within the HO391.
- 6.4 The building has a front setback of 7.6 metres and a rear setback of 16.33 metres. An outdoor laundry is located within the rear yard.
- 6.5 Vehicular access is provided to the site via an existing crossover on the eastern side of the frontage to Murchison Street. There is limited vegetation on the site.



Figure 11 - Aerial photograph of subject site and surrounding area. Source: Nearmap 18/04/2025.



Figure 12 - Subject site 16/A Murchison Street, St Kilda East. Source: Planning officer 4/08/2025

Surrounds

- 6.6 The subject site is located within an established residential area that is within the Neighbourhood Residential Zone. All of Murchison Street is covered by H0391 and dwellings are a variety of Old English, Mediterranean Revival, Georgian Revival and Moderne Styles. Almost all dwellings in the street have a significant heritage grading. The street is a very intact heritage streetscape.
- 6.7 Lot sizes are generally consistent at approximately 500 -550 square metres. Dwellings are generally single storey, some with recent second storey additions to the rear. The subject site sits within a group of three two storey Moderne style apartment buildings.

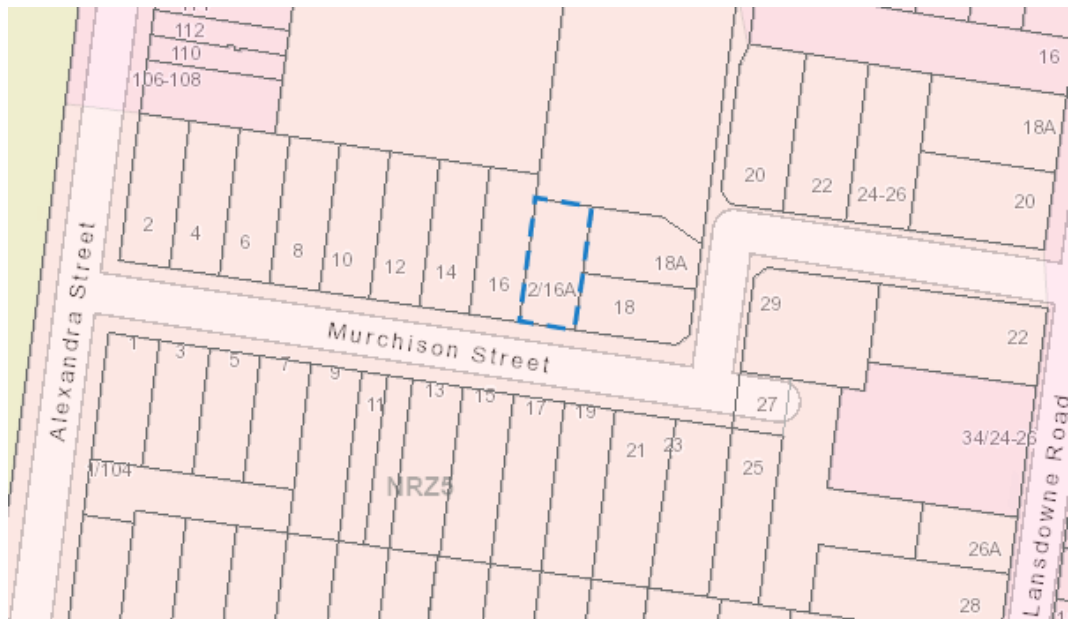


Figure 13 - Zoning map of site and surrounds. Source: Vicplan 5 August 2025

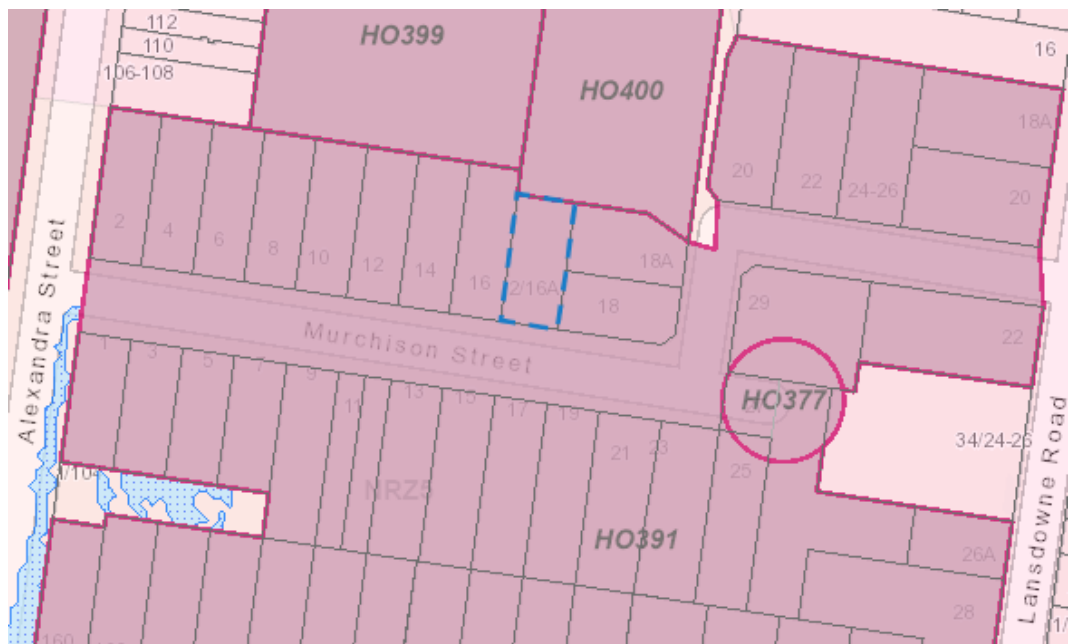


Figure 14 - Overlay map showing extent of Heritage overlay affecting the surrounding area. Source: Vicplan 5 August 2025.

6.8 The subject site has four direct abutments as follows:

16 Murchison Street (adjoining to the west)

Comprises a single storey brick dwelling with a large rear area of secluded private open space. The dwelling has a front setback of 6.2 metres and vehicular access along the eastern elevation, abutting the subject site. The dwelling is setback 2.7 metres from the common boundary and has habitable room windows facing the subject site.



Figure 15 - 16 Murchison Street to the west of the subject site. Source: Planning Officer 4/08/2025

18 and 18A Murchison Street (adjoining to the east)

18 Murchison Street contains a two storey Moderne brick apartment building. The building contains three dwellings. The site is a corner lot with a primary frontage facing towards the east. Vehicular access is provided to two single garages along the southern elevation off Murchison Street.

18A Murchison Street, to the north (rear) of 18A Murchison Street also contains a two-storey brick Moderne apartment building with two dwellings. The site has recently had a planning permit (PDPL/00344/2023/A) approved for works associated with turning the two original apartments into one dwelling. Works in accordance with the permit are currently underway.



Figure 16 – South side of 18 Murchison Street to the east of the subject site. Source: Planning Officer. 4/08/2025



Figure 17 - Frontage of 18 and 18A Murchison Street to the east of the subject site. Source: Planning Officer. 4/08/2025.

22 Shirley Grove (adjoining to the north)

Comprises a lot of more than 2,800 square metres. The lot contains a large two storey dwelling with outbuildings and extensive landscaped gardens with significant trees.



Figure 18 - 22 Shirley Grove to the North of the subject site. Source: Planning Officer 4/08/2025.

- 6.9 On the opposite side of Murchison Street and beyond 16 Murchison Street to the west are dwellings typically characterised as single storey brick dwellings with pitched tiled roofs.



Figure 19 - View west down Murchison Street on the opposite side to the street to the subject site. Source: Planning Officer 4/08/2025.



7. PERMIT TRIGGERS

The following zone and overlay controls apply to the site, with planning permission required as described.

Zone or Overlay	Why is a permit required?
Clause 32.09 Neighbourhood Residential Zone, Schedule 5 (NRZ5)	<u>Use</u> A permit is not required to use the land for the purpose of a dwelling <u>Buildings and works</u> A permit is required to extend a dwelling if there are two or more dwellings on the lot.
Clause 43.01 Heritage Overlay (St Kilda East: Murchison Street a Wavenhoe Avenue Precinct – HO391)	Buildings and works A permit is required to demolish or remove a building. A permit is required to construct a building or construct or carry out works.

8. PLANNING SCHEME PROVISIONS

8.1 The following policies, controls and provisions are relevant to assessment of this application

Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF)

- Clause 02- Municipal Planning Strategy
 - Clause 02.01 – Context
 - Clause 02.02 – Vision
 - Clause 02.03 – Strategic Direction
- Clause 15 – Built Environment and Heritage
 - Clause 15.03 – Heritage
 - Clause 15.03-1S – Heritage Conservation
 - Clause 15.03-1L – Heritage Policy
- Clause 19 – Infrastructure
 - Clause 19.03 – Development Infrastructure
 - Clause 19.03-3L Stormwater Management (water sensitive urban design)

Zone and Overlay controls

- Clause 32.09 – Neighbourhood Residential Zone
- Clause 43.01 – Heritage Overlay

Particular, General and Operational Provisions

- Clause 52.06 Car Parking.



- Clause 55 Two or More Dwellings on a Lot.
- Clause 65 Decision Guidelines
- Clause 71.02-3 – Integrated Decision making

8.2 The subject site is located within the St Kilda East: Murchison Street and Wavenhoe Avenue Precinct of the Heritage Overlay ('Heritage Precinct'). The statement of significance for the precinct is summarised below:

What is significant?

The St Kilda East Murchison Street & Wavenhoe Avenue precinct includes all houses and flats along both sides of Murchison Street (2-24 and 1-29) and Wavenhoe Avenue (1-21 and 2-12), the parts of Alma Road between Hotham Street and Lansdowne Road (160-88 and 157-211), and 57-77 Alexandra Street, 30-44 Hotham Street and 18A-28 Lansdowne Road. In the nineteenth century this area contained a small number of large mansions set within spacious grounds, two of which survive today: the former 'Yanakie' (later 'Wavenhoe') at 161 Alma Road and 'Holmwood' (later 'Fairholm') at 61 Alexandra Street. Otherwise, the area remained largely undeveloped until the Edwardian Period, when a few scattered houses were built, but more intensive development did not occur until the land was subdivided for speculative housing in 1919 and from 1923 to 1927. The estate developed quickly during the 1920's and 30's and was entirely filled out by the Second World War. Consequently, most of these houses are modest bungalow-style dwellings erected during the 1920s, supplemented by a few surviving Edwardian houses, some detached houses and blocks of flats erected in the mid to late 1930s or early 1940's in the Old English, Mediterranean Revival, Georgian Revival and Moderne styles.

Why is it significant?

Historically, the precinct illustrates the significant growth of St Kilda during the early twentieth century. It is a representative example of a typical pattern of settlement in St Kilda East, where large Victorian properties were sold off and subdivided during the interwar period and is notable for the retention of two of the original mansions within the precinct which provide rare evidence of the nineteenth century development of this area. A small number of surviving Edwardian houses also provide valuable evidence of the sparser residential settlement prior to the more intensive speculative subdivision and development of the 1920's. (Criteria A and D)

Aesthetically, it is an early twentieth century residential area, consisting primarily of many fine bungalow style single dwellings built in the early to mid-1920's, supplemented by some flats, duplexes, semi-detached pairs and detached dwellings in a variety of popular styles including Old English, Georgian Revival, Mediterranean and Moderne built in the later 1920's and 1930's. The few remaining Edwardian houses, representing both detached timber dwellings (in Murchison Street) and semi-detached brick pairs (in Alma Road) are comparable in scale, form and material, if not in composition and detailing. Collectively, the housing displays notable cohesion in terms of its scale, composition, materials and detailing, with many properties retaining their original front fences. In Murchison Street and Wavenhoe Avenue, these qualities are enhanced by the street setting, which includes bluestone gutters to the street, wide nature strips and mature street trees. (Criterion E).

8.3 **Relevant Planning Scheme Amendment/s**



Planning Scheme Amendment VC267

Planning Scheme Amendment VC267 (Gazetted 6 March 2025) introduced updated planning assessment provisions for residential development across Victoria. Of relevance to the proposed application, VC267 included a new “Townhouse and Low-rise Code” (Clause 55). The reforms aim to simplify and expedite planning for developments.

For developments of two or more dwellings up to three storeys, Clause 55 now offers a deemed-to-comply assessment pathway: if the applicable standards are met, the proposal is considered compliant and cannot be refused on those grounds. In such cases, third-party appeal rights (objector appeals) do not apply.

Another significant update is that the Responsible Authority is no longer required to consider the Municipal Planning Strategy, Planning Policy Framework, zone purposes, Clause 65, or other decision guidelines for deemed-to-comply standards that are met —unless a relevant Clause 55 guideline specifies otherwise.

Assessment under Clause 55 is now aligned with four thematic pillars, Neighbourhood Character, Liveability, External Amenity and Sustainability. Each theme includes updated objectives (desired outcomes) and standards (methods to meet them). If a standard is met it is deemed to comply. If a standard isn't met, decision guidelines help determine whether the objective is still satisfied.

As the application was lodged after 6 March 2025, the new clause 55 introduced by Amendment VC267 applies to the application.

9. REFERRALS

9.1 Internal referrals

The application was referred to Council's heritage advisor for comment. Below is a summary of the referral comments.

Heritage Advisor

No objection

- The extent of build form to the eastern side boundary is supported.
- The height and extent of the addition to the lower ground floor on the western boundary is supported.
- The timber enclosure of the stairs is lower than the eaves of the building. The enclosure in a lightweight timber and adaptation of the stairs to meet building code, can be supported.
- Original brickwork of the stairs is being retained, and the timber will appear as a floating addition above. Although this is at the side of the building and visible to the street it is an acceptable level of change as it retains the original entrance and arrangement of the flats.
- The new underground parking and single storey element over it, is setback a good distance from the front elevation of the building. The setback is more than adequate for a visible side addition.
- The renders indicate that the new roof at the rear will have limited visibility from the west and will only appear as a rear addition to the east.



- 80% of the original terracotta roof is being retained.
- The retention of original front and side windows and walls, fence, gates and most of the roof are positive outcomes.
- No services should be visible from the street.

