



# MEETING OF THE PORT PHILLIP CITY COUNCIL

## MINUTES

3 DECEMBER 2025



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# MINUTES - MEETING OF THE PORT PHILLIP CITY COUNCIL - 3 DECEMBER 2025



## MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL HELD 3 DECEMBER 2025 IN ST KILDA TOWN HALL AND VIRTUAL VIA TEAMS

The meeting opened at 6:30pm.

### IN ATTENDANCE

Cr Makin (Chairperson), Cr Buckingham, Cr Crawford, Cr Halliday, Cr Hardy, Cr Jay, Cr Thomann.

Chris Carroll, Chief Executive Officer, Brian Tee, General Manager City Development, Kylie Bennetts, General Manager Community Wellbeing, Robyn Borley, General Manager, Governance and Performance, Paul Wood, Acting General Manager, City Infrastructure, Tarnya McKenzie, Acting Director, People and Experience, James Gullan, Manager Communications and Governance, Dana Pritchard, Manager Open Space, Recreation and Community Resilience, Christine Dening, Manager Community Building and Inclusion, Nellie Montague, Manager Safety & Amenity, Vicki Tuchtan, Manager Property & Assets, Mike Fisher, Manager City Planning and Sustainability, Jon Liston, Head of Transport, Leonie Kirkwood, Head of Strategic Planning, Marc Jay, Coordinator City Permits, Angela de Mel, Team Leader Footpath Trading, Monique Cosgrove, Head of Stakeholder Engagement, Emily Williams, Senior Council Business Advisor, Joshua Vearing, Council Business Advisor.

*The 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.*

### 1. APOLOGIES

Apologies were received from Councillor Cunsolo due to a death in the family and Deputy Mayor Mears.

### 2. CONFIRMATION OF MINUTES

#### Moved Crs Crawford/Halliday

That the minutes of the Meeting of the Port Phillip City Council held on 19 November 2025 be confirmed.

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



### 3. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Thomann declared a material conflict of interest in relation to item 11.1 *Footpath Trading Fee Policy* due to their ownership of a business in the Acland Street precinct. Councillor Thomann advised they would leave the meeting for consideration of this item.

### PRESENTATION OF AWARD

Mayor Makin accepted the Core Values Award (Environment) from the Engagement Institute (formerly IAP2) for Council's work on its community engagement and development for the Urban Forest Strategy 2024-2040.

Dana Pritchard, Manager Open Space, Recreation and Community Resilience was proud to present this award to Council that recognises the engagement behind the Urban Forest Strategy 2024-2040. Over 600 people including residents, businesses and environmental groups took part in an inclusive, multi-stage process to develop this strategy. Dana Pritchard particularly acknowledged Councillor Cunsolo for their generosity hosting the Mayors roundtable as the first engagement event as part of this project. The engagement then progressed through a series of workshops and stakeholder engagements, in which a lot of Port Phillip centric data was shared throughout the project which formed the basis of all conversations. The approach ensured that Council heard from diverse and knowledgeable voices in the community helping to develop this strategy which will guide Council building a healthy, biodiverse and connected urban forest through to 2040.

Dana Pritchard thanked all who contributed for setting a benchmark in deep community engagement and demonstrating how meaningful engagement can turn diverse voices into shared ownership and lasting impact.

*The Mayor adjourned the meeting due to technical difficulties with the livestream at 6:38pm. The Mayor resumed the meeting at 6:48pm.*

### 4. PUBLIC QUESTION TIME AND SUBMISSIONS

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

#### Public Question Time:

- **Claire Mear:** When does the City of Port Phillip expect to see the \$1.5m promised by Josh Burns? If Council has received this money, where in the project are you in upgrading the current CCTV? Is it true that City of Port Phillip CCTV is at times functioning through solar power and is that wise considering Melbourne's unreliable sunshine?

