



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

21 AUGUST 2024



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MINUTES - MEETING OF THE PORT PHILLIP CITY COUNCIL - 21 AUGUST 2024



MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL HELD 21 AUGUST 2024 IN ST KILDA TOWN HALL AND VIRTUAL VIA TEAMS

The meeting opened at 6:35pm.

IN ATTENDANCE

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

Chris Carroll, Chief Executive Officer, Brian Tee, General Manager City Growth and Development, Tarnya McKenzie, Interim General Manager Community Wellbeing and Inclusion, Lachlan Johnson, General Manager, Operations and Infrastructure, Claire Stevens, General Manager Organisational Capability and Experience, Joanne McNeill, Executive Manager Governance and Organisational Performance, Dana Pritchard, Manager Open Space, Recreation and Community Resilience, Jennifer Witheridge, Coordinator Urban Forest, Fiona van der Hoeven, Manager City Planning and Sustainability, Nellie Montague, Manager Safety and Amenity, Thomas Mason, Coordinator Transport Safety, Anthony Savenkov, Head of Real Estate Portfolio (Development & Transactions), James Ackroyd, Property Development Associate, Xavier Smerdon, Head of Governance, Rebecca Purvis, Coordinator Councillor & Executive Support, Emily Williams, Council Business Advisor.

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

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

MOVED Crs Baxter/Bond

That the minutes of the Meeting of the Port Phillip City Council held on 7 August 2024 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Pearl declared a material conflict of interest in relation to item 10.5 *South Melbourne Structure Plan* due to recently being approached by a business that owns property in the precinct regarding a potential work opportunity.

Chris Carroll, Chief Executive Officer declared a material conflict of interest in relation to confidential item 17.2 *CEO Employment Matters - 2023/24 Performance Assessment, 2024/25 Annual Performance Agreement, updated Employment and Remuneration Policy*

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and Employment Matters Committee Terms of Reference as the item related to their employment matter. The CEO advised that although they are not a decision maker in that process, they would leave the chamber for the item and Brian Tee, General Manager City Growth and Development would assume their role.

Councillor Nyaguy left the meeting at 6:38pm and returned at 6:53pm.

4. PUBLIC QUESTION TIME AND SUBMISSIONS

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

Public Question Time:

- **Rhonda Small:** Council's 10 year In our Backyard (IOBY) Growing Affordable Housing strategy 2015-2025 comes to an end in June next year. Has a review of IOBY already begun? How and by whom is it being, or will it be, conducted? How will the review involve our key local community housing providers, such as Launch Housing, SouthPort Community Housing, St Kilda Community Housing and Housing First? And will the Review outcomes be available in time to inform the important decisions needed about community housing investment by the new Council as they develop the Council Plan and Budget for 2025/26?

Tarnya McKenzie, General Manager Community Wellbeing and Inclusion advised that we have begun the review of IOBY and in fact, undertake a continuous review cycle over the course of the strategy. Officers are conducting the review and are currently being supported by a consultant. We will be undertaking community engagement and working closely with partners and we do in an ongoing way. Key local community housing providers throughout the review process and the new strategy development. Tarnya confirmed that review outcomes and future strategy inputs will be available in time to inform important decisions needed about community housing investment by the new Council as part of the Council Plan and Budget for 25/26.

- **Justin Halliday:** Following the tragic death of a cyclist on Plummer Street in Port Melbourne overnight. What is the Council's plan for safe bike lanes in Fishermans Bend?

Mayor Cunsolo acknowledged the terrible news, and thanked Justin Halliday for bringing this to Council.

Fiona van der Hoeven, Manager City Planning and Sustainability also acknowledged the very sad news, and took the question on notice to provide a detailed response.

