



# MEETING OF THE PORT PHILLIP CITY COUNCIL

## AGENDA

**24 SEPTEMBER 2025**



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# MEETING OF THE PORT PHILLIP CITY COUNCIL

## 24 SEPTEMBER 2025



### **Welcome**

*Welcome to this Meeting of the Port Phillip City Council.*

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

### **About this meeting**

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

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

### **Public Question Time and Submissions**

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

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

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

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



# MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



## MEETING OF THE PORT PHILLIP CITY COUNCIL

### To Councillors

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

### AGENDA

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

# MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



<b>13</b>	<b>A TRUSTED AND HIGH PERFORMING ORGANISATION .....</b>	<b>206</b>
13.1	<i>Procurement Australia Renewal 2026 - 2029 .....</i>	<i>207</i>
13.2	<i>Proposed Discontinuance and Sale - Part Union Place (Adjoining 154-158 Bank Street) South Melbourne .....</i>	<i>215</i>
<b>14</b>	<b>NOTICES OF MOTION</b>	
	<i>Nil</i>	
<b>15</b>	<b>REPORTS BY COUNCILLOR DELEGATES</b>	
<b>16</b>	<b>URGENT BUSINESS</b>	
<b>17</b>	<b>CONFIDENTIAL MATTERS .....</b>	<b>223</b>
	<i>The information contained in the following Council reports is considered to be Confidential Information in accordance with Section 3 of the Local Government Act 2020.</i>	
17.1	<i>Update on the implementation of the Village Model</i>	
3(1)(a).	<i>Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.</i>	
	<b>Reason:</b> The report contains information that if prematurely released would impact Council's ability to deliver aged care services, including service planning and delivery given it operates within a competitive and market-driven landscape	



# MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



## 1. APOLOGIES

## 2. MINUTES OF PREVIOUS MEETINGS

### RECOMMENDATION:

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

## 3. DECLARATIONS OF CONFLICTS OF INTEREST

## 4. PUBLIC QUESTION TIME AND SUBMISSIONS

## 5. COUNCILLOR QUESTION TIME

## 6. PETITIONS, JOINT LETTERS & DEPUTATIONS

Nil

## 7. PRESENTATION OF CEO REPORT

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

# MEETING OF THE PORT PHILLIP CITY COUNCIL

## 24 SEPTEMBER 2025



### 7.1 PRESENTATION OF CEO REPORT ISSUE 120 - JULY 2025

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

**PREPARED BY:** KIHM ISAAC, CORPORATE PLANNING AND PERFORMANCE ADVISOR

**SAMUEL GEORGI, CORPORATE PLANNING AND PERFORMANCE ADVISOR**

#### 1. PURPOSE

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

#### 2. EXECUTIVE SUMMARY

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

#### 3. RECOMMENDATION

That Council:

- 3.1 Notes the CEO Report – Issue 120 (provided as Attachment 1).
- 3.2 Authorises the CEO, or their delegate, to make minor editorial amendments that do not substantially alter the content of the report.
- 3.3 Approves the increase in funding from \$1.44 million to \$1.55 million from the Stormwater Harvesting Program for Council's contribution to the Elwood Park Expansion Stormwater Harvesting Scheme.

# MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



## 4. OFFICER MATERIAL OR GENERAL INTEREST

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

## ATTACHMENTS 1. CEO Report Issue 120 - July



# CEO Report

Issue 120, July 2025

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



## City of Port Phillip

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St Kilda VIC 3182

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Website: [portphillip.vic.gov.au](http://portphillip.vic.gov.au)

### Diversity

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

Voice Relay users, phone 1300 555 727,

then ask for 03 9209 6777.

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

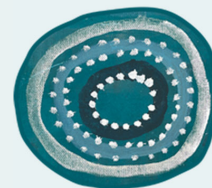
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## In July...



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



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



We delivered the first in-person Solihul Parenting Program.

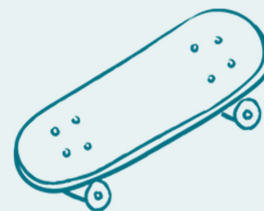
Project portfolio performance

# 94%

projects on track  
(incl. those at risk)



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



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



## Strategic direction 1

# A healthy and connected community

## Highlights

### NAIDOC Week 2025

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

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

### Supporting families at St Kilda Library

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

friendly, informal support to parents and caregivers.

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

### St Kilda playgroup finds a new home

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

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



### St Kilda Playgroup at Betty Day Centre

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

### Winter school holidays

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



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

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

### First face-to-face Solihull Parenting Program

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

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

One parent shared:



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

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



### Assisting the Alma Park Community House gardening program

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

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

### Changes to the Maternal and Child Health Sleep and Settle Program

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

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



Te-Arai Community Gardens

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

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

### Free menstrual health supplies at South Melbourne Market

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

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



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

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

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



Free pads and tampons, an initiative by the Victorian Government



## Major initiatives 2025/26

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

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

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

**Legend**

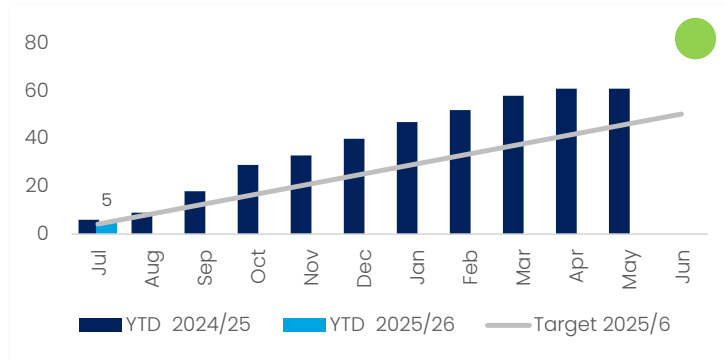
● On Track/Complete

◆ At Risk

■ Off Track

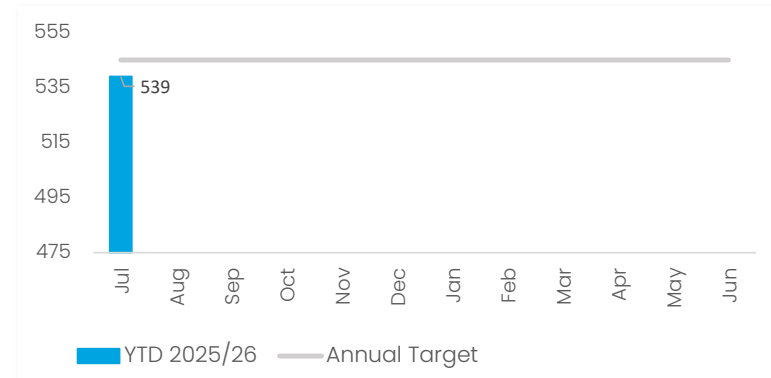
## Service performance measures

Number of older persons housed



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

Number of individuals who access a Village Model Service



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



## Strategic direction 2

# An environmentally sustainable and resilient City

## Highlights

### Port Phillip welcomes the new EcoCentre

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

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

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

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

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

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

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

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




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



## Major initiatives 2025/26

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

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



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

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

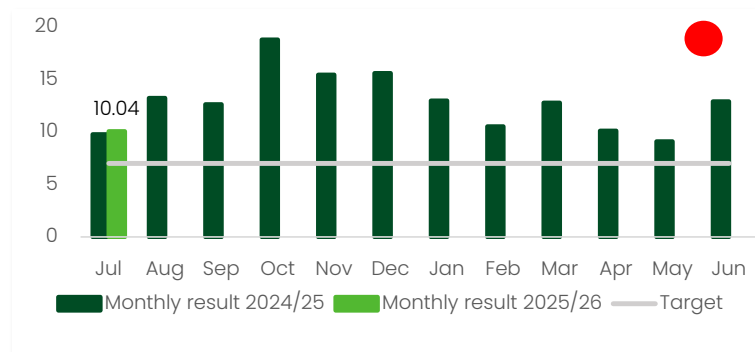
## Service performance measures

Drainage and flooding requests completed on time



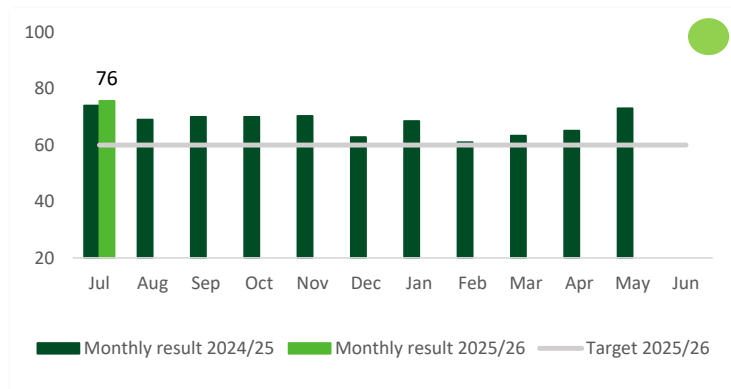
For July, 94 Per cent of drainage and flooding requests were completed within the timeframe. This result surpassed the 82 per cent target.

Kerbside collection bins missed per 10,000 bin lifts



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

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



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





## Strategic direction 3

# A safe and liveable City

## Highlights

### Bay Trail lighting renewal completed

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

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

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



Upgraded lighting along Bay Trail

### Port Phillip SES at South Melbourne Market

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

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

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

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



SES pop up at South Melbourne Market

### Coffee with a Cop at South Melbourne Market

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




Coffee with a Cop in July at South Melbourne Market









## Major initiatives 2025/26

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

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



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

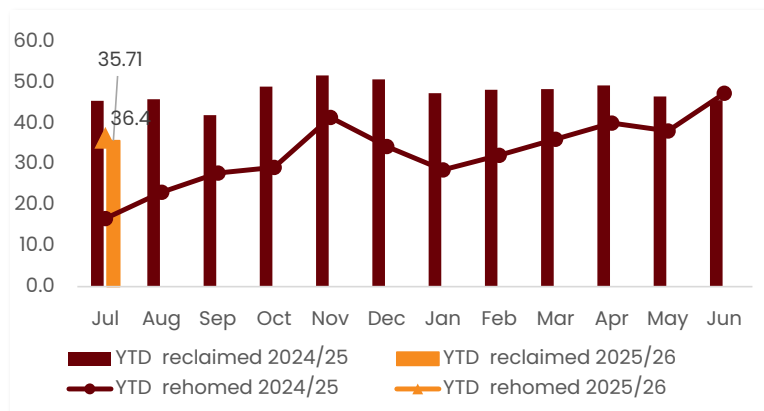


Major Initiative	Stage	Status	Update	Completion Date	Forecast \$'000	Budget \$'000
including a feasibility study for Pier Road.			The design options are now complete for the Pier Road and Bay Trail Safety Upgrade, along with a staging plan. They have been presented to internal stakeholders. Preparation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

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

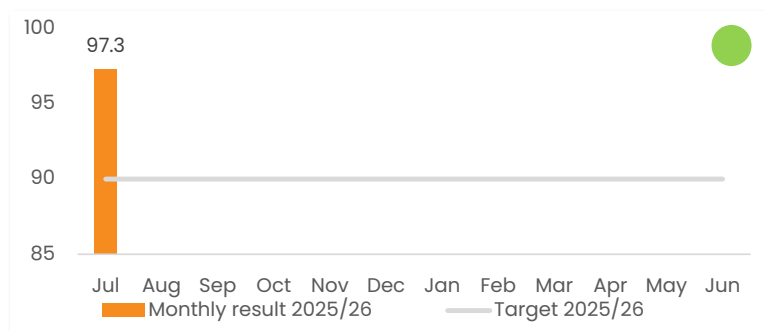
## Service performance measures

Percentage of animals reclaimed and rehomed



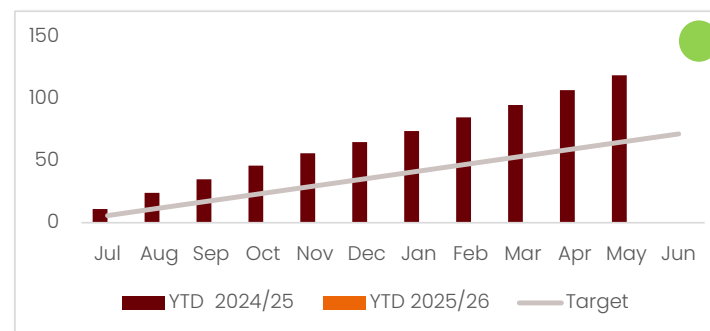
Of the 11 animals that were surrendered or not reclaimed, 4 animals were rehomed (36.36 per cent). Animals go through health and behaviour testing to determine if they are suitable for adoptions. All avenues are explored to ensure animals find new homes. The foster carer network is used to rehabilitate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

Dumped rubbish requests completed on time



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

Sealed local road requests per 100 km of sealed local road



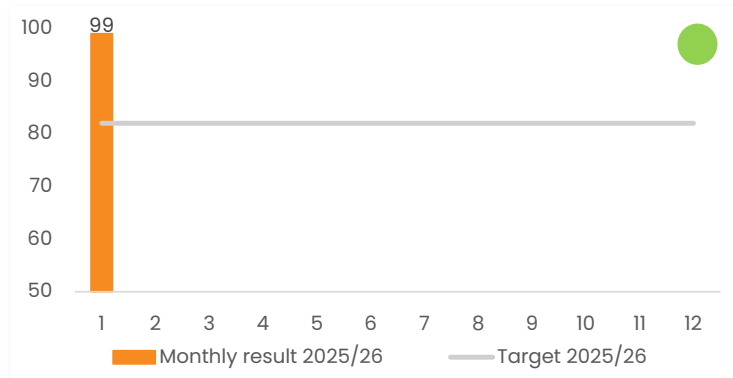
There were 0 requests received in July. We started well for the annual target of less than 68 per 100km of road.

**Excessive or unreasonable noise requests responded to on time**

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

**Street and laneway cleaning requests responded to on time**

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

**Graffiti management requests completed on time**

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



## Strategic direction 4

# A vibrant and thriving community

## Highlights

### Supporting the future of Bay Street Port Melbourne

Council's Economic Development team is working to support and strengthen the mix of shops, services, and entertainment for the community along Bay Street in Port Melbourne. Residents local to Bay Street have been encouraged to complete an online community survey sharing their shopping experiences and what businesses they would like to see on the street. The survey opened on Friday 27 June for a period of 8 weeks, with more than 500 surveys completed. Promotion of the survey was through temporary signage in the street, social media posts, postcards mailed to more than 2,000 residents and posters provided to local businesses. On-street surveys were also conducted to gather insights from the community.

The feedback will be compiled into a report which will outline what we heard from community members during the survey

period. We will also compile this research on local shopping habits with geospatial data and analysis for a dedicated Bay Street information hub on Council's website. The hub will give potential businesses the information they need to open a shop on Bay Street. It will also help landlords and real estate agents find and attract the right tenants. The hub will help to understand the local community profile, key spend categories, customer segments and Council supports.

### Public art installation at Station Pier

A large canoe sculpture titled 'Water journey' by Aboriginal artist Simone Thomson (Wurundjeri Woi Wurrung, Yorta-Yorta) was installed at Station Pier in July 2025.

The project has been led by the Port Melbourne Business Association as part of their Migration Public Art Trail initiative and funded by the Victorian State Government.

This new addition to the local landscape celebrates stories of migration and honours Indigenous perspectives within the broader narrative of Port Melbourne's history, reflecting the City's commitment to cultural storytelling and recognition.



Artist Simone Thomson with 'Water Journeys' sculpture, July 2025



### Port Melbourne Skate Park official opening

The Port Melbourne Skatepark officially opened on Friday 11 July with a vibrant celebration, drawing over 60 people including families, youth, pro skateboarders, and community leaders. The event featured exciting demos, open skate sessions, and prize giveaways supported by Globe.



Mayor Louise Crawford and MP Nina Taylor officially launched the park, joined by Cr Heather Cunsolo, Cr Alex Makin, and Cr Serge Thomann, who unveiled a commemorative plaque.

Already a hub of activity, the upgraded skatepark is an inclusive space for all ages and skill levels—perfect for beginners and seasoned skaters alike. Delivered by the City of Port Phillip and the Victorian Government, this redevelopment showcases a strong commitment to youth recreation and community wellbeing.



## Major initiatives 2025/26

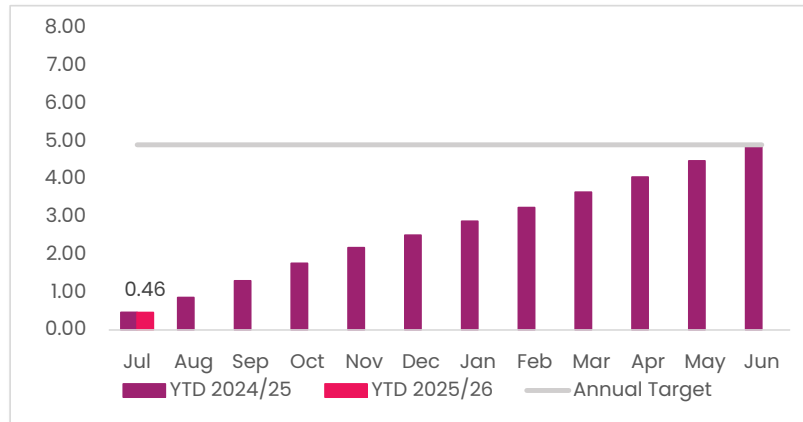
Council delivers multiple projects that contribute to **a vibrant and thriving community**. Following are the major initiatives (priority projects) we are starting, continuing, or completing in 2025/26.

Major Initiative	Stage	Status	Sponsors Update	Completion Date	Forecast \$'000	Budget \$'000
<b>Carlisle St Carparks Strategy Execution</b> Redevelop the Carlisle Street carparks to facilitate the creation of the Balaclava Retail Renewal Precinct.	Planning and Design		Council has undertaken community engagement on its proposal to sell carpark and laneway land in Balaclava. The feedback received has formally reported to an Ordinary Meeting of Council. That feedback is being considered. In September 2025 Officers intend to report to Council with a recommendation of whether to proceed with a sale.	December 2025	13	-
<b>Lagoon Reserve Pavilion &amp; Park Improve</b> Deliver the new multi-story Lagoon Reserve pavilion project.	Delivery		The Lagoon Reserve Pavilion and Park Improvement Project is currently at risk. While the project continues to operate within the construction contingency timeline, progress may be impacted as we work through the final requirements for the Building Permit. Formal approval is still pending. Despite this, construction has progressed significantly. All modular units have now been successfully craned into place, marking a major milestone in the delivery of the new pavilion.	November 2025	3,545	3,780

Major Initiative	Stage	Status	Sponsors Update	Completion Date	Forecast \$'000	Budget \$'000
<b>Port Melbourne Netball Infrastructure</b> Deliver expanded netball facilities in and around Port Melbourne for the growing and inclusive sport.	Planning and Design	■	The Netball Infrastructure project remains off track. We are actively exploring alternate locations to support project delivery. Feasibility investigations are ongoing as we work to find the best way forward.	June 2027	1,772	1,777
<b>South Melbourne Market Project Connect</b> Design and start delivery of the South Melbourne Market Project Connect to upgrade and renew the Market.	Discovery and Concept	●	The Approach to Market process has commenced to appoint a Principal Design Consultant for Project Connect. This consultant will manage the design phase for the Project starting with Concept Designs, through to Schematic and Detailed Design. In the meantime, engineering design continues the structural remediation works required based on updated building code.	June 2031	462	533
<b>South Melbourne Town Hall</b> Renew South Melbourne Town Hall and work with the Australian National Academy of Music on the reopening of the Town Hall.	Delivery	●	The construction of the Landlord (City of Port Phillip) works is continuing in accordance with the approved program. A proposal by Australian National Academy of Music (ANAM) to consider the incorporation of Tenant (Australian National Academy of Music – ANAM) early works is being considered and will be presented to Council in future months.	September 2026	8,659	8,962
<b>Legend</b> ● On Track/Complete      ◆ At Risk      ■ Off Track						

## Service performance measures

### Library visits per head of population



This is a new measure reporting on the proportion of library visits per head of population. In July, there were 51,961 visitors. Visitation across our libraries was almost identical compared to the same time last year (0.49 visits per head of population). This is compared against an annual target of 4.9 visits per head of population. We also saw our Port Melbourne branch closed for building works on 22 and 23 July.



## Strategic direction 5

# An engaged and empowered community

## Highlights

### Council recognises community litter collector

A young Port Phillip resident has been awarded a certificate of appreciation for her role in keeping our City clean and tidy. Isabelle, 8, who is neurodivergent, and experiences agoraphobia found that going outside and picking up litter was a gentle yet meaningful exercise that she could undertake close to home. Daisy's mother contacted Council, wondering if a certificate could be mailed out to Isabelle, encouraging her to keep up the excellent work. When Mayor Louise Crawford heard about Isabelle's efforts however, it was decided that it would be nice to give Isabelle a certificate in person. Cr Crawford is an enthusiastic litter collector and was therefore more than happy to meet with Isabelle to swap litter collecting tips and give Isabelle her certificate in person.

### Community Engagement update

In July we asked for community feedback on these projects:

- Bay Street Shopping Precinct
- Council Meetings: Changes to Governance Rules Review.

We reported back on what we heard from our community on these projects:

- Plan for Port Phillip
- Enhancing Argyle Street, St Kilda
- St Kilda Botanic Gardens Public Toilets
- Proposed Changes to Dog On- and Off-Leash Restrictions
- Port Melbourne Light Rail Linear Parks Plan.



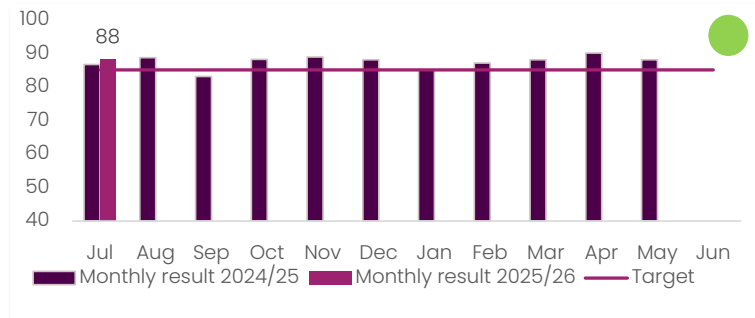
## Major initiatives 2025/26

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

Major Initiative	Stage	Status	Sponsors Update	Completion Date	Forecast \$'000	Budget \$'000
<b>Governance Rules</b> Review the Governance Rules and implement its outcomes.	Close	●	On 2 July, Councillors endorsed the Draft Governance Rules for community consultation, in accordance with the requirements of the Local Government Act. Community consultation commenced on 8 July and was promoted through the Have Your Say page, City of Port Phillip (social media channels, and the Council Newsletter. The item was scheduled for Council consideration on 2 September 2025.	September 2025		Operating Budget
<b>Legend</b> ● On Track/Complete      ◆ At Risk      ■ Off Track						

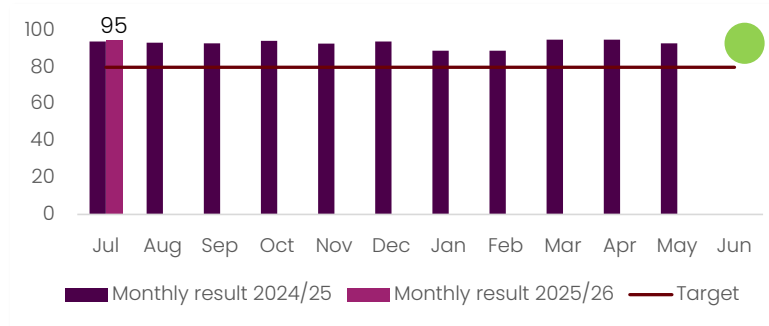
## Service performance measures

Community service requests resolved within agreed timeframes



For July, 88 per cent of community service requests were resolved within agreed timeframes. This result surpassed the 85 per cent target as well as performance for the same time last year (87 per cent for July 2024).

Complaints resolved within agreed timeframes (includes missed bins)



For July, 95 per cent of community complaints and missed residential bin complaints were resolved within agreed timeframes, exceeding the target of 80 per cent and the result the previous year (94 per cent for July 2023).



## Strategic direction 6

# A trusted and high-performing organisation

## Highlights

### Stronger transparency with updated Gift and Flagpole policies

In July, Council endorsed updated versions of the Gift, Benefit and Hospitality Policy and the Flag and Illumination Protocol following a thorough review. The refreshed documents feature clearer language, defined roles and responsibilities, and alignment with current legislation and sector standards.

These updates enhance transparency and consistency in decision-making, making it easier for Councillors and the community to understand how governance applies to gifts and flag protocols. This reinforces Council's ongoing commitment to openness and integrity.