Planner's comments

Officers concur with the heritage advisors conclusion that the works are acceptable from a heritage perspective. This is discussed further in the assessment below. A condition is included within the officer recommendation that requires that services are not visible from the street, other than those shown on the endorsed plans.

External Referrals

9.2 The application was not required to be referred to any external authorities.

10. PUBLIC NOTIFICATION/OBJECTIONS

Public notification

10.1 Notice of the application was given by ordinary mail to the owners and occupiers of surrounding properties and by the display of a notice on the site in accordance with Section 52 of the *Planning and Environment Act 1987*.

Objections received

10.2 The application has received 23 objections and 2 letters of support. The key concerns include the following:

- Impact on heritage significance of site and surrounding heritage precinct
- Is not consistent with neighbourhood character
- Excessive bulk and scale
- Excessive site coverage
- Overlooking and overshadowing
- Approval would set a precedent
- Construction of basement presents risks to adjoining properties.

The matters raised above are discussed in the officer assessment below.

Consultation meeting

10.3 A consultation meeting was held on 28 August 2025. The meeting was attended by two councillors, the applicant, objectors and planning officers. The meeting did not result in any changes to the proposal.

11. OFFICER'S ASSESSMENT

11.1 The assessment of the application, including consideration of objections, has identified the following key matters for consideration:

- Does the proposal align with the Municipal Planning Strategy and Planning Policy Framework?
- Is the proposal an acceptable response to the heritage character of the site and precinct?



- Does the proposal meet mandatory building height and garden area requirements of the Neighbourhood Residential Zone?
- Does the proposal appropriately respond to the neighbourhood character in accordance with Town House and Low-Rise code (Clause 55)?
- Would the proposal result in unreasonable off-site amenity impacts to the surrounding properties?
- Would the proposal provide an acceptable level of internal amenity for residents?
- Is the sustainable design response acceptable?

Does the proposal align with the Municipal Planning Strategy and Planning Policy Framework?

- 11.2 As the application was submitted after the Gazettal of Planning Scheme Amendment VC267, the application is subject to assessment against the new Clause 55 provisions. As set out in the redrafted Clause 55, the Responsible Authority is exempt from and not required to consider the Municipal Planning Strategy, the Planning Policy Framework or the purpose or relevant decision guidelines of the relevant zone. Consideration of the proposal is limited to the objectives, standards, and decision guidelines of Clause 55 and the Heritage Overlay relevant heritage policies of the Port Phillip Planning Scheme.
- 11.3 For this proposal it is only the heritage matters that are required to be assessed against the relevant parts of the Municipal Planning Strategy and the Planning Policy Framework. This is discussed in the following section.

Is the proposal an acceptable response to the heritage character of the site and precinct?

- 11.4 The proposal is an acceptable response to the heritage character of the site and precinct and is supported for the reasons outlined below.
- 11.5 The purpose of the Heritage Overlay is to conserve and enhance places of natural or cultural significance, to conserve those elements which contribute to the significance of the place, and to ensure that development does not adversely affect the significance of heritage places. These objectives are reflected within the decision guidelines of the Heritage Overlay and also form the basis of Port Phillip's local heritage policy at Clause 15.03-1L.
- 11.6 Clause 15.03-1L 'Local Heritage policy' elaborates on the objectives and decision guidelines of the Heritage Overlay. The policy includes strategies relevant to this proposal that guide development within heritage overlay areas.
- 11.7 The subject site is identified as a significant heritage property within the heritage overlay. A significant grading applies to the majority of houses within the St Kilda East: Murchison Street and Wavenhoe Avenue Precinct as shown on the map below. (Figure 20)



Figure 20 - Extract from the Port Phillip heritage policy map. Subject site identified with black dot. Red

Demolition

- 11.8 The extent of demolition proposed is limited and acceptable. The majority of demolition is to the rear.
- 11.9 The majority of the building will be retained including the façade, side walls and most of the tiled roof. While the existing stairs are to be removed, new stairs will be built in their place retaining the entrance arrangement of the current building. Sections of the half wall enclosing the stairs is not compliant with the National Construction Code, as identified in the independent Heritage Impact Statement (HIS) provided with the application. The HIS identifies that the single leaf wall is non original and the stairs currently present a safety risk. Council supports the demolition of the stairs on these grounds. The reconstruction of the stairs will benefit the continued use of the dwellings.

The section of roof to be removed is at the rear. The HIS concludes that the demolition of the roof will not unreasonably affect the heritage streetscape character. This is supported by Council's heritage advisor.

Additions

- 11.10 The proposed additions are an acceptable response to the relevant strategies of the local policy and supported. The additions are supported by Council's heritage advisor as outlined at Section 9.1 of this report.
- 11.11 Apart from the enclosing of the staircase on the eastern elevation (discussed separately below), the majority of the new built form proposed is located to the rear of the existing building which is largely obscured from the opposite side of the street. The existing building is narrow at 7.46 metres on a lot that has a frontage of 15.2 metres. It is therefore challenging to keep all additions to the immediate rear of the 7.46 metre building width. This means parts of the additions have been proposed within side setbacks. While these are visible from the street, invisibility is not the 'test' of the Local Heritage policy. For residential additions, the objective is to ensure they are '*Substantially concealed when viewed at natural eye-level from the opposite side of the street*'.
- 11.12 On the western side of the site at ground floor level there is a proposed ensuite set lower than the existing floor level. It would be accessed via internal stairs from



Bedroom 2. While the room would be only setback 1 metre from the front façade of the building, the low set design of the space, with a maximum wall height of 2.52 metres means that the built form will appear recessive against the existing 6.67-metre-high wall.

- 11.13 The ground floor addition does increase to 3.85 metres where the new open plan kitchen is constructed to the western boundary. However, this section of wall is setback from the façade by 5.3 metres and 13.3 metres from the street frontage. These setbacks ensure the additions are recessive and respectful of the existing building.
- 11.14 On the east elevation at ground floor level the extended living room is constructed to 1 metre of the boundary. This is approximately 2.9 metres further towards the boundary than the existing stairs of the building. While this component will also be visible, it will be setback 12.6 metres from the street frontage. This single storey addition will be recessive and respectful of the existing building.
- 11.15 The proposed walls enclosing the replaced stairs at the front eastern side of the building will be clearly visible from the street. It is accepted that this part of the new addition is not 'substantially concealed'. However, the enclosed stair is considered acceptable. Council's Heritage Design Guidelines 2022 (Design Guidelines) notes the following:

For residential buildings, where an addition will be visible from the public realm, a contextual design response is encouraged that:

- *Has a roof with a form and material that is related to the heritage place (see Cover image).*
- *Uses colours, materials and finishes that complement the heritage place (see Photo 11).*
- *Integrates environmental sustainability features or buildings services.*
- *Avoids openings in walls facing the frontage of the property.*

- 11.16 The enclosed stair will be constructed in line with the wall of the front of the façade. The existing stair wall will be reconstructed at ground level from retained bricks. Above the brick wall the stair enclosure will be constructed under the height of the eaves of the second storey. This will ensure that the height of the works does not dominate the façade of the building. The stair enclosure will not have openings facing the street. The walls of all of the new works will be finished with unstained Spotted Gum Cladding. This material will present as a subtle and sympathetic material that does not mimic the existing heritage fabric. The addition will be read as contemporary but will not dominate the original heritage building.

The HIS states the following:

'while some works will be visible from Murchison Street and therefore presents a change to the streetscape, the additions are visually recessive and can be understood as secondary forms that complement the heritage building. It adheres to policy per Clause 15.03-1L where 'high quality, contemporary design responses for new development that respects and complements the heritage place by using a contextual approach' is encouraged'.

- 11.17 The above statement is supported. While the stair enclosure will be visible from the street it will not diminish the value of the heritage building.

- 11.18 The additional height for the rear section of roof will not be visible from the opposite side of the streetscape demonstrated on the perspective drawings submitted with the application. The street slope and large open side setbacks mean the new rear roof section will be visible from oblique views in the street. However, this is acceptable, given the majority of the original roof will be retained, and the new roof will be a recessed element in the street. The HIS concludes that the hipped roof forms of the additions complement the existing building, and the streetscape character. This view is supported by Council's heritage advisor.
- 11.19 The existing original chimney will also be retained with the new section of roof being constructed around the chimney. As the new section of roof is higher some of the chimney will be contained within the roof space. This is supported by Council's heritage advisor as the chimney is well setback on the roof and not a significant contributory element of the building.



Perspective 3 - South to Northeast

Figure 21 - Applicants renders taken from opposite side of the street.



Figure 22 - Applicants render taken from southwest of site.

Does the proposal meet mandatory building height and garden area requirements of the Neighbourhood Residential Zone?

11.20 The proposal complies with the mandatory requirements of the zone in both height and storeys.

Height in metres

11.21 Clause 32.09-11 of the Neighbourhood Residential Zone outlines the maximum building height requirements. It states a building must not exceed a height of 9 metres and contain more than two storeys.

11.22 A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at a cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

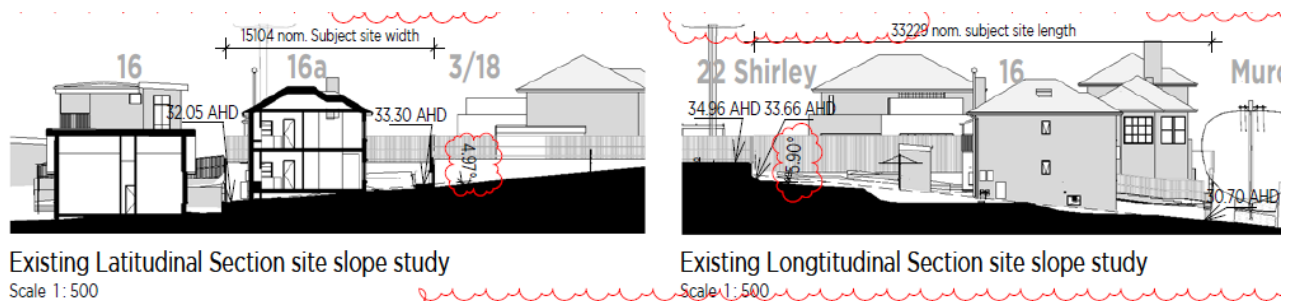


Figure 23 - Plans showing the extent of slope across the site both in east - west direction and a north - south direction.

11.23 Details of natural ground levels demonstrates that there is a fall across the site from the rear of the site towards the street of more than 2.5 degrees. There is also a fall across the site from east to west. The fall of approximately 4.9 degrees, east to west and 5.9 degrees north to south allows the building to have a maximum height of up to 10 metres.

11.24 The proposed works result in a maximum height above natural ground level of 8.8 metres along the east elevation and 9.99 metres on the western elevation. The development complies with the mandatory heights in terms of metres.

Number of storeys

11.25 A 'storey' is defined at Clause 73.01 'General Terms' of the Port Phillip Planning Scheme. It defines a storey as:

'that part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.'

11.26 A 'basement' is defined at Clause 73.01 'General Terms' of the Port Phillip Planning Scheme. It defines a basement as:

'A storey below ground level, or that projects no more than 1.2 metres above ground level.'

11.27 At the highest point the basement is 793mm above natural ground level as identified on a supplementary plan provided by the applicant for clarification after advertising. This means that it satisfies the planning scheme definition as a 'basement'.

11.28 The Neighbourhood Residential Zone at Clause 32.09-11 states 'a basement is not a storey for the purposes of calculating the number of storeys contained in a building'.

11.29 The existing building is a two-storey building with a hipped roof which contains a space within it. The proposed development will result in a building that is also two storeys with an expanded area of roof space. This is shown in the figures below.

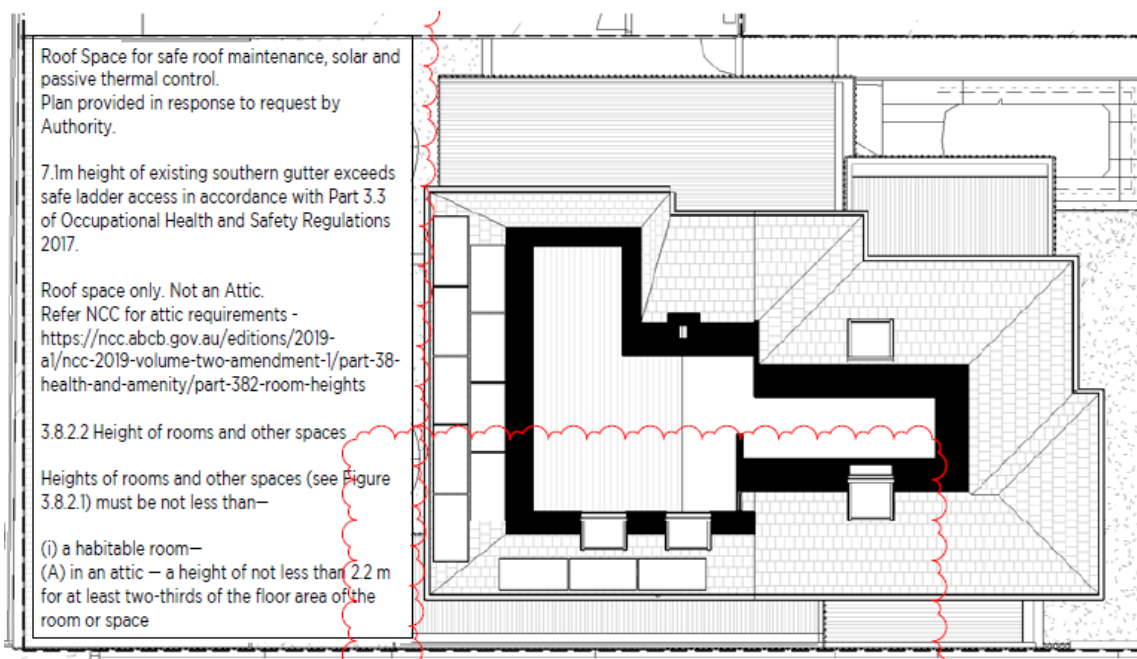
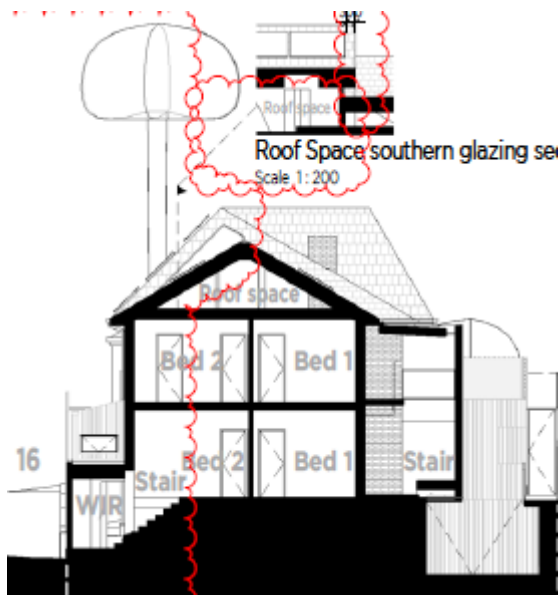


Figure 24 - Roof space plan.



