



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

11 DECEMBER 2024



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MINUTES - MEETING OF THE PORT PHILLIP CITY COUNCIL - 11 DECEMBER 2024



MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL HELD 11 DECEMBER 2024 IN ST KILDA TOWN HALL AND VIRTUAL VIA TEAMS

The meeting opened at 6:35pm.

IN ATTENDANCE

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

Chris Carroll, Chief Executive Officer, Brian Tee, General Manager City Growth and Development, Kylie Bennetts, General Manager Community Wellbeing and Inclusion, Lachlan Johnson, General Manager, Operations and Infrastructure, Claire Stevens, General Manager Organisational Capability and Experience, James Gullan, Acting Executive Manager Governance and Organisational Performance, Nellie Montague, Manager Safety and Amenity, Paul Wood, Manager City Development, James Ackroyd, Property Development Associate, Xavier Smerdon, Head of Governance, Rebecca Purvis, Senior Council Business Advisor, 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 Thomann/Halliday

That the minutes of the Meeting of the Port Phillip City Council held on 27 November 2024 be confirmed.

A vote was taken and the MOTION was CARRIED.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.



CONDOLENCE MOTION - PATSY THATCHER

Patsy Thatcher, formerly a long-time resident of Port Phillip, community worker, founding member on the Friends of Suai Committee, and great friend of the people of East Timor, who sadly passed away on 19 November 2024.

Moved Crs Mears/Thomann

That Council

- Expresses its deep regret on the passing of Patsy Thatcher.
- Offers its sincere condolences to their family and places on record its appreciation for their service to the City of Port Phillip.

A vote was taken and the MOTION was CARRIED unanimously.

CHANGE TO ORDER OF BUSINESS

Moved Crs Crawford/Cunsolo

That Council amends the order of business to consider urgent business first.

A vote was taken and the MOTION was CARRIED.

16. URGENT BUSINESS

Moved Crs Cunsolo/Thomann

That Council:

Accepts an item of urgent business relating to the Adass Israel Synagogue.

A vote was taken and the MOTION was CARRIED unanimously.

Item 16.1 – Urgent Business - Adass Israel Synagogue

Moved Crs Buckingham/Makin

That Council:

1. Condemns the antisemitic terrorist attack on the Adass Israel Synagogue in Ripponlea on Friday 6 December 2024.
2. Recommits to stand with the Jewish community in Ripponlea and throughout the City of Port Phillip at this difficult time.
3. Condemns the increasing antisemitism being directed at the Jewish community and commits to continue to work with Jewish leaders to prevent and combat antisemitism.

A vote was taken and the MOTION was CARRIED unanimously.



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:

- **Simone Britton:** Regarding the current arrangement for the Pub in the Park operating in Gill Reserve by the North Port Hotel, in a residential area. Residents of Evans Street have previously raised concerns about this event. In recent weeks the hotel has commenced operations, with the Council's permission. Gill Reserve is on Crown Land and the Council acts as manager for the Crown. Residents' concerns generally relate to noise emanating from the pub in the park affecting residents on Evans Street, the loss of parking and the loss of amenity as the North Port Hotel has exclusive use of the public park. How did Council satisfy itself that clause 52.18 was met under the planning scheme? Why did council not notify or consult any residents?

The question was not referred to officers for a response.

The Mayor adjourned the meeting at 6:56pm to manage a disruption in the gallery.

The meeting resumed at 6:59pm.

- **Michael Barrett:** The proposed take-over of the current City of Port Phillip waste disposal contractor Citywide by its competitor Cleanaway was announced in June 2024, subject to ACCC review of the proposed acquisition under section 50 of the Competition and Consumer Act 2010 which prohibits acquisitions that would have the effect, or be likely to have the effect, of substantially lessening competition in any market. Could the City of Port Phillip outline the proactive steps that it is taking to minimise the impacts to ratepayers of the various operational scenarios outlined by the ACCC in its statement of issues dated 14 November 2024?

Lachlan Johnson, General Manager Operations and Infrastructure advised that the ACCC in November 2024 released their statement of issues which Council officers have reviewed.

The ACCC has identified issues that may raise concerns related to municipal waste services. The first concern related to Council is the reduction in competition in the supply of putrescible (decaying) waste disposal services for municipal waste. The ACCC is concerned that the proposed acquisition may have the effect of substantially lessening competition particularly in the vicinity of Melbourne's central business district. The ACCC's concerns were around the proposed acquisition of the Dynon Road transfer station and the impact that that may have to lower the overall waste management availability and therefore costs associated with their disposal and collection of putrescible waste.

Council's putrescible waste is collected by Port Phillip is sent for disposal under contract directly to Melbourne Regional Landfill (MRL) in Ravenhall. Port Phillip does not use the Dynon Road as a Transfer Facility, therefore, we don't foresee the acquisition of the transfer road by Cleanaway as an impact on Council's current services.

The first concern is the risk of foreclosure of rivals in the supply of waste collection services.

The ACCC is concerned that the proposed acquisition may have the effect of substantially lessening competition. The ACCC is concerned that post-acquisition Cleanaway may have the ability and incentive to exercise the market power over other competitors for putrescible waste disposal both in the central and west regions of metropolitan Melbourne. This again relates back to the potential acquisition of Dynon Road. The ACCC go on to say that engaging in such a strategy may limit the ability of Cleanaway's rivals to effectively compete

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for commercial and industrial collection customers, and may lead to higher prices and/or reduced quality for these collections services.

Council's waste collection contracts are exclusive of waste disposal costs, we have one contract for waste collection and a separate contract for waste disposal therefore it is considered there will be no impact on the supply of competition for future waste collection contracts. In addition, Port Phillip's contract with the Melbourne Regional Landfill is part of a collective contract where Council has aggregated with other Council's to create volume.

This contract includes other disposal sites should they be required. As an example if MRL is unavailable, we can use the Hanson site in North Melbourne. Higher prices or lower quality services at the Dynon Road Transfer Facility will not impact disposal costs for the City of Port Phillip. Lastly, new options for putrescible waste disposal are emerging all the time. For example, the Recovered Energy Australia is planning an energy recovery facility from putrescible wastes in Laverton. It is likely that there will be more competition for putrescible waste disposal for Port Phillip in the future.