St Kilda Town Hall illuminated in rainbow colours for IDAHOBIT in May



## Major initiatives 2025/26

Council delivers multiple projects that contribute to **a trusted and high-performing organisation**. Following are the major initiatives (priority projects) we are starting, continuing, or completing in 2025/26.

Major Initiative	Stage	Status	Sponsors Update	Completion Date	Forecast \$'000	Budget \$'000
<b>Clever Port Phillip</b> Deliver and refine annually our Clever Port Phillip Action Plan to support innovation, improved productivity, customer experience and financial efficiency.	Delivery	●	The project remains on track, aligned with the agreed priorities, and is already delivering key outcomes. We've successfully implemented multiple OneCouncil optimisations including configuration for the new Information Protection Act, as well as improve the VCAT submission process within the OneCouncil system.  We are continuing to deliver on the current roadmap, including upgrading OneCouncil, implementing back up for Microsoft applications improving our information management practices as well as multiple OneCouncil process optimisations. We are also preparing to rebaseline the next wave of priorities, which includes exploring opportunities to build AI capabilities and drive efficiency gains across the portfolio.	December 2027	616	564
<b>Human resource and payroll system renewal</b> Deliver the human resource and payroll system project to support improved employee experience, productivity, and recruitment (the scope of the payroll upgrade is yet to be developed).	Delivery	●	Project on track with the development and finalisation of the Procurement specifications occurring throughout July & August. Relevant probity and quality assurance checks also completed.	October 2026	1,199	1,249

<b>Portfolio Delivery Improvement Plan</b> Enhance project portfolio management, delivery, and outcomes by benchmarking our capability and developing and implementing an improvement plan.	Delivery	<div></div> The Portfolio Delivery Improvement Plan will be a living document, capturing why and how we will uplift the maturity of portfolio, program and project management, governance and delivery in the City of Port Phillip. July was focused on preparations for a maturity assessment, which will establish the baseline and targets for the project governance and delivery service performance measures.	Ongoing	Operating Budget
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Legend

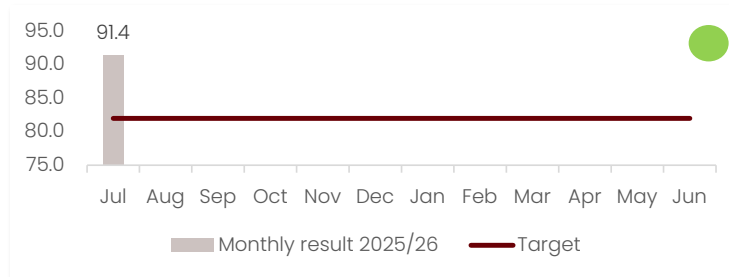
On Track/Complete

At Risk

Off Track

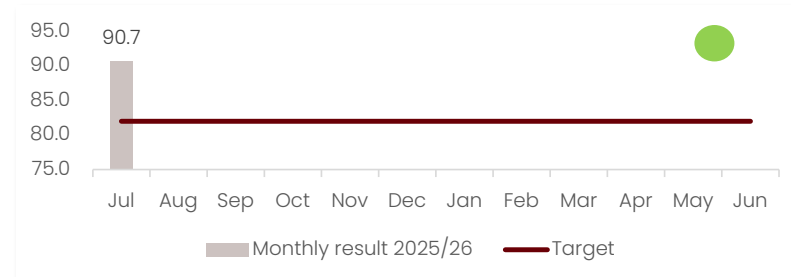
## Service performance measures

Building maintenance requests completed on time



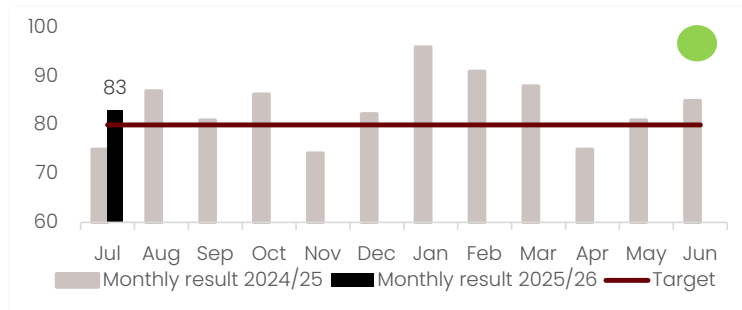
For July, 91.4 per cent of building maintenance requests were completed within the timeframe. This result surpassed the 82 per cent target.

Rates related service requests completed on time



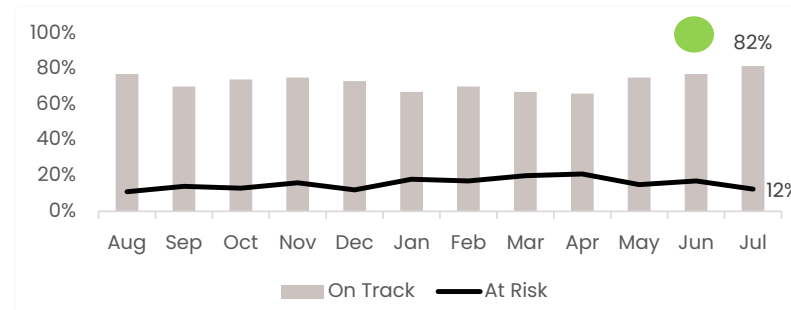
For July, 90.7 per cent of rates related service requests were completed within the timeframe. This result surpassed the 82 per cent target.

Occupational health and safety incidents reported within 24 hours



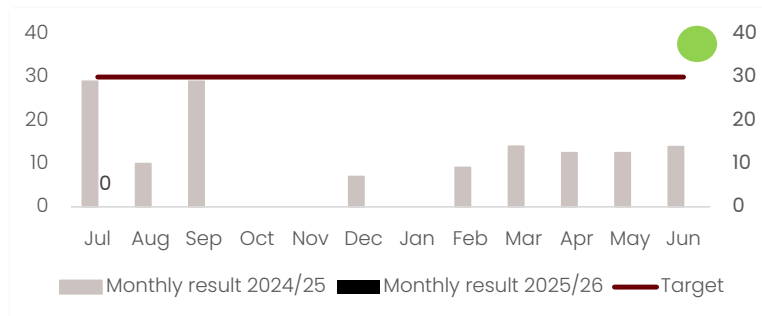
For July, 83 per cent of occupational health and safety requests were completed within the timeframe. This result surpassed the 80 per cent target.

Projects reporting on track or at risk



For July, 82 percent of projects reporting On Track and 12 percent of projects reported At Risk. This equates to a combined 94 percent of projects On Track or At Risk which exceeds the 80 percent target.

Council decisions made at meetings closed to the public (percentage)



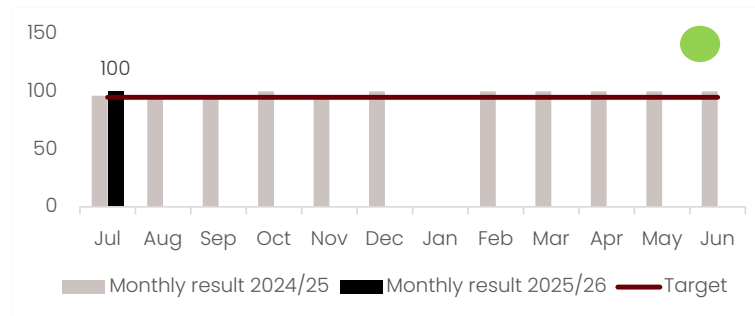
There were 9 decisions made at the one meeting held in July 2025. None of these decisions were made in meetings closed to the public. This is below the threshold target of no more than 30 percent of decisions made in meetings close to the public.

Material legislative breaches



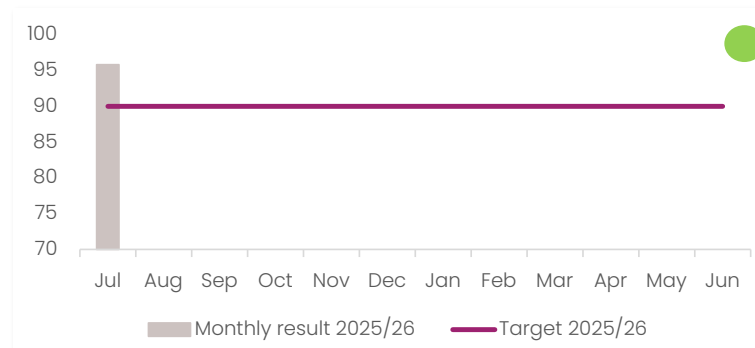
No material breaches resulting in financial penalties for this reporting period.

Councillor attendance at Council meetings



Councillor attendance was 100 percent in July which exceeded the 95 percent target. There were no apologies received for the one meeting held in July 2025. There were no council meetings held in January 2024.

Land information certificates issued on time



In July, 98.9 per cent of Land information certificates were issued on time, exceeding the 90 per cent target.

# Project portfolio report

The project portfolio is the projects, including major initiatives, set out in the Plan for Port Phillip 2025–35.

Overall status



Portfolio status trend

	12-month average	Apr-2025	May-2025	Jun-2025	Jul-2025
On track	73%	66%	75%	77%	82%
At risk	15%	21%	15%	17%	12%
Off track	12%	13%	10%	6%	6%

Portfolio financial performance

	Number of projects	Annual budget (\$ mil)	Annual forecast (\$ mil)	YTD budget (\$ mil)	YTD forecast (\$ mil)	YTD Actual (\$ mil)	Variance to forecast (\$ mil)
Capital	246	80.9	80.0	16.0	2.7	1.0	(1.7)
Operating	106	12.6	12.0	3.3	0.7	0.1	(0.6)
Total	352	93.5	92.0	19.3	3.4	1.1	(2.3)

Project portfolio changes

Project	Change
Domain Precinct – Metro Tunnel Project	State Government reimbursement of \$179k
Middle Park Library – Minor Upgrade	Reallocated \$285k: \$160k deferred from FY24/25 and \$125k brought forward from FY26/27

# Financial update

As of 31 July 2025, the full-year forecast 2025/26 cash surplus stands at \$0.36 million which is \$0.17 million lower than the adopted budget. This is due to the audited financial result for 2024/25 being marginally below forecast by \$0.17 million, resulting in a lower opening cash surplus carried into 2025/26.

Several other movements were recorded that did not affect the cash surplus, including:

- Amendments to AASB 13 Fair Value Measurement (applied as of 30 June 2025)
  - \$4 million increase in depreciation
  - \$2.4 million reclassification from operating to capital expenditure
  - \$194 million uplift in Council's asset base following asset revaluation
- \$1.8 million in net project deferrals, arising from year-end adjustments post-adoption of the 2025/26 budget. These include projects completed ahead of schedule and brought forward into 2024/25, as well as others deferred to future years.

Council also has several major procurements currently underway including waste collection, open space and tree maintenance, and cleaning services. The outcomes of these procurements may influence future financial performance.

## Key financial updates and indicators

- A forecast cumulative cash surplus balance of \$0.36 million noting ongoing risk of changing economic conditions and inflationary pressures.
- A forecast overall low risk rating using the Victorian Auditor General's Office (VAGO) financial sustainability indicators.
- Forecasted net operating result of \$12.7 million (4.5 per cent of total revenue), a funding source for capital works.
- A forecasted working capital ratio of 214 per cent.
- A forecasted cash and investment balance of \$77 million. Majority of this is held in reserves and tied to specific delivery of projects and services (e.g., open space developer contributions, project deferrals and specific grants)
- Working towards a target of \$1.3 million efficiency savings for Budget 2026/27. Noting efficiency savings are becoming increasingly hard to achieve.
- Council offers support for ratepayers who are suffering extreme financial hardship. In the prior years, rates waivers totalling \$9,283 (17 waivers) were issued.

## Summarised Income Statement Converted to Cash

	Year to Date				Full Year			
	Actual \$'000	Forecast \$'000	Variance \$'000	%	Forecast \$'000	Budget \$'000	Variance \$'000	%
Total Income	42,257	42,000	257	1%	288,346	288,828	(482)	(0%)
Total Expenses	19,507	20,863	1,355	6%	275,600	273,843	(1,447)	(1%)
<b>Operating Surplus/(Deficit)</b>	<b>22,749</b>	<b>21,137</b>	<b>1,612</b>	<b>8%</b>	<b>12,746</b>	<b>14,985</b>	<b>(1,931)</b>	<b>(13%)</b>
<b>Income Statement Converted to Cash:</b>								
Capital Expenditure	(905)	(1,144)	239	21%	(74,624)	(74,079)	(545)	(1%)
Non-cash operating items	2,564	2,553	11	0%	35,802	31,802	4,000	13%
Financing Items	(132)	(127)	(5)	(4%)	(1,522)	(1,522)	0	0%
Net Reserves Drawdown (Replenish)	0	0	0	0%	24,817	26,033	(1,216)	(5%)
<b>Current Year Cash Surplus/(Deficit)</b>	<b>24,276</b>	<b>22,419</b>	<b>1,857</b>	<b>9%</b>	<b>(2,781)</b>	<b>(2,781)</b>	<b>0</b>	<b>0%</b>
Opening cash surplus balance	3,143	3,143	0	0%	3,143	3,317	(174)	(5%)
<b>Accumulated Cash Surplus</b>	<b>27,419</b>	<b>25,562</b>	<b>1,857</b>	<b>8%</b>	<b>362</b>	<b>536</b>	<b>(174)</b>	<b>(32%)</b>



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**8. A HEALTHY AND CONNECTED COMMUNITY**

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

# MEETING OF THE PORT PHILLIP CITY COUNCIL

## 24 SEPTEMBER 2025



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

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

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

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

### 1. PURPOSE

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

### 2. EXECUTIVE SUMMARY

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

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

# MEETING OF THE PORT PHILLIP CITY COUNCIL

## 24 SEPTEMBER 2025



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

### 3. RECOMMENDATION

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

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

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

#### Amended plans required

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



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

**No alterations**

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

**Walls on or facing boundaries**

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

**No equipment or services**

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

**Water Sensitive Urban Design response**

- 5 Concurrent with the endorsement of plans required by Condition 1, a Water Sensitive Urban Design Response must be submitted to and approved by the Responsible Authority. When approved, the Water Sensitive Urban Design Response will be endorsed and will then form part of the permit. It must:
  - a) Demonstrate how the development meets the water quality performance objectives as set out in the Urban Stormwater – Best Practice Environmental Management Guidelines (CSIRO, 1999) or its updated equivalent. This must include:
    - i. Design details of the water sensitive urban design stormwater treatments to be used, including cross-sections and connection to legal point of discharge.
    - ii. A plan showing all stormwater catchment areas, permeable and impermeable areas in square metres (m<sup>2</sup>).
    - iii. A plan illustrating the location of the nominated water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas, with connection notations.
  - b) Details of how the water sensitive urban design stormwater treatment measures will be maintained on an on-going basis. This must be demonstrated by providing a maintenance manual including the following information:
    - i. A full list of maintenance tasks.
    - ii. The required frequency of each maintenance task (monthly, annually etc.).



- iii. Person responsible for each maintenance task.

**Incorporation of Water Sensitive Urban Design measures**

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

**Pre-occupation compliance with Water Sensitive Urban Design requirements**

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

**Construction Management Water Sensitive Urban Design**

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

**Car parking area must be available**

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

**Lighting**

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

**Landscape and canopy tree plan**

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



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

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

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

#### **Landscaping implementation**

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

#### **Landscape maintenance**

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

#### **Permit expiry**

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

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

## **4. RELEVANT BACKGROUND**

### Planning Permit PDVP/00034/2025

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



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

Planning Permit PDPL/00410/2025

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

**5. PROPOSAL**

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

Demolition

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

Proposed ground floor

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

Proposed first floor

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

General

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



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

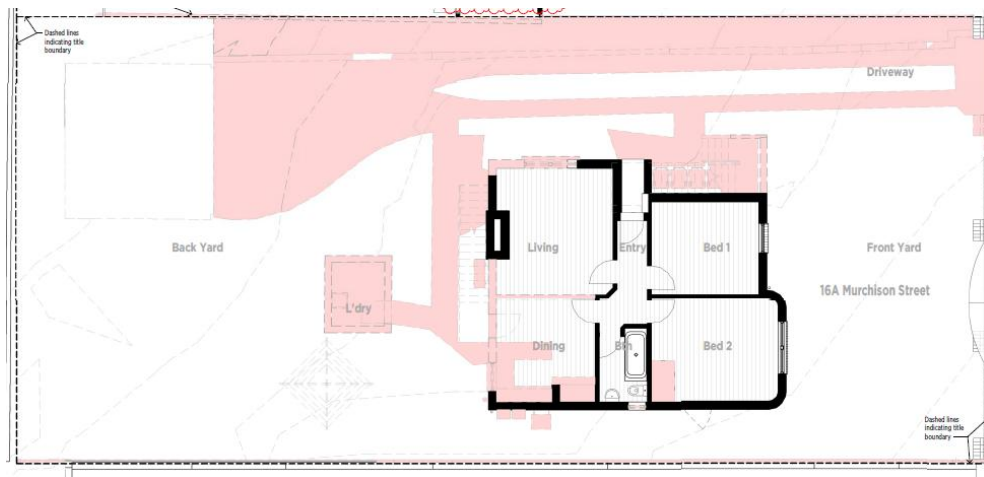


Figure 1 - Ground floor demolition plan.

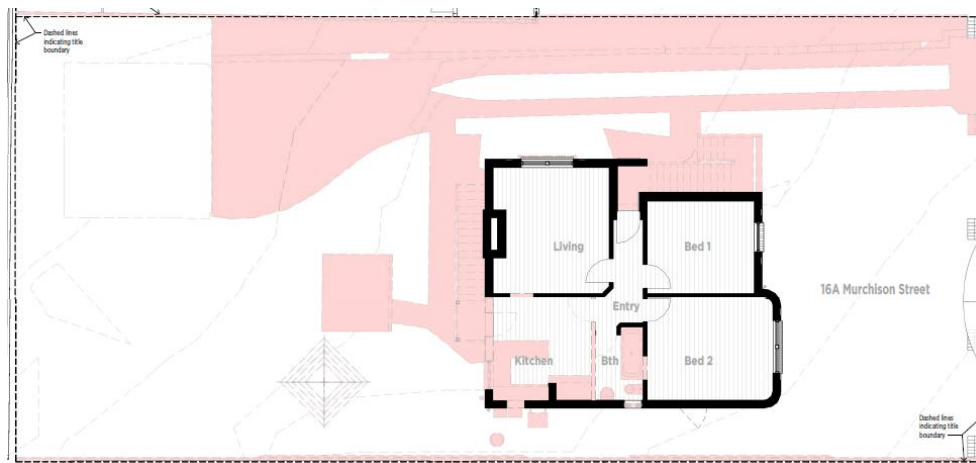


Figure 2 - First floor demolition

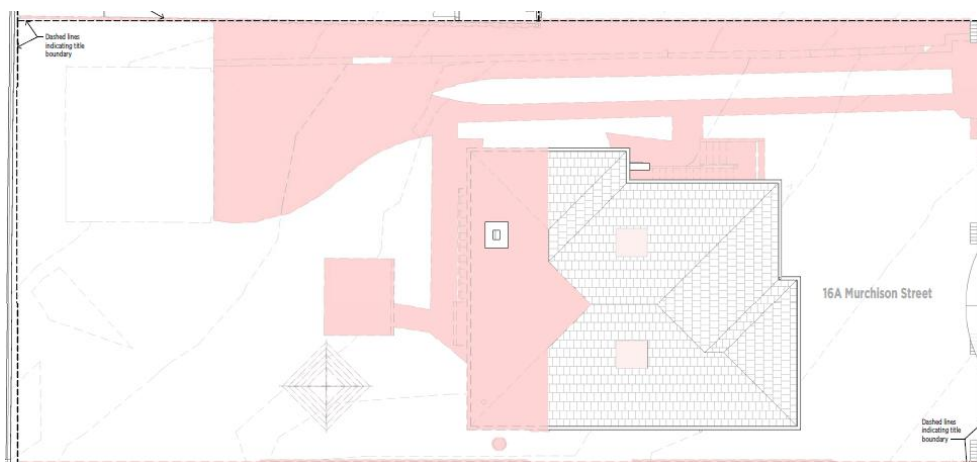


Figure 3 - Roof demolition plan.



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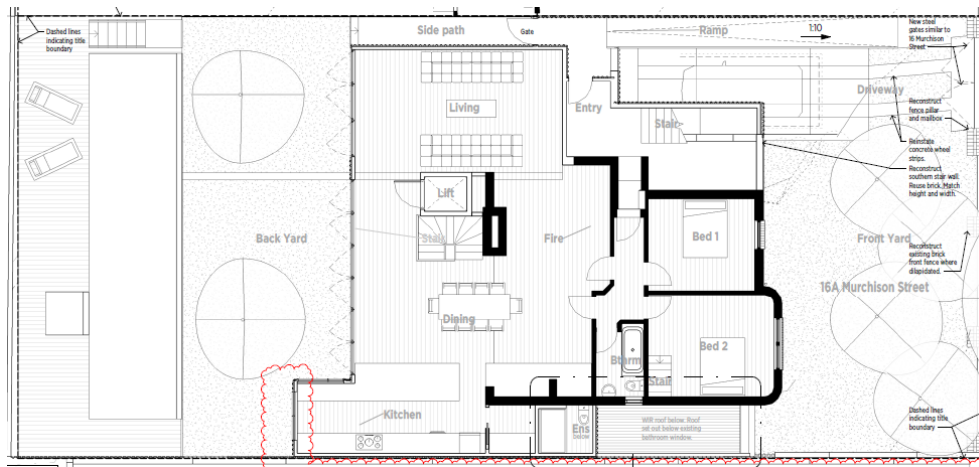


Figure 4 - Proposed ground floor plan.

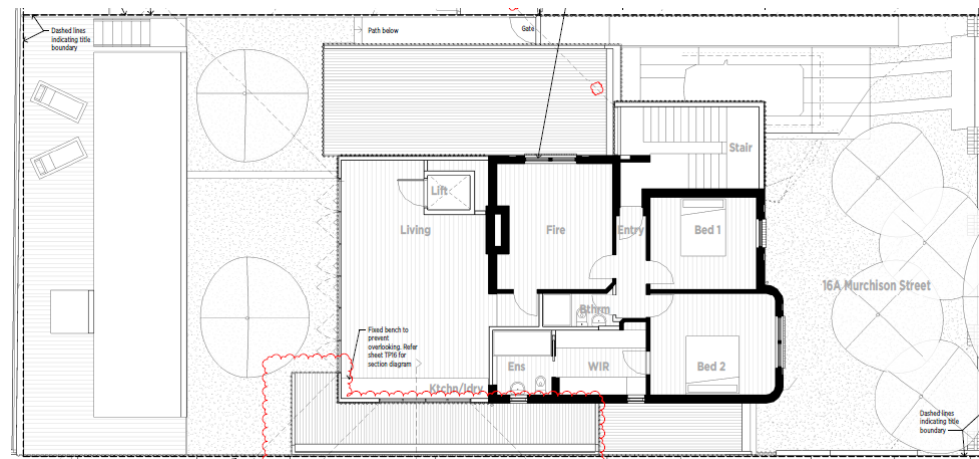


Figure 5 - Proposed first floor plan.

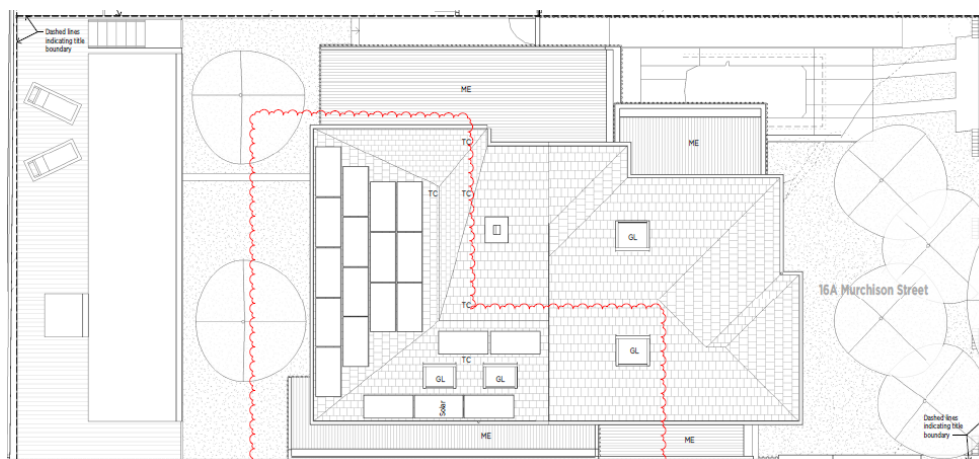


Figure 6 - Proposed roof plan.