Council Report Submissions:

Item 7.3 Petition Response: Extension of Elwood Beach dog off-leash restrictions

- Jen Bishop

Item 10.1 Dog Off-Leash Guidelines

- | | | |
|-----------------|----------------|--------------------|
| • Louisa Larkin | • Glenn McIver | • John Leadstone |
| • Annabel Jones | • Heena Sharma | • Sonia O'Flaherty |

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- Alex Makin
- Sally Blair
- Dick Gross

Item 10.2 Eastern Road Dog Park

- Sarah Philipson
- Louisa Larkin

Item 10.5 South Melbourne Structure Plan

- Tom Anset
- Brad Nash

Item 11.1 Urban Forest Strategy for Adoption

- Helen Halliday

Item 13.1 Carlisle Street Car Park and Laneways - Intention to Sell

- Helen Halliday
- Dr Geraldine McLoughlin
- Justin Halliday
- Alex Darton

Item 14.1 Notice of Motion – Councillor Martin – Advisory Committees

- Angela Barry
- Dr Janet Gardner
- Richard Whitfield
- Ian MacDonald

Item 14.1 Notice of Motion – Councillor Crawford – Temperance Hall

- William McBride

5. COUNCILLOR QUESTION TIME

- **Councillor Sirakoff:** What has happened with the irrigation timing and watering of the grass area at the Eastern Road Reserve. What can be done to inhibit dogs from damaging the pipes and irrigation in that park?

Dana Pritchard, Manager Open Space, Recreation and Community Resilience advised that the irrigation timer is in use and will be re-programmed for the upcoming summer season. There has been a work order issued to repair the pipes on the site, to secure them with more pegs and to recover them with mulch. The mulch barrier will also be included in the regular inspections of the site to improve the ongoing maintenance.

- **Councillor Sirakoff:** Can the footpath cleaning schedule on the paths that run through the Eastern Road Reserve include washing down rather than just sweeping of debris?

Dana Pritchard, Manager Open Space, Recreation and Community Resilience advised that the footpaths are cleaned with a leaf blower every three to four weeks but took the question on notice to confirm if the maintenance can be increased to include pressure washing.

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- **Councillor Pearl:** Has Council been made aware of the recent report in The Age regarding the descoping of the Park Street Tram Link, initially committed to by the Government in October 2016? According to a leaked report, the Government has agreed to descoping the Park Street Tram Link (BFC252) due to 'insufficient' funding to realise the project's benefits as outlined in the Melbourne Metro Business Case. The report also indicates that in Q2 2023, the City of Port Phillip (CoPP) received an update on the project timelines and that the Park Street Tram Link has been transferred from the Metro Tunnel Project Office (MTPO) to the Department of Transport (DTP). Can you confirm what updates Council has received from MTPO, the Government, or DTP regarding the Park Street Tram Link? Has CoPP been officially informed that the Park Street Tram Link has been removed from the Government's 2016 Metro Project commitment? What actions will Council take to ensure this critical piece of infrastructure proceeds as planned and as committed to by the State Government?

Brian Tee, General Manager City Growth and Development advised that Council has long advocated for this Tram Link as it will form an important connection between the Anzac Station which is expected to have 40,000 people passing through each day and becomes a key link to the South Melbourne Activity Centre. Council have been in discussions with the State Government and were aware some time in 2023 about the transfer of the project from MTPO to DTP. Council officers however, were not aware of any time changes or delays or provided any proposed timelines. Council officers were concerned about a lack of information about when the project was to be delivered. For that reason the CEO in June 2023 wrote to the Department seeking an update. We were unable to get a satisfactory answer, therefore in June 2024, the Mayor wrote seeking an update. The first time we were aware of the descoping was when we were approached in relation to the media reports that Councillor Pearl has referenced and we have not received any formal advice in relation to either the timing or the descoping of the Tram Link.

Chris Carroll, Chief Executive Officer further advised that Council will be following up through the Mayor to the premier and at departmental levels and will continue to be advocating for that important project and the commitment that was made by the Government.

6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

7.1 Petition Response: Request for irrigation at Gill Reserve

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

MOVED Crs Martin/Crawford

That Council:

1. Acknowledges receipt and thanks the community for their petition.
2. Notes that there is currently no budget available for any works in Gill Reserve in the 2024/25 financial year.