- **Frank Atuso:** Regarding City Amenity officers, does the Council believe it has enough City Amenity officers? My copy of the register of authorised officers dated 22/12/2023 notes five City Amenity officers. Please advise how many we have today, if they are full time, and clarify their role? In relation to Christmas Trees, why every year does it take weeks for Christmas Trees left on the nature strips from 26 December to be picked up?

Nellie Montague, Manager Safety and Amenity advised that in relation to the City Amenity officers, we constantly monitor the number of authorised staff to ensure appropriate governance and sufficient resourcing to conduct Council work. The six Frank mentioned were in the 2023 register. Two of those officers were temporary staff who have since finished up working at Port Phillip. We have added one temporary officer, so we currently have four City Amenity Officers as well as a Team Leader. This temporary increase in staff is due to community safety concerns, to ensure the safety of staff as they conduct their work and to assist with the Summer Management Program. We will continue to monitor the City Amenity staff to provide the best level of service and ensure staff safety.

Lachlan Johnson, General Manager Operations and Infrastructure advised that in relation to the Christmas tree collections, these can be booked as a hard/green waste pickups through Council's website. I encourage residents to avail themselves to that opportunity. To ensure, that we meet our other dumped rubbish and hard waste collection programs, we place a cap of 100 collections per day. I note that Council collects between 2,000 and 3,000 booked and dumped rubbish requests per month. The collection cap ensures that we are able to provide that service through the high volume period. It may mean that it can sometimes take a few weeks for some collections to be collected. I encourage residents to go to Council's website to book their tree in for collection which allows Council to collect trees more efficiently rather than if these are reported as dumped rubbish.

In accordance with rule 51.8 of Council's Governance Rules, the following like questions relating to the Carlisle Street Car Park, St Kilda were grouped together and a single response provided:

- **Arianna Wilson:** Coles has recently purchased several properties in the Carlisle Street precinct in the block bounded by Carlisle, Alfred, Nelson and Camden Streets and Council intends to sell them several other parcels of land within the carpark behind Carlisle Street. I'm excited by the possibility of new development in Carlisle Street and a new Coles to rejuvenate the street and enhance its wonderful and unique character. I've read the Carlisle Street Activity Centre Structure Plan and Urban Design Framework, while good documents both seem out of date particularly in light of State Government's recent

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announcements of train and tram Activity Centres and their takeover of planning in these areas. What is Council's vision for the block and wider precinct generally, and what mechanisms does it intend to use to achieve this vision?

- **Stephen Guba:** My following question relates to the decision by the outgoing Council at Council Meeting, on 21 August 2024, that unanimously endorsed Item 13.1 to start the process of 'Intention to sell road/lane-ways and land parcels in Balaclava's Coles Carpark'. How much of City of Port Phillip's land has already been sold to Coles Pty Ltd in Balaclava and where is this information publicly available on Council's website?
- **Will Clarke:** Is the Council satisfied that the proposed sale of Council-owned land to Coles is in accordance with Local Government Victoria's Best Practice Guidelines for the Sale and Exchange of Land (2009), which includes Council's legal obligations under the Local Government Act 1989?
- **Adrian Coleiro:** With the election of a new Council in November 2024 and a significant change in representation, will the new Council consider reversing or pausing the previous Council's decision to explore the sale of Council-owned land and roads to Coles in Balaclava? This pause would allow the Council to ensure all members, including new members, are fully informed by the input from not only the Council's Asset Committee but more importantly the Planning Committee, other Council committees and most importantly local residents and small businesses that the Council represents and all of who were previously been left out from the decision making process.
If this Council decides to go ahead with the Consultation, we've been told that the notification will happen by publication in the Age, on the have your say website and a letter drop to immediate neighbours. Given the limited reach of these methods, would the Council consider to extend this to include a targeted social media campaign and physical public signs on the perimeter of each parcel of land?
- **Dr Geraldine McLoughlin:** Why haven't the community and directly affected property owners been informed and updated following the formal resolution at the 21 August 2024 Council Meeting? What is the status of that process? When will the formal consultation process be conducted and what level of consultation will Council officers undertake under the grading system in Council's Engagement Policy?

James Ackroyd, Property Development Associate advised that in terms of Council's vision, for the site, the land and the laneways were identified as potential development opportunities in the Council's 2009 Carlisle Street Retail Renewal Precinct Structure Plan, followed by a 2018 Carlisle Street Carpark Strategy which established the vision and strategies that reflect how Council would like to see the area developed. On top of that, Council has a specific set of transactional objectives in relation to a future transaction of its land holdings in the precinct. These envisage new supermarket facilities, additional specialty retail floor space, potential for additional community space including public open space in the north east corner of the site, capacity for new higher density affordable housing, (public and private) on the upper levels with a focus on dwelling diversity, high level of physical integration with the Carlisle Street retail strip and replacements of the existing car parks at basement level.

In terms of mechanisms to achieve the Council's objectives and vision, we use section 173 agreements which are agreements with the owner of the land with set out conditions or restrictions on the use or development of the land to achieve the planning objectives. A section 173 agreement would help achieve objectives such as commitment for new residential development, contributions to open space, retention of car parking, larger supermarket, public toilets facilities and retention of public access. Separately to that a Statutory Planning Process would determine more detailed matters of design outcome, how

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development would sit within the retail precinct, details of pedestrian links, traffic and transport management matters, heritage preservation and so on. Section 173 agreements can be enforced in the same way as permit conditions or the planning scheme and the purpose would be to make it easy to achieve the planning objectives for that particular precinct or parcel of land.

In terms of the whether the City of Port Phillip has sold any land to Coles, Port Phillip has not sold any land to Coles in Balaclava. What we are proposing to do here is sell and seek community feedback on that proposal, with a decision as to whether to sell the land to be made at a future meeting of Council.

In relation to the question about best practise guidelines for the sale of land, the best practice guidelines are valuable to us and we use them to guide all of our property sale transactions. Council would act accordingly to the principles of the Local Government best practice guidelines noting that this proposed transaction is to be a private sale transaction rather than an open market transaction, which is a scenario that is provided for within the guidelines.

As noted in the Council report, consultation will involve publishing a notice on Council's website for four weeks, publishing a notice in The Age Newspaper, writing to adjoining owners and residents, supporting awareness and highlighting the opportunity to make comments; carrying out an online Have Your Say Survey to enable the community to register their comments. We are also intending to hold interactive Q&A sessions, and online drop-in session. As part of the online awareness raising, we also intend to place physical signboards on all boundaries of the effected land parcels. Other avenues for awareness, such as social media are also being prepared. The engagement is proposed to take place outside of the summer holiday period from late February 2025. Following the Council resolution in August 2024, Council was in the caretaker period for much of September and October during which time Council is not able to undertake any engagement. Council does not wish to run the consultation over the summer period for obvious reasons.