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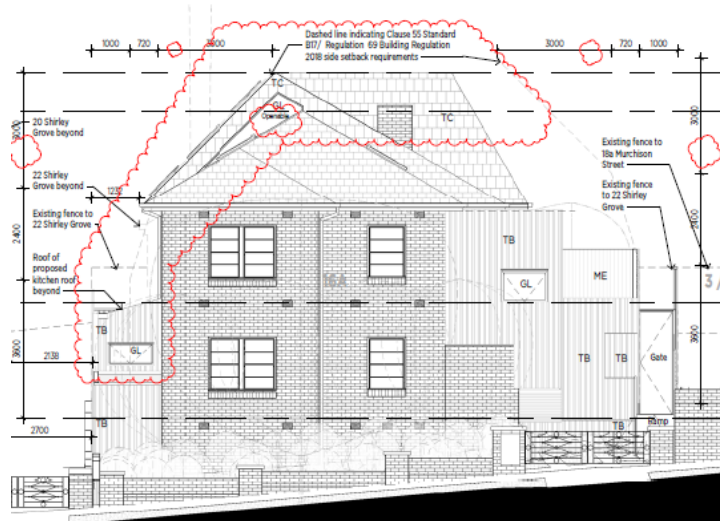


Figure 7 - Front south elevation.

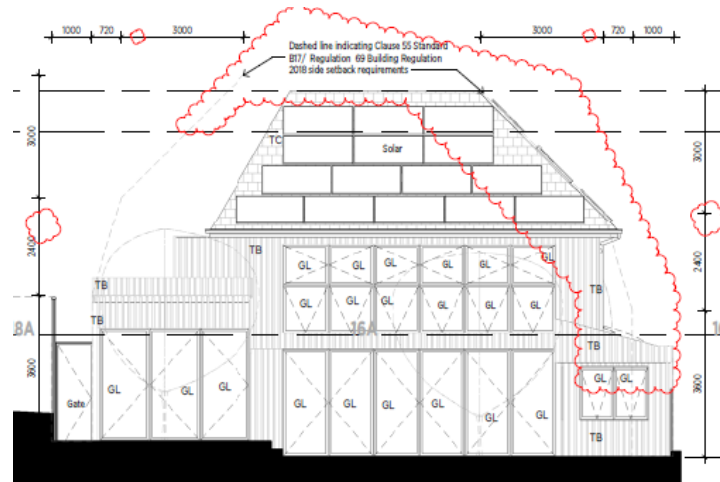


Figure 8 - Rear northern elevation.

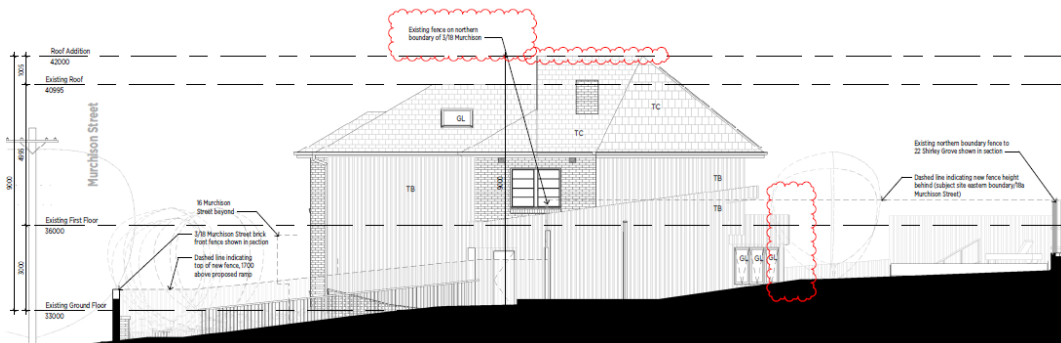


Figure 9 - East elevation.



Figure 10 - West elevation.

## 6. SUBJECT SITE AND SURROUNDS

### Subject site

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





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



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

### Surrounds

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

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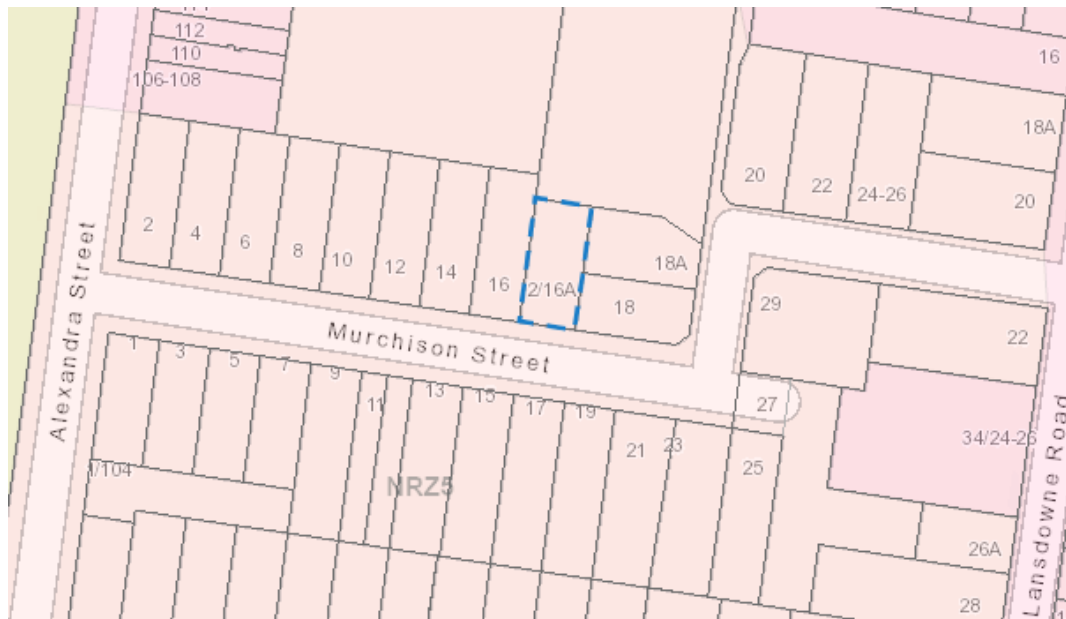


Figure 13 - Zoning map of site and surrounds. Source: Vicplan 5 August 2025

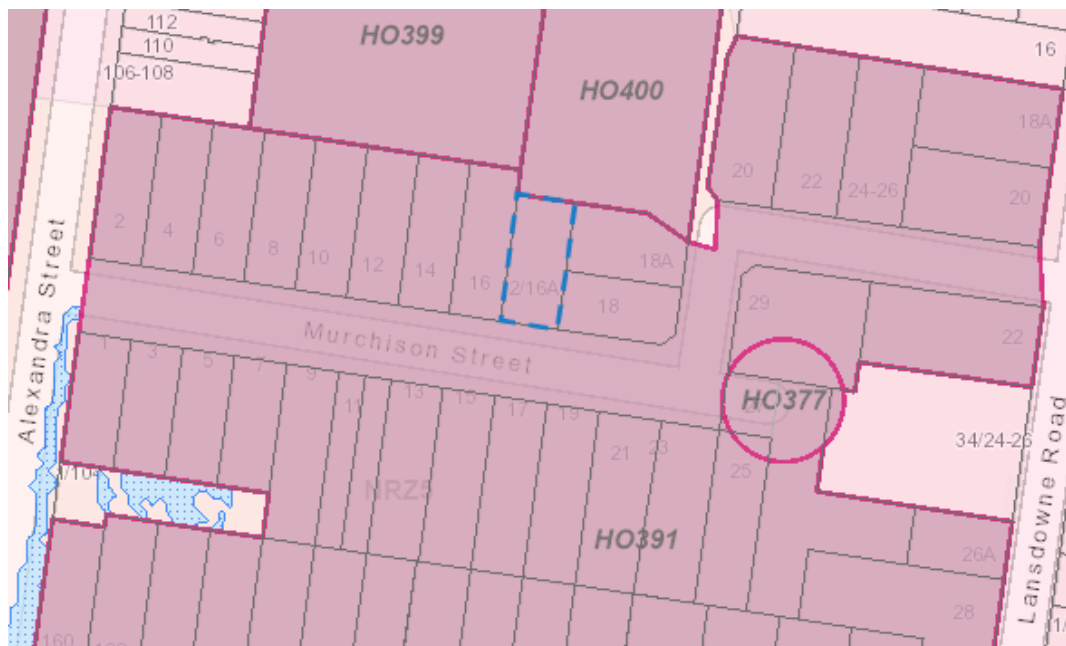


Figure 14 - Overlay map showing extent of Heritage overlay affecting the surrounding area. Source: Vicplan 5 August 2025.

6.8 The subject site has four direct abutments as follows:

## 16 Murchison Street (adjoining to the west)

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



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

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

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

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



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





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

22 Shirley Grove (adjoining to the north)

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



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

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



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

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## 7. PERMIT TRIGGERS

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

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

## 8. PLANNING SCHEME PROVISIONS

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

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

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

### Zone and Overlay controls

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

### Particular, General and Operational Provisions

- Clause 52.06 Car Parking.





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

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

***What is significant?***

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

***Why is it significant?***

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

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

- 8.3 **Relevant Planning Scheme Amendment/s**



### Planning Scheme Amendment VC267

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

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

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

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

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

## **9. REFERRALS**

### **9.1 Internal referrals**

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

#### **Heritage Advisor**

##### No objection

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

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

### Planner's comments

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

### External Referrals

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

## **10. PUBLIC NOTIFICATION/OBJECTIONS**

### Public notification

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

### Objections received

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

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

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

### Consultation meeting

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

## **11. OFFICER'S ASSESSMENT**

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

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



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

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

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

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

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



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

#### Demolition

11.8 The extent of demolition proposed is limited and acceptable. The majority of demolition is to the rear.

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

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

#### Additions

11.10 The proposed additions are an acceptable response to the relevant strategies of the local policy and supported. The additions are supported by Council's heritage advisor as outlined at Section 9.1 of this report.

11.11 Apart from the enclosing of the staircase on the eastern elevation (discussed separately below), the majority of the new built form proposed is located to the rear of the existing building which is largely obscured from the opposite side of the street. The existing building is narrow at 7.46 metres on a lot that has a frontage of 15.2 metres. It is therefore challenging to keep all additions to the immediate rear of the 7.46 metre building width. This means parts of the additions have been proposed within side setbacks. While these are visible from the street, invisibility is not the 'test' of the Local Heritage policy. For residential additions, the objective is to ensure they are 'Substantially concealed when viewed at natural eye-level from the opposite side of the street'.

11.12 On the western side of the site at ground floor level there is a proposed ensuite set lower than the existing floor level. It would be accessed via internal stairs from





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

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

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

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

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

The HIS states the following:

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

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

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



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



*Figure 22 - Applicants render taken from southwest of site.*

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

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

Height in metres

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

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

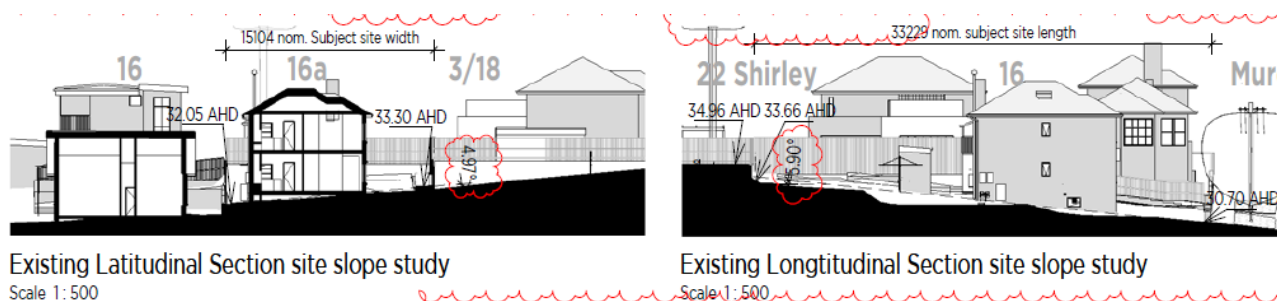


Figure 23 - Plans showing the extent of slope across the site both in east -west direction and a north - south direction.

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

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

Number of storeys

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

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

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

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

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



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

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

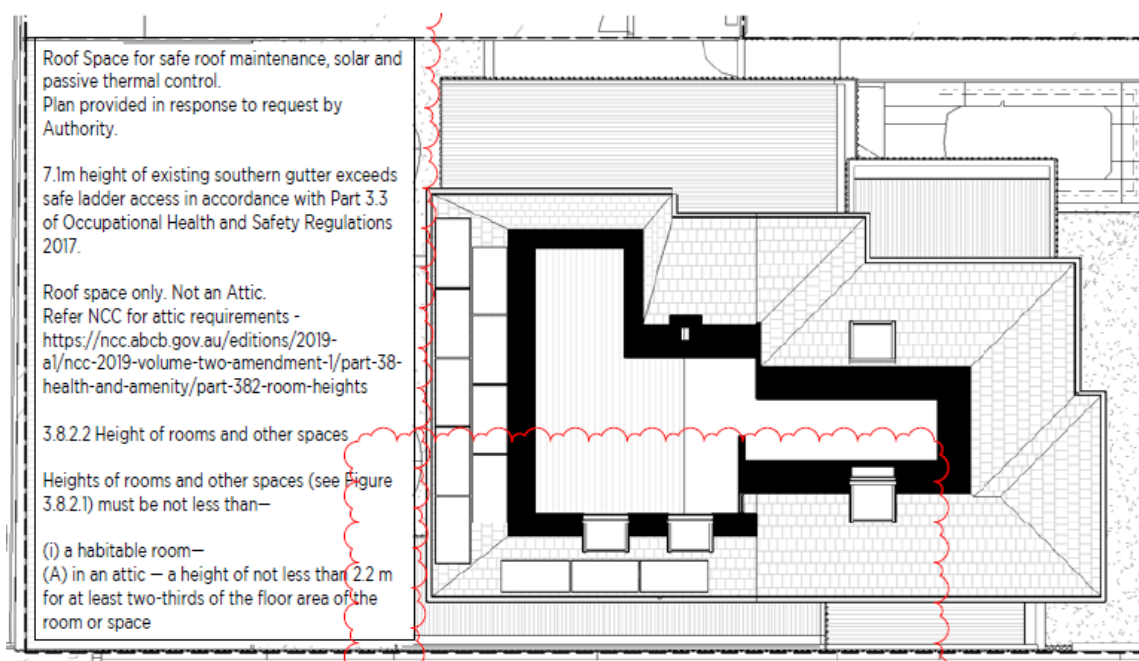
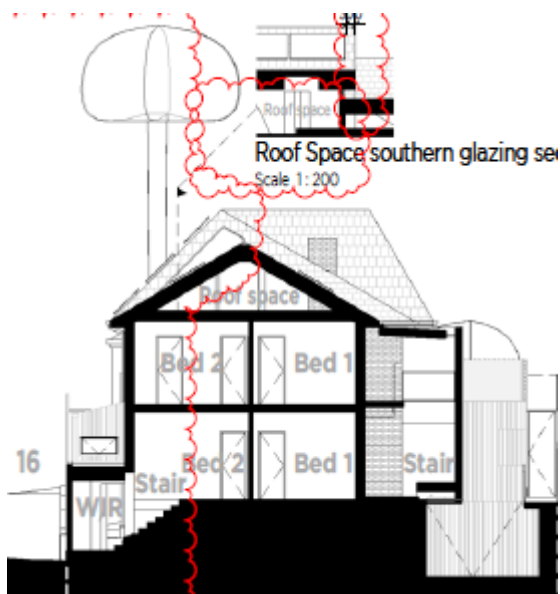


Figure 24 - Roof space plan.



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

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

- 11.31 The expanded area of roof space is not considered an additional storey compared to what exists.
- 11.32 The proposed works increase the height of the roof over the rear half of building. The roof pitch has been designed to maximise the solar performance of solar panels on the western elevation. This has resulted in a 1005mm taller roof and a subsequent extension to the existing roof space by approximately 24 square metres.
- 11.33 The applicant has provided detail on the plans that in their opinion demonstrate that the proposed roof space is not an attic. At its tallest point the roof space has a height of *less than 2.2 metres* for at least two thirds of the floor area, which means it does not meet the requirement of the National Construction Code (NCC) for a space to be classified as an attic. However, the NCC definition is not used within the planning scheme to define an attic. As an 'attic' is not defined in the Planning Scheme, the ordinary meaning of the word is used.
- 11.34 In *Mrocki v Bayside CC*, Deputy President, Helen Gibson makes the following observation:
- Attic is not defined in the planning scheme. The ordinary meaning of an attic is a storey or room directly below the roof of a house.[18] It does not matter whether the attic is habitable or non-habitable, large or small. Whether something is an attic will need to be a finding of fact based on the facts and circumstances of each particular case.*
- 11.35 In this regard, despite the applicants' view that a building permit would not be given for the space as an attic under the NCC, the space could still be reasonably referred to as an attic based on relevant VCAT decisions.
- 11.36 In *Farag Vs Bayside CC* member Shpigel outlines the definition of an attic as contained within a Design and Development Overlay in the Bayside Planning Scheme. While not within the Port Phillip Planning Scheme, the definition is a useful guide to characteristics associated with an attic. The definition includes the following:
- *A space which is wholly contained / enclosed within a roof space.*
  - *A space which is not bordered by any vertical external walls except gable walls.*
  - *A space which is relatively small in scale in relation to the scale of the remaining built form.*
  - *The presence of dormer style windows or skylights.*
  - *Does not contribute significantly to the building form.*
  - *A space or series of spaces which in total occupy and area no greater than half the floor area of the storey below.*



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

#### Garden area

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

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

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

#### Side and Rear Setback – Standard B2-3

- 11.44 The objective in relation to this standard is:

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

- 11.45 The standard states:

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

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

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- **B2-3.1:**

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

- **B2-3.2:**

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

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

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

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

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

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

### Walls on boundaries – Standard B2-4

11.47 The objective in relation to this standard is:

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



11.48 The standard states:

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

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

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

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

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

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

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

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

Site Coverage – Standard B2-5

11.50 The objective in relation to this standard is:

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

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

Tree canopy – Standard B2-7

11.52 The objective in relation to this standard is:

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

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

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



11.53 The standard states:

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

*Site area 1,000sqm or less 10%.*

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

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

*Trees are located in either:*

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

11.54 The proposal meets this objective and complies with this standard subject to conditions. The application was not supported by a detailed landscape plan and this is required by condition of permit in the officer recommendation. There are no significant trees on the site. The plans do identify that four canopy trees are proposed within the front setback. The trees are nominated on the plans as tree type A with 4 metre canopies and a minimum 6 metre height. This equates to a canopy coverage of 12.6%

11.55 The front yard of the site has a setback of between 6.9 and 7.6 with adequate space to accommodate canopy cover in accordance with this standard.

11.56 10 percent of the site area is approximately 50 square metres and the front yard has an area of approximately 77 square metres that has been nominated for canopy tree planting.

11.57 The front yard area is deep soil and can accommodate large canopy trees. This represents an improvement to the existing conditions.

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

11.58 Clause 55 includes several objectives aimed at protecting an acceptable level of amenity of surrounding residential properties under the theme of External Amenity. The objectives include daylight to existing windows, existing north facing windows, overshadowing secluded private open space, overlooking and internal views.

11.59 The proposal satisfies the standards for daylight to existing windows, existing north facing windows and overlooking. Each of these standards are met and therefore the applicable objective is deemed to comply as outlined in the Clause 55 table at Attachment 3. A variation is sought to the overshadowing secluded private open space standard..

11.60 Objectors have raised concerns with amenity impacts relating to overlooking, overshadowing and loss of daylight. Compliance with the relevant standards and objectives is set out below.

Daylight to existing windows – Standard B4-1

11.61 The objective in relation to this standard is:

*To allow adequate daylight into existing habitable room windows.*





11.62 The standard states:

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

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

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

Western elevation

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

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

Eastern elevation

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

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

Overshadowing secluded private open space – Standard B4-3.

11.67 The objective in relation to this element is:

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

11.68 The standard states:

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

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

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



- 11.70 There are three properties that have an abuttal with the subject site. Two of these properties being 16 Murchison Street to the west and 18A Murchison Street to the east will maintain an area of 25sqm with a minimum dimension of 3 metres for a minimum of five hours between 9am and 3pm on 22 September. The standard is met in relation to these lots.
- 11.71 In relation to 3/18 Murchison Street the proposal does not meet the standard. This is because this site does not currently receive sunlight to an area of 25 sqm with a minimum dimension of 3 metres, for a minimum of five hours between 9 am and 3 pm on 22 September.
- 11.72 The standard states that if existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.
- 11.73 3/18 Murchison receives significant shadowing from the two storey dwelling to the north at 18A Murchison street for most hours between 9am and 3pm. The proposal does add to the extent of overshadowing during the hours of 2 and 3 pm and by the following areas:
- 2pm additional shadow of 5.03 sqm or 5% of the total secluded private open space (SPOS)
  - 3pm additional shadow of 11.77 sqm or 12% of the total SPOS.
- 11.74 The variation is supported because the additional overshadowing of the approximately 100 sqm SPOS is minor. The development minimises overshadowing by orientating the first-floor addition towards the north, away from 3/18 Murchison Street. The additions closest to this site are single storey and do not cast additional shadows. The shadowing of 3/18 Murchison is predominately from 18A Murchison Street. The additional overshadowing caused by the proposal will have limited impact on the useability of the SPOS.

Overlooking Objective – Standard B4-4

- 11.75 The objective in relation to this element is:

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

- 11.76 The standards state:

- 11.77 *A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.*
- 11.78 *A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:*
- *Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or*
  - *Has sill heights of at least 1.7 metres above floor level; or*



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

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

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



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

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

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

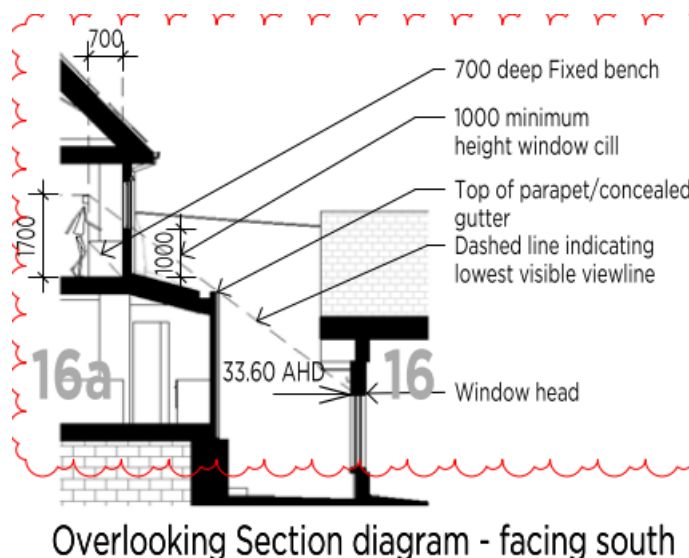


Figure 26 - Overlooking section demonstrating overlooking is limited in accordance with the standard.