*Christine Denning, Manager Community Building and Inclusion stated that Council has submitted an application to the Commonwealth Government regarding the \$1.5m election commitment. Council will share further information on this as soon as it becomes available. At present Council is in the procurement process for the CCTV upgrade and once this process is complete Council will provide an update on the next steps. Council's current CCTV network operates on mains power, whereas Council understands that the mobile CCTV unit primarily solar powered, but it can also be recharged via mains power when required. Victoria Police manages the operation and maintenance of the mobile CCTV unit including its power supply.*

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- **Adrian King:** In relation to camping and encampments currently allowed in the City of Port Phillip under Local Law 42 (2). With regard to the Local Government Act 2020 (the Act), please explain the valid legal basis for Local Law 42, specifically sub clause (2) and specifically why in the Council's opinion Local Law 42 (2) does not contravene/conflict with: (i) the overarching Act? (State level legislation); and (ii) the Council's legal obligation regarding its 'duty of care' for the general public's safety relating to Council land/property?

*Nellie Montague, Manager Safety & Amenity stated that the Local Government Act 2020 provides Councils with a broad framework of powers and responsibilities relating to public safety. The Act enables Councils to make and enforce local laws to protect public safety and amenity. The exemptions under the current camping local law are designed to balance the need to maintain the amenity of public space while respecting the human rights of vulnerable persons. All local laws must be reviewed and approved by legal representatives to ensure compliance with the Local Government Act 2020 and to avoid any conflict with existing legislation. This occurred most recently during the 2023 Local Law review and was tabled at Council prior to the current local law coming into place.*

- **Eamon Dawson:** Is there now a working protocol with the Victorian Police and the City of Port Phillip Council and has it been made public? Is there work underway to setup a homeless protocol like the one that the City of Melbourne has in place? Is the motion that was tabled on 19 February 2025 to change the Local Laws still in consideration? Is the submission made by Local Laws, to the Community Safety Roundtable, to add clause 4a to section 42 of the Community Amenity Local Law 2023 no camping on Council land, under consideration?

Is the retaining wall on Canterbury Road near the intersection of Fitzroy Street a Council responsibility? The wall is failing and traffic is being reduced to one lane which is causing long delays and blocking of surrounding streets. What is the timeline to fix this issue?

*Nellie Montague, Manager Safety & Amenity confirmed that an operational protocol has been signed by police and is planned to be tabled publicly at the 10 December 2025 Council meeting with a recommendation for the CEO to sign on behalf of Council. This protocol is similar to the one in place in the City of Melbourne.*

*In relation to the 19 February 2025 Notice of Motion, changes to the Local Law outlined in the motion were assessed and a report was presented back to the 21 May 2025 Council meeting. At that meeting a potential amendment for temporary no encampment zones was endorsed to go out for community consultation which occurred in May and June 2025.*

*In relation to the Community Safety Roundtable, a report was tabled at the 21 May 2025 Council meeting which included examination of a range of submissions from service providers and police and presented a range of recommendations around whether changes were required to the Local Law as well as operational protocol that has also progressed. An update some of those actions and the findings of the community engagement will be presented at the 10 December 2025 Council Meeting.*

*Paul Wood Acting General Manager, City Infrastructure advised that the wall at Canterbury Road is privately owned and has been deemed structurally unsound and needs to be rebuilt. Council's municipal building surveyor is responsible for public safety and determined, due to the condition of the wall and its possible collapse, that the barriers are required to maintain public safety. Protective barriers were installed on 20 November 2025 to ensure public safety while the owners corporation worked towards rebuilding the retaining wall. These safety measures necessitate the temporary closure of one vehicle lane, the bike lane and the footpath. Work is expected to take approximately six months until around 8 May 2026. Detours will be in place for cyclists and pedestrians. The wall is Heritage Victoria listed and*



*the property owners are working closely with heritage experts to ensure the repair is done in a way that respects its historical value.*

## **Council Report Submissions:**

### **Item 10.1 Amendment C219port (South Melbourne Structure Plan)**

- Tom Anset
- Travis Reid
- Suhail Ahuja

### **Item 14.1 Notice of Motion – Councillor Thomann – Jet Skis in St Kilda Harbour**

- Simon Lewis
- Richard Matterson

*Mayor Makin noted that there was an additional public question on the agenda, but due to the absence of the speaker the question will be answered offline and provided in writing.*

## **5. COUNCILLOR QUESTION TIME**

- **Councillor Thomann:** Following on from Eamon Dawson’s concerns in relation to the retaining wall on Canterbury Road. Council potentially remove the restrictions of ‘no right turn’ during particular times on the surrounding streets close to Fitzroy Street while the road is only one lane for the traffic, for the traffic to be more fluid?