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3. Ensures consideration is given to the petition and community engagement is undertaken in preparation and finalisation of the scope for Gill Reserve as part of the project for uplift of the entire Linear Park.
4. Investigates the contamination concerns gathering any evidence and ensure this is considered as part of any project scope development and risk register.
5. Requests officers complete investigations for staging project works for the Linear Park to ensure Gill Reserve is prioritised in the overall uplift project for consideration in the 2025/26 budget process and future budgets based on project timelines.
6. Ensures maintenance and upkeep of the existing area until the uplift project is completed.
7. Advises the petitioner of these actions.

A vote was taken and the MOTION was CARRIED unanimously.

7.2 Petition Response: Use of Elwood School Reserve as a dog off-leash area

A Petition containing 96 signatures, was received from local members of the community.

MOVED Crs Crawford/Baxter

That Council:

1. Thanks the community for their Petition
2. Recognises that there is a strong dog community in Elwood
3. Notes that the Department of Education is the Committee of Management for Elwood School Reserve
4. Notes that Council cannot make any decisions about the use of Elwood School Reserve and can only advocate to Elwood Primary School and the Department of Education for any change in use
5. Notes that Elwood Primary School are not supportive of changes to use
6. Notes that a meeting has been organised with the school and Council officers to meet with the 'Friends of Elwood Primary Park' group on 19 September 2024
7. Requests Council officers to undertake community engagement in early 2025 as part of the implementation of the Dog Off-Leash Guideline to test with the community making Robinson Reserve a DOLA.

A vote was taken and the MOTION was CARRIED unanimously.

7.3 Petition Response: Extension of Elwood Beach dog off-leash restrictions

A Petition containing 309 signatures, was received from local residents.

MOVED Crs Crawford/Baxter

That Council:

1. Thanks the community for their Petition

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2. Notes that all dog off leash areas are designated under *Order No. 4 of Port Phillip City*.
3. Notes that Council will need to follow the process for amending the *Order No. 4 of Port Phillip City* to change the schedule of designated dog off leash areas.
4. Approves Council Officers to progress the process to consider the following change to the dog off leash delegations in the Council Order:
 - Dogs are permitted off-leash from 7.30pm – 10.00am in the northern section that extends from below Point Ormond to the rock groyne in front of Elwood Angling Club
5. Approves Council officers to undertake community engagement in early 2025 to test the proposed changes with the community and inform the process for amending the Council Order.

A vote was taken and the MOTION was CARRIED unanimously.

7.4 Petition Response: CoPP Dogs Network

A Petition containing 2,469 signatures, was received from local residents.

MOVED Crs Crawford/Sirakoff

That Council:

1. Thanks the community for their Petition
2. Notes that the Dog Off-Leash Guideline, including the attached action plan, is being considered alongside this report
3. Acknowledges that the Dog Off-Leash Guideline includes criteria to assess current and forecast resident and dog population growth and neighbourhood density
4. Notes that a number of proposed changes to dog on and off-leash restrictions are being considered in the Dog Off-Leash Guidelines report which is also being considered by Council tonight.
5. Notes that there is no proposed reduction in dog off-leash spaces and that there is a proposed increase in times dogs can access beaches in both Port Melbourne and Elwood.
6. Notes that future dog spaces will be considered in line with the delivery of the Public Space Strategy and consideration of the Dog Off Leash Guidelines.

A vote was taken and the MOTION was CARRIED unanimously.

8. PRESENTATION OF CEO REPORT

Nil.

9. INCLUSIVE PORT PHILLIP

Nil.

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The Mayor adjourned the meeting for a break at 7:49pm.

The meeting resumed at 8:04pm.

10. LIVEABLE PORT PHILLIP

10.1 Dog Off-Leash Guidelines

PURPOSE

- 1.1 To present the Dog Off-Leash Guideline to Council for endorsement and adoption.

MOVED Crs Cunsolo/Nyaguy

The Mayor advised that the vote would be taken in parts with items 3.5 and 3.8 of the motion to be voted on separately.