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

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

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

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

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

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

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

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

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

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

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

**Is the sustainable design response consistent with Clause 55 Standards?**

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

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



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

#### **Response to objector concerns**

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

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

11.101 Other matters raised by objectors are discussed below:

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

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### 12. COVENANTS

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




### 13. OFFICER MATERIAL OR GENERAL INTEREST

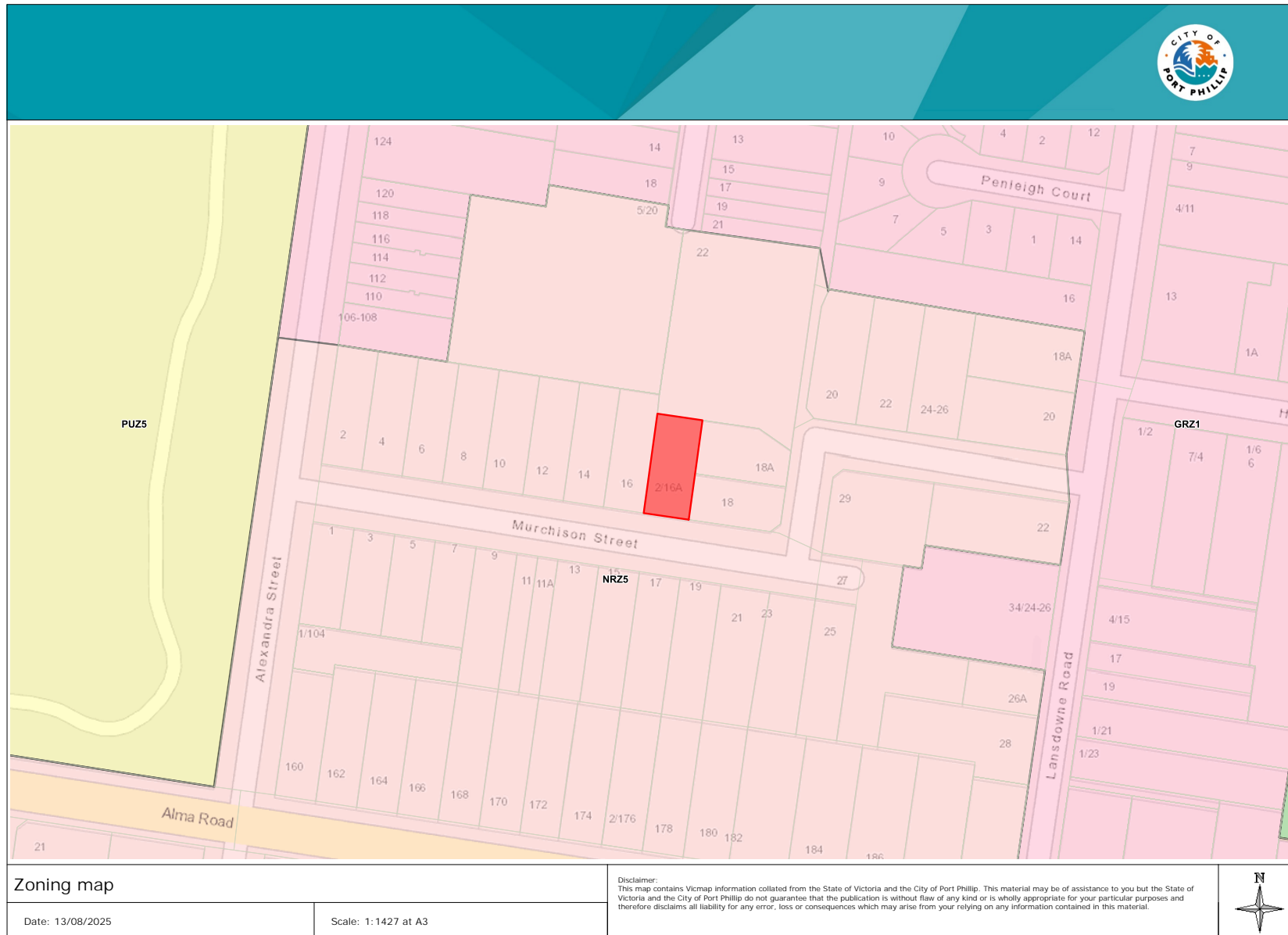
- 13.1 No officers involved in the preparation of this report has declared a material or general interest in the matter.

### 14. CONCLUSION

- 14.1 Clause 71.02 of the planning scheme requires the decision maker to integrate the range of policies relevant to the issues to be determined and balance the positive and negative environmental, social, and economic impacts of the proposal in favour of net community benefit and sustainable development. When considering net community benefit, fair and orderly planning is key; the interests of present and future Victorians must be balanced; and the test is one of acceptability.
- 14.2 This planning application is supported as it provides an acceptable response to the heritage character of the precinct and will not result in unreasonable off-site amenity impacts.
- 14.3 On balance it is considered the proposal is acceptable subject to conditions.
- 14.4 It is recommended that Council issues a Notice of Decision to Grant a Planning Permit.

### ATTACHMENTS

1. Zoning Map  [Download](#)
2. Development Plans  [Download](#)
3. Clause 55 Assessment Table  [Download](#)



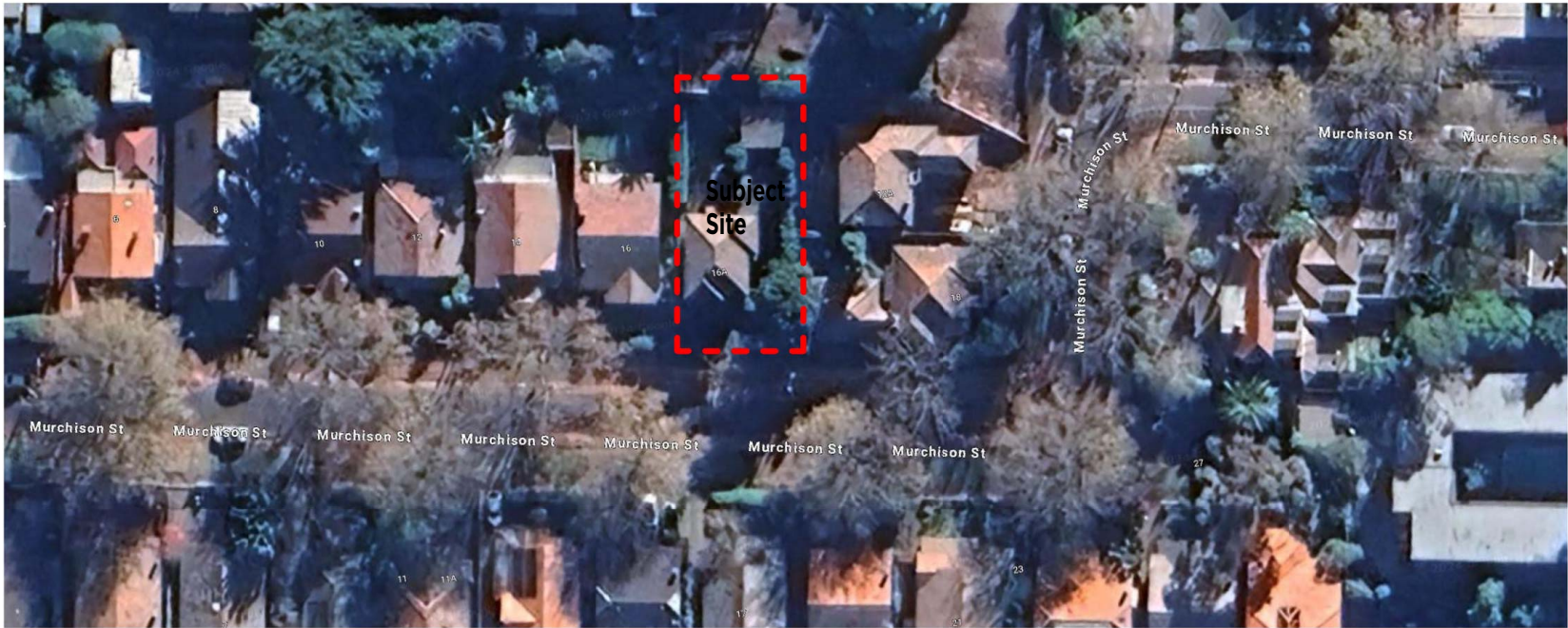




Context Montage  
Montage set out to scale at front fence  
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PORT PHILLIP PLANNING DEPARTMENT Date Received: 14/07/2025

Sheet List			
Sheet Number	Sheet Name	Sheet Issue Number	Sheet Issue Date
TP01	Context drawing	1	23.06.2025
TP02	Existing Demolition Ground Floor plan	1	23.06.2025
TP03	Existing Demolition First Floor plan	1	23.06.2025
TP04	Existing Demolition Roof plan	1	23.06.2025
TP05	Existing Demolition North & South Elevations	1	23.06.2025
TP06	Existing Demolition East & West Elevations	1	23.06.2025
TP07	Proposed Ground Floor Plan	1	23.06.2025
TP08	Proposed First Floor Plan	1	23.06.2025
TP09	Proposed Roof Plan	1	23.06.2025
TP10	Proposed North Elevation	2	14.07.2025
TP11	Proposed South Elevation	2	14.07.2025
TP12	Proposed East Elevation	2	14.07.2025
TP13	Proposed West Elevation	2	14.07.2025
TP14	Plans, Sections & Details	2	14.07.2025
TP15	Perspectives	2	14.07.2025
TP16	Shadow and overlooking Diagrams	2	14.07.2025
TP17	Land Survey		23.05.2025



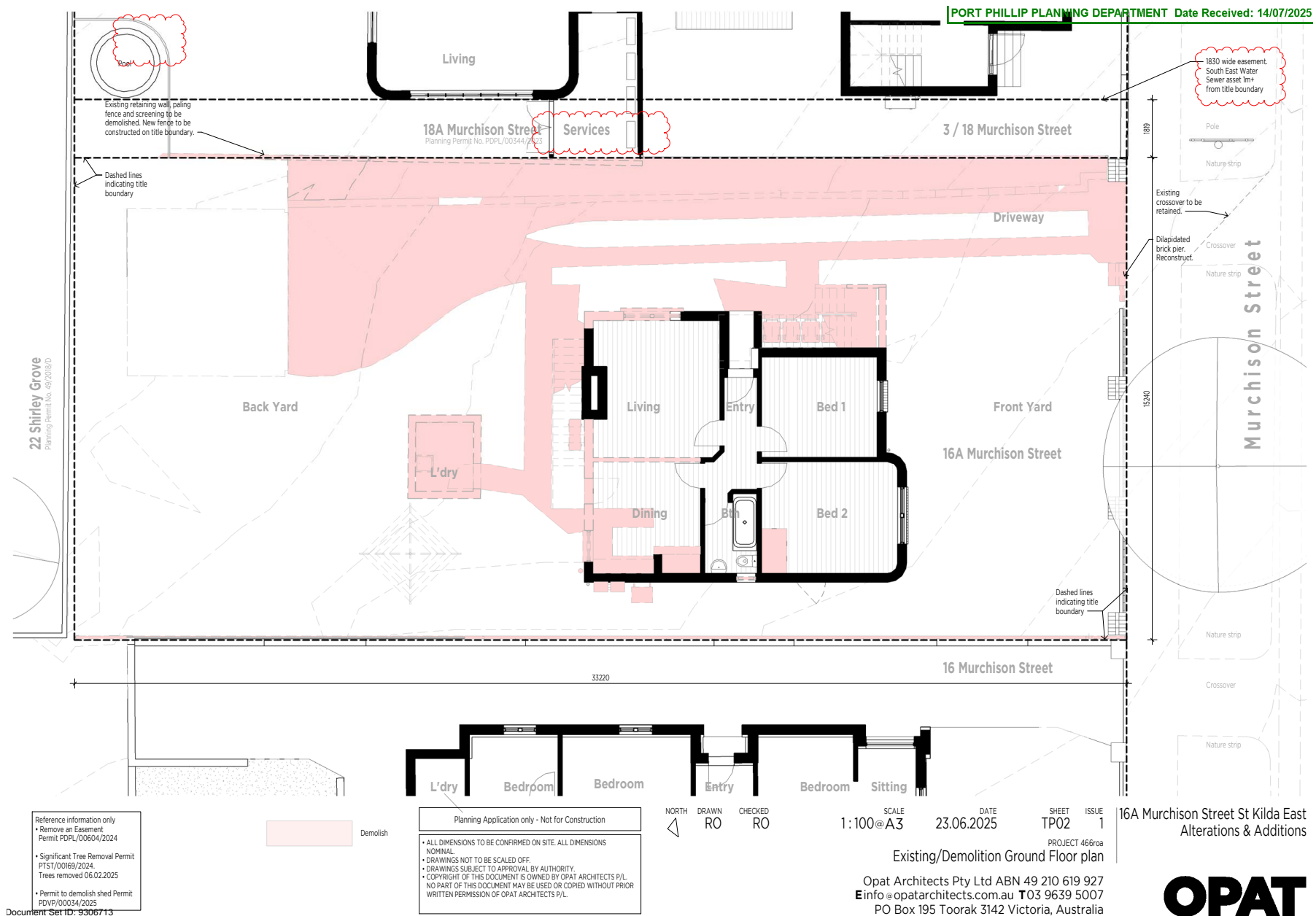
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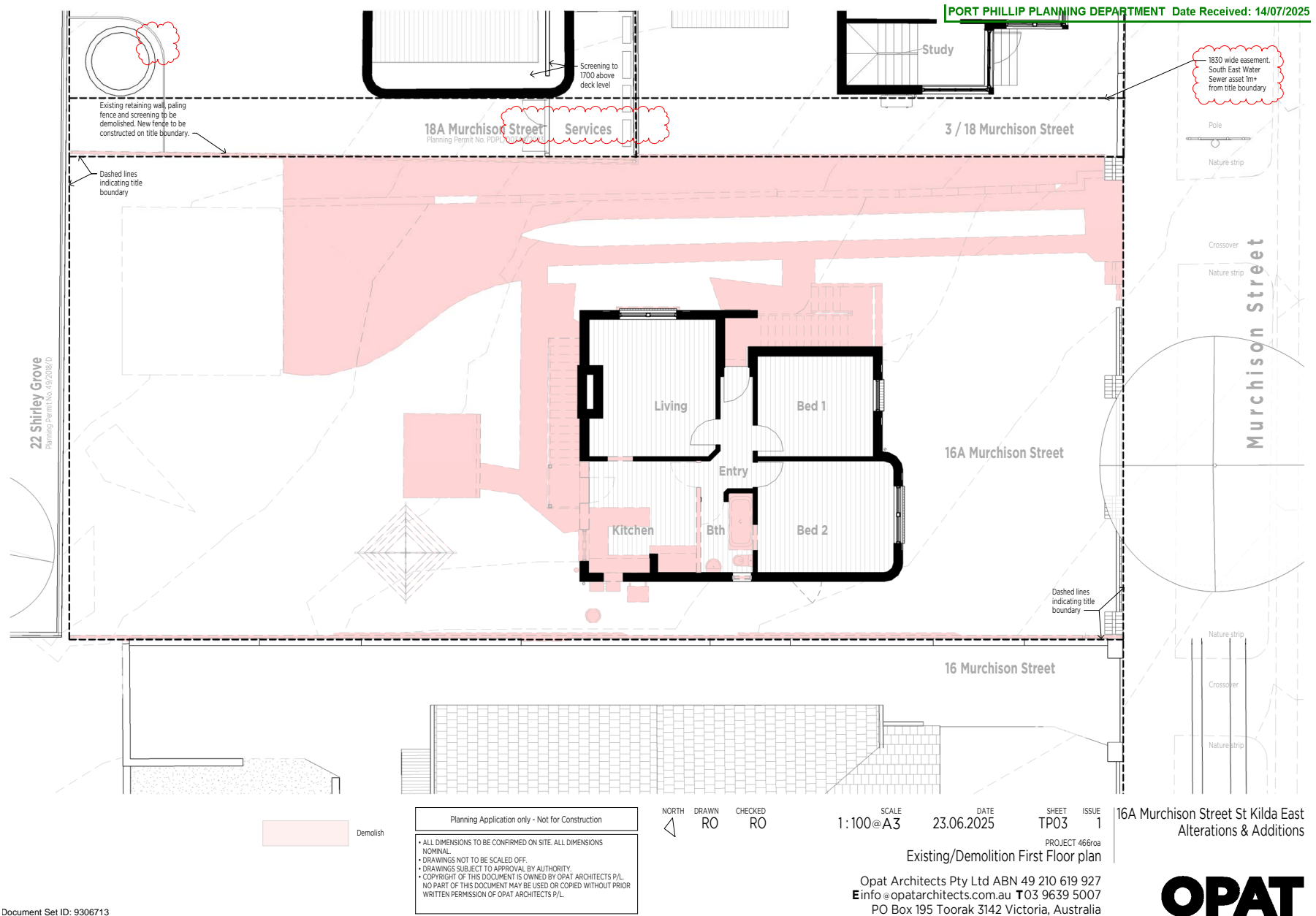
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Einfo@opatarchitects.com.au T03 9639 5007  
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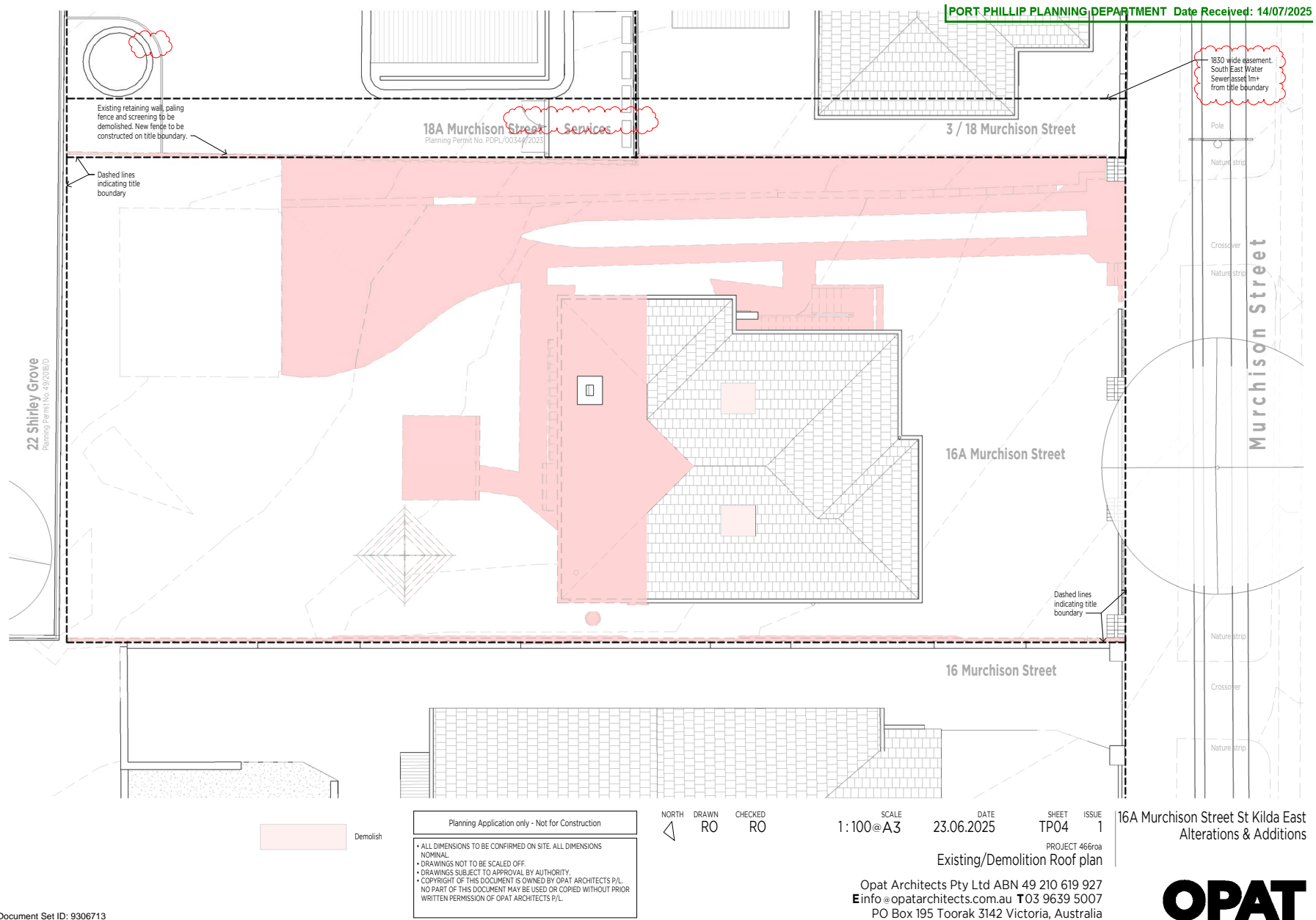
16A Murchison Street St Kilda East  
Alterations & Additions

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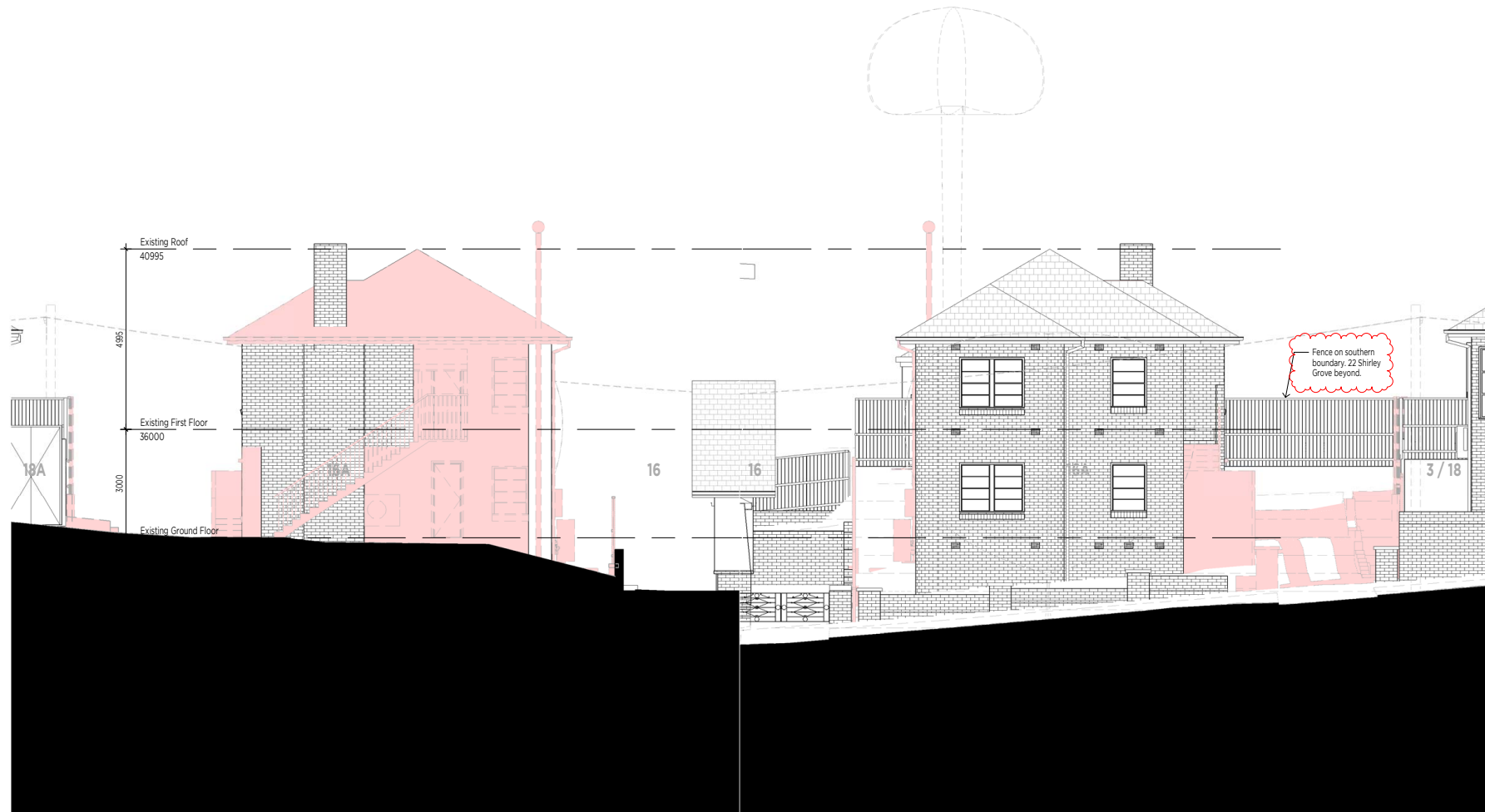








PORT PHILLIP PLANNING DEPARTMENT Date Received: 14/07/2025



Existing North Elevation  
Scale 1:100

Existing South Elevation  
Scale 1:100



Existing pier/letterbox sheared and requires reconstruction.