Mayor Crawford followed up to ask if this is the usual process when there is a decision for an intention to sell and that we are following the next steps and we haven't missed any steps. James Ackroyd, Property Development Associate, confirmed that was correct.

Councillor Halliday clarified has Council transacted any way with Coles or any other party in any other land in that area in the lead up to this proposed sale, whether that be swaps, gifts or sales of land?

Chris Carroll, Chief Executive Officer, confirmed that Council has transacted a parcel of land behind the Woolworths car park as part of a previous public process, but not in the Coles carpark.

Council Report Submissions:

Item 8.1 Presentation of CEO Report – Issue 112 – October 2024

- Frank Artuso

Item 10.1 341 Beaconsfield Parade, St Kilda West (PDPL/00334/2023)

- Mark Naughton
- Grace Bayliss-McCulloch
- Mary Joy-Gleeson
- Elizabeth Bare
- Ella Ogden (Applicant)
- Roman Ilgauskas

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Item 10.2 Edwards Park Public Amenities – Outcomes of Community Engagement

- Janine Mitten
- Jos de Bruin

Item 14.1 Notice of Motion – Councillor Buckingham – Community Safety

- Jenni Roper
- Adrian King
- Ron Burggraf
- Carolyn Hutchens
- Rhonda Small

Item 16.1 Urgent Business – Urgent Business - Adass Israel Synagogue

- Abe Schwartz

5. COUNCILLOR QUESTION TIME

- **Councillor Jay:** In relation to the Park Street Streetscape Improvement project. I've had businesses and residents contacting me to say that over the past seven years there has been so much construction in the area. They have had notification that construction will commence there in January for 26 weeks. Can officers please provide more information on the phases of the project and which part of the streets will be affected to inform the surrounding constituents so they can manage the impact on their businesses and be aware of the next six months?

Lachlan Johnson, General Manager Operations and Infrastructure advised that Council officers are very aware of the residents and traders of Park Street have been subject to a lot of construction works and activity in that area for a really long time. We have staggered the works for delivery but I will take the question on notice to provide Councillor Jay with accurate timelines of the phases of works proposed.

- **Councillor Makin:** Concerns tonight were raised during public question time in relation to the Pub in the Park event hosted by the North Port Hotel. Can Council officers please confirm that questions were raised by myself as ward Councillor and that some of the concerns will be addressed forthcoming?

Brian Tee, General Manager City Growth and Development, confirmed that a number of emails had been received from Councillor Makin over a period of time. We have addressed some of those and will continue to work with Councillor Makin to address some of the concerns raised, particularly in relation to the amenity issues such as noise.

The Mayor adjourned the meeting for a break at 8.01pm.

The meeting resumed at 8.11pm.

6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

Nil.



8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report Issue 112 - October, 2024

PURPOSE

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

MOVED Crs Cunsolo/Halliday

That Council:

- 3.1 Notes the CEO Report – Issue 112 (provided as Attachment 1).
- 3.2 Authorises the CEO or their delegate to make minor editorial amendments that do not substantially alter the content of the report.

A vote was taken and the MOTION was CARRIED unanimously.

9. INCLUSIVE PORT PHILLIP

Nil.

10. LIVEABLE PORT PHILLIP

10.1 PDPL/00334/2023 - 341 Beaconsfield Parade, St Kilda West

PURPOSE

- 1.1 To consider and determine Planning Application PDPL/00334/2023 to use the land as a bar in a Residential Growth Zone, use the land to sell and consume liquor, minor exterior buildings and works including external painting and internal alterations of a significantly graded building in a Heritage Overlay and reduce the number of car parking spaces.

MOVED Crs Hardy/Crawford

- 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 for Planning Application PDPL/00334/2023 at 341 Beaconsfield Parade, St Kilda West subject to the following permissions and conditions:

Planning Scheme Clause No:	Description of what is allowed
Clause 32.07-2	Use of the land for a bar
Clause 32.07-9	Buildings and works associated with a Section 2 use (acoustic barrier)

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Clause 43.01-1	Construct a building or construct or carry out works (acoustic barrier); externally alter a building by structural work, rendering, sandblasting or in any other way; externally paint a building; internally alter a building; carry out works, repairs and routine maintenance which change the appearance of a heritage place, or which are not undertaken to the same details, specifications and materials
Clause 52.06-1	Reduce the number of car parking spaces required under Clause 52.06-5
Clause 52.27	Use land to sell or consume liquor
In accordance with the endorsed plans	

Amended plans

1. Before the use and 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 an electronic copy must be provided. The plans must be generally in accordance with the development and site plans prepared by Oldfield Knott Architects Pty Ltd Job No. 94161, Advertised plans P.00, P.01, P.02 and P.03 all Rev F and Council date stamped 3 November 2023 and P.03.1, P.04 and P.04.1 all Rev G and Council date stamped 2 September 2024, but modified to show:
 - a) the interior layout updated to include the full extent of internal demolition
 - b) a full schedule of materials and finishes, including colours.
 - c) a swept path diagram detailing the access and turning arrangement for waste collection and deliveries within the rear car park
 - d) the addition of visibility aids such as convex mirrors where necessary adjacent to the pedestrian footpath to assist vehicles exiting the rear car park
 - e) any changes required by the Heritage Impact Statement at Condition 10 of this permit
 - f) any changes required by the Venue Management Plan at Condition 12 of this permit
 - g) any changes required by the Noise and Amenity Action Plan at Condition 14 of this permit
 - h) additional acoustic attenuation measures as required by Condition 17 of this permit
 - i) any changes required by the Public Works Implementation Plan at Condition 24 of this permit
 - j) any changes required by the Waste Management Plan at Condition 27 of this permit

Layout not altered

2. Unless with the prior written consent of the Responsible Authority, the layout and extent of development and the layout and description of the use as shown on the endorsed plans must not be altered or modified (unless the Port Phillip Planning Scheme specifies a permit is not required).

General amenity provision



3. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) transport of materials, goods or commodities to or from the land
 - b) appearance of any building, works or materials
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d) presence of verminto the satisfaction of the Responsible Authority.