That Council:

PART 1

- 3.1 Endorses and adopts the Dog Off-Leash Guideline (Attachment 1), including the attached action plan (Attachment 3)
- 3.2 Thanks the community for providing feedback on the Guideline
- 3.3 Approves Council officers to commence community engagement in early 2025 on the following proposed changes to dog on and off-leash restrictions:
 - 3.3.1 Change SS Anderson (Pitch 1) at JL Murphy Reserve, Community Synthetic Ground (Pitch 3) at JL Murphy Reserve and North Port Oval to dog prohibited areas
 - 3.3.2 Change Robinson Reserve in Elwood, Fennell Reserve in Port Melbourne and Howe Crescent Reserve West in South Melbourne to fenced dog off-leash areas
 - 3.3.3 Update the summer restrictions on the beach between Station Pier and Bay Street in Port Melbourne to 7.30pm - 10.00am
 - 3.3.4 Update the summer restrictions on the northern section of Elwood Beach between Point Ormond to the rock groyne in front of Elwood Angling Club to 7.30pm – 10.00am
- 3.4 Authorises the Chief Executive Officer, or their delegate, to make minor editorial updates to the adopted Guidelines, if required.
- 3.6 Reaffirms that there will be no net-loss of reduction in dog off-leash spaces and access times.
- 3.7 Reaffirms that future dog spaces will be considered equitably in line with the delivery of the Public Space Strategy and consideration of the Dog Off Leash Guidelines.
- 3.9 Provides signage that clearly communicates the dog off leash status of open space, to ensure that all users understand that dogs will be exercising/exploring off leash in these spaces.
- 3.10 Applies for funding through the State Government's 'New and Upgraded Dog Parks Program', with the specific locations confirmed subject to the outcome of the community engagement.

A vote was taken and part 1 of the MOTION was CARRIED unanimously.

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PART 2

- 3.5 Requests Officers undertake planning to understand costs, scope and timing for a trial of the provision of environmentally-appropriate dog waste bags in dog off-leash areas throughout the municipality as part of the implementation of the Dog Off Leash Action Plan. To bring back for consideration to Council in early 2025.

A vote was taken and part 2 of the MOTION was CARRIED.

PART 3

- 3.8 Requests a report to come back to council, to inform the 2025/26 budget, considering the option to provide reduced dog registration fees for dogs which undergo advanced registered dog obedience training.

A vote was taken and part 3 of the MOTION was CARRIED.

10.2 Eastern Reserve Dog Park

PURPOSE

- 1.1 To review the future use of Eastern Reserve North as a fenced dog off-leash area.

MOVED Crs Cunsolo/Bond

That Council:

- 3.1 Acknowledges that Eastern Reserve North is a popular fenced dog off-leash area for the dog community, being one of only two fenced dog off-leash areas in the municipality.
- 3.2 Continues to retain Eastern Reserve North as a fenced dog off-leash area.
- 3.3 Acknowledges that there are challenges associated with the location of Eastern Reserve North and implements measures to mitigate these including:
- Programming the park lighting to be on from 7am until sunrise, and sunset until 7.30pm each day
 - Trialling locking gates open between 7.30pm to 7am from 1 September 2024 to 31 March 2025; and
 - Prohibiting dog walking businesses from using the Reserve.
- 3.4 Requests Council officers to look for opportunities to improve education and enforcement and make design enhancements to the Reserve.
- 3.5 Requests Council officers to undertake further work to identify, advocate for and build new fenced dog off-leash areas in the area.

A vote was taken and the MOTION was CARRIED unanimously.



10.4 Caravan Parking in Alexandra Street, St Kilda East

PURPOSE

- 1.1 To respond to the Notice of Motion requesting options to reduce the long-term caravan parking and current on-street parking conditions in Alexandra Street, St Kilda East.

MOVED Crs Baxter/Crawford

That Council:

- 3.1 Notes that current parking occupancy levels in Alexandra Street require parking management intervention.
- 3.2 Requests officers to undertake consultation with all residential properties in Alexandra Street, between Dandenong Road and Alma Road, to seek feedback on a proposal to implement 4P, between 8am and 6pm, Monday to Friday parking restrictions on both sides of the street.
- 3.3 Implements 4P restrictions if majority of feedback supports the proposal, in accordance with parking management framework.
- 3.4 Includes both sides of Alexandra Street between Alma Road and Dandenong Road in the Council's Resident Parking Permit Scheme.
- 3.5 Commences the statutory process to introduce a municipal wide Local Law to effectively manage the long-term parking of caravans, trailers, and boats as part of the 2025/26 budget process, and report back to the Council with the next steps.