16A Murchison Street St Kilda East  
Alterations & Additions

Demolish

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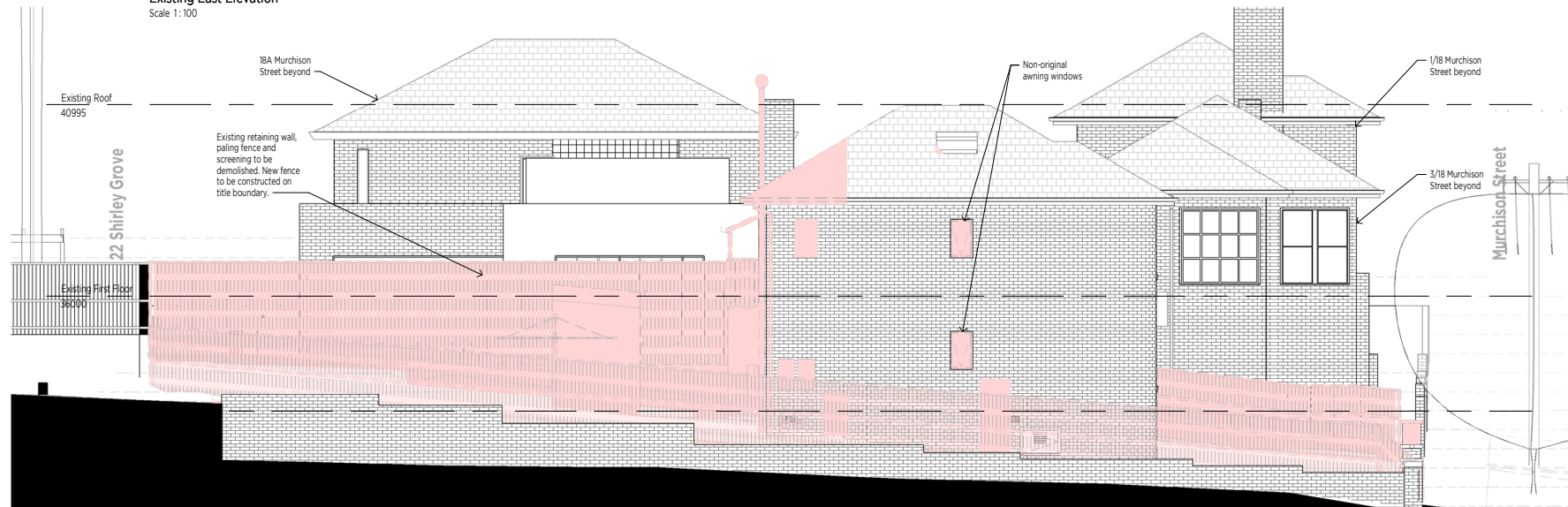
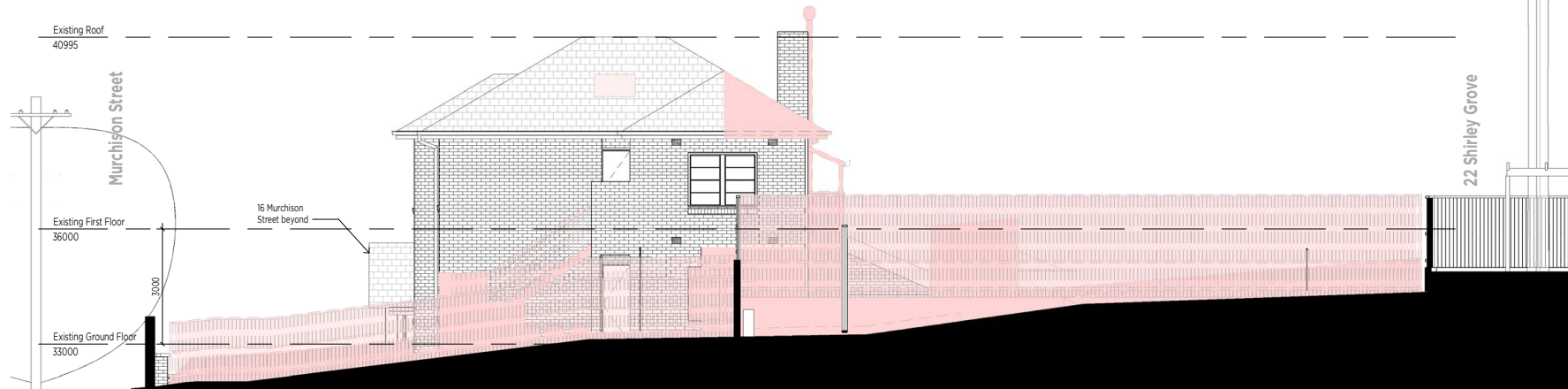
SCALE DATE  
1:100@A3 23.06.2025

Existing/Demolition North & South Elevations

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SHEET TP05

PROJECT 466roa



Existing West Elevation  
Scale 1:100

Demolish

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ISSUE PROJECT 466roa

16A Murchison Street St Kilda East  
Alterations & Additions

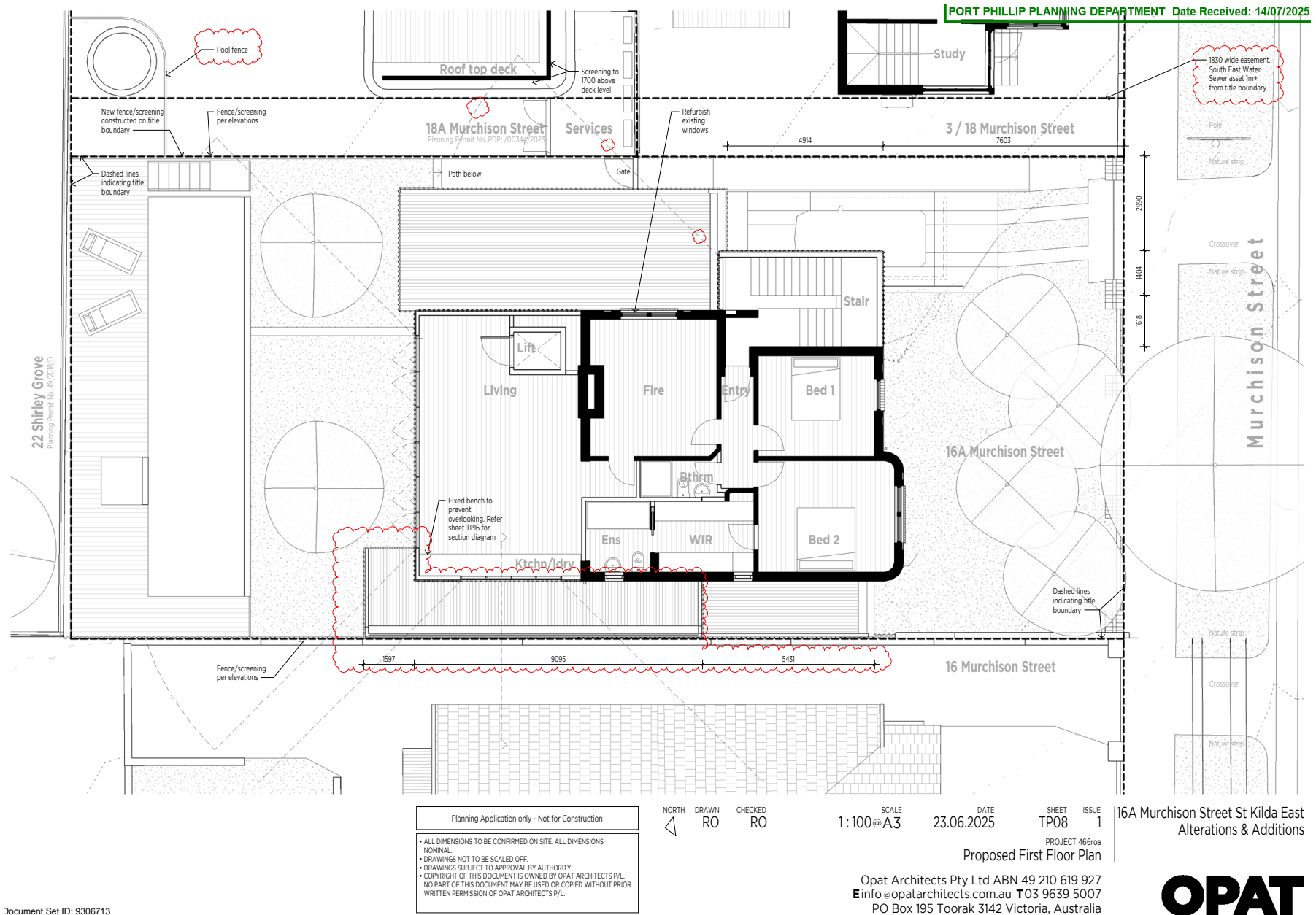
Existing/Demolition East & West Elevations

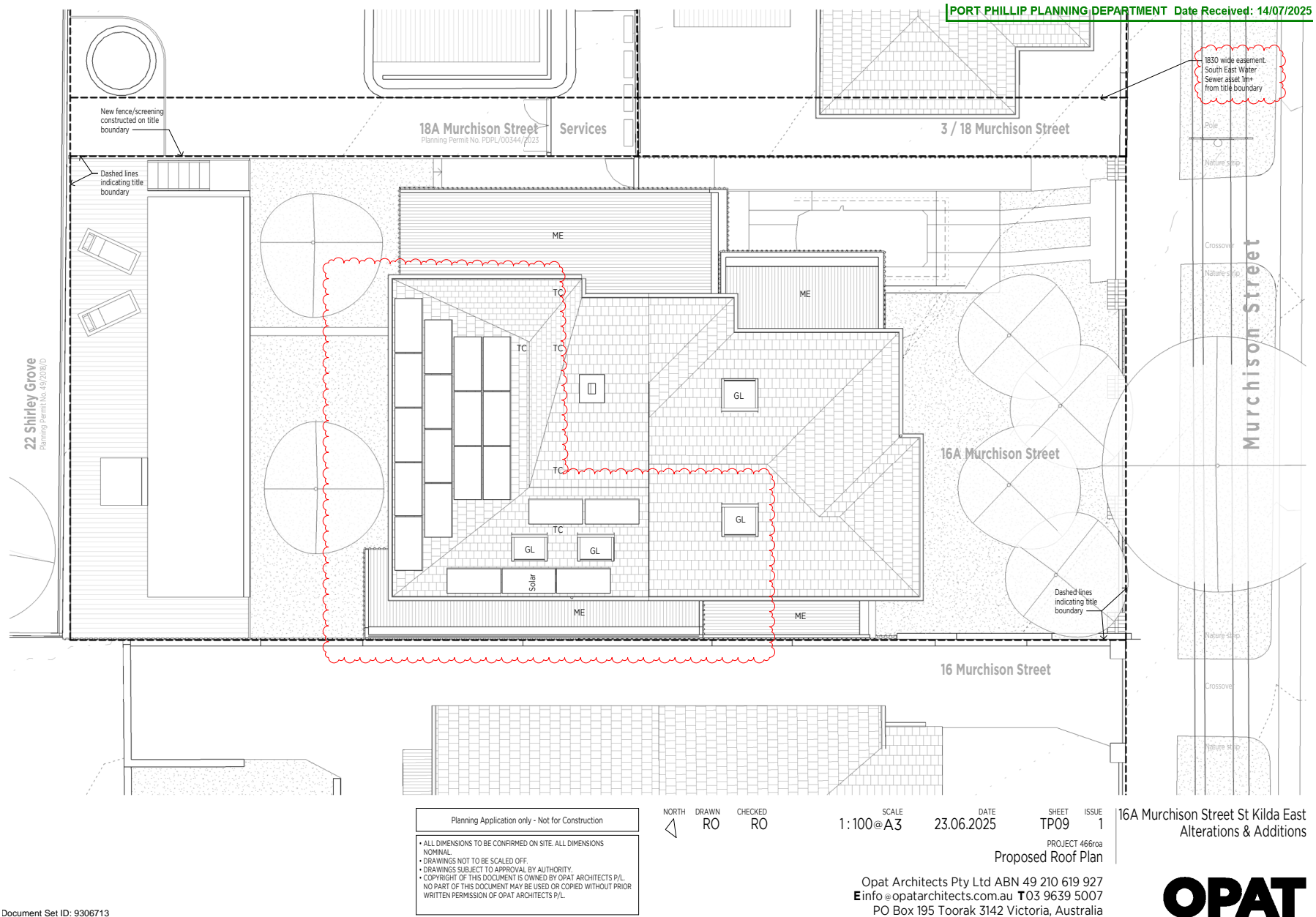
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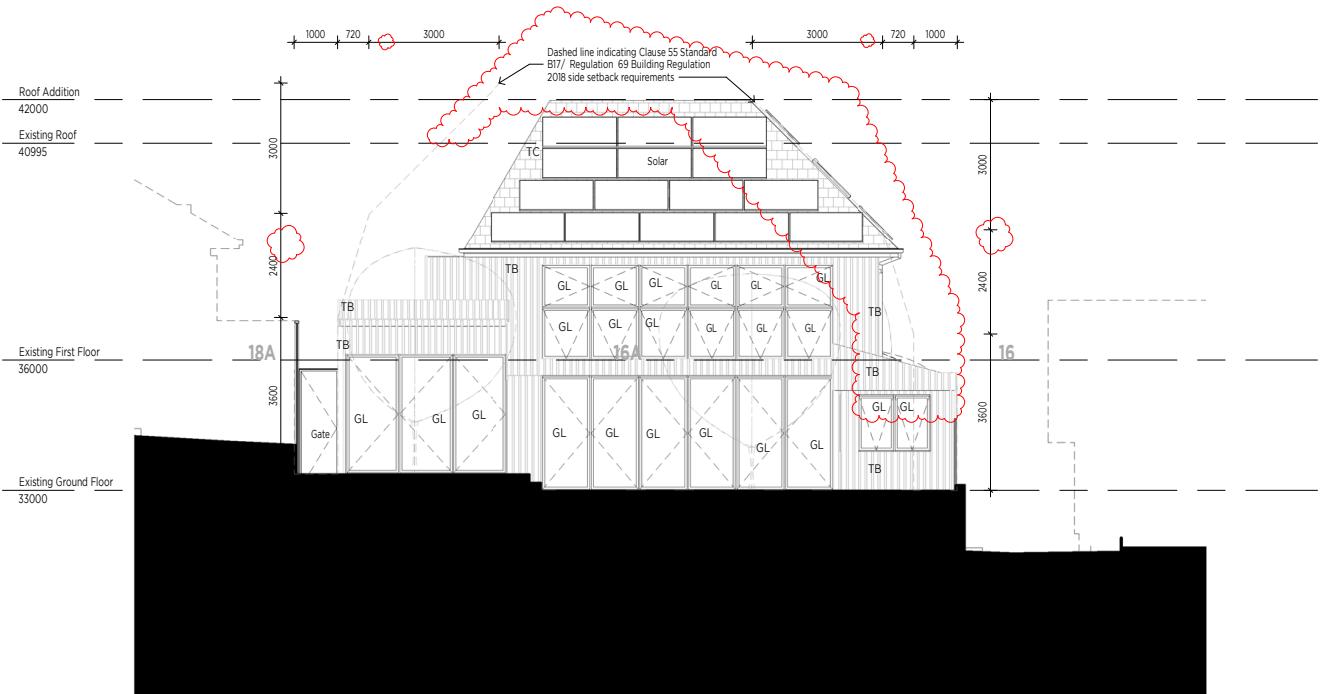












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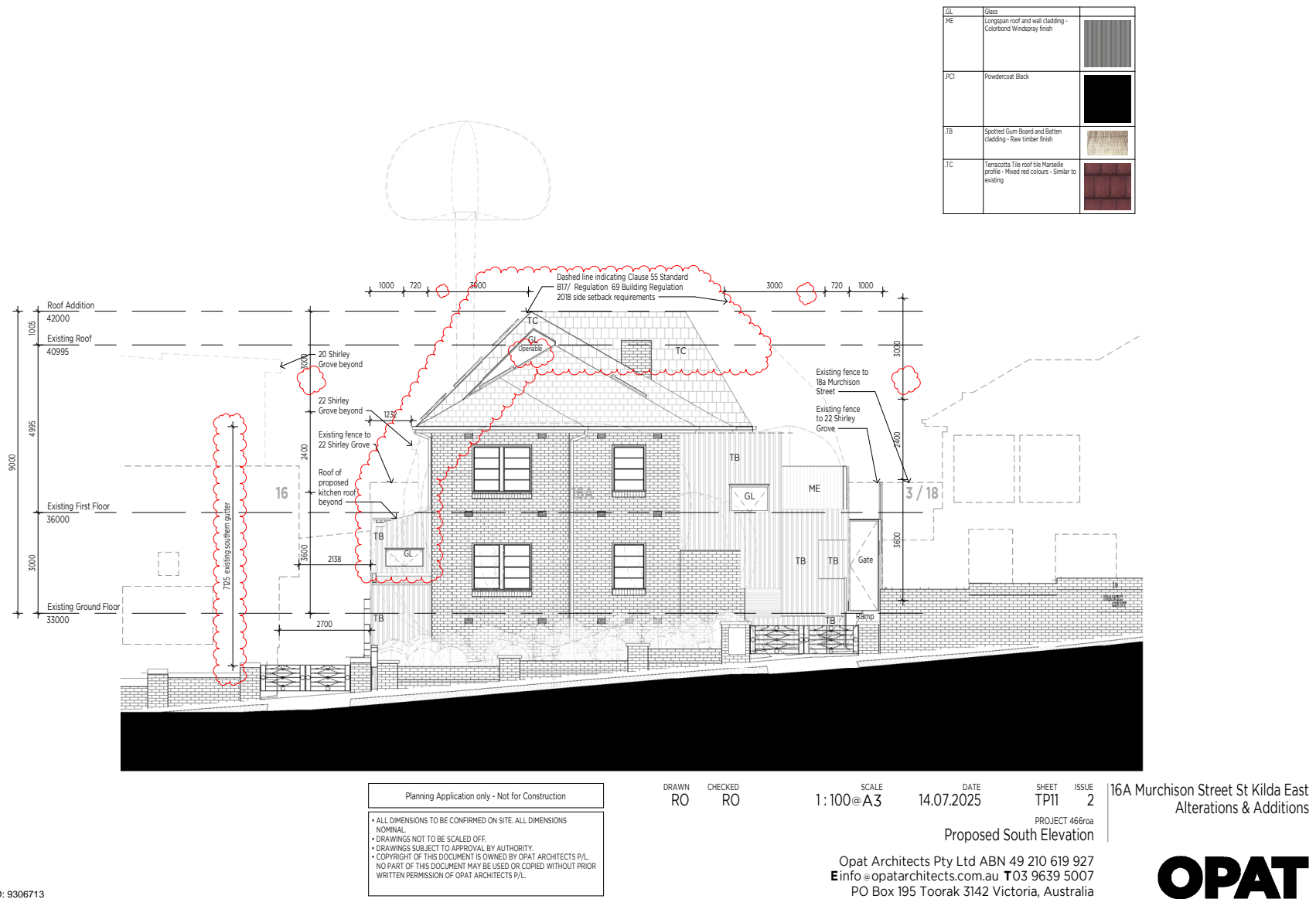
Proposed North Elevation

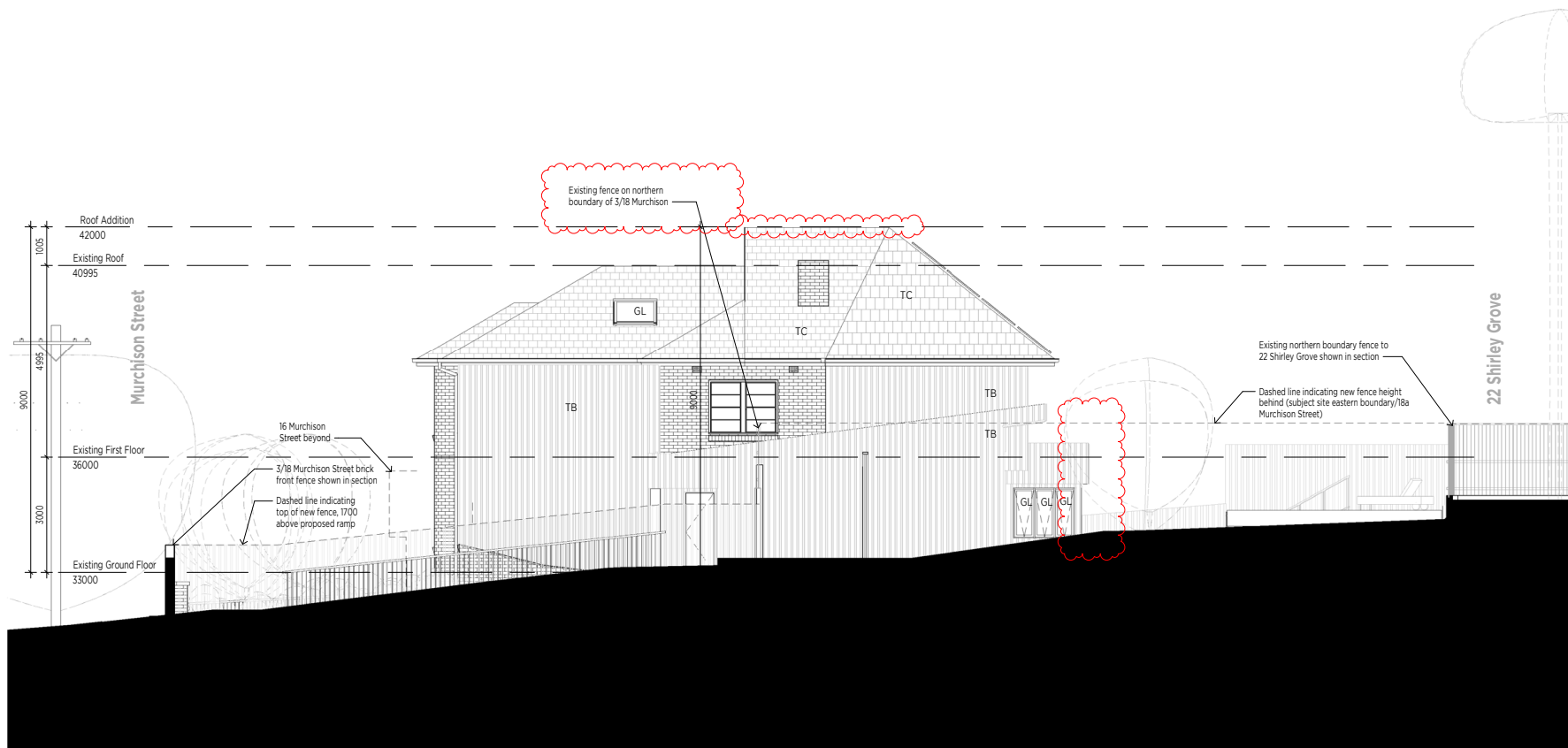
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ISSUE 2

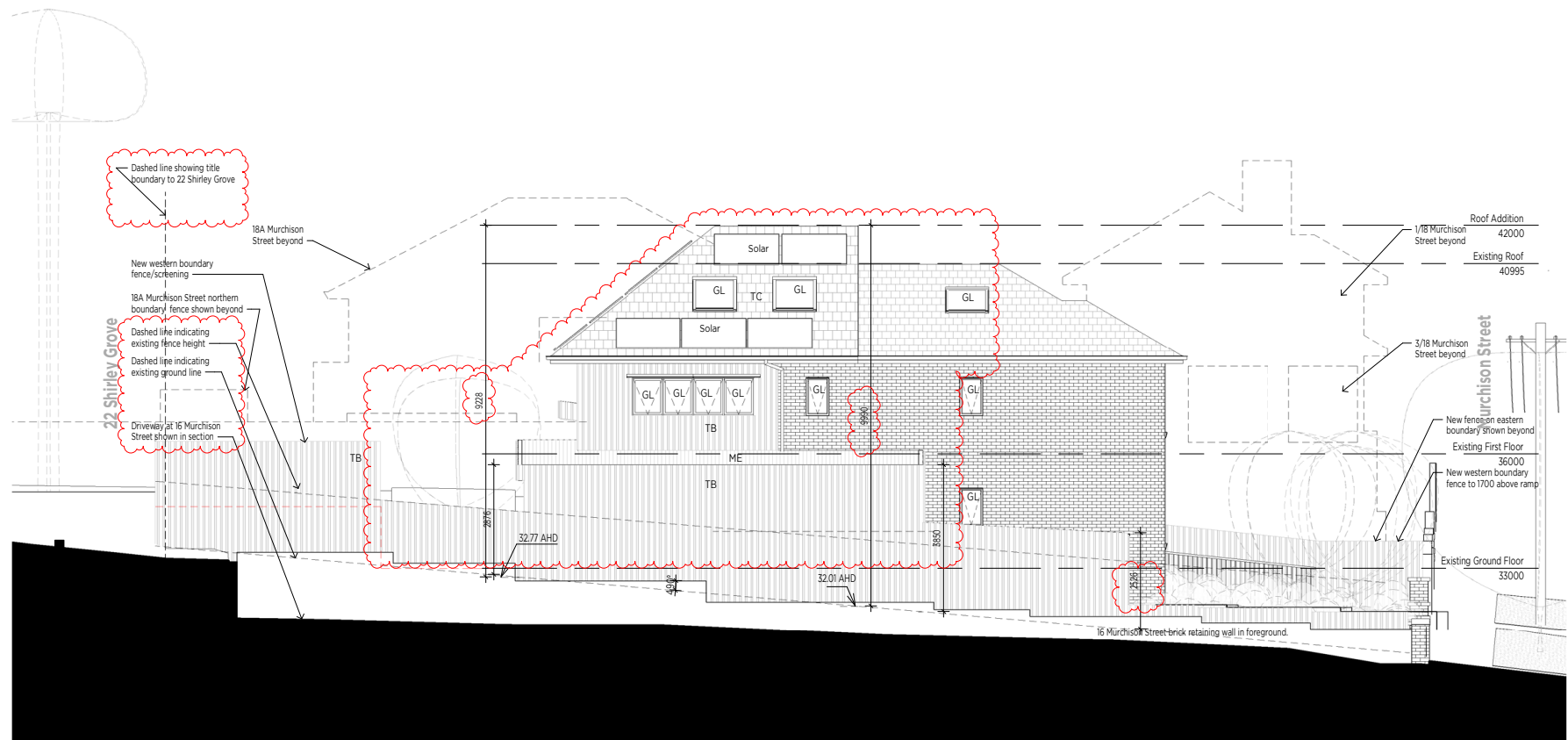
16A Murchison Street St Kilda East  
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Proposed East Elevation