*Brian Tee, General Manager City Development advised that Council officers have been working with the relevant State Government authorities to look at how to alleviate significant congestion issues but took the question on notice to provide further details on the outcome.*

- **Councillor Thomann:** Can Council officers provide there an update on the O’Donnell Fountain repairs?

*Vicki Tuchtan, Manager Property and Assets advised that the O’Donnell Memorial Fountain is important heritage asset for the City of Port Phillip and a centerpiece within the popular O’Donnell Gardens in St Kilda. Officers are currently preparing feasibility options and associated costs to restore the O’Donnell Fountain and will present options for consideration as part of the annual budgeting process. In the interim it is important that the fountain presents well, and Council recognises that with recent rain the fountain has filled with murky water and Council is working with contractors to drain the water and clear the fountain.*

- **Councillor Halliday:** Following on from Eamon Dawson’s question in relation to the 19 February 2025 Notice of Motion. Can I clarify that the change to the local law proposed by the motion is no longer under consideration by Council and has been superseded by the work that has been done around the designated places?

*Nellie Montague, Manager Safety & Amenity clarified that the reports considered by Council at the 21 May 2025 Council meeting outlined a range of work that officers had done in response to the Notice of Motion that outlined a range of changes to be investigated. At this meeting the changes were not progressed and an alternative option was endorsed by Council, which is what officers have been directed to do from that meeting. Further, the community engagement has taken place and the findings will tabled at the 10 December 2025 Council meeting. The outcome of the 21 May 2025 meeting was not to progress anymore work on those exact changes, instead to focus on a different element of change to achieve community safety outcomes.*



- **Councillor Halliday:** Following on from Claire Mears questions in relation to CCTV. Is there publicly available reporting about the operational status of Council's CCTV network?

*Chris Carroll, Chief Executive Officer advised that Council has a regime of weekly status reporting with contractors internally with any remediation work completed quickly following any findings. Generally, the system is up and running continuously, but like any system will require maintenance from time to time. In relation to what is publicly reported, the question was taken on notice.*

## 6. PETITIONS AND JOINT LETTERS

### Item 6.1 Deputation - Community Safety in Church and Dow Streets, South Melbourne

Mark Stefanac spoke to the deputation request regarding community safety issues in Church and Dow Streets, South Melbourne.

## 7. PRESENTATION OF CEO REPORT

### 7.1 Presentation of CEO Report – October 2025 Issue 123

#### PURPOSE

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

**Councillor Jay** The report refers to 80 cages being installed on public bins as part of the initiative to support the container deposit scheme. Is this an additional 80 to what we've already put on, and where did the funding come from?

*Paul Wood, General Manager City Infrastructure took the question on notice.*

**Councillor Thomann:** Can officers provide an update on the St Kilda Pier landside works upgrade? Is the work going to continue during the summer holidays?

*Kylie Bennetts, General Manager Community Wellbeing took the question on notice.*

#### Moved Crs Thomann/Halliday

That Council:

- 3.1 Notes the CEO Report – October 2025 Issue 123 (provided as Attachment 1).
- 3.2 Authorises the CEO or their delegate to make minor editorial amendments that do not substantially alter the content of the report.

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



## **8. A HEALTHY AND CONNECTED COMMUNITY**

Nil.

## **9. AN ENVIRONMENTALLY SUSTAINABLE AND RESILIENT CITY**

Nil.