A vote was taken and the MOTION was CARRIED.

10.5 South Melbourne Structure Plan

PURPOSE

- 1.1 This report seeks Council adoption of the *South Melbourne Structure Plan August 2024* and seeks Council endorsement to request authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C219port.

Councillor Pearl declared a material conflict of interest in relation to this item due to recently being approached by a business that owns property in the precinct regarding a potential work opportunity and left the chamber at 9:20pm.

MOVED Crs Bond/Martin

That Council:

- 3.1 Notes the officer report in relation to the adoption of the South Melbourne Structure Plan.
- 3.2 Notes the consultation undertaken and the response to submissions in the preparation of the final *South Melbourne Structure Plan* (August 2024)
- 3.3 Adopts the *South Melbourne Structure Plan* (August 2024) at Attachment 2 for public exhibition as part of Amendment C219port.



- 3.4 Requests authorisation from the Minister for Planning to prepare and exhibit Amendment C219port to the Port Phillip Planning Scheme, in accordance with section 8A of the *Planning and Environment Act 1987*.
- 3.5 Prepares Amendment C219port to the Port Phillip Planning Scheme to implement the recommendations of the South Melbourne Structure Plan, generally in accordance with the documentation provided in the links at section 2.10 of this report, subject to Ministerial Authorisation.
- 3.6 Place Amendment C219port to the Port Phillip Planning Scheme on exhibition in accordance with the requirements of section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.
- 3.7 Notes that the exhibition of Amendment C219port will provide an opportunity for community members to lodge submissions in accordance with section 21 of the *Planning and Environment Act 1987*.
- 3.8 Endorses the associated background technical documents, provided at the links in section 2.12 of this report, as the general basis for Amendment C219port to the Port Phillip Planning Scheme.
- 3.9 Authorises the Chief Executive Officer (or their delegate) to make minor changes to the *South Melbourne Structure Plan* (August 2024) (Attachment 2) and the C219port Amendment documents (provided at the links in section 2.10 of this report) if those changes do not alter the overall intent of the Planning Scheme Amendment, or if the changes are requested by the Department of Transport and Planning.

A vote was taken and the MOTION was CARRIED.

The Mayor adjourned the meeting for a break at 9:32pm.

The Meeting resumed at 9:42pm.

Councillor Pearl returned to the chamber at 9:42pm.

11. SUSTAINABLE PORT PHILLIP

11.1 Urban Forest Strategy for Adoption

PURPOSE

- 1.1 To present the draft Urban Forest Strategy for adoption.

The following questions were taken on notice during discussion of the item:

Councillor Pearl: What is the amount of money that we need to be provisioning for things like installation of root barriers to avoid root intrusion into people's properties? What is the amount of money we should be provisioning now, for the forward liability trees are creating in 2, 5, 10, 15, 20 years from now? Based on both the trees that we're planting today and the trees that we currently have. What work have we done so far, and if we haven't done any comprehensive work, what are we going to do to make sure we do that?

Dana Pritchard, Manager Open Space, Recreation and Community Resilience took the questions on notice.

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Councillor Pearl: How drought resistant is the existing tree stock and the new stock that we are planting today? How are we going to monitor the health of the tree stock on an overall basis? Is there possibility we can create a tree index based on the average age of the trees and their health? Is there some sort measure we can use to monitor tree health especially in terms of drought?

Dana Pritchard, Manager Open Space, Recreation and Community Resilience took the question on notice to follow up with the tree team.