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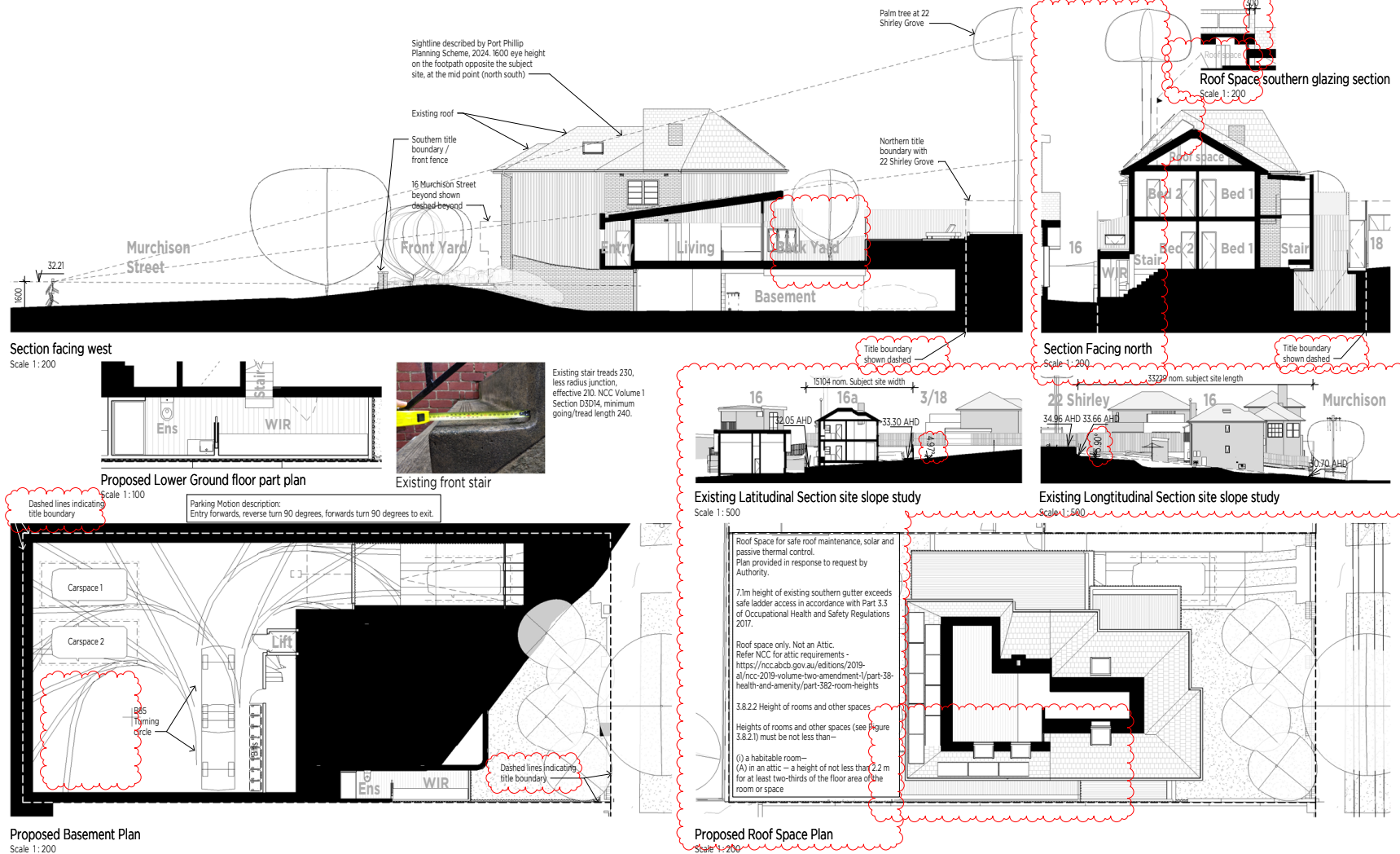
16A Murchison Street St Kilda East  
Alterations & Additions

PROJECT 466roa

PROJECT 466rda  
Proposed West Elevation

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PROJECT 466roa Plans, Sections & Details						

16A Murchison Street St Kilda East  
Alterations & Additions

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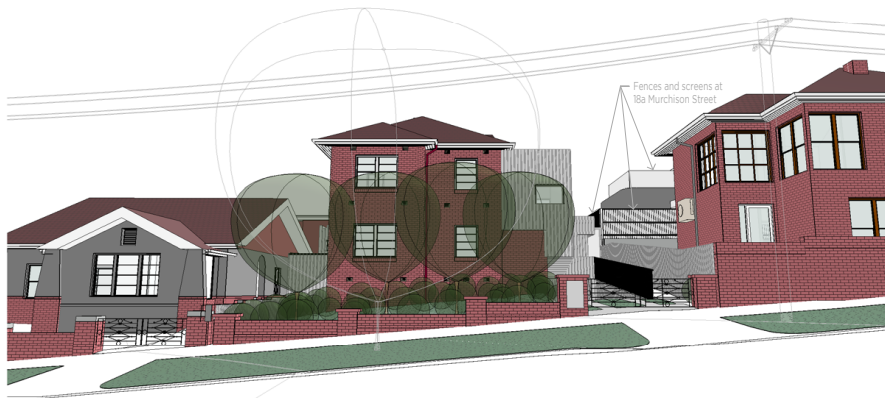
PORT PHILLIP PLANNING DEPARTMENT Date Received: 14/07/2025



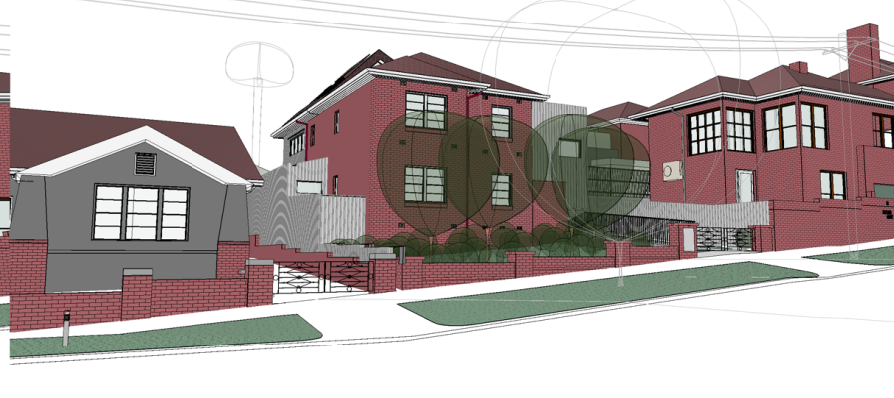
Perspective 1 - Southeast to Northwest



Perspective 2 - South to North (view to basement)



Perspective 3 - South to Northeast



Perspective 4 - Southwest to Northeast

All perspectives drawn with eye/camera  
1600 above ground on the footpath  
opposite. Refer survey drawing for AHDs.

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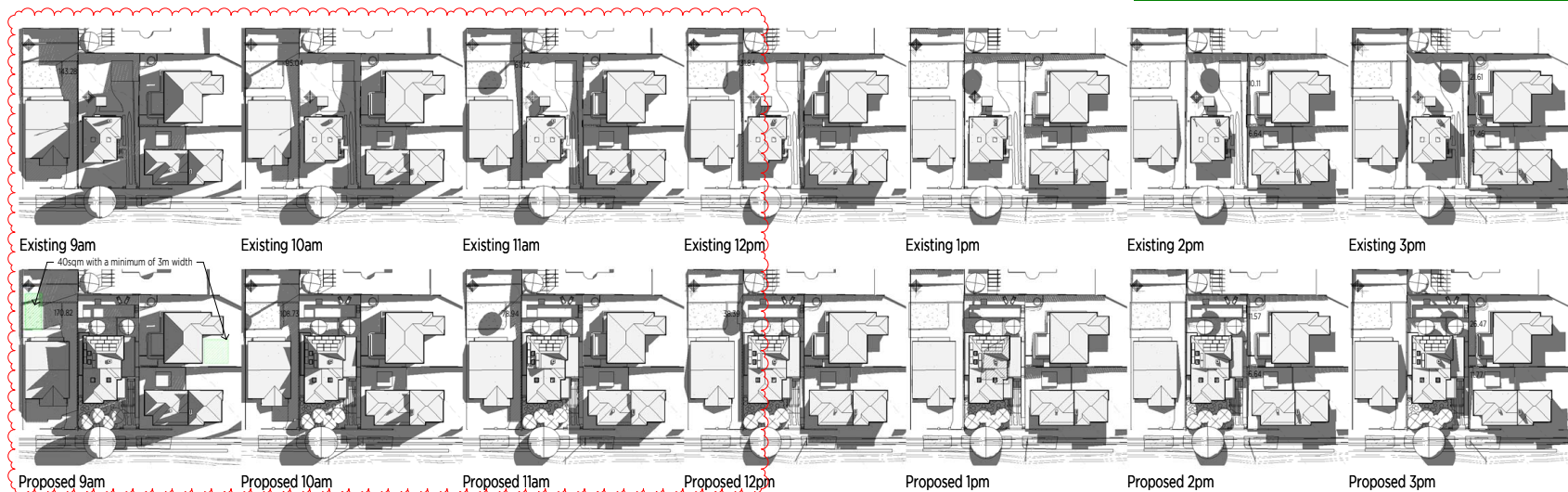
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PROJECT 466roa

Perspectives

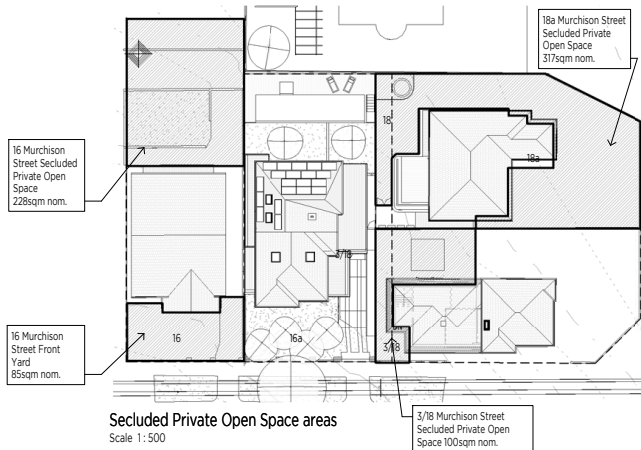
16A Murchison Street St Kilda East  
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Shadow diagrams showing the shadow which would be cast by the existing and proposed buildings and works, including fences, during the equinox (September 22) at 9am, 10am, 11am, 12pm, 1pm, 2pm & 3pm



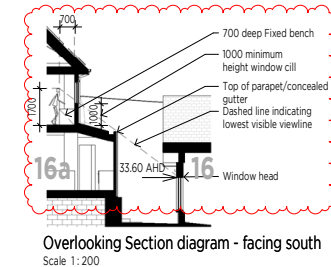
Shadow Schedule - September Equinox (22 September) - 16 Murchison Street									
Hours	Existing shadowed SPOS % / sqm	Existing unshadowed SPOS % / sqm	Additional overshadowing sqm	Post-development unshadowed SPOS % / sqm	Difference % / sqm				
9 am	61.66%	143.28	37%	64.72%	25%	110.81	25%	37.16	12.00%
10 am	41.68%	85.04	48%	132.96	25%	119.27	6.00%	13.68	
11 am	26.94%	61.42	73%	166.58	35%	78.94	65%	149.06	7.68%
12 noon	13.96%	31.84	86%	196.16	17%	38.39	83%	189.61	2.87%
1 pm	0.00%	0.00	100%	228.00	0%	0.00	100%	228.00	0.00%
2 pm	0.00%	0.00	100%	228.00	0%	0.00	100%	228.00	0.00%
3 pm	0.00%	0.00	100%	228.00	0%	0.00	100%	228.00	0.00%

Shadow Schedule - September Equinox (22 September) - 3/8 Murchison Street									
Hours	Existing shadowed SPOS % / sqm	Existing unshadowed SPOS % / sqm	Additional overshadowing sqm	Post-development unshadowed SPOS % / sqm	Difference % / sqm				
9 am	0.00%	0.00	100%	100.00	0%	0.00	100%	100.00	0.00%
10 am	0.00%	0.00	100%	100.00	0%	0.00	100%	100.00	0.00%
11 am	0.00%	0.00	100%	100.00	0%	0.00	100%	100.00	0.00%
12 noon	0.00%	0.00	100%	100.00	0%	0.00	100%	100.00	0.00%
1 pm	0.00%	0.00	100%	100.00	0%	0.00	100%	100.00	0.00%
2 pm	6.64%	6.64	93%	93.36	5%	5.03	95%	94.97	-1.61%
3 pm	17.46%	17.46	83%	82.54	12%	11.77	88%	88.23	-5.69%

Shadow Schedule - September Equinox (22 September) - 18a Murchison Street									
Hours	Existing shadowed SPOS % / sqm	Existing unshadowed SPOS % / sqm	Additional overshadowing sqm	Post-development unshadowed SPOS % / sqm	Difference % / sqm				
9 am	0.00%	0.00	100%	317.00	0%	0.00	100%	317.00	0.00%
10 am	0.00%	0.00	100%	317.00	0%	0.00	100%	317.00	0.00%
11 am	0.00%	0.00	100%	317.00	0%	0.00	100%	317.00	0.00%
12 noon	0.00%	0.00	100%	317.00	0%	0.00	100%	317.00	0.00%
1 pm	0.00%	0.00	100%	317.00	0%	0.00	100%	317.00	0.00%
2 pm	3.19%	10.11	97%	306.89	4%	11.47	96%	305.53	0.43%
3 pm	6.82%	21.61	93%	295.39	8%	26.47	92%	290.53	1.53%



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PROJECT 466roa

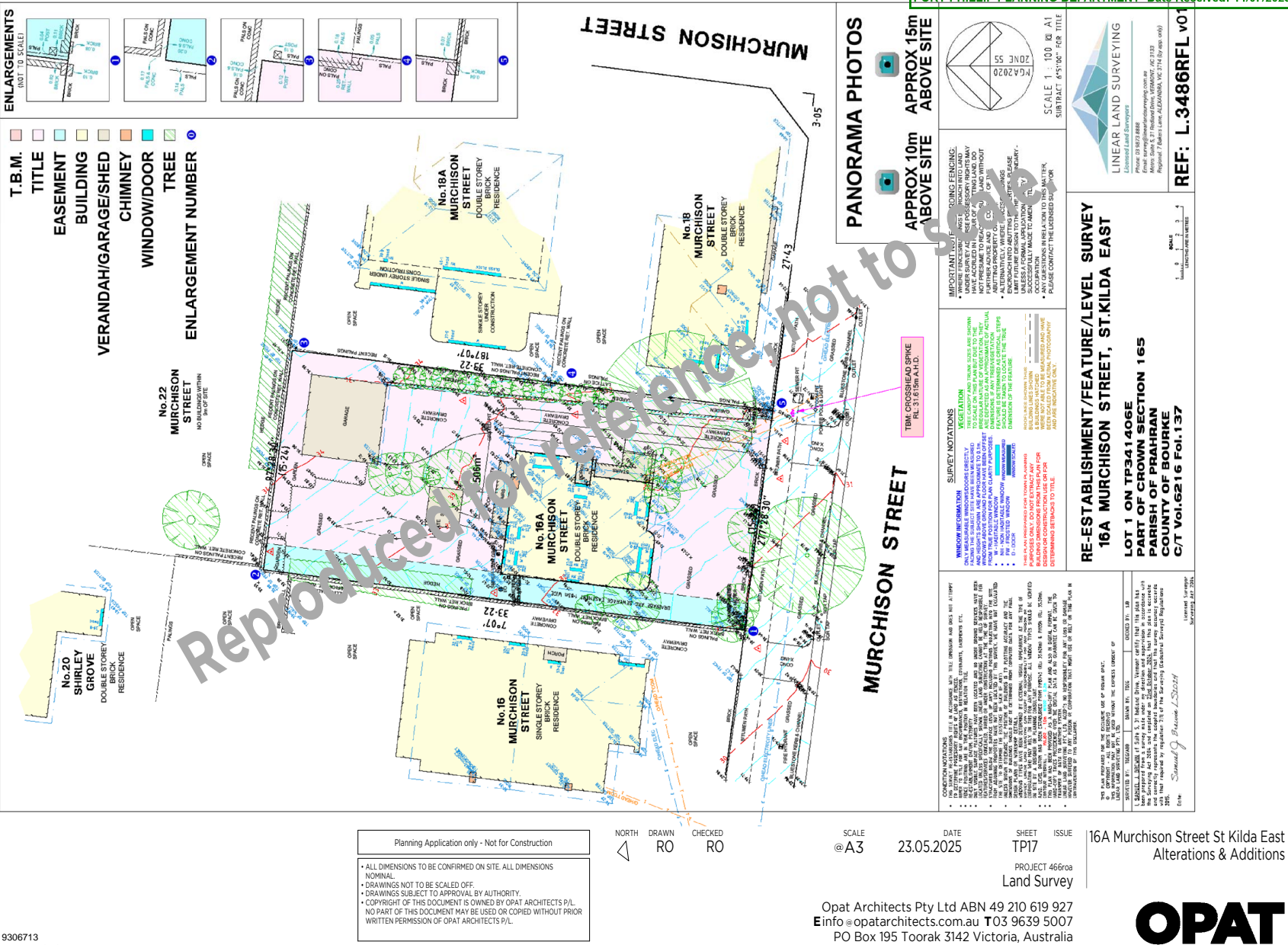
Shadow and overlooking Diagrams

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## Attachment 3

Clause 55 - Rights of Appeal and Deemed to Comply Snapshot		
Neighbourhood Character		
<u>Rights of Appeal</u>		
Standard	Standard Met (If Yes then Deem to Comply)	
B2-1 Street Setback	Yes	
B2-2 Height	Yes	
B2-3 Side and rear setbacks	Yes	
B2-4 Walls on boundaries	Yes	
B2-5 Site coverage	Yes	
B2-6 Access	Yes	
B2-7 Tree Canopy	Yes	
B2-8 Front fences	Yes	
Liveability		
<u>No rights of appeal (irrespective of whether the standard is met or not)</u>		
Standard	Standard Met	
B3-1 Dwelling diversity	Yes (not applicable)	
B3-2 Parking location	Yes	
B3-3 Street integration	Yes	
B3-4 Entry	Yes	
B3-5 Private open space		No
B3-6 Solar access to open space	Yes	
B3-7 Functional layout	Yes	
B3-8 Room depth		No
B3-9 Daylight to new windows	Yes	
B3-10 Natural ventilation	Yes	
B3-11 Storage		No

B3-12 Accessibility for apartment developments		No (not applicable)
--	--	---------------------

<b>External Amenity</b>		
<u>Rights of Appeal</u>		
<b>Standard</b>	<b>Standard Met (If Yes then Deem to Comply )</b>	
B4-1 Daylight to existing windows	Yes	
B4-2 Existing north facing windows	Yes	
B4-3 Overshadowing open space	Yes	
B4-4 Overlooking	Yes	
<u>No rights of appeal (irrespective of whether the standard is met or not)</u>		
<b>Standard</b>	<b>Standard Met</b>	
B4-5 Internal views		No (not applicable)

<b>Sustainability</b>		
<u>Rights of Appeal</u>		
<b>Standard</b>	<b>Standard Met (If Yes then Deem to Comply)</b>	
B5-2 Overshadowing domestic solar energy systems	Yes	
<u>No rights of appeal (irrespective of whether the standard is met or not)</u>		
<b>Standard</b>	<b>Standard Met</b>	
B5-1 Permeability and stormwater management	Yes (subject to conditions)	
B5-3 Rooftop solar energy generation area ( <b>not applicable</b> )		

B5-4 Solar protection to new north facing windows	Yes (subject to conditions)	
B5-5 Waste and recycling	Yes	
B5-6 Noise impacts	Yes	
B5-7 Energy efficiency for apartments development	Yes (not applicable)	

55.02 NEIGHBOURHOOD CHARACTER		
<b>55.02-1 Street Setback Objectives</b> To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.		
<b>Standard B2-1</b>	Standard Met?	<b>Yes (Deemed to comply)</b>
		No (Appeal rights apply)
<u>Required setback:</u>  There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the lot is not on a corner.  Minimum front setback <input checked="" type="checkbox"/> The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street existing building on the abutting allotment facing the street or <input checked="" type="checkbox"/> 6 metres, whichever is the lesser. Minimum setback from side street Not Applicable.	The proposal complies with the street setback standard.  The proposal does not change the existing front setback which is 6.95 metres.	
<b>55.02-2 Building height objective</b> To ensure that the height of buildings respond to the existing or preferred neighbourhood character.		
<b>Standard B2-2</b>	Standard Met	<b>Yes (Deemed to comply)</b>
		No (Appeal rights apply)
The maximum building height does not exceed	The proposal complies with the building height standard.	

<p>the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p><input checked="" type="checkbox"/> If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres.</p>	The maximum building height is 10 metres. As the site has a natural slope that exceeds 2.5 degrees, the proposal is able to benefit from the additional metre in height.			
<b>55.02-3 Side and rear setback objective</b> <p>To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.</p>				
<b>Standard B2-3</b>	Standard Met?	<b>Yes (Deemed to comply)</b>		
		No (Appeal rights apply)		
<p><input checked="" type="checkbox"/> A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2. Standard B2-3 is met if the building is setback in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:</p> <p><input checked="" type="checkbox"/> B2-3.1: The building is setback at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</p> <p><input type="checkbox"/> B2-3.2: If the boundary is not to the south of the building, the building is setback at least 3 metres up to a height not exceeding 11 metres and</p>	The proposed development relies on the provisions of B2-3.1. Relevant figures are detailed as follows:			
	<b>East (Side)</b>			
		<b>Proposed wall height (m)</b>	<b>Setback required (m)</b>	<b>Setback proposed (m)</b>
	Ground	3.55	1	1
	First	5.02	1.42	5.13
	<b>North (Rear)</b>			
		<b>Proposed wall height (m)</b>	<b>Setback required (m)</b>	<b>Setback proposed (m)</b>
	Ground	3.30	1	9.97
	First	5.32	1.51	9.52
	<b>West (side)</b>			
	<b>Proposed wall height (m)</b>	<b>Setback required (m)</b>	<b>Setback proposed (m)</b>	
Ground	Wall on boundary dealt with under Standard B2-4.	N/A	N/A	
First	6.16	1.77	1.82	

<p>at least 4.5 metres for a height over 11 metres.</p> <p><input type="checkbox"/> If the boundary is to the south of the building, the building is setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.</p> <p><input type="checkbox"/> Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services encroach not more than 0.5 metres into the side and rear setbacks.</p> <p><input type="checkbox"/> Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports encroach into the side and rear setbacks.</p>		
<b>Walls on Boundary objectives</b> <p>To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.</p>		
<b>Standard B2-4</b>	Standard met?	<b>Yes (Deemed to comply)</b>
		No (Appeal rights apply)
<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:</p> <p><input type="checkbox"/> 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</p>	<p>The proposed development relies on the provisions of B2-3.1. Relevant figures are detailed below.</p>	





<p>coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.</p> <p><input checked="" type="checkbox"/> NRZ 60%</p> <p><input type="checkbox"/> GRZ 65%</p> <p><input type="checkbox"/> RGZ 70%</p> <p><input type="checkbox"/> HCTZ 70%</p> <p><input type="checkbox"/> MUZ 70%</p> <p><input type="checkbox"/> If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table B2-5.</p>		
<b>55.02-6 Access Objective</b> To ensure the number and design of vehicle crossovers responds to the neighbourhood character.		
<b>Standard B2-6</b>	Standard met?	<b>Yes (Deemed to comply)</b>
		No (Appeal rights apply)
<p>The width of accessways or car spaces (other than to a rear lane) does not exceed:</p> <p><input type="checkbox"/> 33 per cent of the street frontage; or</p> <p><input type="checkbox"/> 40 per cent of the street frontage if the width of the street frontage is less than 20 metres.</p> <p><input type="checkbox"/> The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.</p> <p><input type="checkbox"/> The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent or</p> <p><input type="checkbox"/> No existing tree in a road proposed to be retained.</p>	<p>The existing crossover is slightly widened as part of this proposal. The proposed width will be 3.14 metres. The total width of the site is 15.24 metres. The crossover equates to 20 percent.</p>	
<b>55.02-7 Tree canopy objectives</b>		

<p>To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.</p> <p>To preserve existing canopy cover and support the provision of new canopy cover.</p> <p>To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.</p>		
<b>Standard B2-7</b>	Standard met?	<b>Yes (Deemed to comply)</b>
		No (Appeal rights apply)
<p>Provide a minimum canopy cover as specified in Table B2-7.1.</p> <p><input checked="" type="checkbox"/> Site area 1,000sqm or less 10%.</p> <p><input type="checkbox"/> Site area more than 1,000sqm 20%.</p> <p>Existing trees to be retained meet all of the following:</p> <p><input type="checkbox"/> Has a height of at least 5 metres,</p> <p><input type="checkbox"/> Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,</p> <p><input type="checkbox"/> Has a trunk that is located at least 4 metres from proposed buildings.</p> <p><input type="checkbox"/> No existing trees to be retained.</p> <p><input type="checkbox"/> The minimum canopy cover is met using any combination of trees specified in Table B2-7.2. Existing trees that are retained can be used in calculating canopy cover.</p> <p><input type="checkbox"/> Provide at least one new or retained tree in the front setback and the rear setback.</p> <p>Trees are located in either:</p> <p><input checked="" type="checkbox"/> An area of deep soil as specified in Table B2-7.2; or</p> <p><input type="checkbox"/> A planter as specified in Table B2-7.2.</p>	<p>The application was not supported by a detailed landscape plans and this will be required by condition of permit in the officer recommendation.</p> <p>The front yard of the site has a setback of between 6.9 and 7.6 with adequate space to accommodate canopy cover in accordance with this standard.</p> <p>10 percent of the site area is approximately 50 square metres and the front yard has an area of approximately 77 square metres that has been nominated for canopy tree planting.</p> <p>The front yard area is deep soil and can accommodate large canopy trees.</p> <p>There are not significant trees on the site that will be retained.</p>	

<input checked="" type="checkbox"/> Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors	
<b>55.02-8 Front fences objectives</b> To encourage front fence design that responds to the existing or preferred neighbourhood character.	
<b>Standard B2-8</b>	Standard met? <b>Yes (Deemed to comply)</b>
	No (Appeal rights apply)
A front fence within 3 metres of a street is: <input type="checkbox"/> The maximum height specified in a schedule to the zone, or <input type="checkbox"/> If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8.  <input type="checkbox"/> Streets in a Transport Zone 2 - 2 metres <input checked="" type="checkbox"/> Other streets - 1.5 metres	The existing low front fence is proposed to be retained.