Hours of operation

4. Unless with the prior written consent of the Responsible Authority, the use as a bar and for the sale and consumption of liquor must only operate between the following hours:

Internal bar area

- 10am and 11pm Monday, Tuesday, Wednesday and Thursday
- 10am to 11:30pm Friday and Saturday
- 10 am to 10pm Sunday

External courtyard area

- 10am to 10pm for the period of 1 October to 30 April
- 10am to 9pm for the period of 1 May to 30 September

Number of patrons

5. Unless with the prior written consent of the Responsible Authority, at any time no more than 400 patrons may be present on the land, including a maximum of 125 patrons within the external courtyard.
6. Patron numbers must be counted and logged, and records must be made available on request to an authorised police officer, an authorised officer of the Responsible Authority, or an authorised officer under the Liquor Control Reform Act 1998 at any time.

Bottle bagging times

7. Unless with the prior written consent of the Responsible Authority, bottles must be bagged during operation times and must not be emptied into the external refuse bins after 10pm or before 8am Monday to Saturday or after 10 pm or before 10am on Sunday, except with further written consent of the Responsible Authority.

Loading and unloading of goods

8. The loading and unloading of goods from vehicles must only be carried out on the subject land, within the rear carpark accessed via Cowderoy Street and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.

External lighting restrictions

9. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

Heritage Impact Statement



10. Before the development starts, a Heritage Impact Statement (HIS) to the satisfaction of the Responsible Authority, must be submitted to and approved by the responsible Authority. When approved, the HIS will be endorsed and then form part of the permit. The HIS must be prepared by a suitably qualified heritage consultant and must consider the proposed changes and works to the interiors and exteriors of the building including:
 - a) a summary of all changes proposed and advice on the likely impact of the proposed development/changes on the significance of the place
 - b) the details of the existing and proposed colours and where each colour will be applied
 - c) any replacement of the heritage lightshades and signage
11. The provisions, recommendations and requirements of the endorsed Heritage Impact Statement must be implemented and complied with to the satisfaction of the Responsible Authority and must not be varied except with the prior written consent of the Responsible Authority.

Venue Management Plan

12. Before the use starts, a Venue Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The Venue Management Plan must set out the measures to be implemented by the owner and/or licensee to assist in the orderly management of the bar and in relation to the sale and consumption of liquor, to limit any impacts of the use on the amenity of the locality and to control patron behaviour:
 - a) details of how the venue will inform patrons of travel options to the venue including nearest public transport options, drop-off and collection points for taxi / car ride services, recommended areas for parking and recommendations not to park on residential streets
 - b) staffing and other measures which are designed to ensure the orderly arrival and departure of patrons from the premises and surrounding area in an orderly manner
 - c) the measures to be taken by management and staff to ensure that patrons do not cause nuisance or annoyance to persons beyond the land
 - d) the keeping of a register recording the number of patrons on the premises during operating hours
 - e) the training of staff in the management of patron behaviour
 - f) signage to be used to encourage responsible off-site patron behaviour
 - g) how staff will be made aware of minimising noise from the premises, particularly during the sensitive early morning hours and nighttime hours
 - h) staff communication arrangements
 - i) compliant handling process to effectively manage any complaints received including a telephone number provided for residents to contact the premises and linked to the complaints register, which is to be kept at the premises which records details of the complaint received, any action taken and the response provided to the complainant
 - j) staff being trained in the responsible service of alcohol



- k) encourage smokers to use the designated smoking area within the premises
- 13. The provisions and requirements of the endorsed Venue Management Plan 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.

Noise and Amenity Action Plan

- 14. Before the use starts, a Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The *Noise and Amenity Action Plan* must generally be in accordance with the Acoustic Assessment prepared by Clarity Acoustics, Report *R01 Rev 4 23118 and dated 13 August 2024*, but amended to include the following information:
 - a) The identification of all noise sources associated with the uses on site (including, but not limited to, music, patrons queuing, entries and exits to the premises and waste storage areas).
 - b) hours of operation for all uses on the premises
 - c) the identification of noise sensitive areas including residential uses and accommodation uses in close proximity to the licensed premises
 - d) measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures
 - e) details of staffing arrangements including numbers and working hours of all security staff
 - f) standard procedures to be undertaken by staff in the event of a complaint by a member of the public, the Victoria Police, an authorised officer of the Responsible Authority or an officer of the Liquor Licensing Authority
 - g) location of lighting within the boundaries of the site, security lighting outside the licensed premises and any overspill of lighting
 - h) details of any measures to work with neighbours or other residents in the immediate area to address complaints and general operational issues
 - i) provision of signs erected near the entrance/exit and in the toilets requesting that patrons leave the building in a quiet and orderly manner so as not to disturb the peace and quiet of the neighbourhood
 - j) provision for the entry/exit door to the courtyard is to be fitted with an operating automatic closer and for these doors to remain closed during operation hours, other than for access and egress
 - k) provision that all openable walls, windows, glazing systems or doors must be closed at 10pm except for access and egress
 - l) details of waste management including storage and hours of collection for general rubbish, bottles and recycling, and delivery times associated with the licensed premises
 - m) any other measures to be undertaken to ensure minimal impacts from uses on the premises



15. The use must be carried out in accordance with the approved Noise and Amenity Action Plan to the satisfaction of the Responsible Authority and must not be altered or modified without the prior written consent of the Responsible Authority.

Noise limits

16. Noise levels generated from the use must not exceed those required to be met under the Environment Protection Regulations 2021 and EPA Publication 1826.4 Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues, or any other equivalent or applicable State or relevant policy and should meet accepted sleep disturbance criteria EPA Publication 1254.2 and any other relevant guideline or Australian Standard.

Additional acoustic requirements – noise wall

17. Before the use starts, an acoustic barrier (noise wall) must be erected along the western boundary of the rear courtyard to a minimum height of 5.6 metres above natural ground level, generally in accordance with Option 2 – Acoustic Screening at Section 5.1.2 of the Clarity Acoustics Report dated 13 August 2024. The design of the barrier must be prepared in consultation with a qualified acoustic engineer and be to the satisfaction of the Responsible Authority. Details of the design and acoustic qualities of the barrier must be submitted to and approved by the Responsible Authority.
18. All of the recommendations of the Clarity Acoustics Report dated 13 August 2024 must be implemented prior to the commencement of the use allowed by this permit, and thereafter maintained, to the satisfaction of the Responsible Authority.