MOVED Crs Martin/Crawford

That Council:

- 3.1 Endorses and adopts the Urban Forest Strategy 2024-2040 (Attachment 1).
- 3.2 Notes that Greening Port Phillip: An Urban Forest Approach 2010 is now superseded by the adopted Urban Forest Strategy 2024-2040
- 3.3 Thanks the community for providing feedback on the draft Strategy.
- 3.4 Authorises the Chief Executive Officer, or their delegate, to make minor editorial updates to the adopted Strategy, if required.

A vote was taken and the MOTION was CARRIED unanimously.

12. VIBRANT PORT PHILLIP

Nil.

13. WELL GOVERNED PORT PHILLIP

13.1 Carlisle Street Car Park and Laneways - Intention to Sell

PURPOSE

- 1.1 To commence the statutory procedures to prepare the land comprising the public carpark and laneways of the Carlisle Street Carpark to be sold to Coles Group Property Developments Ltd ("the Applicant") for no less than market value by private treaty to undertake a major redevelopment of the precinct.

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

Councillor Baxter: One of the public speakers tonight mentioned a possibility of a heads of an agreement mechanism through the sale. Is that something that Council has done before or do we know how that might work?

James Ackroyd, Property Development Associate took the question on notice.

MOVED Crs Clark/Pearl

That Council:

In respect of Roads:

- 3.1 Acting under section 17(4) of the *Road Management Act 2004* (Vic), resolves that Laneways R3743, R3979, R3977, and R4141 be removed from Council's Register of Public Roads on the basis that the Roads are no longer reasonably required for general public use;

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- 3.2 Acting under clause 3 of Schedule 10 of the *Local Government Act 1989* (Vic) ('the 1989 Act'):
 - 3.2.1 Resolves that the statutory procedures be commenced to discontinue the Roads;
 - 3.2.2 Directs that under sections 207A and 223 of the 1989 Act, public notice of the proposed discontinuance of the Roads be given in *The Age* newspaper;
 - 3.2.3 Resolves that the public notice required to be given under sections 207A and 223 of the 1989 Act should state that if the Roads are discontinued, Council proposes to sell the land in the Roads to an adjoining property owner, Coles Group Property Developments Ltd ('the Applicant'), for no less than market value;
 - 3.2.4 Authorises the Chief Executive Officer, or their delegate, to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the 1989 Act in relation to this matter; and
 - 3.2.5 Resolves to hear and consider any submissions received pursuant to section 223 of the 1989 Act at a future Council meeting.

In respect of Land parcels:

- 3.3 Acting under S114 of the *Local Government Act 2020* (Vic) ('the 2020 Act') resolves to commence the statutory processes required to sell land parcels known as 2-8 Alfred Street and 49-53 Nelson Street, Balaclava, by private treaty, to the Applicant, for no less than market value;
- 3.4 Advertises the Public Notice of Intention to Sell land parcels on Council's website in accordance with Section 114 (2) (b) of the 2020 Act;
- 3.5 Authorises the Chief Executive Officer, or their delegate, to enter a S173 Agreement with the Applicant that will deliver transaction objectives and transaction terms;
- 3.6 Authorises Officers to undertake the administrative procedures necessary to enable Council to carry out its functions under section 114 of the Act in relation to the sale proposal and in accordance with Council's *Community Engagement Policy 2021*; and
- 3.7 Following the consideration of any submissions, receives a further report at an Ordinary Meeting of Council.

A vote was taken and the MOTION was CARRIED unanimously.

PROCEDURAL MOTION

Moved Crs Bond/Crawford

That Council accepts to move an En Bloc Motion.

A vote was taken and the MOTION was CARRIED.

EN BLOC MOTION

Moved Crs Bond/Crawford

That Council moves the following items en bloc:

- 10.3 St Kilda Adventure Playground Upgrade

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- 11.2 Environmentally Sustainable Development Strategy
- 13.2 Council Policy - Revised Child Safe Policy
- 13.3 Audit and Risk Committee Biannual Report AND Annual Review of the Audit and Risk Committee Charter
- 13.4 Update to the Procurement Policy
- 13.5 Councillor Expenses Monthly Reporting - July 2024
- 13.6 Appointment of Authorised Officer Pursuant to the Planning and Environment Act 1987
- 13.7 Records of Informal Meetings of Council

A vote was taken and the MOTION was CARRIED unanimously.