## **10. A SAFE AND LIVEABLE CITY**

### **10.1 Amendment C219port (South Melbourne Structure Plan)**

#### **PURPOSE**

- 1.1 To consider written submissions received to Amendment C219port (South Melbourne Structure Plan) to the Port Phillip Planning Scheme during the public exhibition stage.
- 1.2 To determine whether to request the Minister for Planning to appoint an independent planning panel to consider the amendment and submissions.
- 1.3 To consider endorsing the response to the issues raised in submissions, including recommended changes to the amendment, to form the basis of Council's advocacy position at the Panel Hearing.

#### **Moved Crs Jay/Halliday**

That Council:

- 3.1 Requests the Minister for Planning appoint an independent Planning Panel to consider the submissions received to Amendment C219port, in accordance with Part 8 of the *Planning and Environment Act 1987*.
- 3.2 Having formally considered all written submissions made to Amendment C219port to the Port Phillip Planning Scheme, endorses the response to the issues raised by the submissions and recommended changes to the amendment (set out in Attachments 1 and 2) as the basis for Council's advocacy position and submission to the Panel.
- 3.3 Refers the submissions received to Amendment C219port to the Panel to be appointed by the Minister for Planning, including any late submissions.
- 3.4 Writes to all submitters to Amendment C219port to inform them of Council's decision.

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



## 10.2 Road Safety Strategy and Action Plan - Community Consultation

### PURPOSE

- 1.1 To seek Council endorsement for the draft Road Safety Strategy and Action Plan to be released for community consultation.

### Moved Crs Halliday/Thomann

That Council:

- 3.1 Endorses the release of the draft Road Safety Strategy and Action Plan **(Attachment 1)** for community consultation and engagement, commencing in early 2026.
- 3.2 Authorises the Chief Executive Officer, or their delegate, to make minor editorial amendments to Strategy and Action Plan that do not materially alter its intent prior to commencement of community engagement.
- 3.3 Notes that a report on the outcomes of the community consultation, including an updated Road Safety Strategy and Action Plan will be presented to Council in 2026.

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

*The Mayor adjourned the meeting for a break at 8:12pm.*

*The meeting resumed at 8:21pm.*

## 11. A VIBRANT AND THRIVING COMMUNITY

### 11.1 Footpath Trading Fee Policy

*Councillor Thomann declared a material conflict of interest in relation to this item and left the meeting at 8:22pm.*

### PURPOSE

- 1.1 To present consultation feedback and seek Council's endorsement of the Footpath Trading Fee Policy (2025).

### Moved Crs Jay/Hardy

That Council:

- 3.1 Adopts the Footpath Trading Fee Policy (2025) provided as Attachment 1.
- 3.2 Authorises the Chief Executive Officer, or their delegate, to make minor amendments that do not materially alter the intent of the policy.

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

*Councillor Thomann returned to the meeting at 8:37pm.*



## 12. AN ENGAGED AND EMPOWERED COMMUNITY

### 12.1 Community Engagement Policy

#### PURPOSE

- 1.1 To present the updated Community Engagement Policy and supporting Strategic Commitment document to Council for adoption following completion of the community engagement (August - September 2025).

**Councillor Thomann:** How much does Council spend on community consultation?

*Monique Cosgrove, Head of Stakeholder Engagement advised Port Phillip has a large engagement team in comparison to other Councils which avoids outsourcing and reduces costs, but took the question on notice to provide an accurate cost figure.*

#### Moved Crs Buckingham/Thomann

That Council:

- 3.1 Notes the feedback received from the community over the two stages of community engagement and thanks participants for their contributions.
- 3.2 Adopts the updated Community Engagement Policy, as presented in **Attachment 1**.
- 3.3 Adopts the Strategic Commitment document 'Port Phillip in Partnership', as presented in **Attachment 2**.
- 3.4 Authorises the Chief Executive Officer, or their delegate, to make minor changes to Attachments 1 or 2 that do not materially alter the intent of the documents.

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

### 12.2 Status of Council Decisions and Questions taken on Notice Recorded by Council: 1 July - 30 September 2025

#### 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 July to 30 September 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 July to 30 September 2025.