11.30 Whether the proposed additions to the current roof space are considered an attic or not, the question is whether the proposed additional area within the roof space is adding a new storey compared to the existing condition. This is because the Neighbourhood Residential Zone at Clause 32.09-11 includes the following:

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

11.31 The expanded area of roof space is not considered an additional storey compared to what exists.

11.32 The proposed works increase the height of the roof over the rear half of building. The roof pitch has been designed to maximise the solar performance of solar panels on the western elevation. This has resulted in a 1005mm taller roof and a subsequent extension to the existing roof space by approximately 24 square metres.

11.33 The applicant has provided detail on the plans that in their opinion demonstrate that the proposed roof space is not an attic. At its tallest point the roof space has a height of *less than 2.2 metres* for at least two thirds of the floor area, which means it does not meet the requirement of the National Construction Code (NCC) for a space to be classified as an attic. However, the NCC definition is not used within the planning scheme to define an attic. As an 'attic' is not defined in the Planning Scheme, the ordinary meaning of the word is used.

11.34 In *Mrocki v Bayside CC*, Deputy President, Helen Gibson makes the following observation:

Attic is not defined in the planning scheme. The ordinary meaning of an attic is a storey or room directly below the roof of a house.[18] It does not matter whether the attic is habitable or non-habitable, large or small. Whether something is an attic will need to be a finding of fact based on the facts and circumstances of each particular case.

11.35 In this regard, despite the applicants' view that a building permit would not be given for the space as an attic under the NCC, the space could still be reasonably referred to as an attic based on relevant VCAT decisions.

11.36 In *Farag Vs Bayside CC* member Shpigel outlines the definition of an attic as contained within a Design and Development Overlay in the Bayside Planning Scheme. While not within the Port Phillip Planning Scheme, the definition is a useful guide to characteristics associated with an attic. The definition includes the following:

- *A space which is wholly contained / enclosed within a roof space.*
- *A space which is not bordered by any vertical external walls except gable walls.*
- *A space which is relatively small in scale in relation to the scale of the remaining built form.*
- *The presence of dormer style windows or skylights.*
- *Does not contribute significantly to the building form.*
- *A space or series of spaces which in total occupy an area no greater than half the floor area of the storey below.*



- 11.37 The proposed roof space is consistent with many of these points. The space is enclosed within the roof space, is not bordered by any vertical external walls, is small in scale in relation to the remaining built form and does not contribute significantly to the remaining built form. While the roof pitch is steeper than the existing roof, this has been done to maximise the area for solar panels. It is also true that the existing roof space would meet these definitions.
- 11.38 If the roof space contained within the existing building were to be defined as an attic under the above definition, the existing building would not necessarily be described as three storeys. This is based on the outward appearance of the building which gives no impression of being three storey. In the alternative, if the existing attic was considered to be a third storey, the proposed roof form and space would take advantage of the exemption that allows *'an extension to an existing building to ...contain more than the applicable maximum number of storeys if it does not ...contain a greater number of storeys than the existing building.'*

Garden area

- 11.39 The neighbourhood residential zone requires that a site with an area of between 500-650 square metres provides a minimum garden area of 30%. The subject site has an area of 501sqm and provides a garden area of 165 square metres which equates to 33 percent of the site.

Does the proposal appropriately respond to the neighbourhood character in accordance with Town House and Low-Rise code (Clause 55)?

- 11.40 The proposal provides an appropriate response to the neighbourhood character objectives of Clause 55.
- 11.41 Clause 55 provides eight objectives related to neighbourhood character including street setback, building height, side and rear setbacks, walls on boundaries, site coverage, access, tree canopy and front fences.
- 11.42 The proposal satisfies all of the deemed to comply standards relevant to neighbourhood character as outlined in the Clause 55 assessment table. See Attachment 3.
- 11.43 Objections have raised concerns with the bulk and scale of the proposal. Compliance with side and rear setbacks, walls on boundaries, site coverage and tree canopy are discussed below. The built form of the development is also discussed within the heritage assessment given the heritage characteristics of the surrounding area.

Side and Rear Setback – Standard B2-3

- 11.44 The objective in relation to this standard is:

To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

- 11.45 The standard states:

A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.

Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:



- **B2-3.1:**

The building is set back at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

- **B2-3.2:**

If the boundary is not to the south of the building, the building is set back at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.

If the boundary is to the south of the building, the building is set back at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the side and rear setbacks.

Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the side and rear setbacks.

11.46 The proposed development relies on the provisions of B2-3.1. The proposal meets the standard and is therefore deemed to comply. Relevant figures are detailed as follows:

East (side)			
	Proposed wall height (m)	Setback Required (m)	Setback Proposed (m)
Ground floor	3.55	1	1
First floor	5.02	1.42	5.13
North (rear)			
	3.30	1	9.97
	5.32	1.51	9.52
West (side)			
Ground floor	Wall on boundary dealt with under standard B2-4.	N/A	N/A
First floor	6.16	1.77	1.82

Walls on boundaries – Standard B2-4

11.47 The objective in relation to this standard is:

To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.



11.48 The standard states:

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:

10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or

The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.

A new wall or carport fully abuts a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

11.49 The proposed development complies with the standard and is therefore deemed to comply with the objective as outlined in the table below.

	Length of wall on boundary		Maximum height of wall on boundary		Average height of wall on boundary	
	Required	Proposed	Required	Proposed	Required	Proposed
West (side)	18.3m	Ground – 16.4m	3.6m	3.6m	3.28m	2.96m

Site Coverage – Standard B2-5

11.50 The objective in relation to this standard is:

To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

11.51 The standard provides that the site area covered by buildings does not exceed 60% of the site in the Neighbourhood Residential Zone. The proposal complies with this standard with a total site coverage of 40%.

Tree canopy – Standard B2-7

11.52 The objective in relation to this standard is:

To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.



11.53 The standard states:

Provide a minimum canopy cover as specified in Table B2-7.1.

Site area 1,000sqm or less 10%.

The minimum canopy cover is met using any combination of trees specified in Table B2-7.2. Existing trees that are retained can be used in calculating canopy cover.

Provide at least one new or retained tree in the front setback and the rear setback.

Trees are located in either:

An area of deep soil as specified in Table B2-7.2: or a planter as specified in Table B2-7.2

- 11.54 The proposal meets this objective and complies with this standard subject to conditions. The application was not supported by a detailed landscape plan and this is required by condition of permit in the officer recommendation. There are no significant trees on the site. The plans do identify that four canopy trees are proposed within the front setback. The trees are nominated on the plans as tree type A with 4 metre canopies and a minimum 6 metre height. This equates to a canopy coverage of 12.6%
- 11.55 The front yard of the site has a setback of between 6.9 and 7.6 with adequate space to accommodate canopy cover in accordance with this standard.
- 11.56 10 percent of the site area is approximately 50 square metres and the front yard has an area of approximately 77 square metres that has been nominated for canopy tree planting.
- 11.57 The front yard area is deep soil and can accommodate large canopy trees. This represents an improvement to the existing conditions.

Would the proposal result in unreasonable off-amenity impacts to the surrounding properties?

- 11.58 Clause 55 includes several objectives aimed at protecting an acceptable level of amenity of surrounding residential properties under the theme of External Amenity. The objectives include daylight to existing windows, existing north facing windows, overshadowing secluded private open space, overlooking and internal views.
- 11.59 The proposal satisfies the standards for daylight to existing windows, existing north facing windows and overlooking. Each of these standards are met and therefore the applicable objective is deemed to comply as outlined in the Clause 55 table at Attachment 3. A variation is sort to the overshadowing secluded private open space standard..
- 11.60 Objectors have raised concerns with amenity impacts relating to overlooking, overshadowing and loss of daylight. Compliance with the relevant standards and objectives is set out below.

Daylight to existing windows – Standard B4-1

11.61 The objective in relation to this standard is:

To allow adequate daylight into existing habitable room windows.



11.62 The standard states:

Buildings opposite an existing habitable room window provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Western elevation

11.63 There are habitable room windows opposite the proposed ground floor boundary wall along the western elevation. The wall has a maximum height of 3.85 metres above natural ground level.

11.64 The required setback for the highest part of the wall is 1.92 metres. The setback proposed is 2.7 metres. The proposed ground floor wall meets the standard. The 5.2 metre section length of new wall on the first floor western elevation is setback a further 1.82 metres from the boundary, resulting in a total setback of 4.51 metres. The maximum height of the new section of wall where it is opposite habitable windows is 6.33 metres. The required setback is 3.165 metres. The first-floor wall complies with the standard.

Eastern elevation

11.65 On the east elevation there is a wall with a maximum height of 3.52 metres that is setback 1 metres from the boundary. There is a habitable room window on the property to the east which is setback from the boundary by approximately 1.8 metres.

11.66 The required setback for the ground floor wall is 1.55 metres. As the setback can include the land on the adjoining site, the standard is met.

Overshadowing secluded private open space – Standard B4-3.

11.67 The objective in relation to this element is:

To ensure buildings do not significantly overshadow existing secluded private open space.

11.68 The standard states:

The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.

11.69 The proposal complies with this objective however varies the standard in relation to 3/18 Murchison Street. The variation is supported as explained below.



11.70 There are three properties that have an abuttal with the subject site. Two of these properties being 16 Murchison Street to the west and 18A Murchison Street to the east will maintain an area of 25sqm with a minimum dimension of 3 metres for a minimum of five hours between 9am and 3pm on 22 September. The standard is met in relation to these lots.

11.71 In relation to 3/18 Murchison Street the proposal does not meet the standard. This is because this site does not currently receive sunlight to an area of 25 sqm with a minimum dimension of 3 metres, for a minimum of five hours between 9 am and 3 pm on 22 September.

11.72 The standard states that if existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

11.73 18 Murchison receives significant shadowing from the two storey dwelling to the north at 18A Murchison street for most hours between 9am and 3pm. The proposal does add to the extent of overshadowing during the hours of 2 and 3 pm and by the following areas:

- 2pm additional shadow of 5.03 sqm or 5% of the total secluded private open space (SPOS)
- 3pm additional shadow of 11.77 sqm or 12% of the total SPOS.

11.74 The variation is supported because the additional overshadowing of the approximately 100 sqm SPOS is minor. The development minimises overshadowing by orientating the first-floor addition towards the north, away from 3/18 Murchison Street. The additions closest to this site are single storey and do not cast additional shadows. The shadowing of 3/18 Murchison is predominately from 18A Murchison Street. The additional overshadowing caused by the proposal will have limited impact on the useability of the SPOS.

Overlooking Objective – Standard B4-4

11.75 The objective in relation to this element is:

To limit views into existing secluded private open space and habitable room windows.

11.76 The standards state:

11.77 *A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.*

11.78 *A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:*

- *Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or*
- *Has sill heights of at least 1.7 metres above floor level; or*

- Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

11.79 The proposal complies with the overlooking standard of this objective.

11.80 At ground level the existing boundary fences will obscure views into adjoining secluded private open space. See below. (Figure 25).



Figure 25 - Tall boundary fencing recently installed at 18A Murchison Street. Source; Permit applicant. 26/06/2025

11.81 At first floor there is potential overlooking from the proposed kitchen window on the western elevation to habitable room windows at 16 Murchison Street.

11.82 A cross section provided with the plans demonstrates that the 700mm deep fixed kitchen bench will ensure that the downward views to the windows at 16 Murchison Street will be obscured by the wall on the boundary. See below. (Figure 26)

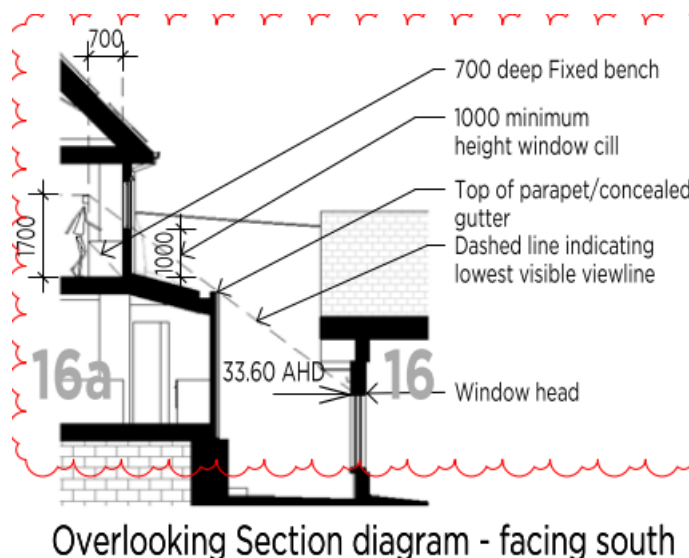


Figure 26 - Overlooking section demonstrating overlooking is limited in accordance with the standard.



11.83 The north facing windows of the living room/kitchen will not have views into the adjoining SPOS due to the existing boundary fences at 16 and 18A Murchison Street. This is demonstrated on TP08 of the decision plans.

11.84 The existing window to the first-floor 'fire room' is not obscured and does not require any treatment as this is an existing condition.

Would the proposal provide an acceptable level of internal amenity for residents?

11.85 The proposal will result in an improved amenity outcome for future residents.

11.86 For internal amenity, Clause 55 includes eleven objectives under the theme of Liveability with corresponding standards. The relevant objectives for the proposal are, parking location, street integration, entry, private open space, solar access to open space, functional layout, room depth, daylight to new windows, natural ventilation and storage.