10.3 St Kilda Adventure Playground Upgrade

PURPOSE

- 1.1 To seek City of Port Phillip's (Council's) endorsement for the concept design for the St Kilda Adventure Playground (SKAP).

Moved Crs Bond/Crawford

That Council:

- 3.1 Endorses the concept plan for the St Kilda Adventure Playground.
- 3.2 Authorises the Chief Executive Officer, or their delegate, to make minor editorial amendments to the concept plan that do not materially alter the intent.

A vote was taken and the MOTION was CARRIED unanimously.

11.2 Environmentally Sustainable Development Strategy

PURPOSE

- 1.1 To seek council endorsement of the Environmentally Sustainable Development Strategy 2024.

Moved Crs Bond/Crawford

That Council:

- 3.1 Endorse the Environmentally Sustainable Development Strategy 2024 (Attachment 1).
- 3.2 Endorse Part B of the strategy concerning Private Developments for guidance only until the Elevating Environmentally Sustainable Development (ESD) planning scheme amendment is approved by the Minister for Planning.
- 3.3 Notes Part B will be consulted on and updated as part of the ESD planning scheme amendment process once approved by the Minister for Planning and gazetted.

A vote was taken and the MOTION was CARRIED unanimously.

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13.2 Council Policy - Revised Child Safe Policy

PURPOSE

- 1.1 To seek Council's endorsement of the revised Child Safe Policy

Moved Crs Bond/Crawford

That Council:

- 3.1 Endorses the revised Child Safe policy.
- 3.2 Authorises the Chief Executive Officer, or their delegate, to make minor editorial amendments to the policy that does not materially effect the intent of the policy.

A vote was taken and the MOTION was CARRIED unanimously.

13.3 Audit and Risk Committee Biannual Report AND Annual Review of the Audit and Risk Committee Charter

PURPOSE

- 1.1 To adopt the updated Audit and Risk Committee Charter 2024.
- 1.2 To present the Audit and Risk Committee Biannual Report as of 30 June 2024.

Moved Crs Bond/Crawford

That Council:

- 3.1 Adopts the updated Audit and Risk Committee Charter (Attachment 1).
- 3.2 Notes that the updated Audit and Risk Committee Charter will be published on Council's website.
- 3.3 Notes the Audit and Risk Committee Biannual Report as of 30 June 2024, which details activities of the Committee covering scheduled meetings held 15 February 2024, 21 May 2024 (annual workshop) and 25 June 2024 and one impromptu meeting held 21 February 2024.

A vote was taken and the MOTION was CARRIED unanimously.

13.4 Update to the Procurement Policy

PURPOSE

- 1.1 To present changes to the Procurement Policy (**Policy**) that introduce requirements for high-risk, high-value procurements and the establishment of the Procurement & Contract Management Steering Committee to govern procurement and contract management.
- 1.2 This report presents the amended Policy for Council's consideration and formal endorsement.

Moved Crs Bond/Crawford

That Council:

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- 3.1 Adopts the updated changes to the Procurement Policy, as per attachment 2.
- 3.2 Authorise the Chief Executive Officer, or their delegate, to finalise and make minor changes that do not materially alter the Procurement Policy.

A vote was taken and the MOTION was CARRIED unanimously.

13.5 Councillor Expenses Monthly Reporting - July 2024

PURPOSE

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

Moved Crs Bond/Crawford

That Council:

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

A vote was taken and the MOTION was CARRIED unanimously.

13.6 Appointment of Authorised Officer Pursuant to the Planning and Environment Act 1987

PURPOSE

- 1.1 To approve the new appointment as an Authorised Officer pursuant to the *Planning and Environment Act 1987*.

Moved Crs Bond/Crawford

That Council:

- 3.1 Approves the appointment of the Randall Carter as an Authorised Officer pursuant to section 147 (4) of the *Planning and Environment Act 1987*, as set out in the Instrument of Appointment.
- 3.2 Signs and affixes the common seal of Council to the Instrument of Appointment at **Attachment 1**.