#### Moved Crs Thomann/Halliday

That Council:

- 3.1 Notes the implementation status of Council and Planning Committee Resolutions as contained in Attachments 1 and 2.



- 3.2 Notes the response status of questions taken on notice during Council Meetings as contained in Attachment 3.

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

### **12.3 Council and Planning Committee Timetable for 2026**

#### **PURPOSE**

- 1.1 To present to Council a proposed timetable for Council and Planning Committee meetings for 2026.

#### **Moved Crs Thomann/Crawford**

That Council:

- 3.1 Adopts the Council and Planning Committee Meeting timetable for 2026 (Attachment 1).
- 3.2 Notes that under the Governance Rules the Chief Executive Officer or delegate, after consultation with the Mayor, in the case of an administrative matter or an emergency situation, may alter the date, time or location of, or cancel a Council meeting by giving such notice to the Councillors and the public as is practicable.

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

## **13. A TRUSTED AND HIGH-PERFORMING ORGANISATION**

Nil.

## **14. NOTICES OF MOTION**

### **14.1 Notice of Motion – Councillor Thomann – Jet Skis in St Kilda Harbour**

#### **Moved Crs Thomann/Halliday**

That Council:-

1. Acknowledges the continuing public concerns with Personal Water Crafts in relation to safety of swimmers and adherence to boating regulations along the city's foreshore, including adjoining St Kilda Pier, Penguin colony and Harbour.
2. Encourages the public (and Council staff) to call "000" if you see dangerous or life threatening behaviours.
3. Requests the Mayor to write to the Ministers for Environment and Outdoor Recreation to advocate for:
  - Increased and targeted education of personal Water Craft (PWC) or Jet Ski licence holders;
  - Increased patrols and enforcement of the States waterway regulation at Elwood, St Kilda, Middle Park, South Melbourne, Port Melbourne and Sandridge Beaches;



- The exclusion of Personal Watercrafts (PWC) or Jet skis within 200 metres adjoining City of Port Phillip beaches, St Kilda Pier and harbour to improve safety.
- 4. Requests the Chief Executive Officer, write to the Commissioner of Police to advocate for more proactive enforcement of boating regulations across local beaches in Port Phillip over summer.
- 5. Requests officers make a submission to the proposed waterway rule changes at St Kilda, being managed by Parks Victoria, consistent with the above requests.

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

## 15. REPORTS BY COUNCILLOR DELEGATES

Councillor Jay reported that they attended the Walk Against Family Violence run by Respect Victoria which was attended by 20,000 people. Councillor Jay thanked staff who attended and commended organisers of the event.

Councillor Halliday reported that they attended the Municipal Association of Victoria (MAV) and NetZero Academy's Climate Risk and Opportunity for Councillors training which was attended by nine Councillors from a diverse range of Local Government areas, and explored different climate risks that different Council areas may face.

Mayor Makin reported that they attended the opening of the Sol Green Reserve playground equipment, as well as the 30<sup>th</sup> Anniversary of the Gandel Centre of Judaica and congratulated the Jewish Museum on the milestone.

Councillor Thomann reported that they had the pleasure of opening Seekers Way, a laneway in St Kilda that was recently renamed to honour The Seekers.

## 16. URGENT BUSINESS

Nil.

## 17. CONFIDENTIAL MATTERS

### Moved Crs Buckingham/Thomann

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 Eildon Road Childcare Centre - Appointment of Builder

- 3(1)(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released
- 3(1)(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs
- 3(1)(g(i)) private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets

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

**Reason:** Contains commercially confidential information that would undermine the competitive position of tenderers, and City of Port Phillip's commercial position for this and future similar competitive market processes. Contains names of Panel members. Contains personal information

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

The meeting closed to members of the public at 9:29pm

The meeting reopened to members of the public at 9:40pm

As there was no further business the meeting closed at 9:40pm.

Confirmed: 10 December 2025

Chairperson \_\_\_\_\_