11.87 The proposal satisfies all of the above relevant standards apart from private open space, room depth and storage. The variations to private open space and room depth standards are a result of existing conditions that are being retained. They are therefore considered acceptable.

11.88 In relation to private open space the proposal maintains the current condition where the private and secluded private open space is provided as common property shared by the two apartments. While this does not comply with the standard it is considered an acceptable outcome which is common in apartment developments. The shared secluded private open space at the rear of the site has an area of 169 square metres and includes a pool and raised deck area.

11.89 A condition is included within the officer recommendation to provide external clothes lines for each apartment within the rear open space.

11.90 In relation to room depth, Apartment 1 has ceiling heights of 2.5 metres which is the existing ceiling height of the existing building. This height is required to be maintained due to heritage considerations.

11.91 The maximum depth allowed is 9 metres. All of the rooms have a room depth that complies with the standard apart from an existing 'fire room' which is centrally located off the living room.

11.92 In relation to storage, the plans do not demonstrate where the storage is provided. However the size of the dwellings would allow for adequate storage to be provided. A condition is included in the officer recommendation that required that the proposed storage areas are shown on the plans.

Is the sustainable design response consistent with Clause 55 Standards?

11.93 Subject to conditions the proposal provides an appropriate sustainable design response to Clause 55.

11.94 As outlined earlier, sustainability considerations are now confined to those specified within Clause 55. The recent planning scheme amendment VC267, which seeks to streamline the assessment process for townhouse and low-rise developments, has removed the requirement to consider local planning policy. Consequently, previous sustainable design policies in local clauses are no longer applicable to the assessment of such applications.



- 11.95 Clause 55 outlines seven key sustainability objectives, each supported by corresponding standards. These objectives cover permeability, and stormwater management, overshadowing of domestic solar energy systems, rooftop solar energy generation areas, solar protection for new north-facing windows, waste and recycling facilities, noise impacts, energy efficiency in apartment developments.
- 11.96 The proposal complies with the relevant standards of this theme subject to conditions which are included in the officer recommendation for permeability and stormwater management, solar protection to new north facing windows. These standards are discussed below.
- 11.97 In relation to permeability and stormwater management, the proposal complies with the objective subject to conditions. The proposal has an area of approximately 23% (78.5m²) permeability. This includes the front yard and parts of the rear yard above the basement car park where the soil depths are sufficient to allow water infiltration. The STORM report has a score of 100%. One 4,500L rainwater tank is proposed per dwelling. A condition of the permit will require a detailed WSUD report which demonstrates that the site will achieve the required water quality standards. A condition will also require that the water tanks are shown on the plans.
- 11.98 In relation to Solar protection to new north facing windows, the proposal complies with the objective subject to conditions. North facing windows are provided to both apartments. No eaves have been provided to the ground floor apartment windows.
- 11.99 A condition is included within the officer recommendation that requires a shading treatment is provided to these windows in accordance with the standard. 2-metre-high windows are provided to the first-floor apartment. 500mm eaves are required for these windows and these have been provided with 800mm deep eaves.

Response to objector concerns

11.100 The following objector concerns have been addressed in the assessment above:

- The proposal is not consistent with neighbourhood character
- Excessive site coverage.
- Impact on heritage significance of site and surrounding heritage precinct
- Inappropriate materials and finishes
- Excessive bulk and scale
- Overlooking and overshadowing

11.101 Other matters raised by objectors are discussed below:

- Approval would set a precedent
Every application is assessed on its own merits. Assessment of this proposal concludes that it is acceptable.
- Construction of basement presents risks to adjoining properties.
Matters related to the construction of the development are not a planning consideration and are dealt with through local laws and asset protection.



12. COVENANTS

12.1 There is no restrictive covenant on the titles for the subject site known as Lot 1 on Title Plan 341406E [Parent Title Volume 06125 Folio 859].

13. OFFICER MATERIAL OR GENERAL INTEREST

13.1 No officers involved in the preparation of this report has declared a material or general interest in the matter.




14. CONCLUSION

14.1 Clause 71.02 of the planning scheme requires the decision maker to integrate the range of policies relevant to the issues to be determined and balance the positive and negative environmental, social, and economic impacts of the proposal in favour of net community benefit and sustainable development. When considering net community benefit, fair and orderly planning is key; the interests of present and future Victorians must be balanced; and the test is one of acceptability.

14.2 This planning application is supported as it provides an acceptable response to the heritage character of the precinct and will not result in unreasonable off-site amenity impacts.

14.3 On balance it is considered the proposal is acceptable subject to conditions.

14.4 It is recommended that Council issues a Notice of Decision to Grant a Planning Permit.

- ATTACHMENTS**
1. Zoning Map  [↓](#)
 2. Development Plans  [↓](#)
 3. Clause 55 Assessment Table  [↓](#)



9. AN ENVIRONMENTALLY SUSTAINABLE AND RESILIENT CITY

Nil

10. A SAFE AND LIVEABLE CITY

Nil

11. A VIBRANT AND THRIVING COMMUNITY

11.1 *Carlisle Street Proposed Sale of Land - Recommendation* 124



11.1 **CARLISLE STREET PROPOSED SALE OF LAND -
RECOMMENDATION**

EXECUTIVE MEMBER: **LACHLAN JOHNSON, GENERAL MANAGER, OPERATIONS AND
INFRASTRUCTURE**

PREPARED BY: **VICKI TUCHANT, MANAGER PROPERTY AND ASSETS**
**ANTHONY SAVENKOV, HEAD OF REAL ESTATE PORTFOLIO
(DEVELOPMENT & TRANSACTIONS)**
JAMES ACKROYD, PROPERTY DEVELOPMENT ASSOCIATE

1. PURPOSE

- 1.1 To present to Council the outcomes of the process undertaken to consider the discontinuance of laneways and sale of Council-owned land adjacent to Coles supermarket, Balaclava.
- 1.2 To present the final outcomes of the negotiations between Council and Coles, that have been based on extensive community engagement and feedback, to secure community benefit from the transaction.
- 1.3 To seek Council's determination on whether to proceed with the proposed discontinuance of laneways and sale of Council-owned land in accordance with the *Local Government Act 2020 (Vic)*.

2. EXECUTIVE SUMMARY

- 2.1 The proposed discontinuance and sale of land to catalyse redevelopment and community benefit in Balaclava has been a longstanding aspiration of Council as outlined in the Carlisle Street Activity Centre Structure Plan (November, 2009).
- 2.2 As outlined in the Structure Plan, the mixed-use (commercial, residential, open space, etc.) redevelopment of the Coles supermarket site is a strategic opportunity that, has the potential to drive a significant uplift in Carlisle Street and surrounds.
- 2.3 To deliver on the opportunities as outlined in the Structure Plan, On 21 August 2024, Council resolved to commence statutory procedures to discontinue laneways and sell land in an area bounded by Carlisle, Camden, Alfred, and Nelson Streets, Balaclava, subject to consultation and engagement with the community.
- 2.4 Statutory consultation was undertaken from May-June 2025 in accordance with the *Local Government Act 2020 (Vic)*.
- 2.5 The results (reported at the ordinary meeting of Council on 6 August 2025) demonstrated diverse views:
 - 39% of respondents supported the proposal;
 - 27.9% offered conditional support; and
 - 33.1% opposed the proposal.
- 2.6 Key concerns raised included the loss of public land, potential scale of development, transparency of process, and the way community benefits would be secured.
- 2.7 On behalf of Council, officers from Council's property team have worked closely with Council's City Design and Strategic Planning Teams, to undertake extensive



negotiations, with appropriate probity and legal oversight and advice, with Coles on the proposed conditions of the sale of public land to achieve Council's strategic objectives and, to respond to feedback from the community.

- 2.8 As previously outlined, the intent is to secure the conditions and commitments of any transaction between Council and Coles through multiple mechanisms, including:
- **The Contract of Sale** – Outlining the terms of a transaction including the mechanism for determining the value of the land, determined on a synergistic basis (which takes into account the value of the land to Coles given that they own the adjacent parcels).
 - **Section 173 Agreement** – A legally binding agreement that is on the title(s) of the land that obligates any current or future landowner to meet conditions.
- 2.9 In addition to commitments already secured, following the wide-ranging community engagement process, Council officers have negotiated additional commitments from Coles in response to some of the matters raised by Councillors and members of the public. These additional commitments include:
- Via Section 173 Agreement (s173)**
- **Heritage** – mandatory retention, conservation, and integration of heritage buildings.
 - **Permeability and Access** – multiple ground-level entrances, pedestrian links, laneway easements, and stronger site connectivity.
 - **Affordable Housing** – mandatory inclusion of affordable housing within the residential component.
- 2.10 In addition, and significantly, agreement has been reached between Council and Coles that a future development of the site will include engagement on design prior to any development application being submitted. The engagement process is proposed to be outlined in a Memorandum of Understanding (MoU) that will sit alongside the contract of sale and the section 173 agreement.
- Via Memorandum of Understanding (MOU)**
- **Council review of future development application and community feedback** – Coles have committed to engagement with Council and the community prior to lodging a development application under the Victorian Government's Development Facilitation Pathway (DFP). This includes a series of design workshops and feedback sessions in a timebound period.
- 2.11 Working draft copies of both the proposed section 173 Agreement and the Memorandum of Understanding are attached to this report. It should be noted that both these documents are subject to further finalisation and approval.
- 2.12 The discontinuance of the laneways and sale of land to Coles with the conditions negotiated provides the best opportunity to achieve the objectives of the Carlisle Street Activity Centre Structure Plan and deliver broader community benefit.
- 2.13 Additionally, the conditions of the sale for a value of no-less than market value, is likely to yield significant revenue that Council can invest in the local area and in other community projects.



- 2.14 The value will be determined through the set process as outlined in the draft contract of sale. This requires the joint appointment of a valuer who will assess and determine the price to be paid on an equitable basis. This factors in the value of the land to Coles, given their holdings of adjacent properties and considers any encumbrances or conditions. The contract of sale includes a dispute resolution mechanism, wherein a second valuer would be appointed with their equitable valuation being final.
- 2.15 In accordance with the proposal that has been subject to consultation, and as per the recommendation of this report, Council will not agree to sell the land for less than market value.
- 2.16 The process for determining the proceeds of the sale is in accordance with section 114 of the Local Government Act 2020 (Vic), Council policy and the Victorian Government Best Practice Guidelines for the Sale, Exchange, and Transfer of Land (2009).
- 2.17 Within close proximity to the site, Council has a several projects that, subject to future budget processes, could be fully or partially funded through the proceeds of the sale of the land to Coles. These include:
- The Upgrade of the St Kilda Library
 - The delivery of the further elements of the Balaclava Urban Forest Precinct Plan
 - The delivery of the streetscape upgrades to Carlisle Street and surrounds.
- 2.18 Following extensive engagement with the community, and negotiation with Coles, this report recommends that Council complete the statutory requirements to discontinue the laneways and authorises the finalisation of the contract of sale, section 173 agreement, and Memorandum of Understanding
- 2.19 This report seeks Council's approval to complete the statutory requirements to discontinuance laneways and authorises officers to finalise transaction documents including the Contract of Sale, s173, and MOU for the sale of land to Coles.

3. RECOMMENDATION

That Council having considered submissions received in response to public notices:

- 3.1 Resolves to discontinue laneways R3979, R3743, R3977, and R4141 as it considers that it may result in a better use of land, the land has no strategic value to Council, and Council, on behalf of the community, may obtain a fair and equitable return on land that was originally set aside for a public purpose.
- 3.2 Resolves to sell the discontinued laneways and land described below for no less than market value to an adjoining property owner, Coles Group Property Developments Ltd, by private negotiation to be determined on an equitable value basis.
- Laneway R3979 that comprises land contained in Volume 8945 Folio 006 with an area of 269m², being Lot # on TP4388679C;
- 3.2.1 Laneway R3743 that comprises land contained in Memorial No 975 Book 539 with an area of 44m²;
- 3.2.2 Laneways R3977 and R4141 that comprise land contained in Volume 00268 Folio 542 with an area of 94m² and 167m² respectively, being Lot # on TP923236K;



- 3.2.3 2-8 Alfred Street, Balaclava Vic 3182, that comprises land with an area of 1053m² contained in:
- Volume 3412 Folio 302, being Lot 1 on plan TP846586J; and
 - Volume 2437 Folio 239, being lot 1 on plan TP748693E;
- 3.2.4 49-53 Nelson Street, Balaclava Vic 3182, that comprises land with an area of 614m² contained in:
- Volume 8945 Folio 008, being lot 1 on plan TP438679C;
 - Volume 6274 Folio 720, being lot 1 on plan TP904522R;
 - Volume 5928 Folio 437, being lot 1 on plan TP232252P; and
 - Volume 5968 Folio 409, being lot 1 on plan TP245869W;
- 3.3 Notes that proceeds from the sale will go into Council's Strategic Property Reserve, used to support the acquisition and development of public assets which, subject to future budget processes, may include:
- Investment in the refurbishment of the St Kilda Library
 - Delivery of future elements of the Balaclava Urban Forest Precinct Plan
 - Delivery of streetscape and public realm upgrades identified as part of the Carlisle Street and Surrounds, Streetscape Plan.
- 3.4 Directs that a notice pursuant to clause 3 of Schedule 10 of the *Local Government Act 1989* (Vic) is published in the Victorian Government Gazette;
- 3.5 Authorises the Chief Executive Officer or their delegate to execute a Contract of Sale and associated Section 173 Agreement (s173), securing delivery of the following community benefit obligations:
- 3.5.1 Contemporary full line supermarket;
- 3.5.2 Replacement of 142 at-grade parking spaces with the same number of spaces available to the public in a basement car park;
- 3.5.3 Retention of rear laneway Access Right of Way for pedestrians and vehicles, including unrestricted access by members of the public at all times to the rear of Carlisle Street shops;
- 3.5.4 New public toilets (male, female, accessible);
- 3.5.5 New public open space of at least 250sqm;
- 3.5.6 Multiple, clearly defined entrances to the new development to provide for pedestrian permeability and access, including from Carlisle Street;
- 3.5.7 The retention, conservation and integration of existing heritage buildings in accordance with the Heritage Overlay provisions of the Planning Scheme; and
- 3.5.8 Residential development; which must include affordable housing;
- 3.6 Confirms Council intends to enter into a Memorandum of Understanding (MOU) with Coles to undertake engagement with Council and the community prior to lodging a development application under the Victorian Government's Development Facilitation Pathway (DFP);



- 3.7 Directs that the Owner be required to consolidate the title to the discontinued Road with the title to the Owner's land (or such part of it approved by Council) within 12 months of the date of the transfer of the discontinued Road; and
- 3.8 Authorises Officers to do all things necessary to enable the sale and transfer of land, including (if required) affixing the Common Seal of Port Phillip City Council to the relevant legal documents including the Contract of Sale, s173, and MOU.