Noise management

19. No amplified or live music is permitted within the external courtyard area.
20. Amplified music (including background music) within the building must only be played through a Noise Monitor and Limiter installed and operating to ensure compliance with the Environmental Protection Regulations 2021 and EPA Publication 1826 (Noise Protocol) to the satisfaction of the Responsible Authority.

Noise-limiter installation/certification/inspection

21. Before the use starts, the operator must install and maintain to the satisfaction of the Responsible Authority a Noise Monitor and Limiter (“the Device”). The Device must be set at a level by a qualified acoustic engineer to ensure the escape of amplified music noise from the land does not exceed the requirements of the Environment Protection Regulations 2021 (as amended from time to time) as measured in accordance with the Noise Protocol.

Noise Protocol means the *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues*, published by the Environment Protections Authority on its website, as in force from time to time. Within 3 months of the use starting, a report must be submitted to the responsible authority. The report must:

- a) be prepared to the satisfaction of the Responsible Authority



- b) be prepared by a suitably qualified acoustic engineer
- c) confirm that the Device is operating and has the following characteristics which are also operating:
 - i. the Device limits internal noise levels so as to ensure compliance with the music noise limits according to the *Environment Protection Regulations 2021*
 - ii. the Device has a limiter suitable for interfacing with a Permanently Installed Sound System which will include any amplification equipment and loudspeakers
 - iii. the Device monitors noise levels at frequencies between 50Hz and 100Hz and is wired so as to ensure that the limiter governs all power points potentially accessible for amplification
 - iv. the Device controls are in a locked metal case that is not accessible by personnel other than a qualified acoustic engineer or technician nominated by the owner of the land and notified to the responsible authority
 - v. the Device is installed to control all amplification equipment and associated loudspeakers
 - vi. the Device is set in such a way that the power to the amplification equipment is disconnected for 15 seconds if the sound level generated by the amplification equipment exceeds for one second the maximum sound level for which the monitor is set
 - vii. the monitor level component of the Device includes a calibratable frequency discriminating sound analyser with an internal microphone incorporated in its own tamperproof enclosure (beyond the normal reach of a person)
 - viii. the Device must prevent a relevant noise level referred to in these conditions being exceeded
 - ix. the Device demonstrates compliance with noise limits in the *Environment Protection Regulations 2021*.

Post commencement acoustic compliance testing

22. Unless with the prior written consent of the Responsible Authority, within three months of the use commencing, an updated acoustic report prepared by a suitably qualified acoustic engineer and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The updated acoustic report must demonstrate:
- a) that the required level of noise attenuation has been achieved in accordance with Condition 16 of the permit or, if not, what works must be undertaken to achieve the required levels of noise attenuation.
 - b) that patron noise levels are attenuated for the occupiers at 16 and 20 Cowderoy Street.

Compliance testing must be undertaken while operating at practical worst caseloads or capacity (as could occur during hot weather in summer during the evening and night).



Where compliance with Condition 16 is not met, the use must cease to operate until such time that acoustic attenuation is installed and noise levels are in compliance with these requirements.

On-going noise testing

23. The permit holder/operator must, at the reasonable request of the Responsible Authority commission further acoustic testing should the Responsible Authority consider that noise emissions from the site are exceeding the levels as set out in the endorsed acoustic report and EPA Victoria Publication Noise Limit and Assessment Protocol 1826.4, or other equivalent policy. The permit holder/operator must engage a suitably qualified acoustic engineer without delay to undertake testing and provide a report to the Responsible Authority within 40 days. If the report shows non-compliance, the activities of the use that are causing the breach must immediately cease until such time as mitigation measures have been implemented to the satisfaction of the Responsible Authority.

Public Works Implementation Plan

24. Unless with the prior written consent of the Responsible Authority, before the use starts, the works shown on the Public Works Implementation Plan to change two on-street car parking spaces on Beaconsfield Parade to two short-stay car parking spaces (i.e. P-10 Mins or P-15 Mins) must be undertaken to the satisfaction of the Responsible Authority. The works must be delivered at the applicant's cost and to the satisfaction of the Responsible Authority.

Car and bicycle parking layout

25. Before the use starts, the areas set aside for the parking of vehicles and bicycles and access lanes as shown on the endorsed plans must be:
- a) fully constructed
 - b) properly formed to such levels that may be used in accordance with the plans
 - c) surfaced with an all weather surface or seal coat (as appropriate)
 - d) drained and maintained in a continuously usable condition
 - e) line marked to indicate each car space, loading bay and/or access lane
 - f) clearly marked to show the direction of traffic along access land and driveways

to the satisfaction of the Responsible Authority.

Parking and loading areas

26. Car and bicycle parking and loading 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.

Waste Management Plan

27. Before the development starts, a Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the WMP will be endorsed and will then form part of the permit. The WMP must be prepared with reference to the City of Port Phillip *Waste Management Plan Guidelines for Developments* and outline the collection and disposal of waste and recyclables associated with the proposed use on the site, including the following:



- a) details of the waste collection provider
 - b) scaled waste management drawings detailing the waste collection point, bin storage area and swept-path diagrams, to show an on-site private collection via 6.4m rear mini loader can access the site
 - c) waste collection must occur within the rear carpark accessed via Cowderoy Street
 - d) rubbish collection from 7am to 8pm Monday to Saturday and 10am to 8pm public holidays, and Sundays
 - e) the estimated garbage and recycling volumes for the whole development
 - f) bin quantity, size and colour
 - g) the location and space allocated to the garbage and recycling bin storage area and collection point
 - h) the garbage and recycling equipment to be used
 - i) collection frequency
 - j) signage
28. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority and must not be varied except with the prior written consent of the Responsible Authority.

Permit expiry

29. 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 two years of the date of commencement of works.
 - c) The use is not commenced within two years of the completion of the development.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started; and
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Permit notes:

- The table below outlines aspects of the application that cannot be appealed by an objector under section 82 of the *Planning and Environment Act 1987* to the Victorian Civil and Administrative Tribunal as they are classes of development that are exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987*.

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Planning Scheme Clause No:	Description of what is allowed:
Clause 43.01-1	Externally alter a building by structural work, rendering, sandblasting or in any other way; externally paint a building; internally alter a building; carry out works, repairs and routine maintenance which change the appearance of a heritage place, or which are not undertaken to the same details, specifications and materials.