A vote was taken and the MOTION was CARRIED unanimously.

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13.7 Records of Informal Meetings of Council

PURPOSE

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

Moved Crs Bond/Crawford

That Council

- 2.1 Receives and notes the written records of Informal Meetings of Council (attached) as required by the Governance Rules.
- 2.2 Requests officers to correct the 10 July 2024 Fishermans Bend Q4 Review briefing record to reflect that Councillor Sirakoff attended this briefing in person.

A vote was taken and the MOTION was CARRIED unanimously.

14. NOTICES OF MOTION

14.1 Notice of Motion Councillor Martin – Advisory Committees

MOVED Crs Martin/Nyaguy

That Council:

1. Thanks the members of Council's advisory committees for their dedication and commitment over the past four years.
2. Notes that each advisory committee has its own terms of reference which guide how they operate.
3. Extends terms of the Older Persons Advisory Committee, Multicultural Advisory Committee, and LGBTIQ+ Committee, to June 2025, allowing them to hold annual planning days and participate in the Integrated Council Plan and Budget process.
4. Notes that in accordance with Council's Election Period Policy, the above advisory committees will not be able to hold formal meetings during the Election Period.
5. Notes that the above advisory committees will be required to undertake a formal membership recruitment process from June to July 2025.
6. Notes that new standardised terms of reference have been developed for all advisory committees, with these to be formally endorsed in the next Council term.

A vote was taken and the MOTION was CARRIED.

14.2 Notice of Motion – Councillor Crawford – Temperance Hall

MOVED Crs Crawford/Baxter

That Council:-

1. Supports Temperance Hall in trialling a new artist residency program at the space that would assist 12 artists in further developing their practice.

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2. Provide Temperance Hall with \$15,000 for a one-year trial of the program, which would support Council's strategic objectives as identified in the Creative and Prosperous City Strategy, namely that creative infrastructure and accommodation for creative activities are retained and supported wherever possible through Council initiatives.

PROCEDURAL MOTION

MOVED Crs Baxter/Bond

That the motion be now put.

A vote was taken and the PROCEDURAL MOTION was CARRIED.

A vote was taken and the MOTION was CARRIED.

14.3 Notice of Motion – Mayor Cunsolo – St Kilda Penguin Viewing

MOVED Crs Cunsolo/Baxter

1. Provides a letter of support to Earthcare St Kilda to continue as managers of the viewing of St Kilda penguins.
2. Notes that the letter of support will be provided to Parks Victoria for consideration as part of its Expression of Interest process as it reviews future delivery options regarding the viewing of St Kilda penguins.

PROCEDURAL MOTION

MOVED Crs Crawford/Bond

That the motion be now put.

A vote was taken and the PROCEDURAL MOTION was CARRIED.

A vote was taken and the MOTION was CARRIED.

Cr Nyaguy called for a DIVISION.

FOR: Crs Baxter, Bond, Martin and Cunsolo

AGAINST: Crs Crawford, Sirakoff, Pearl, Clark and Nyaguy

The MOTION was LOST.

15. REPORTS BY COUNCILLOR DELEGATES

Nil.

16. URGENT BUSINESS

Nil.



17. CONFIDENTIAL MATTERS

MOVED Crs Sirakoff/Crawford

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 Gasworks Arts Park - Park Upgrade (Landscape Contract Award)

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

Reason:

This report contains the details of a procurement that are confidential in nature.

17.2 CEO Employment Matters - 2023/24 Performance Assessment, 2024/25 Annual Performance Agreement, updated Employment and Remuneration Policy and Employment Matters Committee Terms of Reference

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.

Reason:

Under the CEO Employment and Remuneration Policy, Section 16 - Confidentiality, Council does not disclose any personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. The CEO's performance and remuneration fall into that category.

A vote was taken and the MOTION was CARRIED unanimously.

The meeting closed to members of the public at 11:31pm.

The meeting reopened at 11:39pm.

As there was no further business the meeting closed at 11.39pm.

Confirmed: 4 September 2024

Chairperson _____