4. KEY POINTS/ISSUES

- 4.1 On 21 August 2024, Council resolved to commence statutory procedures under the *Local Government Act 1989 (Vic)* and *Local Government Act 2020 (Vic)* to discontinue and sell roads and sell adjoining Council owned land to Coles, subject to consultation.
- 4.2 The proposal encompasses approximately 2,240sqm of land and laneways in Balaclava bounded by Carlilse, Camden, Alfred, and Nelson Streets.
- 4.3 Consultation took place from 7 May to 15 June 2025. The process drew engagement from 325 participants via survey, submissions, public forum, and social media. Outcomes were reported at the 6 August 2025 Council meeting. 39% supported, 27.9% gave conditional support, and 33.1% opposed the proposed transaction.
- 4.4 The discontinue of laneways R3979, R3743, R3977, and R4141 may result in a better use of land, which was not disputed during the consultation. Further, the land has no strategic value to Council, and Council, on behalf of the community, may obtain a fair and equitable return on land that was originally set aside for a public purpose.
- 4.5 The proposal seeks to secure via a binding s173 that any owner (whether Coles or any future owner of the affected land in the Precinct) is bound by the following commitments, forming part of the community benefit obligations:
 - **Contemporary full line supermarket.**
 - **Residential component** to the future mixed-use development.
 - **Replacement of the current at-grade car parks** with the same number of spaces (142) within a new purpose-built public parking basement.
 - **Public toilets** (male, female and all accessible).
 - **Public open space** (minimum 250sqm).
 - **Retention of rear laneway access** to the rear of Carlisle Street shops.
- 4.6 Since the statutory consultation took place in June 2025. Subsequently, the following further commitments in the s173 have been agreed:
 - **Affordable housing** – future development must now include affordable housing, as determined by the Responsible Authority (for example potentially through the Minister via the Development Facilitation Pathway).
 - **Heritage retention** – mandatory retention, conservation, and integration of existing heritage buildings in accordance with Heritage Overlay provisions, with treatment preserving their visual, cultural, and architectural significance.
 - **Frontages and permeability** – multiple, clearly defined ground-level entrances, pedestrian access from Carlisle Street, and secured rear laneway access (pedestrian and vehicle) to Carlisle Street shops via registered easement on title.

MEETING OF THE PORT PHILLIP CITY COUNCIL

24 SEPTEMBER 2025



- **Commitment to ongoing consultation** – with Council, and the community via Council, prior to any application under the Victorian Government’s Development Facilitation Pathway (details of which are articulated in a Memorandum of Understanding between Coles and Council).

4.7 Further detail on how Council’s stated transaction objectives are to be met is outlined in the table below:

Transaction objective	Status
<p>Public open space/development</p> <p>At least 250sqm centred around trees at northeast corner of site at Nelson and Alfred Street</p>	<p>Secured commitment in s173:</p> <p>Minimum of 250sqm of public open space.</p> <p>This minimum contribution will be accounted for in calculating any public open space contribution that may be required to be made to Council, in relation to the development and any future subdivision of the land associated with the development.</p> <p>The s173 does <u>not</u> stipulate the positioning of the future public open space.</p> <p>This is intended to preserve the owner’s flexibility to optimise public realm outcomes; for example, the ability to integrate open space to improve sight lines and provide better connection to potential future laneway locations, as well as providing better pedestrian permeability.</p> <p>The open space requirement will not be achieved through the provision of walkways, breezeways or other thoroughfares.</p>
<p>Creation of new activated laneway at the rear of Carlisle Street existing retail shops (that will allow existing shops to trade front and rear)</p>	<p>Secured commitment in s173:</p> <p>Continued rear laneway access for pedestrians and vehicle access to the properties.</p> <p>Permanent easement in favour of the properties to ensure continued access will form part of the discontinuation and sale process.</p> <p>Retention of access to rear of shops is for vehicle / delivery servicing as well as for pedestrian access).</p>
<p>High quality design and public realm</p>	<p>Secured commitment in s173:</p> <p>Coles have committed that (and any successor in title would also be bound) prior to making an application under the Victorian Government’s Development Facilitation Pathway (DFP), they will consult Council’s Planning Team and community in a time bound process of 4 months, aimed at ensuring high quality design outcomes that respond to Council and community feedback. The process is outlined in an MoU and will be facilitated by Council.</p>

MEETING OF THE PORT PHILLIP CITY COUNCIL

24 SEPTEMBER 2025



Transaction objective	Status
	Noting also that if Coles use the DFP, the Office of the Victorian Government Architect may also stipulate a design review.
Support concentration and diversity of retail activity and maintain core retailing at the street frontage	<p>Secured commitment in s173:</p> <p>Development of a full line major supermarket, which would support concentration of retail with the enlarged offering.</p> <p>No further details on retail mix have been provided to date but indicative layout is contained in concept supplied.</p>
Increase the residential density on the site by consolidating land holdings where possible	<p>Secured commitment in s173:</p> <p>Development must include a residential component.</p>
Upgrade and contribution to the public realm. High quality design outcomes	Coles have committed that (and any successor in title would also be bound) prior to making an application under the Victorian Government's Development Facilitation Pathway (DFP), they will consult Council's Planning Team and community in a time bound process of 4 months, aimed at ensuring high quality design outcomes that respond to Council and community feedback.
Enable intensification of residential through consolidation of parcels	<p>Secured commitment in s173:</p> <p>Mixed use development must include a residential component.</p>
Replace existing public car parking spaces with new public basement	<p>Secured commitment in s173:</p> <p>142 public spaces in new basement car park.</p> <p>Free parking for two (2) hours and no requirement to shop.</p> <p>Opening hours to be aligned with Coles supermarket (e.g. 6am -11pm).</p>
Upgrades and contributions to the public realm including improved pedestrian links within the site	<p>Secured commitment in s173:</p> <p>To open space, multiple entrances, and laneway access, including from Carlisle Street.</p> <p>Access via Nelson Street to the rear of Carlisle Street shops, which will facilitate pedestrian linkages into the site. Noting that this will also be secured through the laneway discontinuance with an easement registered on title.</p>
Redevelopment of at least one (preferably both) of the existing supermarket anchors	<p>Secured commitment in s173:</p> <p>Mixed use development to include provision of a full line supermarket.</p>

MEETING OF THE PORT PHILLIP CITY COUNCIL

24 SEPTEMBER 2025



Transaction objective	Status
Public toilets close to each supermarket	<p>Secured commitment in s173:</p> <p>Requires provision of male, female, and unisex toilet facilities.</p> <p>Opening hours to align at a minimum with the supermarket opening hours (usually 7am-10pm).</p>
Increased employment opportunities	<p>Assumption that a major redevelopment will increase job opportunities during construction and afterwards with enhanced / enlarged retail offering and residential development leading to increased local population and demand for local goods and services.</p>
Increase capture of overall retail expenditure pool in surrounding catchment	<p>With a redeveloped supermarket, additional retail and residential development, the enlarged precinct is likely to increase the capture of overall retail expenditure pool, though this has not yet been quantified. It is expected that any modelling of wider economic benefits would be undertaken during planning application stage.</p>
Consideration to Council from the sale off Council land	<p>Secured via Contract of Sale:</p> <p>Value is to be determined on an equitable basis, with the synergistic increase in value arising from the benefit accruing through the consolidation of the land to be factored in, rather than simple market value.</p> <p>Additionally, commitments made by Coles within the s173 (which will also impact value) will be taken into consideration.</p> <p>Valuer has been appointed.</p>
Provide car parking for the additional development that meets future demand, considering sustainable car parking and traffic objectives	<p>The consolidated development site should be able to accommodate future parking demand; additional car parking requirements (over and above those already committed to in the s173) will be agreed through future planning process.</p>
Economic benefits	<p>Larger scale supermarket and more retail would de facto increased number of roles available. Unspecified number of construction jobs would also be created through build phase.</p>



Transaction objective	Status
	<p>Opportunities are likely to increase with additional scale of retail on the site, compared to current situation.</p> <p>It is expected that an economic study would accompany a future development application.</p> <p>This expectation has been communicated to Coles.</p> <p>Coles expanded supermarket will act as anchor / destination and generate additional customer activity.</p> <p>With increased size, the development will increase the overall expenditure pool as an anchor.</p>

Valuation / Sale Price

- 4.8 As noted above, the basis of the commercial offer has been agreed. A valuation has been commissioned. The basis of valuation is equitable value, which is no less than market value.
- 4.9 The equitable value methodology considers the synergistic value (increase) of consolidating Council’s land with Coles’ land, as well as the obligations on Coles (or any future landowner) contained within the s173 and Contract of Sale.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 Consultation ran from 7 May to 15 June 2025 with 325 participants. Outcomes: 39% support, 27.9% conditional support, 33.1% opposed.
- 5.2 Stakeholders included residents, local traders, property owners, community groups such as Better Balaclava, Coles Group Property Developments Pty Ltd, and the wider Port Phillip community.
- 5.3 Key concerns raised during the consultation were in relation to design, housing, Coles dominating the area and impacting small businesses, and controls / conditions to protect the community’s interests.
- 5.4 Officers responded by negotiating new commitments which are now reflected in the s173 and proposed MOU.
- 5.5 In relation to the proposal to discontinue laneways, it was not disputed that such action could result in a better use of land. Further, the land has no strategic value to Council, and Council, on behalf of the community, may obtain a fair and equitable return on land that was originally set aside for a public purpose.

6. LEGAL AND RISK IMPLICATIONS

- 6.1 The sale process complies with relevant statutory requirements.
- 6.2 Risks include reputational (public land sale), planning / design risks, and political risk given divided sentiment.
- 6.3 These are mitigated through: binding s173, and ongoing design engagement commitments via a MOU.



Probity

- 6.4 Council has obtained independent probity advice at key stages of the process of negotiation to ensure transparency, fairness, and compliance with legislative and policy requirements.
- 6.5 This approach is consistent with the Local Government Act 2020 (Vic) and Council's Property Policy, and the general principles of the Victorian Government Best Practice Guidelines for the Sale, Exchange, and Transfer of Land (2009).
- 6.6 While Council has not engaged a probity advisor on a continuous, full-time basis, advice has been sought at appropriate decision points and has informed recommendations.

7. FINANCIAL IMPACT

- 7.1 Sale proceeds will be at no less than market value, with equitable value methodology recognising both land consolidation and Coles' obligations.
- 7.2 All proceeds will go into Council's Strategic Property Reserve used to support the acquisition and development of Council's assets.
- 7.3 No recurrent operating expenditure beyond officer time, legal, and professional fees associated with documenting the transaction (including valuation).
- 7.4 Within close proximity to the site, Council has a several projects that, subject to future budget processes, could be fully or partially funded through the proceeds of the sale of the land to Coles. These include:
 - The Upgrade of the St Kilda Library
 - The delivery of the further elements of the Balaclava Urban Forest Precinct Plan
 - The delivery of the streetscape upgrades to Carlisle Street and surrounds.

8. ENVIRONMENTAL IMPACT

- 8.1 Redevelopment of the site will be subject to Environmental considerations at the planning stage
- 8.2 s173 includes public realm improvements (such as new public open space and site permeability).

9. COMMUNITY IMPACT

- 9.1 A sale of land could enable precinct revitalisation, with a modern supermarket, upgraded public amenities and car parking, affordable housing, open space, improved safety and vibrancy.
- 9.2 Further, discontinuance of the laneways may result in a better use of land, as the land has no strategic value to Council, and Council, on behalf of the community, may obtain a fair and equitable return on land that was originally set aside for a public purpose.
- 9.3 Concerns highlighted by the community engagement include divestment of public land, scale of future development, consolidation of the site to a single owner (Coles).
- 9.4 Officers have sought to balance these by embedding obligations into the contractual documentation with Coles, embedding certainty over affordable housing, site permeability, heritage, open space and ongoing Council and community involvement into the terms of the transaction.



10. GENDER IMPACT ASSESSMENT

10.1 A gender impact assessment is not required at transaction stage. It will be required at planning application stage for a future redevelopment.

11. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

11.1 The strategic directions advanced by this report are:

- An engaged and empowered community.
- A vibrant and thriving community.
- A trusted and high performing organisation.

12. IMPLEMENTATION STRATEGY

12.1 TIMELINE

12.1.1 September 2025 – Council resolution to sell land

12.1.2 Q4 2025 – Subject to Council decision, finalise legal documentation (contract of sale, s173, MoU and other associated documents) and valuation

12.1.3 Q1-Q2 2026 – Subject to Council decision, finalise road discontinuance processes, execute Contract of Sale, s173, and MOU.


12.2 COMMUNICATION

12.2.1 Should the recommendations be adopted, Officers shall update the project page and/or the Have Your Say page to notify the community of the decision.

13. OFFICER MATERIAL OR GENERAL INTEREST

13.1 No officers involved in the preparation of this report has declared a material or general interest in the matter.

ATTACHMENTS

1. Working Draft s173 Agreement  [↓](#)

2. Working Draft Memorandum of Understanding  [↓](#)



12. AN ENGAGED AND EMPOWERED COMMUNITY

12.1	<i>Status of Council Decisions and Questions taken on Notice Recorded by Council: 1 April - 30 June 2025.....</i>	<i>154</i>
12.2	<i>Councillor Expenses Monthly Reporting - August 2025</i>	<i>200</i>



12.1 STATUS OF COUNCIL DECISIONS AND QUESTIONS TAKEN
ON NOTICE RECORDED BY COUNCIL: 1 APRIL - 30 JUNE
2025

EXECUTIVE MEMBER: ROBYN BORLEY, DIRECTOR, GOVERNANCE AND
ORGANISATIONAL PERFORMANCE

PREPARED BY: EMILY WILLIAMS, SENIOR COUNCIL BUSINESS ADVISOR

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 April to 30 June 2025 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 April to 30 June 2025.