Other approvals may be required

- This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of the City of Port Phillip or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit, including (but not limited to) compliance with the *Building Act 1988*, *Food Act 1984*, *Liquor Control Reform Act 1998*, or permits required under Council's Local Law.

Permit required for signs

- This permit relates only to the use of the land and does not authorise the erection or display of any advertising signs except for directional signage relating to patron behaviour and car parking and loading areas.
The location and details of any advertising signs to be erected on the land is not exempt pursuant to the Port Phillip Planning Scheme and must be the subject of a separate planning permit application.

Future signage and works considerations:

- Any ground floor frieze at either end of the façade should be stripped to reveal the "Beaconsfield Hotel" signage. The signage should then be reinstated. It is also recommended that "Beaconsfield" in the parapet also be investigated similarly and reinstated.

AMENDMENT

MOVED Crs Halliday/Jay

That the following changes be made to part 27d of the motion:

- Rubbish collection from 7am to 8pm Monday to ~~Saturday~~ **Friday** and 10am to 8pm public holidays, **Saturdays** and Sundays.

A vote was taken and the AMENDMENT was CARRIED unanimously.

The AMENDMENT became the SUBSTANTIVE MOTION.

A vote was taken and the SUBSTANTIVE MOTION was CARRIED.

Cr Halliday called for a DIVISION.

FOR: Crs Buckingham, Crawford, Cunsolo, Halliday, Hardy, Makin and Mears.

AGAINST: Crs Jay and Thomann.

The MOTION was CARRIED.



10.2 Edwards Park Public Amenities - Outcomes of Community Engagement

PURPOSE

- 1.1 To present the findings of the community engagement on the Edwards Park Public Amenities and recommend that Council incorporate adjustments to the design to respond to community feedback and endorse proceeding with the relocation as proposed.

MOVED Crs Makin/Cunsolo

That Council:

- 3.1 Thanks community members who provided feedback on the upgrade of the Edwards Park Public Amenities.
- 3.2 Notes the Engagement Summary Report as included in Attachment 1.
- 3.3 Endorses proceeding to detailed design including mitigation measures described in this report, and construction of the public amenities, at location 2b as outlined in this report.
- 3.4 Notes the project budget allocation for design and construction is \$392,000, inclusive of contingency and relocation of services.

A vote was taken and the MOTION was CARRIED.

Cr Halliday called for a DIVISION.

FOR: Crs Buckingham, Crawford, Cunsolo, Halliday, Hardy, Makin and Thomann.

AGAINST: Crs Jay and Mears.

The MOTION was CARRIED.

11. SUSTAINABLE PORT PHILLIP

Nil.

12. VIBRANT PORT PHILLIP

Nil.

13. WELL GOVERNED PORT PHILLIP

13.1 First Quarter 2024-25 Financial Review

PURPOSE

- 1.1 To provide Council with an overview of the results of the First Quarter 2024/25 Financial performance to budget (as required under Section 97 of the Local Government Act 2020) and seek approval for any unbudgeted items.

MOVED Crs Halliday/Thomann

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That Council:

- 3.1 Notes that full year cumulative cash surplus before the first quarter budget requests is \$0.59 million which is \$0.03 million less than budget of \$0.62 million.
 - 3.1.1 This includes \$103,000 for ANZAC station precinct ongoing maintenance (\$147,000 per annum, ongoing) with continued advocacy for transitional funding from Rail Projects Victoria.
- 3.2 Notes Attachment 1 – Financial Statements with accompanying explanatory notes.
- 3.3 Approves the following additional funding requests (see attachment 2 –Budget Requests):
 - 3.3.1 \$50,000 as one-off funding to fast-track essential and urgent works related to electrical line clearance in 2024/25.
 - 3.3.2 \$50,000 as one-off funding in 2024/25 to enhance Council’s preparedness for emergency and post emergency recovery, and subject to Budget 2025/26 development process include \$70,000 for 2025/26.
 - 3.3.3 \$30,000 as one-off funding in 2024/25 for the preparation of a community safety plan, and subject to Budget 2025/26 development process includes \$30,000 as one-off funding for additional work, including legal advice, research, project management and community engagement costs.
- 3.4 Notes Attachment 3 – Portfolio Deferrals and achievements.
- 3.5 Notes In accordance with Section 97(3) of the *Local Government Act 2020*, the Chief Executive Officer supported by the Chief Financial Officer, concludes that a revised budget for 2024/25 is not required.
- 3.6 Authorises the CEO, or their delegate, to reflect any changes made by Council at tonight’s meeting, and to make minor typographical corrections (including in any attachments to this report) before final publication.

A vote was taken and the MOTION was CARRIED.

Cr Halliday called for a DIVISION.

FOR: Crs Buckingham, Crawford, Cunsolo, Halliday, Hardy, Makin, Mears and Thomann.

AGAINST: Cr Jay.

The MOTION was CARRIED.

13.2 Council Plan and Budget 2025/26 - Long Term Financial Outlook & Budget Development

PURPOSE

- 1.1 To provide an update on Council’s strategic and operating environment and to provide an overview of the assumptions and the parameters for the review of the Council Plan and development of the Budget 2024/25 and the Long-Term Financial Plan.

MOVED Crs Crawford/Halliday

MINUTES - MEETING OF THE PORT PHILLIP CITY COUNCIL - 11 DECEMBER 2024



That Council:

- 3.1 Notes the outcomes from a preliminary review of the operating environment and strategic risks (Attachment 1).
- 3.2 Notes the growing challenges caused by the current economic environment including the impact of high inflation increasing the cost base of delivering Council services, infrastructure assets, and imposing further cost of living pressures on the community.
- 3.3 Notes that the Victorian Government continues to set the rates cap on forecast inflation well below actual inflation to mitigate cost of living pressures while requiring Council to absorb this shortfall gap. Council has absorbed up to 8.80 per cent over the last three budget years.
- 3.4 Endorses not applying to the Essential Services Commission for a higher rate cap for 2025/26.
- 3.5 Notes the 10-Year Financial Outlook and key parameters (outlined in Attachment 1) and the existing financial strategy which will be reviewed as part of the development of Budget 2025/26.
- 3.6 Notes that officers project a cumulative financial deficit of \$108 million (rates capping challenge) over 10 years at existing service levels while maintaining our \$3.4 billion of infrastructure and community assets and responding to population growth particularly in Fishermans Bend.
- 3.7 Notes that financial risks may further add to this financial deficit including uncertainty around the renewal of Council's enterprise agreement, projected inflation rates and future rates increase, growing difficulty in achieving 1% efficiency savings target and ongoing cost shifting from other levels of Government.
- 3.8 Notes that to address this projected deficit and provide capacity/contingency for unbudgeted service requests and/or a reduction in the rate increase the following parameters will be used to guide the development of the draft Budget 2025/26:
 - 3.8.1 Organisational efficiency target of 1 per cent of operating expenditure (excluding depreciation).
 - 3.8.2 Review the project portfolio to ensure deliverability and value for money.
 - 3.8.3 Development of options to generate new or additional revenue stream.
 - 3.8.4 A global user fee increase assumption of 3.15 per cent (inflation plus 0.25 per cent) with consideration of benchmarking, fee cost recovery and affordability for the community.
- 3.9 Authorises the CEO, or their delegate, to reflect any changes made by Council at tonight's meeting, and to make minor typographical corrections (including in any attachments to this report) before final publication.

A vote was taken and the MOTION was CARRIED.

Cr Halliday called for a DIVISION.

FOR: Crs Buckingham, Crawford, Cunsolo, Halliday, Hardy, Makin, Mears and Thomann.

AGAINST: Cr Jay

The MOTION was CARRIED.



13.3 Proposed lease of 129 Beaconsfield Parade, Albert Park: Reporting feedback from consultation

PURPOSE

- 1.1 To report the submissions received on Council's 129 Beaconsfield Parade, Albert Park Intention to Lease consultation.
- 1.2 To outline the proposed evaluation criteria and several potential future use scenarios.
- 1.3 To recommend Council proceeds with an Expression of Interest process to determine a preferred tenant to lease the property.

MOVED Crs Hardy/Thomann

That Council:

- 3.1 Thanks community members who provided feedback on the Intention to Lease proposal for 129 Beaconsfield Parade, Albert Park.
- 3.2 Notes the Engagement Summary Report as included in Attachment 1.
- 3.3 Authorises that an Expression of Interest process be undertaken for a long-term lease of 129 Beaconsfield Parade, Albert Park.
- 3.4 Notes the intended evaluation criteria for the Expression of Interest process.
- 3.5 Notes that the outcome and recommendation arising from the Expression of Interest process will be reported to a subsequent meeting of Council.

A vote was taken and the MOTION was CARRIED unanimously.

13.4 Proposed Discontinuance and Sale of Laneways R3317 and R3319, 60-66 Clarke Street, Southbank

PURPOSE

- 1.1 To consider whether Laneways R3317 and R3319 (adjoining 60-66 Clarke Street, Southbank, Victoria 3006), described in Plan of Crown Allotment OP125086 shaded green 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.

MOVED Crs Thomann/Makin

That Council:

- 3.1 Acting under section 17(4) of the *Road Management Act 2004* (Vic), resolves that Laneways R3317 and R3319 be removed from Council's Register of Public Roads on the basis that the Roads are no longer reasonably required for general public use for the reasons set out in this report.
- 3.2 Acting under clause 3 of Schedule 10 of the *Local Government Act 1989* (Vic) ("the 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 Act, public notice of the proposed discontinuance and sale 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 Act should state that if the Roads are discontinued, Council proposes to sell the land in the Road to the adjoining owner of 60-66 Clarke Street, Southbank Victoria 3006;
- 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 Act in relation to this matter;
- 3.2.5 Resolves to hear and consider any submissions received pursuant to section 223 of the Act at a future Council meeting;
- 3.2.6 If no submissions are lodged in response to the public notice, authorise the Chief Executive Officer, or their delegate, to proceed to discontinue and sell the subject Land for \$631,750 plus GST (subject to an updated valuation) plus costs associated with the sale in accordance with Council's *Road Discontinuance and Sale of Roads Policy* (March 2022); and
- 3.2.7 Notes the applicant would be required to pay Council an additional sum of \$57,024 plus GST for bluestone pavers currently in situ (144 sqm of bluestone pavers @ \$396 per square metre).

A vote was taken and the MOTION was CARRIED unanimously.

13.5 Proposed Discontinuance and Sale of Part of Laneway R1229 Merton Place, Albert Park

PURPOSE

- 1.1 For Council to consider whether part of the Laneway R1229 adjoining 18 Merton Place, Albert Park, being part of the Land contained within Certificate of Title Volume 3931 Folio 017 (described as Road Lot 1 on Title Plan 740609P) 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.

Moved Crs Thomann/Halliday

That Council:

- 3.1 Acting under section 17(4) of the *Road Management Act 2004* (Vic), resolves that part of Laneway R1229 be removed from Council's Register of Public Roads on the basis that the Road is no longer reasonably required for general public use for the reasons set out in this report.
- 3.2 Acting under clause 3 of Schedule 10 of the *Local Government Act 1989* (Vic) ("the Act"):
 - 3.2.1 Resolves that the statutory procedures be commenced to discontinue the Road;



- 3.2.2 Directs that under sections 207A and 223 of the Act, public notice of the proposed discontinuance and sale of the Road 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 Act should state that if the Road is discontinued, Council proposes to sell the land in the Road to the adjoining owner of 18 Merton Place, Albert Park Victoria 3206;
- 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 Act in relation to this matter;
- 3.2.5 Resolves to hear and consider any submissions received pursuant to section 223 of the Act at a future Council meeting; and
- 3.2.6 If no submissions are lodged in response to the public notice, authorise the Chief Executive Officer, or their delegate, to proceed to discontinue and sell the subject Land for \$82,570 plus GST (subject to an updated valuation) plus costs associated with the sale in accordance with Council's *Discontinuance and Sale of Roads Policy* (March 2023).

A vote was taken and the MOTION was CARRIED unanimously.

13.6 Appointments of Councillors to Committees

PURPOSE

- 1.1 To appoint Councillors to advisory committees, panels and external bodies until the end of the Council Term.
- 1.2 To present an updated suite of Terms of Reference documents for advisory committees and panels that provides a consistent approach to the administration and governance of these bodies to make it clearer for officers, committee members and the wider community.
- 1.3 To note the opportunity to review Council's current advisory committees, to enhance strategic advice to Council for achievement of the new Plan for Port Phillip.