55.03 – LIVEABILITY		
<b>55.03-1 Dwelling diversity objective</b> To encourage a range of dwelling sizes and types in developments of ten or more dwellings.		
<b>Standard B3-1</b>	Standard met?	Yes (Deemed to comply)
		No (Appeal rights apply)
		<b>Not Applicable</b>
Requirements: N/A	This standard does not apply as the development is for less than 10 dwellings.	
<b>55.03-2 Parking location objective</b> To minimise the impact of vehicular noise within developments on residents.		
<b>Standard B3-2</b>	Standard met?	<b>Yes</b>
		No (But no appeal rights apply)
Habitable room windows with sill heights of less than 3 metres above ground level are	The car parking is provided within a basement car park. There are no windows impacted by the car parking area or access.	

setback from accessways and car parks by at least: <input type="checkbox"/> 1.5 metres; or <input type="checkbox"/> If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or <input type="checkbox"/> 1 metre where window sills are at least 1.5 metres above ground level.  <input type="checkbox"/> This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.		
<b>55.03-3 Street integration objective</b> To integrate the layout of development with the street to support the safety and amenity of residents.		
<b>Standard B3-3</b>	Standard Met?	<b>Yes</b>
		No (But no appeal rights apply)
Where a development fronts a street, a vehicle accessway, or abuts public open space: <input checked="" type="checkbox"/> Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space. <input type="checkbox"/> The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. <input type="checkbox"/> Screens or fences are to provide no more than 25 per cent transparency.  <input type="checkbox"/> Lighting is provided to all external accessways and paths.  <input type="checkbox"/> Mailboxes are provided for each dwelling and can be communally located.	The proposal complies with this standard.  The proposal satisfies the standard where passive surveillance would be provided to the street frontage. The internal arrangement of the front rooms of the two apartments does not change as a result of the proposal. Each apartment has habitable rooms which have an outlook to the street. The development has been designed with the following:  No site services are proposed within 3 metres of a street.  Screens and fences provide no more than 25% transparency.  A condition is included within the officer recommendation to provide external lighting to the entries and carparking access of the development.  Each dwelling is provided with a mailbox within the front setback	
<b>55.03-4 Entry objectives</b>		

To provide each dwelling, apartment development or residential building with its own sense of identity.		
To provide entries with weather protection, safe design, natural light and ventilation.		
Standard B3-4	Standard Met?	Yes
		No (But no appeal rights apply)
Apartment development and residential building with shared entry. An apartment development and each residential building has: <input checked="" type="checkbox"/> A ground level entry door, gate or walkway or with a direct line of sight from a street, accessway or shared walkway. <input checked="" type="checkbox"/> Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door. <input checked="" type="checkbox"/> shared corridors and common areas have at least one source of natural light and ventilation.	The proposal complies with this standard as follows.  The building entry is located off a common pathway along the east boundary. The path leads to the stairs which access the ground and first floor apartments.  The entry area has a direct view to the shared walkway and the street.  The area is provided with adequate shelter in accordance with the standard.	
55.03-5 Private open space objectives		
To provide adequate private open space for the reasonable recreation and service needs of residents.		
Standard B3-5	Standard Met?	Yes
		No (But no appeal rights apply)
A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.  If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of: <input type="checkbox"/> An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or <input type="checkbox"/> A balcony with at least the area and dimensions specified in Table B3-5: or	Refer to report for discussion.	





		(But no appeal rights apply)
<p>Bedrooms:</p> <p><input checked="" type="checkbox"/> Meet the minimum internal room dimensions specified in Table B3-7.1; and provide an additional area of at least 0.8 square metres to accommodate a wardrobe.</p> <p><b>Table B3-7.1 Bedroom dimensions</b></p> <p>Main bedroom</p> <p><input checked="" type="checkbox"/> Minimum width 3 metres</p> <p><input checked="" type="checkbox"/> Minimum depth 3.4 metres</p> <p>All other bedrooms</p> <p><input checked="" type="checkbox"/> Minimum width 3 metres</p> <p><input checked="" type="checkbox"/> Minimum depth 3 metres</p> <p><input checked="" type="checkbox"/> Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.</p> <p><b>Table B3-7.2 Living area dimensions</b></p> <p><input type="checkbox"/> Studio and 1 bedroom dwelling</p> <p><input type="checkbox"/> Minimum width 10 metres</p> <p><input type="checkbox"/> Minimum area 10 square metres</p> <p>2 or more bedroom dwelling</p> <p><input checked="" type="checkbox"/> Minimum width 3.6 metres</p> <p><input checked="" type="checkbox"/> Minimum area 12 square metres</p>	<p>The proposal complies with this standard.</p> <p>The bedrooms are not proposed to be changed as part of this proposal. Regardless they comply with the area requirements of this standard.</p> <p>The living room areas for both apartments is substantially increased as part of this proposal.</p> <p>Apartment 1 has multiple living spaces that are in excess of the standard.</p> <p>Apartment 2 has a living room with an area that exceeds the requirements of the standard.</p>	
<b>55.03-8 Room depth objective</b> To allow adequate daylight into single aspect habitable rooms.		
<b>Standard B3-8</b>	Standard Met?	Yes
		<b>No</b> (But no appeal rights apply)
<p><input checked="" type="checkbox"/> The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.</p>	<p>Apartment 2 has ceiling heights of 2.5 metres and allows a maximum room depth of 6.26. As the bedrooms and fire room are existing conditions the standard does not apply to them. The new open plan living room/kitchen is not a single orientation room as there is a window on the north and west elevations. Therefore, the standard does not apply to this room either</p>	
<b>55.03-9 Daylight to new windows objective</b> To allow adequate daylight into new habitable room windows.		
<b>Standard B3-9</b>	Standard Met?	Yes

		No (but no appeal rights apply)
<p><b>Dwelling (other than a dwelling in or forming part of an apartment development)</b></p> <p><input checked="" type="checkbox"/> A window in an external wall of the building is provided to all habitable rooms.</p> <p>Habitable rooms in a dwelling have a window that faces:</p> <p><input checked="" type="checkbox"/> An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot; or</p> <p><input type="checkbox"/> A verandah provided it is open for at least one third of its perimeter; or</p> <p><input type="checkbox"/> A carport provided it has two or more open sides and is open for at least one third of its perimeter.</p>	<p>All habitable rooms are provided with a window to an external wall.</p> <p>The windows are provided with appropriate access to the sky with dimensions in accordance with this standard.</p>	
<p><b>55.03-10 Natural ventilation objective</b> To encourage natural ventilation of dwellings.</p> <p>To allow occupants to effectively manage natural ventilation of dwellings.</p>		
<b>Standard B3-10</b>	Standard Met?	<b>Yes</b>
		No (But no appeal rights apply)
<p><b>Dwelling (other than a dwelling in or forming part of an apartment development)</b></p> <p><input checked="" type="checkbox"/> Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:</p> <p><input checked="" type="checkbox"/> A maximum breeze path through the dwelling of 18 metres.</p> <p><input checked="" type="checkbox"/> A minimum breeze path through the dwelling of 5 metres.</p> <p><input type="checkbox"/> Ventilation openings with approximately the same size.</p>	<p>The two dwellings would provide appropriate breeze paths in accordance with the standard. This is achieved by dwellings having dual aspect.</p> <p>Apartment 1 has a maximum breeze path of approximately 14 metres from the front bedrooms to the rear north facing doors of the dining/living rooms.</p> <p>Apartment two also has a maximum breeze path of approximately 11 metres.</p>	
<p><b>55.03-11 Storage objective</b> To provide adequate storage facilities for each dwelling.</p>		
<b>Standard B3-11</b>	Standard Met?	<b>Yes</b>

		No (But no appeal rights apply)
<b>Dwelling (other than a dwelling in or forming part of an apartment development)</b> ☑Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.	Refer to report for discussion.	
<b>55.03-12 Accessibility for apartment development's objective</b> To ensure the design of dwellings meets the needs of people with limited mobility.		
<b>Standard B3-12</b>	Standard Met?	Yes
		No (But no appeal rights apply)
		<b>Not Applicable</b>
At least 50 per cent of dwellings in or forming part of an apartment development have: ☐A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. ☐A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. ☐A main bedroom with access to an adaptable bathroom. ☐At least one adaptable bathroom that meets all of the requirements of either Design A ☐or Design B specified in Table B3-12.	As the entries to the apartments, hallways and bedrooms are not changed as a part of this proposal the standard does not apply.  It is not appropriate to require that the majority of the retained layout be required to be amended to comply with this standard.	

55.04 External Amenity		
<b>55.04-1 Daylight to existing windows objective</b> To allow adequate daylight into existing habitable room windows.		
<b>Standard B4-1</b>	Standard Met?	<b>Yes (Deemed to comply)</b>
		No (Appeal rights apply)
<input type="checkbox"/> Buildings opposite an existing habitable room	There are habitable room windows opposite the ground floor wall on boundary along the western elevation. The wall has a maximum	

<p>window provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p><input type="checkbox"/>Walls or carports more than 3 metres in height opposite an existing habitable room window are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	<p>height of 3.85 metres above natural ground level on the subject site.</p> <p>The required setback for the highest part of the wall is 1.92 metres.</p> <p>The setback proposed is 2.7metres.</p> <p>The first-floor wall which is mostly existing is setback a further 1.82 metres, resulting in a total setback of 4.51 metres. The maximum height of the new section of wall where it is opposite habitable windows is 6.23 metres</p> <p>The required setback for the wall would be 3.115 metres</p> <p>On the east elevation there is a wall with a maximum height of 3.52 metres that is setback 1 metres from the boundary. There is a habitable room window on the property to the east which is setback from the boundary by approximately 1.8 metres.</p> <p>The required setback for the ground floor wall is 1.55 metres. As the setback can include the land on the adjoining site, the requirement is easily achieved.</p>	
<b>55.04-2 Existing north facing windows objective</b> To allow adequate solar access to existing north-facing habitable room windows.		
<b>Standard B4-2</b>	Standard Met?	<b>Yes (Deemed to comply)</b>
		No (Appeal rights apply)
<p>Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:</p> <p><input type="checkbox"/>A new building is to be set back from the boundary by at least 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.</p> <p><input type="checkbox"/>For new buildings that meet the Standard B2-3.2 setback, the building is setback at least 6 metres up to a height</p>	<p>The standard is met as there are no existing north facing habitable room windows within 3 metres of the development</p>	

<p>not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.</p> <p>For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.</p>					
<b>55.04-3 Overshadowing secluded open space objective</b> To ensure buildings do not significantly overshadow existing secluded private open space.					
<b>Standard B4-3</b>	<table border="1"> <tr> <td data-bbox="608 840 951 947">Standard Met?</td><td data-bbox="951 840 1294 947">Yes (Deemed to comply)</td></tr> <tr> <td data-bbox="608 947 951 947"></td><td data-bbox="951 947 1294 947"><b>No (Appeal rights apply)</b></td></tr> </table>	Standard Met?	Yes (Deemed to comply)		<b>No (Appeal rights apply)</b>
Standard Met?	Yes (Deemed to comply)				
	<b>No (Appeal rights apply)</b>				
<p>The area of secluded private open space that is not overshadowed by the new development is greater than:</p> <p><input type="checkbox"/> 50 per cent, or</p> <p><input checked="" type="checkbox"/> 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.</p> <p><input checked="" type="checkbox"/> If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.</p>	See report for discussion.				
<b>55.04-4 Overlooking objective</b> To limit views into existing secluded private open space and habitable room windows.					
<b>Standard B4-4</b>	<table border="1"> <tr> <td data-bbox="608 1630 951 1738">Standard Met?</td><td data-bbox="951 1630 1294 1738"><b>Yes (Deemed to comply)</b></td></tr> <tr> <td data-bbox="608 1738 951 1738"></td><td data-bbox="951 1738 1294 1738">No (Appeal rights apply)</td></tr> </table>	Standard Met?	<b>Yes (Deemed to comply)</b>		No (Appeal rights apply)
Standard Met?	<b>Yes (Deemed to comply)</b>				
	No (Appeal rights apply)				
A habitable room window (excluding bedroom), balcony, terrace, deck or patio located with a direct view into the secluded private open space of an existing	See report for discussion.				

<p>dwelling avoids direct views within a horizontal distance of 9m</p> <p><input checked="" type="checkbox"/> A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:</p> <p><input type="checkbox"/> Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or</p> <p><input type="checkbox"/> Has sill heights of at least 1.7 metres above floor level; or</p> <p><input type="checkbox"/> Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or</p> <p><input type="checkbox"/> Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or</p> <p><input checked="" type="checkbox"/> Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.</p>					
<p><b>55.04-5 Internal views objective</b> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p>					
<b>Standard B4-5</b>	<table border="1"> <tr> <td data-bbox="616 1373 951 1429">Standard Met?</td><td data-bbox="951 1373 1294 1429">Yes</td></tr> <tr> <td data-bbox="616 1429 951 1507"></td><td data-bbox="951 1429 1294 1507"><b>No</b> (But no appeal rights apply)</td></tr> </table>	Standard Met?	Yes		<b>No</b> (But no appeal rights apply)
Standard Met?	Yes				
	<b>No</b> (But no appeal rights apply)				
<p>A habitable room window (excluding bedroom), balcony, terrace, deck or patio located with a direct view into the secluded private open space of another dwelling within the development:</p> <p><input type="checkbox"/> Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or</p>	<p>The proposal varies this standard.</p> <p>There will be views from the first-floor apartment windows into the rear yard. As the rear yard is currently a shared area of private open space, it is not considered secluded private open space.</p> <p>As the use of the space will continue as shared space and it is current overlooked by both apartments, it is considered that this variation is acceptable.</p>				

<input type="checkbox"/> Has a sill height of at least 1.7 metres above floor level; or <input type="checkbox"/> Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or <input type="checkbox"/> Has permanently fixed external screens to at least 1.7 metres above floor level; or <input type="checkbox"/> Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.	
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55.05-5 SUSTAINABILITY		
<b>55.05-1 Permeability and stormwater management objective</b> To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.  To facilitate on-site stormwater infiltration.  To encourage stormwater management that maximises the retention and reuse of stormwater.  To contribute to urban cooling.		
Standard B5-1	Standard Met?	Yes
		No (But no appeal rights apply)
<input type="checkbox"/> The site area covered by the pervious surfaces is at least 20 percent of the site.  The development includes a stormwater management system designed to: <input checked="" type="checkbox"/> Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of: <input type="checkbox"/> Suspended solids 80% reduction in mean annual load. <input type="checkbox"/> Total phosphorus and Total Nitrogen 45% reduction in mean annual load. <input type="checkbox"/> Litter 70% reduction of mean annual load.  A certificate generated from a stormwater assessment tool	See report for discussion.	



including Stormwater Treatment Objective - Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.		
<input type="checkbox"/> Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.		
<b>55.05-02 Overshadowing domestic solar energy systems objectives</b> To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.		
<b>Standard B5-2</b>	Standard Met?	<b>Yes (Deemed to comply)</b>
		No (Appeal rights apply)
Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.	The proposal complies with the standard of this objective.  There are no solar facilities on any adjoining properties that could be affected by this proposal.	
This standard applies to an existing building in a General Residential Zone or Neighbourhood Residential Zone. In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.		
<b>55.05-3 Rooftop solar energy generation area objective</b> To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.		
<b>Standard B5-3</b>	Standard Met?	Yes
		No

		(But no appeal rights apply)
		<b>Not Applicable</b>
<p>In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.</p> <p><input checked="" type="checkbox"/> An area on the roof is capable of siting a rooftop solar energy area for each dwelling which:</p> <p><input checked="" type="checkbox"/> Has a minimum dimension of 1.7 metres.</p> <p><input type="checkbox"/> Has a minimum area in accordance with Table B5-3.</p> <p><input checked="" type="checkbox"/> Is oriented to the north, west or east.</p> <p><input type="checkbox"/> Is positioned on the top two thirds of a pitched roof.</p> <p>Can be a contiguous area or multiple smaller areas.</p> <p><input checked="" type="checkbox"/> Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.</p> <p>Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.</p> <p><b>Table B5-3 Minimum rooftop solar energy generation area</b></p> <p><input type="checkbox"/> 1 bedroom dwelling Minimum roof area 15 square metres</p> <p><input checked="" type="checkbox"/> 2 or bedroom dwelling Minimum roof area 26 square metres</p> <p><input type="checkbox"/> 4 or more bedroom dwelling Minimum roof area 34 square metres</p> <p>This standard does not apply to apartments and residential buildings.</p>	<p>This standard does not apply as the site is an apartment development.</p> <p>However, the development proposes the installation of 20 solar panels on the roof, 15 with a northern orientation.</p>	
<b>55.05-4 Solar protection to new north facing windows objective</b> To encourage external shading of north facing windows to minimise summer heat gain.		
<b>Standard B5-4</b>	Standard Met?	Yes

		No (But no appeal rights apply)
North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height	See report for discussion.	
<b>55.05-5 Waste and recycling objectives</b> To ensure dwellings are designed to facilitate waste recycling.  To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.  To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.		
<b>Standard B5-5</b>	Standard Met?	Yes
		No (but no appeal rights apply)
<input checked="" type="checkbox"/> The development includes an individual bin storage area for each dwelling, or <input type="checkbox"/> A shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.  <b>Table B5-5.1 Bin storage</b> <input type="checkbox"/> Individual bin storage area for a dwelling <input type="checkbox"/> Minimum area 1.8 square metres <input type="checkbox"/> Minimum depth 0.8 metre <input type="checkbox"/> Minimum height 1.8 metres.  Shared bin storage area for 3 dwellings or less <input checked="" type="checkbox"/> Minimum area 5.4 square metres <input checked="" type="checkbox"/> Minimum depth 0.8 metre <input checked="" type="checkbox"/> Minimum height 1.8 metres.  Shared bin storage area for 4 or more dwellings <input type="checkbox"/> Minimum area 1 square metre per dwelling plus 4 square metres <input type="checkbox"/> Minimum depth 0.8 metre <input type="checkbox"/> Minimum height 1.8 metres.  If the development includes a shared bin storage area: The shared bin storage area:	As site has been previously used as two apartments as the future use of the building will be, this standard does not technically apply. However, it is considered that the proposal complies with this standard.  The waste collection will continue in the same manner as has previously been undertaken at the site. Bins are however proposed to be stored within the basement car park, where they will not be seen from the street. there is ample space for the storage of the bins.	

<p><input checked="" type="checkbox"/> Is located within 40 metres of a kerbside collection point.</p> <p><input checked="" type="checkbox"/> Includes a tap for bin washing.</p> <p><input checked="" type="checkbox"/> There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.</p> <p><input type="checkbox"/> Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.</p> <p><input type="checkbox"/> Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.</p>							
<b>55.05-6 Noise impacts objective</b> To minimise the impact of mechanical plant noise located in the development.							
<b>Standard B5-6</b>	<table border="1"> <tr> <td data-bbox="630 904 959 958">Standard Met?</td><td data-bbox="959 904 1289 958"><b>Yes</b></td></tr> <tr> <td data-bbox="630 958 959 1032"></td><td data-bbox="959 958 1289 1032">No (But no appeal rights apply)</td></tr> </table>	Standard Met?	<b>Yes</b>		No (But no appeal rights apply)		
Standard Met?	<b>Yes</b>						
	No (But no appeal rights apply)						
Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line-of-sight barrier to transmission of noise and the location of all relevant bedroom	This standard is met. The centrally located shared lift is not located next to any bedrooms.						
<b>55.05-7 Energy efficiency for apartments development objective</b> To achieve energy efficient dwellings and buildings.							
To ensure dwellings achieve adequate thermal efficiency.							
<b>Standard B5-7</b>	<table border="1"> <tr> <td data-bbox="630 1449 959 1503">Standard Met?</td><td data-bbox="959 1449 1289 1503">Yes</td></tr> <tr> <td data-bbox="630 1503 959 1576"></td><td data-bbox="959 1503 1289 1576"><b>No</b> (But no appeal rights apply)</td></tr> <tr> <td data-bbox="630 1576 959 1630"></td><td data-bbox="959 1576 1289 1630">Not Applicable</td></tr> </table>	Standard Met?	Yes		<b>No</b> (But no appeal rights apply)		Not Applicable
Standard Met?	Yes						
	<b>No</b> (But no appeal rights apply)						
	Not Applicable						
Dwellings in or forming part of an apartment development located in a climate zone identified in Table B5-7 do not exceed the maximum NatHERS annual cooling load.	<p>The application has not provided information to demonstrate that this standard is complied with.</p> <p>It is considered that it is unreasonable to require the apartments to comply with this standard given the extent of embodied right related to the existing built form that will not be changed as a result of this proposal. The layout of the original floor plans of each apartment does not significantly change and the thermal performance would be influenced and limited by these conditions.</p>						

	<p>Despite the limitations of assessing this standard the decision guidelines require consideration of the design response, size, orientation of the site, the availability of solar access to north facing windows and the annual cooling load for each dwelling.</p> <p>The relatively large subject site has a north south orientation with the secluded private open space located on the northern side of the building. Rear setbacks from the northern boundary ensure that adjoining buildings and trees on neighbouring sites do not overshadow the SOPS and habitable room windows.</p> <p>Large windows are located on the northern elevation of the building where they provide excellent solar access to the living rooms that have been located towards the north facing the SPOS.</p>
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**9. AN ENVIRONMENTALLY SUSTAINABLE AND RESILIENT CITY**

Nil

**10. A SAFE AND LIVEABLE CITY**

Nil

**11. A VIBRANT AND THRIVING COMMUNITY**

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

# MEETING OF THE PORT PHILLIP CITY COUNCIL

## 24 SEPTEMBER 2025



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

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

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

#### 1. PURPOSE

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

#### 2. EXECUTIVE SUMMARY

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





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

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



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

### 3. RECOMMENDATION

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

- 3.1 Resolves to discontinue laneways R3979, R3743, R3977, and R4141 as it considers that it may result in a better use of land, the land has no strategic value to Council, and Council, on behalf of the community, may obtain a fair and equitable return on land that was originally set aside for a public purpose.
- 3.2 Resolves to sell the discontinued laneways and land described below for no less than market value to an adjoining property owner, Coles Group Property Developments Ltd, by private negotiation to be determined on an equitable value basis.
- Laneway R3979 that comprises land contained in Volume 8945 Folio 006 with an area of 269m<sup>2</sup>, being Lot # on TP4388679C;
- 3.2.1 Laneway R3743 that comprises land contained in Memorial No 975 Book 539 with an area of 44m<sup>2</sup>;
- 3.2.2 Laneways R3977 and R4141 that comprise land contained in Volume 00268 Folio 542 with an area of 94m<sup>2</sup> and 167m<sup>2</sup> respectively, being Lot # on TP923236K;

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

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

#### 4. KEY POINTS/ISSUES

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

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

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

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



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

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





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

#### Valuation / Sale Price

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

### 5. CONSULTATION AND STAKEHOLDERS

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

### 6. LEGAL AND RISK IMPLICATIONS

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



### **Probity**

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

## **7. FINANCIAL IMPACT**

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

## **8. ENVIRONMENTAL IMPACT**

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

## **9. COMMUNITY IMPACT**

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

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### 10. GENDER IMPACT ASSESSMENT

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

### 11. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

11.1 The strategic directions advanced by this report are:

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

### 12. IMPLEMENTATION STRATEGY

#### 12.1 TIMELINE

12.1.1 September 2025 – Council resolution to sell land

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

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


#### 12.2 COMMUNICATION

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

### 13. OFFICER MATERIAL OR GENERAL INTEREST

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

### ATTACHMENTS

1. Working Draft s173 Agreement 

2. Working Draft Memorandum of Understanding 

## Agreement

Draft

### Agreement made pursuant to section 173 of the *Planning and Environment Act 1987* (Vic)

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Port Phillip City Council

Coles Group Property Developments Limited

Land: **54 Camden Street**, 49-53 Nelson Street  
and 2-8 and 10-18 Alfred Street, Balaclava,  
Victoria 3183

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## Section 173 Agreement

Date ►

Between the parties

Parties	<b>Port Phillip City Council (ABN 21 762 977 945)</b> of 99A Carlisle Street, St Kilda VIC 3182 ( <b>Council</b> ) and <b>Coles Group Property Developments Limited (ACN 004 428 326)</b> of 800 Toorak Road, Hawthorn East VIC 3123 ( <b>Owner</b> )
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Recitals	<ol style="list-style-type: none"><li>1 The Owner is registered or entitled to be registered as proprietor of the Subject Land.</li><li>2 Council is the Responsible Authority under the Act for administration and enforcement of the Scheme.</li><li>3 The Owner and Council have entered into the Contract of Sale for the sale by Council of the Contract of Sale Land to the Owner.</li><li>4 Special Condition [10] of the Contract of Sale provides that:<ol style="list-style-type: none"><li>(a) <i>[Between the Day of Sale and Settlement, the parties must duly execute and enter into the Section 173 Agreement.]</i></li><li>(b) <i>Council must use its best endeavours to cause the Section 173 Agreement to be registered pursuant to section 181 of the Planning and Environment Act 1987 (Vic) as soon as is reasonably practicable after Settlement, and in any event must be done before the date that is 30 days after Settlement.</i></li><li>(c) <i>The Vendor must provide all reasonable assistance to the Purchaser for the purposes of facilitating the registration of the Section 173 Agreement.]</i></li></ol></li><li>5 The Contract of Sale defines 'Section 173 Agreement' as: [insert].</li><li>6 Following settlement of the Contract of Sale, the Owner intends to develop the Subject Land for the Development.</li><li>7 The Council and the Owner enter into this Agreement:<ol style="list-style-type: none"><li>(a) to satisfy and give effect to the requirements of the Contract of Sale;</li><li>(b) to achieve and advance the objectives of planning in Victoria and the objectives of the Scheme in respect of the Subject Land.</li></ol></li><li>8 This Agreement is made under Division 2 of Part 9 of the Act.</li></ol>
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The parties agree as follows:

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DRAFT



## 1 Definitions and interpretation

### 1.1 Definitions

The meanings of the terms used in this agreement are set out below.