2. EXECUTIVE SUMMARY

Council Resolutions

- 2.1 The implementation status of Council Resolutions is a vital measure of Council's performance. This process may also assist reporting for the Local Government Performance Reporting Framework.
- 2.2 There has been a total of 43 Resolutions (decisions) that have been made by Council, in Council and Planning Committee meetings open to members of the public, between the period of 1 April to 30 June 2025. Of these, 7 decisions remain open/outstanding.
- 2.3 There were two further decisions that were made in Council meetings closed to members of the public. These confidential decisions have been completed.
- 2.4 This report includes a further 9 decisions that remain outstanding and a further 11 decisions that have been completed from previous reporting periods (that is, prior to 1 April 2025).
- 2.5 This report is a report in time and is representative of decisions made by Council in the period 1 April to 30 June 2025.

Questions taken on notice

- 2.6 At each meeting, provision is made at the beginning for members of the public and for Councillors to ask general questions. Questions relating to a topic on the agenda are not permitted during this time however can be asked prior to the discussion of that item. When a question is unable to be responded to at the time, it is taken 'on notice' for a response to be provided.
- 2.7 The response status of Questions taken on Notice during Council meetings is a measure of Council's engagement and communication with the community.
- 2.8 A total of 8 questions were taken on notice during the period 1 April to 30 June 2025 in Council meetings open to members of the public. A copy of the responses to each of these questions has been made available on the website: [Meetings and Agendas - City of Port Phillip](#)



- 2.9 A summary of responses to questions taken on notice during this reporting period are contained in Attachment 3 to this report.

3. RECOMMENDATION

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.

4. KEY POINTS/ISSUES

- 4.1 Accountability is a fundamental requirement of good governance. Council has an obligation to report, explain and be answerable for the consequences of decisions it has made on behalf of the community.
- 4.2 Reporting on the progress of the implementation of Council resolutions provides Council with the information it needs to demonstrate its accountability to the community.
- 4.3 Decisions of Council should be implemented in an effective, timely, appropriate, and responsive manner that makes the best use of the available people, resources, and time to ensure the best possible results.
- 4.4 Council Resolutions
- 4.4.1 A resolution made by Council is when an officer recommendation or a Councillor's motion is adopted at a Council Meeting or Planning Committee (i.e., a decision has been made). Once a decision on a recommendation has been made, it turns into a resolution. These resolutions are tracked through an internal system.
- 4.4.2 Attachments 1 and 2 of this report include a summary of the actions taken to implement resolutions where required, or confirmation that Council has noted items where appropriate. The summary of actions has been compiled and divided into the following categories:
- Status of Resolutions made at Council Meetings – Outstanding
 - Status of Resolutions made at Council Meetings and Planning Committee Meetings – Completed
- 4.4.3 The Status of Resolutions documents include resolution of officer's reports, notices of motion, petitions and joint letters, and items of urgent business. Resolution of procedural motions (i.e., attendances and apologies, closing the meeting to discuss confidential items) have not been included.
- 4.4.4 Some of the reasons that resolutions have not been fully implemented may relate to consultation processes being undertaken, awaiting legal advice, or waiting for documents to be executed.
- 4.4.5 Where it is expected that a resolution may take a longer time to fully implement, the expected completion date has been extended.
- 4.5 Questions taken on notice



4.5.1 At each meeting, provision is made at the beginning for members of the public and for Councillors to ask general question/s. Questions relating to a topic on the agenda are not permitted during this time but can be asked prior to the discussion of that item. When a question is unable to be responded to at the time, it is taken 'on notice' for a response to be provided.

4.5.2 Attachment 3 of this report includes a summary of questions asked and a link to where the responses to those questions has been published on Council's website.

5. CONSULTATION AND STAKEHOLDERS

5.1 This report provides Council and the community with an update on the implementation of outcomes of council decisions.

6. LEGAL AND RISK IMPLICATIONS

6.1 If decision-making is open and able to be followed by observers, it is more likely that all relevant legal requirements will be complied with.

7. FINANCIAL IMPACT

7.1 There are no financial impacts arising from this report.

8. ENVIRONMENTAL IMPACT

8.1 There are no environmental impacts arising from this report.

9. COMMUNITY IMPACT

9.1 Making decisions and having to account for them in an open and transparent way encourages honest consideration of issues by Councillors and promotes community confidence in the decision-making process.

9.2 Members of the community should be able to follow and understand the decision-making process. This means that they will be able to clearly see where a decision was made, and how this decision was implemented.

10. GENDER IMPACT ASSESSMENT

10.1 This report is a status report of decisions made by Council and does not require a Gender Impact Assessment to be completed.

11. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

11.1 Reporting on the progress of Council resolutions delivers on Strategic Direction 5 of the Plan for Port Phillip 2025-35 (An engaged and Empowered Community), by providing a transparent and good governance approach to decision making.

11.2 Good decision-making processes helps people feel that Council will act in the community's overall interest. It also encourages Councils to remember that they are acting on behalf of their community and helps them to understand the importance of having open and ethical processes which adhere to the law and stand up to scrutiny.

12. IMPLEMENTATION STRATEGY

12.1 TIMELINE

12.1.1 Council receives ongoing reporting on the status of implementation of Council Decisions, and questions taken on notice at Council Meetings, on a quarterly basis.




MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



13. OFFICER MATERIAL OR GENERAL INTEREST

13.1 No officers involved in the preparation of this report has declared a material or general interest in the matter.

ATTACHMENTS

1. Completed Decisions 1 April- 30 June 2025 - Council and Planning Committee Meetings  [Download](#)
2. Outstanding Decisions as at 30 June 2025 - Council Meetings  [Download](#)
3. Questions taken on notice 1 April - 30 June 2025  [Download](#)



12.2 COUNCILLOR EXPENSES MONTHLY REPORTING - AUGUST 2025

EXECUTIVE MEMBER: ROBYN BORLEY, DIRECTOR, GOVERNANCE AND ORGANISATIONAL PERFORMANCE

PREPARED BY: MITCHELL GILLETT, COORDINATOR COUNCILLOR AND EXECUTIVE SUPPORT

1. PURPOSE

- 1.1 To report on the expenses incurred by Councillors during August 2025 in accordance with the Councillor Expenses and Support Policy.

2. EXECUTIVE SUMMARY

- 2.1 The *Local Government Act 2020* requires Council to maintain a policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees. Council endorsed its Councillor Expenses and Support Policy at the Council Meeting held on 19 June 2024.
- 2.2 The policy requires a monthly report on Councillor allowances and expenses to be tabled at a Council meeting in addition to publishing the monthly report on Council's website.
- 2.3 The report outlines the total amount of expenses and support provided to Councillors and is detailed by category of support. Any reimbursements made by Councillors are also included in this report.

3. RECOMMENDATION

That Council:

- 3.1 Notes the monthly Councillor expenses report for August 2025 (attachment 1) and that this will be made available on Council's website.

4. KEY POINTS/ISSUES

- 4.1 The *Local Government Act 2020* (the Act) provides that councillors and members of delegated committees are entitled to be reimbursed for bona fide out-of-pocket expenses that have been reasonably incurred while performing their role, and that are reasonably necessary to perform their role.
- 4.2 The management of expenses is governed by the updated Councillor Expenses and Support Policy (the Policy), developed in accordance with the requirements of the Act and adopted by Council on 19 June 2024.
- 4.3 The Policy sets out the process for submitting requests for support and/or reimbursement. All requests are required to be assessed by officers prior to processing.
- 4.4 All requests for reimbursement must be lodged with officers for processing no later than 30 days from the end of the calendar month, except for the month of June where claims must be submitted within 7 days. Claims for reimbursement lodged outside this timeline will not be processed unless resolved by Council.



- 4.5 To accurately capture expenses, monthly reports are prepared no earlier than 30 days following the end of the month and generally reported at the next available Council meeting cycle. This means that reports are generally presented in a 2-3 month rolling cycle.
- 4.6 Notes the variations in *Information and Communication Technology* charges are due to the number of devices requested by those Councillors, such as the use of an iPad as well as a mobile phone and additional data packages.
- 4.7 Notes the higher *Information and Communication Technology* charges attributed to Cr Thomann are due to International Roaming being enabled on Cr Thomann's Council issued device to allow him to participate in official Council business while overseas.
- 4.8 Notes the higher *Conferences and Training* charges attributed to Cr Buckingham are due to registration for the Australian Institute of Company Directors (AICD) course.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 No community consultation is required for the purposes of this report.
- 5.2 A copy of Councillor expense reports will be provided to the Audit and Risk Committee.

6. LEGAL AND RISK IMPLICATIONS

- 6.1 The provision of expenses and support to Councillors is governed by the *Local Government Act 2020*, and Council's adopted policy.

7. FINANCIAL IMPACT

- 7.1 Provision of support and expenses for Councillors is managed within Council's approved operational budgets.

8. ENVIRONMENTAL IMPACT

- 8.1 There are no direct environmental impacts as a result of this report.

9. COMMUNITY IMPACT

- 9.1 This report provides to the community transparency and accountability by publicly disclosing expenses and support accessed by Councillors.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 10.1 Reporting on Councillor expenses delivers on Strategic Direction 5 – An Engaged and Empowered Community.

11. IMPLEMENTATION STRATEGY

- 11.1 Council reports to the community monthly on the expenses and reimbursements provided to Councillors.
- 11.2 Officers will publish monthly expense reports to Council's website once adopted.

12. OFFICER MATERIAL OR GENERAL INTEREST

- 12.1 No officers involved in the preparation of this report has declared a material or general interest in the matter.

ATTACHMENTS 1. Declaration of Councillor Expenses - August 2025 



13. A TRUSTED AND HIGH PERFORMING ORGANISATION

13.1 *Procurement Australia Renewal 2026 - 2029*.....207

13.2 *Proposed Discontinuance and Sale - Part Union Place (Adjoining 154-158 Bank Street) South Melbourne*.....215



13.1 **PROCUREMENT AUSTRALIA RENEWAL 2026 - 2029**

EXECUTIVE MEMBER: **CLAIRE STEVENS, GENERAL MANAGER, ORGANISATIONAL CAPABILITY AND EXPERIENCE**

PREPARED BY: **DAVID CRICHTON, HEAD OF RECRUITMENT, WORKFORCE SYSTEMS AND EXPERIENCE**

DANIEL LEW, CHIEF PEOPLE OFFICER

1. PURPOSE

1.1 This report provides an overview of the review into Council's use of labour hire and agency staffing arrangements (conducted in 2024) and recommends to Council that City of Port Phillip renews its contractual agreements with Procurement Australia for the provision of recruitment services including short term temporary and permanent placements with the organisation.

2. EXECUTIVE SUMMARY

- 2.1 Procurement Australia is a leading provider of amalgamated Procurement Services across Government, Health, Education, Commercial and not for profit organisations. Procurement Australia provide a fit for purpose option for council to procure temporary and permanent staffing solutions that align to organisational requirements. Widely used by many councils across Australia, Procurement Australia provides access to priority staffing for areas such as Children Services and blue-collar positions when required, and value for money by leveraging off economies of scale due to the large-scale nature and volume of the firms selected to participate in the panel.
- 2.2 Council have accessed the Procurement Australia panel for Recruitment Services since before 2016 to supplement the organisations recruitment and workforce requirements. This is inclusive of short-term placements in times of vacancy backfill or to meet peak season workforce needs, and search and selection services for permanent or fixed-term roles that are not easily filled or have not been successful via regular recruitment processes run by council officers.
- 2.3 The current Procurement Australia contract is due to expire in December 2025. Procurement Australia have confirmed they intend to renew the contract and are completing a full tender process between June and October 2025 with the intended delivery of a new contract by 1 January 2026.
- 2.4 Council officers undertook a review of the existing Procurement Australia contract in April 2024 which also considered other potential options available to council within the market, including developing our own internal panel. The comprehensive review determined that Procurement Australia remained the best option for council and recommended a continuation of the contract. Following the review council approved an increased contract value to \$38.5M to utilise for the remaining term of the contract expiring on December 31, 2025.
- 2.5 While the new panel details and list of specific vendors are not as yet available (pending Procurement Australia tender process outcome) Council officers are confident that this preferred option for recruitment services is highly cost effective and efficient and will continue to provide critical resourcing at rates that Council could not achieve through establishment of its own panel.



- 2.6 Council officers are seeking approval to enter into a new four-year contract with a total limit of \$37M. This amount does not represent a committed spend but provides flexibility to accommodate Wage Price Index increases and includes a 10% contingency to cover unforeseen circumstances such as environmental or Market factors, or events like the COVID-19 post pandemic workforce impact.
- 2.7 Importantly, the recommended contract arrangement is not seeking additional funds above current approved budgets. The expenditure for this contract is captured within existing departmental wage budgets, and the contract would not commit Council to any level of expenditure.
- 2.8 To ensure business continuity, council officers are also seeking approval to extend the use of the existing contract for up to a period of 12 Months and \$7.9M expenditure should Procurement Australia be unable to deliver the new contract by 1 January 2026.

3. RECOMMENDATION

That Council:

- 3.1 Authorises the CEO to enter into a new Contract with Procurement Australia on a four-year term from 1 January 2026 to 31 December 2029 for up to \$37 million over the life of the contract.
- 3.2 Authorises the CEO to enter an extension of the current Recruitment services agreement with Procurement Australia (Recruitment, Training and associated Services 000649) for up to 12 months, with an additional contract expenditure of \$7.9M in the unlikely event the new agreement from Procurement Australia is not delivered by 1 January 2026.
- 3.3 In the event that 3.2 is required due to Procurement Australia panel not being finalised by 31 December 2025, authorises the CEO to enter into a new contract with Procurement Australia on a four-year term from the date of panel commencement (to be confirmed), for \$37m over the life of the four-year contract.
- 3.4 Authorises the Chief Executive Officer or their delegate the selection and use of the recruitment vendors approved on the Procurement Australia panel.
- 3.5 Notes that officers will undertake a detailed review of services in year three of the contract to evaluate continued value for money and alignment with council needs.