MOVED Crs Cunsolo/Makin

That Council:

- 3.1 Appoints Councillor representatives to advisory committees, panels and external bodies as per Attachment 1, effective from the date of this resolution until the end of the Council Term (unless otherwise resolved by Council) and publishes the respective appointments to Council's website.
- 3.2 Does not appoint a Councillor to the 'Love My Place Grant Program Panel' which was included in Attachment 1. Requests officers to consider if this panel will continue as part of a future review.
- 3.3 Appoints Councillor Serge Thomann as the Councillor Delegate to the 'Art Acquisition Reference Committee', noting that this committee was omitted from Attachment 1.



- 3.4 Appoints Councillor Beti Jay to the Housing First Board, alongside Councillor Justin Halliday.
- 3.5 Notes updated Terms of Reference documents for Council's respective advisory committees and panels will be brought back to Council for endorsement in February 2025 following the first committee meetings with appointed Councillor Delegates.
- 3.6 Notes that the terms of the LGBTIQ+, Multicultural Advisory Committee, and Older Persons Advisory Committee have been extended to June 2025 to allow committee participation in the development of the new Plan for Port Phillip.
- 3.7 Requests officers explore options for strengthening advisory committee functions for achievement of the new Council Plan and present findings back to Council before June 30, 2025.

A vote was taken and the MOTION was CARRIED unanimously.

13.7 Amendment to the 2025 Council and Planning Committee Meeting Timetable

PURPOSE

- 1.1 To amend the Council and Planning Committee Timetable for 2025.

Moved Crs Makin/Thomann

That Council:

- 3.1 Adopts the amended Council and Planning Committee Meeting timetable for 2025 (Attachment 1).
- 3.2 Notes that under the Governance Rules the Chief Executive Officer, or their 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.

13.8 Changes to Planning Delegations (12 December 2024 until the first sitting of the Ordinary Council meeting in 2025)

PURPOSE

- 1.1 To delegate to the Chief Executive Officer (including the power to on delegate), the power to enable specific planning activities to be undertaken between the last Ordinary Council meeting being 11 December 2024 and the first Council meeting in 2025.

MOVED Crs Makin/Halliday



- 3.1 Delegates to the Chief Executive Officer (including the power to on delegate), effective for the period 12 December 2024 until the first sitting of the new Ordinary Council meeting on 5 February 2025, the power to:
- 3.1.1 To provide comments to the Minister for Planning for proposals, permit applications and/or planning scheme amendments in Council's role as a referral authority.
 - 3.1.2 To instruct Council's Statutory Planners and/or Council's advocates in relation to any application lodged with VCAT under Part 4, Division 2 or 3 of the *Planning and Environment Act 1987*, or an application for a planning scheme amendment or an application before an Advisory Committee.
- 3.2 All determinations made during the period 12 December 2024 through the exercise of these delegations until the first sitting of the new Planning Committee will be reported to an Ordinary Council Meeting or Planning Committee before the end of March 2025.

A vote was taken and the MOTION was CARRIED unanimously.

13.9 Statutory Planning Delegated Decisions Report - Caretaker Period 5 September 2024 to 27 November 2024 (inclusive)

PURPOSE

- 1.1 To present a summary of planning decisions made by the Chief Executive Officer during the recent Council election caretaker period, as authorised by delegation at the Ordinary Council Meeting on 4 September 2024.

MOVED Crs Thomann/Crawford

That Council:

- 3.1 Notes the two decisions made by the Chief Executive Officer under delegation from Council for the period between 5 September 2024 and 27 November 2024, being the period between last Ordinary Council Meeting before the Council enter the election caretaker period and the first sitting of the new Ordinary Council Meeting.

A vote was taken and the MOTION was CARRIED unanimously.

14. NOTICES OF MOTION

14.1 Notice of Motion – Councillor Buckingham – Community Safety

MOVED Crs Buckingham/Thomann

That Council:-

1. Reaffirms its commitment to a safe, liveable and just community.
2. Requests that City of Port Phillip initiate a round table of key stakeholders, incorporating the City of Port Phillip, health, housing, community legal and social



service providers, Victoria Police and other relevant stakeholders or recognised expertise to examine the current situation and review place-based models to address community safety issues in our high streets and surrounding areas.

3. Requests that the round table:
 - a) Provide advice and case studies from other jurisdictions on community outreach models and consider opportunities to ensure best practice in the City of Port Phillip;
 - b) Provide advice and case studies from other Council jurisdictions on how local laws can be used to provide community safety and protect the amenity of public spaces within the City of Port Phillip. The advice is to include consideration of police protocols and operations with the City of Melbourne and their applicability to the City of Port Phillip;
 - c) Review the merit and feasibility of establishing an ongoing alliance to continue this work over the next four years.
 - d) Provide recommendations to Council on the above within the short and long-term.
4. Requests that the Mayor write to the Chief Commissioner of Victoria Police seeking advice and recommendations on local laws in the City of Port Phillip, and a proposal on how any changes to the local laws would be used and work in practice.
5. Notes that officers have commenced work on the update of the City of Port Phillip's Community Safety plan including opportunities for the public to share their lived experiences in relation to community safety and that Councillors will be updated on this regularly.

A vote was taken and the MOTION was CARRIED unanimously.

15. REPORTS BY COUNCILLOR DELEGATES

Nil.

16. URGENT BUSINESS

This item was considered earlier in the meeting.

REBECCA PURVIS – OUTGOING SENIOR COUNCIL BUSINESS ADVISOR

The Mayor acknowledged the last Council meeting of Rebecca Purvis after seven years at the City of Port Phillip. The Mayor thanked them for their service to the City and wished them well for their future endeavors.

XAVIER SMERDON – OUTGOING HEAD OF GOVERNANCE

The Mayor also wished Xavier Smerdon well in their future endeavors, thanked them for their guidance in the Governance role and help in the induction process of the new Council.



17. CONFIDENTIAL MATTERS

MOVED Crs Halliday/Cunsolo

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 Childrens Infrastructure Program – Implementation Update

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 information that, if released prematurely, would compromise Council's ability to undertake consultation successfully. Information contained in an attachment to this report contains confidential decisions of Council.

A vote was taken and the MOTION was CARRIED unanimously.

The meeting was closed to the public at 9:22pm.

The meeting reopened to the public at 9.56pm.

As there was no further business the meeting closed at 9.56pm.

Confirmed: 5 February 2025

Chairperson _____