4. KEY POINTS/ISSUES.

4.1 BACKGROUND

- 4.1.1 Procurement Australia are tendering agents for a wide range of public authorities across Australia, including local government authorities, not for profit organisations, tertiary education institutions and water authorities.
- 4.1.2 Procurement Australia amalgamates the demand for services across many organisations and then undertakes large scale competitive procurement processes to establish panels of contractors/service providers with which council can be engaged directly.
- 4.1.3 The current Procurement Australia Recruitment Services contract was endorsed by Council for usage from 4 February 2021 and expires on 31 December 2025. Officers are seeking approval to enter into a new contract



with Procurement Australia prior to the completion of this contract to safeguard business continuity and ensure smooth transition.

- 4.1.4 Agency and Labour hire staff are engaged via Procurement Australia providers to supplement permanent staffing, and support delivery of key requirements of council such as Childcare and street and beach services. Agency and Labour hire staff are engaged to support the backfill of vacancies in periods of leave, turnover and peak periods of service. Vendors are also available through this arrangement to engage for search and selection services for roles that are not easily filled or have not had successful appointments via regular recruitment processes run by council officers.
- 4.1.5 The services offered by the Procurement Australia contract have served council well and provided access to a wide range of services and people resources at competitive prices.

Current State Expenditure

- 4.1.6 In April 2024 Council endorsed an increase to the total contract limit from \$24M to \$38.5M for the remaining 21 months of the contract term (expiring December 2025). This increase was due to the elevated demand on temporary labour, and key events following COVID-19 Pandemic including a period of increased turnover often referred to as ‘the great resignation’ which impacted organisations globally. This contract increase was not an increase to wage budgets.
- 4.1.7 When the contract was renewed in 2021, officers estimated contract expenditure of up to \$6M annually over the life of the contract. This estimate was based on a historical average spend of \$7.4m annually over 2017-2020, and the anticipated reduced engagement of external resources which did not eventuate.
- 4.1.8 The approximate average annual spend on the Procurement Australia contract since 2021 has been \$7.6M and labour hire requirements continue to be the core usage of this contract.
- 4.1.9 Officers continue to monitor contract usage across the business and identify opportunities for council to reduce reliance on the contract, including workforce planning, recruitment strategies and operational controls – these are further detailed in section 4.3 of this report.
- 4.1.10 While Council’s rolling 12-month turnover has continued to be high, currently 17.2%, a primary reason for this is Councils exit of aged care services. Excluding this transition, our voluntary turnover rate would be 12.9% as at July 2025.

Turnover Rates by Financial year	20/21 (Covid Year)	21/22	22/23	23/24	24/25
Staff Turnover Rate	15%	20.3%	17.6%	17.5%	17.2%

- 4.1.11 Expenditure on agency/labour hire to backfill vacant roles or where staff are on leave continues to be higher than officers would like, however to some extent this is unavoidable. In addition, short term engagements are required to support the organisation through peak periods and ensure service delivery.



4.1.12 Some areas of higher agency spend are outlined below:

- Street Services / Beach Services / Litter bin Clearances have a historically high agency spend due to additional staff for seasonal demand (e.g. leaf fall season and summer management)
- Summer Open Space Management – Agency staff are historically utilised to manage the seasonal demand and surge over summer
- Childcare centres for the last three financial years had to employ agency staff to support the utilisation rates across centres due to a national skills shortage and high turnover.

4.1.13 The contract is also used for engaging specialist recruitment firms from time to time to support the appointment of:

- specialist or hard to fill roles - recent examples include in areas of Municipal Building surveying, stakeholder engagement and governance, specialised IT roles and Procurement.
- Senior Executive Officers and Senior Officers across the organisation, roles which may require specialised talent search and attraction strategies.

4.1.14 Engagements of agency and labour hire staff are dependent upon business need and are subject to an approved funding source, such as existing salary budgets and savings associated with vacancies.

4.2 PROCUREMENT REVIEW 2024

4.2.1 A comprehensive review of our Procurement Australia contract was completed in March 2024. This review involved a detailed comparison of available procurement options and concluded that continuing with Procurement Australia represents the most appropriate and beneficial approach for our organisation.

4.2.3 The findings and supporting analysis from this review are considered confidential due to the commercially sensitive nature of the information. Councillors seeking further detail can refer to **Confidential Attachment One**, which contains an overview of the assessment.

4.2.4 Analysis of procurement options available to Council has shown that while there are differences between models, the real opportunity for reducing cost and efficiency can be found in the continued review and monitoring of usage of agency staff with the aim of reducing usage over time. Effort is therefore best spent on strengthening workforce and recruitment strategies to reduce agency staff use where possible, rather than moving to a different panel arrangement or establishing our own panel arrangement within Council. This work continues to be an organisational focus.

4.3 RECRUITMENT ENHANCEMENTS AND WORKFORCE CONTROLS

4.3.1 Several business improvements and enhanced controls have been introduced since commencement of the current Procurement Australia contract in 2021 to support successful recruitment and more effective management and usage of agency/labour hire when needed.



4.3.2 **Some of the more recently enhanced controls and additional controls include:**

- Creation of a permanent Recruitment and Employee Experience advisor role with a focus on partnering with the business to reduce labour hire dependency. While labour hire and recruitment agency utilisation will still be required, it is anticipated that this will be reduced with additional dedicated recruitment support.
- continuing to strengthen relationships with Procurement Australia and key vendors. This focus will extend to the awarded recruitment firms, ensuring alignment with organisational goals, compliance with reduced rates, and adherence to contract terms.
- Enhanced Approval to Recruit forms used for all appointments across council, with further refinements occurring on approvals for spend for labour hire appointments.
- Improved training and development options for hiring managers aimed at elevating recruitment practices thus reducing turnover or poor recruitment decisions.
- Contract usage is reported to the Executive Leadership Team via the People, Culture and Safety performance dashboard. Officers propose to strengthen reporting with a focus on identifying opportunities to reduce usage during non-peak periods and in non-critical areas through targeted action plans.
- **New Control:** The Contract Manager will formalise quarterly review meetings (currently ad-hoc) with managers of high-usage areas to assess agency staffing levels and establish a support process aimed at reducing reliance on temporary resources.
- Commenced planning and research into potential Employment Pathway programs which will create development pathways for roles across council for example Business Support officers, Assist Officers and outdoor workers.
- Further improvement to our recruitment strategies for core areas such as Assessment Centres and Bulk recruitment activities.

4.4 RENEWAL TENDER

4.4.1 Council officers are proposing a total contract limit of **\$37M** for the forthcoming four-year term. This figure is based on:

- An average spend for the last three financial years of \$7,670,000 plus the predicted wage price index being between 3.4% and 3.5% as per CoPP's 10 year financial forecast totalling \$33,403,149.87 for the four year period.
- A 10% overall contingency of \$3.4M to ensure flexibility in responding to unforeseen circumstances such as environmental disruptions or market volatility.

It is important to note, the proposed contract limit is less than our current contract, this is due to the new proposed contract being only a 4-year option not a 5-year contract like the current agreement.



This structure provides Council with the necessary financial scope to maintain service continuity and adapt to changing conditions without requiring contract renegotiation.

- 4.4.2 Procurement Australia will be responsible for meeting legislative requirements for the approach to market and tender of the upcoming Contract.
- 4.4.3 At time of development of this report it is not yet known which firms will be awarded the tender for the 2026 to 2029 contract, however officers are seeking endorsement from council for the CEO and Contract Manager to determine the best fit for council in terms of specific vendors engaged under this contract. Currently council has access to 73 recruitment providers within the current contract, and we have “opted in” to use of 18 of those who best fit the business needs of council.
- 4.4.4 While the panel has not been established as yet, Council officers are confident that the agreement with Procurement Australia will continue to provide an efficient and cost-effective solution for recruitment services. Procurement Australia will leverage suitably qualified organisations to form a panel of providers to supply and deliver a range of recruitment, nationwide. This panel provides economies of scale and value that Council could not achieve through its own panel arrangement. Even if Council were to consider establishing its own panel, this would require significant resourcing to establish and manage. This is estimated to be at least one full time equivalent staff member to manage the procurement process for around 12 months, along with significant time commitment from other officers and subject manager experts (e.g. recruitment and procurement team). Ongoing, the management of this contract and panel would also require one full time staff member for a contract of this size and complexity.
- 4.4.5 Procurement Australia has advised:
- the tender offering will run from 30 July 2025 with completion of evaluation by 31 October 2025.
 - contracts will be awarded to successful tenders (Recruitment Firms) by 31 October 2025 for commencement from 1 January 2026
 - the categories for tender will be as follows:
 - Permanent Recruitment – Entry/Middle/Senior/Executive
 - Temporary Recruitment
 - Police and Background Checks
 - Unbundled Recruitment Services
- 4.4.6 Council’s Contract Manager continues to maintain regular engagement with Procurement Australia throughout the development of the new recruitment services contract. Procurement Australia has committed to making the new contract available from 1 January 2026.

However, given the critical nature of Council’s current engagements and acknowledging the potential risk that the proposed timeline may not be met Council officers are seeking endorsement to extend the existing Procurement Australia Recruitment Services Contract (Recruitment, Training and



Associated Services 000649) by up to 12 months, with a maximum contract increase of \$7.9M.

Procurement Australia has confirmed that purchase order contracts established prior to 31 December 2025 will be honoured until the new contract is in place.

This contingency measure is designed to safeguard business continuity, particularly in relation to labour hire arrangements, noting that the current contract expiry coincides with Council's peak summer operational period. The extension would only be enacted if the new contract is not available by the expiry date and would cease immediately upon commencement of the replacement contract.

4.5 PROCUREMENT RECCOMENDATIONS

4.5.1 Due to the tender not yet being completed at the time of development of this report so we are unable to recommend which firms to engage with from the approved panel.

4.6 PROCESSES & SYSTEMS

4.6.1 Council continues to maintain a central database of labour hire officers within the organisation, since implementation in late 2021 this has improved visibility and management of department usage of labour hire resources.

5. CONSULTATION AND STAKEHOLDERS

5.1 Councils current Enterprise agreement (2025) sets forth specific circumstances in which the use of agency or temporary staff is supported. Council is committed to meeting its obligations under the agreement and continues to work closely with employee representatives to ensure that agency arrangements accord with the agreement.

5.2 Council has not directly engaged with unions or external bodies regarding the renewal of the Procurement Australia contract outside of representatives directly engaged by Procurement Australia.

6. LEGAL AND RISK IMPLICATIONS

6.1 There are no legal and risk implications as a direct result of this report.

7. FINANCIAL IMPACT

7.1 Renewing the contract with Procurement Australia does not have a direct budget impact as all labour hire and agency resourcing is funded through existing budget and existing recruitment activity controls.

7.2 The use of agency staff to deliver key services in high impact areas is budgeted year to year alongside the use of existing permanent staff.

7.3 Any short-term financial implications arising from the use of agency staff is managed through the normal monthly forecast review process and annual budget process.

8. ENVIRONMENTAL IMPACT

8.1 There are no environmental implications as a direct result of this report.



9. COMMUNITY IMPACT

- 9.1 The use of agency and labour hire staff is particularly important in service areas that are highly visible and valued by the community such as childcare services, amenity and statutory planning. Resourcing gaps in these areas often see significant reductions in customer service performance and declines in community perceptions.
- 9.2 As an example, the ability of street and beach services team to surge resources during the leaf season or environmental impact times by accessing labour hire staff enables a seven day a week clearance program within the city which without labour hire would not be practical or affordable to resource these demands.

10. GENDER IMPACT ASSESSMENT

- 10.1 As the Procurement Australia Recruitment Services contract is only used internally for officers it does not require a GIA as per guidelines provided.

11. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 11.1 This report aligns with the outcomes of Strategic Direction 6 - *A trusted and high-performing organisation* by ensuring council has sound contract management, procurement and workforce management practices.

12. IMPLEMENTATION STRATEGY

12.1 TIMELINE

- 12.1.1 Subject to approval of the above recommendation's council officers will implement a new contract via council's appropriate channels.
- 12.1.2 Council officers will support organisationally the implementation and rollover of current agreements.
- 12.1.3 Council officers will continue works captured within enhancements ongoing into the roll out of the new agreement.

12.2 COMMUNICATION

- 12.2.1 Council officers will notify Procurement Australia of Councils decision to renew on a four-year agreement (2+1+1) with a contract limit of \$37M.

13. OFFICER MATERIAL OR GENERAL INTEREST

- 13.1 No officers involved in the preparation of this report has declared a material or general interest in the matter.
- 13.2 One officer has been the contract manager of the Procurement Australia contract during most of its current term however was not involved as a scoring member of the review completed in 2024. The officer has no general interest or material interest in the providers available via the current Procurement Australia panel.

ATTACHMENTS 1. *Confidential-* 2024 Review of Recruitment Procurement panels.



13.2 PROPOSED DISCONTINUANCE AND SALE - PART UNION PLACE (ADJOINING 154-158 BANK STREET) SOUTH MELBOURNE

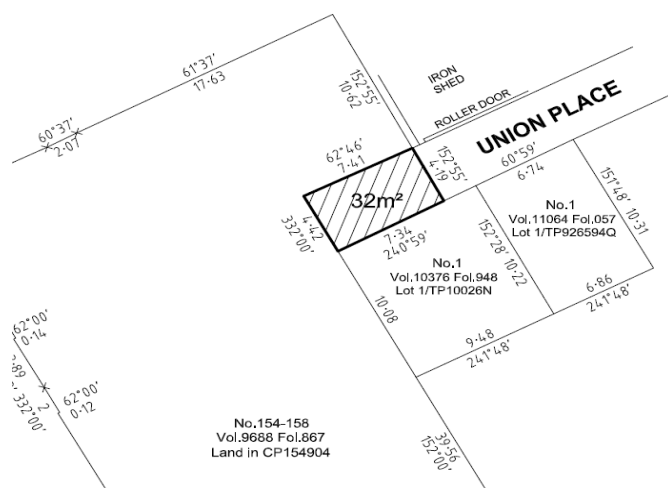
EXECUTIVE MEMBER: LACHLAN JOHNSON, GENERAL MANAGER, OPERATIONS AND INFRASTRUCTURE

PREPARED BY: VICKI TUCHANT, MANAGER PROPERTY AND ASSETS
LEIGH STEWART, HEAD OF PROPERTY OPERATIONS & FACILITIES

MICHAEL MAJOR, TEAM LEADER PROPERTY OPERATIONS

1. PURPOSE

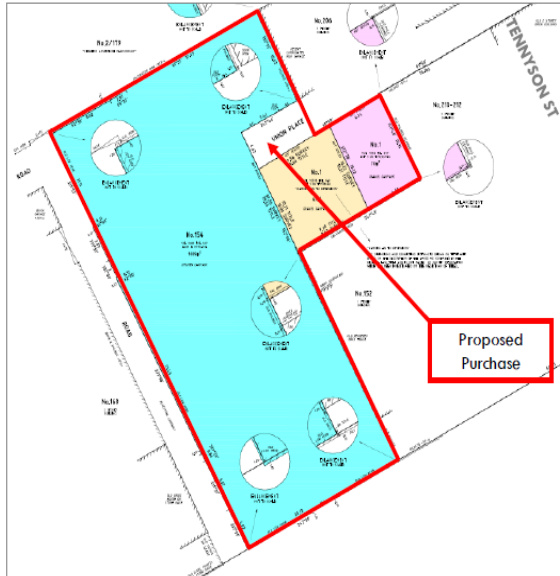
1.1 For Council to consider whether part of Union Place, South Melbourne, more particularly described on the City of Port Phillip's Register of Roads as UNIP01-10 and shown hatched in the image below (the Road), should be discontinued pursuant to the *Local Government Act 1989* (Vic) (the Act) and sold to an adjoining property owner.



2. EXECUTIVE SUMMARY

- 2.1 The portion of Road in question is 32 square metres (approx.) in total land area.
- 2.2 The subject parcel comprises a narrow rectangular allotment situated between two parcels. Its north and west borders adjoin 154-158 Bank Street, South Melbourne and its southern border runs along the northern boundary of 152 Bank Street, South Melbourne.
- 2.3 The land is zoned Neighbourhood Residential 1 Zone (NRZ1) pursuant to the Port Phillip Planning Scheme.
- 2.4 The subject land is situated between Lot 1 on Title Plan 010026N (152 Bank Street) and land in Plan of Consolidation 154904 (154-158 Bank Street) (refer to the diagram below).

MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



- 2.5 The Road is listed on City of Port Phillip's Register of Roads being identified as UNIP01-10.
- 2.6 This section of the Road is considered no longer reasonably required for general public use, as it:
 - 2.6.1 Does not form part of a thoroughfare for pedestrian or vehicular traffic to any other public road; and
 - 2.6.2 Other than providing pedestrian and vehicular access to the applicant, benefits only one other adjoining owner situated at 206-208 Bank Street, South Melbourne. The 206-208 Bank Street owner has verbally indicated to officers that they have no objection to the discontinuance and sale of the Road to the applicant.
- 2.7 The owner of 154-158 Bank Street, South Melbourne ("the Owner") has requested that Council discontinues and sells part of the Road to them ("the Proposal").
- 2.8 Council has no current or future municipal use of the road, thus providing the land to have a more compatible use with the adjoining owner.
- 2.9 At its meeting held on Wednesday 2 July 2025, Council resolved to:
 - Remove the part of the Road in question from the Public Road Register; and
 - Commence the statutory procedures and give notice pursuant to sections 207A and 223 of the Act of its intention to discontinue and sell the Road to the adjoining owner for market value.
- 2.10 On Wednesday 16 July 2025, Council gave public notice by publication in 'The Age' newspaper and on Council's website.
- 2.11 Council did not receive any submissions in response to the public notice by the closing date, namely, 20 August 2025.
- 2.12 Council is now able to consider whether to discontinue and sell the Road to the adjoining owner.



- 2.13 Officers recommend that Council discontinues and sells the land to the adjoining owner for market value, being \$184,000 plus GST, plus reimbursement of Council costs to facilitate this transaction. The proceeds of the sale will be held in Council's Strategic Property Reserves to support the acquisition and development of the property portfolio.

3. RECOMMENDATION

That Council:

Having considered that there were no submissions received in response to the public notice regarding Council's proposal to discontinue the road being the land more particularly known as part of Road UNIP01-10:

- 3.1 Resolves to discontinue the Road as it considers that the Road is not reasonably required for public use for the following reasons:
 - 3.1.1 Does not form part of a thoroughfare for pedestrian or vehicular traffic to any other public road; and
 - 3.1.2 Other than providing pedestrian and vehicular access to the applicant, benefits only one other adjoining owner situated at 206-208 Bank Street, South Melbourne;
- 3.2 Resolves to sell the discontinued Road for market value plus disbursement of Council's costs to facilitate this transaction to the adjoining owner of 154-158 Bank Street, South Melbourne ("Owner");
- 3.3 Notes that proceeds from the sale will go into Council's Strategic Property Reserve used to support the acquisition and development of the property portfolio;
- 3.4 Authorises the Chief Executive Officer or their delegate to negotiate, approve, and enter into such documentation to complete the discontinuance, sale, and transfer of the Road as described;
- 3.5 Directs that the Chief Executive Officer or their delegate signs an authorisation allowing Council's solicitors to execute transfer documents and any other documents required to be signed on Council's behalf in connection with the transfer of the discontinued Road to the Owner;
- 3.6 Directs that any easements, rights or interests required to be created or saved over the Road by any public authority be done so and not be affected by the discontinuance and sale of the Road; and
- 3.7 Directs that the Owner be required to consolidate the title to the discontinued Road with the title to the Owner's land (or such part of it approved by Council) within 12 months of the date of the transfer of the discontinued Road.

4. KEY POINTS/ISSUES

Background

- 4.1 The Road is listed on City of Port Phillip's Register of Roads and is more particularly identified as UNIP01-10.
- 4.2 The Road is approximately 32 square metres in total land area and is situated at the western termination of Union Place, South Melbourne.



Adjoining Property

- 4.3 Properties that directly adjoin the Road portion in question are currently in the ownership of the applicant.
- 4.4 The owner 206-208 Moray Street, South Melbourne enjoys the benefit of direct Road frontage to Union Place on the southern boundary alignment. Vehicular access via Union Place is provided to access a double garage. The owner has verbally advised that they do not have an interest in purchasing the land, nor any objection to the discontinuance and sale of the said land to the applicant.

Application

- 4.5 The Owner of 154-158 Bank Street, South Melbourne has requested that Council discontinues and sells this portion of the Road to them.
- 4.6 The Owner has agreed to pay Council's costs and disbursements associated with the proposed discontinuance of the Road, together with the market value for its transfer of the portion of the discontinued Road.
- 4.7 If the Road is discontinued and sold to the Owner, Council will require the Owner to consolidate the title to the discontinued Road with the title to the Owner's Property within 12 months of the date of transfer of the Road, at the Owner's expense.
- 4.8 The indicated market land value of \$184,000 plus GST (\$5,750 per square metre) is based on a valuation undertaken by Westlink Consulting dated 17 April 2025. A revised valuation at a later date may be required to comply with Council's statutory obligations under the Act.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 The following statutory authorities have been advised of the proposed discontinuance of the Road and were requested to respond to the question of whether they have any existing assets in the Road, which should be saved under section 207C of the Act:
 - 5.1.1 City of Port Phillip;
 - 5.1.2 Citipower Pty Ltd;
 - 5.1.3 Multinet Gas;
 - 5.1.4 NBN Co VicTas
 - 5.1.5 APA Group Gas Transmission;
 - 5.1.6 South East Water Corporation; and
 - 5.1.7 Telstra VICTAS.
- 5.2 A *Before You Dig* application was undertaken in August 2024 and again in May 2025 with email replies received from most stated service authorities. The information received indicated that the subject Road is not affected by any adverse encumbrances.
- 5.3 Council's Asset Management, Real Estate Portfolio, City Development (Statutory Planning / Building), and City Planning and Sustainability Departments have advised that the City of Port Phillip has no direct assets in or above the Road and have no objection to the Proposal.
- 5.4 APA Group and Multinet Gas have advised that there are no underground assets (Gas) in the area of the proposed discontinuance.



- 5.5 At the date that this report was prepared, Council had not received formal responses from all external service providers to the request for response.
- 5.6 Citipower advised on 23 May 2025 that there are underground electricity assets within proximity to the subject Road. A locality map provided indicates that the subject Road is not directly impacted by the underground electricity assets.
- 5.7 South East Water advised on 23 May 2025 that there is an identified sewer line in proximity to the subject Road. Any works to be undertaken with the vicinity of a South East Water asset must conform with the guidelines outlined in the “*Protection of South East Water Sewerage Assets*” document.
- 5.8 The owner 206-208 Moray Street, South Melbourne enjoys the benefit of direct Road frontage to Union Place on the southern boundary alignment. The owner has verbally advised that they do not have an interest in purchasing the land, nor any objection to the discontinuance and sale of the said land to the applicant.
- 5.9 Council officers have written to the registered proprietor (Department of Families, Fairness & Housing (DFFH)) of 212 Moray Street, South Melbourne, an adjacent property to Union Place. Note, this property is in the vicinity, however, does not adjoin the land proposed to be discontinued. Council has not received a formal response from DFFH to date, however, reasonably expect no objection to the proposal.
- 5.10 Council is proceeding on the basis that the respective providers do not have any rights, powers, or interests they wish to be saved under section 207C of the Act.
- 5.11 Council notified the community of the Proposal through a public notice published in ‘The Age’ newspaper and on Council’s website on Wednesday 16 July 2025 inviting submissions in accordance with section 223 of the Act.
- 5.12 The deadline for submissions was on 20 August 2025.
- 5.13 No submissions were received by Council in response to the public notice.

6. LEGAL AND RISK IMPLICATIONS

- 6.1 Under clause 3 of Schedule 10 of the Act, a Council has the power to discontinue roads located within its municipality and sell the land from that road or retain the land. Council must first give notice in accordance with sections 207A and 223 of that Act.
- 6.2 Under section 114 of the *Local Government Act 2020 (Vic)* (the 2020 Act), a Council must comply with that section if it sells or exchanges land. Section 114 requires that (unless section 116 applies) before selling or exchanging land, a Council must at least four (4) weeks prior to the sale or exchange, publish notice of its intention to do so on Council’s website and in any other prescribed manner, undertake a community engagement process in accordance with its *Community Engagement Policy* (February 2021), and obtain a valuation from a person qualified under section 13DA(2) of the *Valuation of Land Act 1960 (Vic)* made not less than 6 months prior to the sale or exchange.
- 6.3 Council has a *Road Discontinuance and Sale of Roads Policy* (2022) that enables roads that are no longer required for public access to be discontinued and sold to adjoining property owner(s).

7. FINANCIAL IMPACT

- 7.1 The Owner has agreed to acquire the Land for its market value (plus GST). If Council proposes to transfer the Road, it will need a current valuation of the Road in



accordance with the 2020 Act. This is in accordance with Council's *Road Discontinuance and Sale of Roads Policy*.

- 7.2 The Owner has agreed to pay Council's costs and disbursements associated with the proposed discontinuance of the Road.
- 7.3 An independent valuation of the land dated 17 April 2025 determined the market value at \$184,000 (\$5,750 per square metre) excluding GST. In accordance with Council's *Road Discontinuance and Sale of Roads Policy*, the value attributed to the land in the Land is based on the following assumptions:
- 7.3.1 The Road is valued on a "direct comparison on land value rate", taking into consideration restrictions due to the shape and location of the site, and the limited width of the site restricts potential redevelopment of the site in isolation without consolidation with adjoining property; and
- 7.3.2 No discount is applicable to the full land value due to the limited purchasing market for the Road.
- 7.4 A revised market valuation may be required (valid for a period of up to 6 months) if the proposal is supported by Council.

8. ENVIRONMENTAL IMPACT

- 8.1 The Proposal is not considered to have or contribute to any detrimental environmental implications.

9. COMMUNITY IMPACT

- 9.1 Council will facilitate the discontinuance and sale of roads where appropriate consultation has occurred, legislative requirements have been met, and it is considered that road discontinuance and sale is in the best interest of the wider community.
- 9.2 The proposed discontinuance and sale of the Road will enable the land in the Road to be re-purposed.
- 9.3 If Council resolves to discontinue and sell the Road, proceeds from the sale will go into Council's Strategic Property Reserves used to support the acquisition and development of the property portfolio.

10. GENDER IMPACT ASSESSMENT

- 10.1 The proposal is not considered to have any detrimental gender implications.

11. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 11.1 The proposal aligns to the strategic direction 'A trusted and high-performing organisation' ensuring Council's property and assets meet the needs of current and future generations.

12. IMPLEMENTATION STRATEGY

12.1 TIMELINE

12.1.1 If the Proposal is approved:

- Notice will be published in the Victorian Government Gazette to formally discontinue the Road; and

MEETING OF THE PORT PHILLIP CITY COUNCIL

24 SEPTEMBER 2025



- A contract of sale for the discontinued Road and transfer of the discontinued Road pursuant to section 207D of the Act will be prepared by Council's solicitors.

12.2 COMMUNICATION

12.2.1 The public notification process has provided the community with the opportunity to make submissions in respect of the Proposal. Having considered that no submissions were received, Council may now determine to discontinue and sell the Road.

12.2.2 The Owner will be advised of the final Council decision and the reasons for it within five (5) days of the Council meeting.

13. OFFICER MATERIAL OR GENERAL INTEREST

13.1 No officers involved in the preparation of this report has declared a material or general interest in the matter.

ATTACHMENTS 1. **Public Notice Inviting Submissions Under Section 223**  



14. NOTICES OF MOTION

Nil

15. REPORTS BY COUNCILLOR DELEGATES

16. URGENT BUSINESS

17. CONFIDENTIAL MATTERS

17.1 *Update on the implementation of the Village Model*..... 223

RECOMMENDATION

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 Update on the implementation of the Village Model

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

Reason: The report contains information that if prematurely released would impact Council's ability to deliver aged care services, including service planning and delivery given it operates within a competitive and market-driven landscape