Term	Meaning
<b>Act</b>	the <i>Planning and Environment Act 1987</i> .
<b>Agreement</b>	this agreement, as amended from time to time, and any agreement executed by the Parties expressed to be supplemental to this Agreement, including any annexures to this Agreement.
<b>Business Day</b>	Monday to Friday excluding public holidays in Melbourne, Victoria.
<b>Carlisle Street Properties</b>	the land at 246-252, 256, 258, 260, 262, 264-266, 268 and 270-272 Carlisle Street, Balaclava. <b>[Drafting note: title details to be inserted as appropriate, once arrangements settled.]</b>
<b>Claim</b>	any claim, action, proceeding or demand made against the person concerned, however it arises and whether it is present or future, fixed or unascertained, actual or contingent.
<b>Commencement Date</b>	the date upon which the Agreement is registered on title of the Subject Land.
<b>Contract of Sale</b>	the contract of sale dated <b>[insert date]</b> between Council and the Owner for the sale of the Contract of Sale Land.
<b>Contract of Sale Land</b>	<p>the land contained in certificates of title:</p> <ul style="list-style-type: none"> <li>(a) Volume 8945 Folio 008, being lot 1 on plan TP438679C;</li> <li>(b) Volume 3412 Folio 302, being lot 1 on plan TP846586J;</li> <li>(c) Volume 2437 Folio 239, being lot 1 on plan TP748693E;</li> <li>(d) Volume 6274 Folio 720, being lot 1 on plan TP904522R;</li> <li>(e) Volume 5928 Folio 437, being lot 1 on plan TP232252P;</li> <li>(f) Volume 5968 Folio 409, being lot 1 on plan TP245869W;</li> </ul> <p>and</p> <p>the land contained in and described as:</p> <ul style="list-style-type: none"> <li>(a) Road R3979 being the land contained in <b>Certificate of Title Volume 8945 Folio 6, being Lot # on TP4388679C;</b></li> </ul>

Term	Meaning
	<p>(b) Road R3743 being the land in Memorial No 975 Book 539;</p> <p>(c) Road R4141 and Road R3977 being the land contained in Certificate of Title Volume 00268 Folio 542, being Lot # on TP923236K. <b>[Drafting note: Council to confirm road descriptions are correct, noting these will need to be updated once the roads are discontinued and title details are created, and to confirm description of proposed process of discontinuation.]</b></p>
<b>Council</b>	Port Phillip City Council, and any successor entity, in its capacity as the responsible authority for the Scheme.
<b>Development</b>	the development of the Subject Land for a mixed-use development, including but not limited to a Full Line Supermarket and a Residential Component.
<b>Full Line Supermarket</b>	a supermarket with a full range of goods, for example including packaged groceries, meat, bakery and deli departments, fresh fruit and vegetables and frozen foods or such other goods as sold by major supermarket lines from time to time.
<b>Owner</b>	the person or persons registered or entitled from time to time to be registered as the proprietor or proprietors of an estate in fee simple of the Subject Land or any part of it and includes a mortgagee-in-possession.
<b>Public Open Space</b>	the outdoor area that is open and accessible to the public comprising a minimum of 250sqm <b>in a contiguous location</b> .
<b>Public Toilet</b>	at least one male and one female and one unisex toilet facility that is open and accessible to the public with opening hours aligned with the trading hours of the Full Line Supermarket in accordance with clause 4.4 and that comply with the <i>Disability Discrimination Act 1992</i> (Cth) as amended or replaced from time to time.
<b>Registrar of Titles</b>	has the meaning given to it by section 5 of the <i>Transfer of Land Act 1958</i> .
<b>Residential Component</b>	means accommodation, as that term is defined in the Scheme.

Term	Meaning
<b>Scheme</b>	the Port Phillip Planning Scheme, as amended from time to time, and any other successor instrument or planning scheme applying to the Subject Land.
<b>Subject Land</b>	<p>the land contained in certificates of title:</p> <ul style="list-style-type: none"> <li>(a) the land contained in Certificate of Title <b>Volume # Folio #</b>, more particularly described as <b>Plan CP100966</b> and generally known as 54 Camden Street, Balaclava;</li> <li>(b) the land contained in Certificate of Title <b>Volume # Folio #</b>, more particularly described as <b>#</b> and generally known as 49-53 Nelson Street, Balaclava;</li> <li>(c) the land contained in Certificate of Title <b>Volume # Folio #</b>, more particularly described as <b>#</b> and generally known as 2-8 Alfred Street, Balaclava;</li> <li>(d) the land contained in Certificate of Title <b>Volume # Folio #</b>, more particularly described as <b>#</b> and generally known as 10-18 Alfred Street, Balaclava;</li> <li>(e) <b>[existing / other future Coles land]</b>;</li> <li>(f) the Contract of Sale Land.</li> </ul>

## 1.2 Interpretation

In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- (a) the singular includes the plural and vice versa.
- (b) a reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law.
- (c) any agreement, representation, warranty or indemnity by two or more persons (including where two or more persons are included in the same defined term) binds them jointly and severally.
- (d) headings are inserted for convenience only and do not affect the interpretation of this Agreement.
- (e) a term used has its ordinary meaning unless that term is defined in the Agreement. If a term is not defined in the Agreement and it is defined in the Act, it has the meaning as defined in the Act.
- (f) if the day on which any act, matter or thing is to be done under this Agreement is not a Business Day, the act, matter or thing must be done on the next Business Day.
- (g) any reference to an Act, regulation or Scheme includes any Act, regulation or amendment which amends, consolidates or replaces the Act, regulation or Scheme.
- (h) a reference in this Agreement to any document or agreement is to that document or agreement as amended, novated, supplemented or replaced.

- (i) a reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.
- (j) a reference to the word 'include' or 'including' is to be interpreted without limitation.
- (k) the Recitals and any schedules and attachments form part of this Agreement.

## 2 Operation

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### 2.1 Agreement under section 173 of the Act

Without limiting any operation or effect which this Agreement otherwise has and, insofar as it can be so treated, this Agreement is made as a deed under section 173 of the Act.

### 2.2 Obligation to run with the Subject Land

Any obligation imposed under this Agreement on the Owner takes effect as a covenant which is annexed to and runs at law and in equity with the Subject Land and binds the Owner, its successors, assigns and transferees, and the registered proprietor for the time being of the whole or any part of the Subject Land.

### 2.3 Commencement

This Agreement is deemed to come into force and effect as from the Commencement Date.

## 3 Ending or amending Agreement

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### 3.1 Ending or amending

- (a) This Agreement:
  - (1) may be amended in accordance with this Agreement or the Act: and
  - (2) ends in whole or in part in accordance with the Act.
- (b) The parties agree that, if the Subject Land is subdivided or consolidated, this Agreement may be amended or ended wholly or in part in respect of a lot, in accordance with the Act.
- (c) The parties agree that, if the Subject Land is subdivided or consolidated, the Owner's obligations may be satisfied on any subdivided or consolidated lot comprising the Subject Land, and the Agreement may be amended or ended wholly or in part accordingly in respect of any lot comprising the Subject Land, in accordance with the Act.

### 3.2 Cancellation or alteration of recording

As soon as reasonably practicable after this Agreement has ended or has been amended, in whole or in part, Council must, at the Owner's written request and cost, apply to the Registrar of Titles under section 183 of the Act to cancel or alter the recording of this Agreement in the Register in whole or in part, as applicable.

## 4 Owner's obligations

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### 4.1 Consultation with Council

- (a) The Owner must, prior to lodging the initial planning permit application for the development of the Development:
  - (1) provide Council with no less than four months' prior written notice of its intention to lodge the application; and
  - (2) during that prior notice period (**Consultation Period**), engage in consultation with Council in good faith regarding the proposed Development.
- (b) Nothing in this clause 4.1 **Error! Reference source not found.** prevents the Owner from lodging a planning permit application for the Development at its discretion nor obliges the Owner to adopt or accept Council's comments on the application.
- (c) This clause 4.1 applies only to the initial planning permit application for the development of the Development.

### 4.2 Public Open Space

- (a) The Owner covenants and agrees that it must:
  - (1) develop the Public Open Space on the Subject Land as part of the Development;
  - (2) make the Public Open Space available to the public at all times;
  - (3) inspect and maintain the Public Open Space at its cost and in a manner that ensures cleanliness and public safety and that all structures and surfaces remain in good condition;
  - (4) obtain and maintain public liability insurance in an amount specified by and approved by Council in respect of the Public Open Space.
- (b) Council acknowledges and agrees that the Owner's development of the Public Open Space on the Subject Land under this Agreement
  - (1) is intended to satisfy any obligation of the Owner to make a public open space contribution to Council, whether under the Scheme, an Act, or otherwise, and howsoever named, in relation to the Development and any future subdivision of the Subject Land associated with the Development; and
  - (2) will be accounted for in calculating any public open space contribution that may be required to be made to Council, whether under the Scheme, an Act, or otherwise, and howsoever named, in relation to

the Development and any future subdivision of the Subject Land associated with the Development.

#### 4.3 Full Line Supermarket

The Owner covenants and agrees that the Development of the Subject Land must include a Full Line Supermarket.

#### 4.4 Public Toilet

- (a) The Owner covenants and agrees that the Development of the Subject Land must include a Public Toilet maintained by the Owner that must be accessible by the public during the hours of operation of the Full Line Supermarket.
- (b) The Owner must:
  - (1) inspect and maintain the Public Toilet at its cost and in a manner that ensures cleanliness and public safety and that all structures and surfaces remain in good condition; and
  - (2) obtain and maintain public liability insurance in an amount specified by and approved by Council in respect of the Public Toilet.

#### 4.5 Car parking spaces

The Owner covenants and agrees that:

- (a) the Development of the Subject Land must include provision of a minimum of 142 car parking spaces for use by the public during the hours of operation of the Full Line Supermarket in accordance with the design standards of the Scheme applicable to the Development;
- (b) the car parking spaces must be made available on the basis that each public user may use the relevant bay for the first 120 minutes without charge, cost or condition and with no restrictions or requirements to shop.

#### 4.6 Public access

The Owner covenants and agrees that the Development of the Subject Land must provide for members of the public to access the rear of the Carlisle Street Properties by foot or in motor vehicles (**Access Right of Way**).

- (a) The Owner must:
  - (1) ensure that the Access Right of Way provides unrestricted access to members of the public at all times;
  - (2) inspect and maintain the Access Right of Way at its cost and in a manner that ensures cleanliness and public safety and that all structures and surfaces remain in good condition; and
  - (3) obtain and maintain public liability insurance in an amount specified by and approved by Council in respect of the Access Right of Way.

#### **4.7 Affordable housing**

The Owner covenants and agrees that any Residential Component of the Development must include affordable housing, as defined under the Act, and as determined by the responsible authority for the Development.

#### **4.8 Heritage considerations**

- (a) The Owner must ensure that the Development includes the retention, conservation, and integration of existing heritage buildings, in accordance with applicable Heritage Overlay provisions in the Scheme.
- (b) The retention and treatment of heritage elements pursuant to clause 4.8(a) must consider the preservation of the visual, cultural, and architectural significance of the heritage features on the Subject Land, in accordance with the Heritage Overlay provisions in the Scheme.

#### **4.9 Frontages and pedestrian accessibility**

- (a) The Owner must ensure that the Development includes, where appropriate and reasonably practicable, ground level frontages with multiple, clearly defined entrances to individual components of the Development and which provide for pedestrian permeability and access, including to the Development from Carlisle Street.

### **5 Owner warranties**

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The Owner warrants and covenants that:

- (a) the Owner is the registered proprietor (or is entitled to become the registered proprietor) of the Subject Land;
- (b) there are no mortgages, liens, charges or other encumbrances or leases or any rights inherent in any person other than the Owner affecting the Subject Land which have not been disclosed by the usual searches of the folio of the Register for the Subject Land or notified to Council.

### **6 Costs**

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The Owner must pay Council's reasonably incurred legal costs and expenses of and incidental to the preparation, negotiation, execution, registration, variation, and ending (where applicable) of this Agreement.



## **7 Notices**

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### **7.1 Service of notice**

A notice or other communication required or permitted, under this Agreement, to be served on a person must be in writing and may be served:

- (a) personally on the person;
- (b) by posting it by prepaid post addressed to that person at the person's current address for service; or
- (c) by email to the person's current email address notified to the other party (unless the sender receives an automatic reply indicating that the email has not been sent or received, in which case the notice or communication must be served by another permissible means).

### **7.2 Time of service**

A notice or other communication is deemed served:

- (a) if served personally or left at the person's address, upon service;
- (b) if posted within Australia to an Australian address, two Business Days after posting;
- (c) if served by email, subject to the next clause, at the time indicated on the sender's email address that the email was sent in its entirety to the recipient's email address; and
- (d) if received after 5.00pm in the place of receipt or on a day which is not a Business Day, at 9.00am on the next Business Day.

## **8 General**

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### **8.1 No fettering of Council's powers**

The parties acknowledge that any obligation imposed upon Council under this Agreement does not fetter or restrict the current or future exercise of any statutory discretion or power (as appropriate) and the provisions of this Agreement must be read accordingly.

### **8.2 Further assurance**

The parties must do all things, and prepare and sign all further documents, necessary to give effect to this Agreement and to enable Council to register this Agreement with the Registrar of Titles in accordance with s 181 of the Act.

### **8.3 Registration**

Council must apply to the Registrar of Titles, without delay, to record this Agreement on the titles to the Subject Land in accordance with s 181 of the Act.

#### **8.4 Governing law**

This Agreement is governed by and is to be construed in accordance with the laws in the State of Victoria.

#### **8.5 Severability**

If a court, arbitrator, tribunal or other competent authority determines that any part of this Agreement is unenforceable, illegal or void then that part is severed with the other provisions of this Agreement remaining operative.

#### **8.6 Electronic execution**

- (a) Each party consents to the signing of this Agreement by electronic means. The parties agree to be legally bound by this Agreement signed in this way.
- (b) Each party reserves the right to sign this Agreement by electronic means, including by use of software or an online service for this purpose.

## Signing page

### Executed as a deed

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#### Council

Signed sealed and delivered by  
**Port Phillip City Council**  
pursuant to an Instrument of  
Delegation authorised by  
Resolution of Council in the  
presence of:

<i>sign here</i> ► _____	<i>sign here</i> ► _____
Council officer	Witness
<i>print name</i> _____	<i>print name</i> _____

#### Owner

Signed sealed and delivered for  
**Coles Group Property  
Developments Limited (ACN 004  
428 326)**  
by its attorney under power of  
attorney dated [date], who  
declares that he/she has no notice  
of the revocation of the power of  
attorney:

in the presence of

<i>sign here</i> ► _____	<i>sign here</i> ► _____
Attorney	Witness
<i>print name</i> _____	<i>print name</i> _____

## Memorandum of Understanding– Key Principles

### Summary

This document outlines draft principles for a proposed Memorandum of Understanding (MOU) between the City of Port Phillip (**Council**) and Coles Group Property Developments Pty Ltd (**Coles**).

The purpose of this MOU is to establish a process for meaningful consultation and engagement on design matters prior to Coles lodging any application under the Victorian State Government's Development Facilitation Program (**DFP**).

While the ultimate decision for an application lodged through the DFP rests with Coles, the MOU is intended to ensure Council has opportunity to review design proposals, and provide informed feedback on key elements such as public realm and overall design quality.

### Parties

- Port Phillip City Council ("**Council**")
- Coles Group Property Developments Pty Ltd ("**Coles**")

### Purpose

- The MOU sets out a framework for cooperation between Council and Coles to ensure that Council is consulted meaningfully on design aspects of the proposed development of the Subject Land.
- The MOU recognizes Council's role as a key stakeholder in the process, even though the statutory authority is likely to rest with the Victorian Government through the DFP.

### Key Principles

#### 1. Advance Notice and Proposal

- a. Coles will provide Council with at least four (4) months' advance written notice unless otherwise agreed in writing by the parties (notification) of its intention to formally lodge a DFP application for the Development. The four months' notice period (**Consultation Period**) is a binding commitment under this MOU.
- b. Coles will have a proposal in draft form sufficient for review at the time of notification.
- c. The proposal will enable discussion to be held in a 'pre-application' setting to discuss items such as, massing, activation, open space, use, loading and access.
- Coles acknowledges that the Consultation Period is to ensure that Council has sufficient time to review draft design concepts, undertake internal assessments. All workshops, feedback and otherwise from Council are to be contained within the 4 month notice period to

ensure a timely collation of information for Coles required purposes (total duration of 4 months)

## 2. Design Consultation Period

- a. During the Consultation Period, Coles present draft concept plans that meet the requirements set out in the Section 173 Agreement.
- b. Feedback on the proposal will be obtained from Council teams as follows: City Design, Strategic Planning (City Strategy), and Transport.
- c. This process will allow Council to provide early feedback on built form, urban design outcomes, and key policy objectives.
- d. The process will be staged to ensure early and meaningful input on key planning considerations. Coles will bring forward initial concept material early in the Consultation Period
- e. These engagements will focus on fundamental design considerations such as, massing, , activation, open space provision, , loading and access. This will enable Council to provide strategic feedback before Coles invests in detailed plans
- f. Council will lead and facilitate up to 2 workshop-style meetings with Coles setting the agenda and chairing sessions, with Coles in attendance to present and respond to Council. Coles attendance in these workshops is a binding commitment under this MOU.
- g. For clarity this document considers that the Council intends to engage the community on the proposal within the four month period.
- h. The agenda for these workshops will focus on the particulars contained within the 173 Agreement. Coles at its discretion will share information about the project as it sees appropriate
- i. Council acknowledges not all parts of the 'end outcome' will be understood at the time of these workshops noting ultimately Coles will be partnering with external developers in the future for product above the retail precinct.

## 3. The Proposal

Coles acknowledges that any development of a key strategic site should achieve demonstrable benefit to urban amenity and identity, this include:

- High quality of design
- Open space
- Solar access
- Delivery of key community infrastructure including car parking and amenities.
- 

The material supplied (**Proposal**) must contain sufficient detail to enable Council to meaningfully assess impacts, but may be refined at Coles sole discretion prior to formal lodgment to the DFP, and should include:

- j. Planned land uses, specifying proposed square meterage for both buildings and open spaces.
- k. Indicative setbacks and site configuration.
- l. Articulation of public open space and pedestrian links.
- m. Site and context information and concept plans showing the key attributes of the Subject Land, its context and building massing, and how these relate to good urban design principles and site conditions.

- n. An economic assessment identifying viable employment-generating uses for the Subject Land
- o. Address community contributions such as connectivity, open space, affordable housing, and heritage preservation and adaptation.
- p. A planning report that includes:
  - o A summary of the strategic context and key opportunities presented by the strategic site.
  - o Identify and address the relevant provisions of the Port Phillip Planning Scheme.
  - o Provide an assessment of key considerations arising from the relevant planning considerations.
  - o Summarises the relevant input from other specialist consultants as appropriate.

A traffic impact assessment report prepared by a suitably qualified traffic engineer to the address the relevant traffic engineering and car parking considerations associated with the proposal.

#### **4. Design Quality Commitment**

Coles acknowledges Council's strategic objectives for the Subject Land, and will use its best endeavours to:

- Delivery of high-quality architectural and urban design outcomes.
- Respecting and responding to the heritage context.
- Providing pedestrian permeability and access through the Subject site.
- Enhancing public realm and landscaping opportunities.

#### **5. State Process Acknowledgement**

- Both parties acknowledge that through the DFP the final decision-making on the application rests with the Victorian Government.
- Nothing in this MOU prevents Coles from exercising its statutory rights to apply directly to the State. However, Coles commits to observing the principles set out in this MOU for the Consultation Period prior to any lodgment.

#### **6. Non-Binding Nature**

- This MOU is non-binding, except for the following procedural and design quality commitments which are binding obligations between the parties:
  - o Four -month advance notice of intention to lodge a DFP application
  - o Participation in up to two Council-facilitated workshops
- All other provisions represent good faith commitments and guiding principles.

#### **7. Confidentiality**

- Council acknowledges that information disclosed by Coles under this MOU may be confidential in nature. Council agrees that it will enter into a confidentiality deed poll in a form reasonably required by Coles prior to receiving any such information to the extent to which the information is commercial in confidence.
- If there is a breach of confidentiality, including a breach of any confidentiality deed poll entered into by Council, then Coles will have the right to terminate this agreement.

DRAFT





## 12. AN ENGAGED AND EMPOWERED COMMUNITY

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

# MEETING OF THE PORT PHILLIP CITY COUNCIL

## 24 SEPTEMBER 2025



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

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

**PREPARED BY:** EMILY WILLIAMS, SENIOR COUNCIL BUSINESS ADVISOR

#### 1. PURPOSE

- 1.1 To provide Councillors with an update on the status of all Resolutions passed by Council at Council and Planning Committee Meetings between 1 April to 30 June 2025 and the status of actions that were previously reported as outstanding in the last quarterly status report.
- 1.2 To provide Council with an update on the status of Questions Taken on Notice during Council Meetings from 1 April to 30 June 2025.

#### 2. EXECUTIVE SUMMARY

##### **Council Resolutions**

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

##### **Questions taken on notice**

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

# MEETING OF THE PORT PHILLIP CITY COUNCIL

## 24 SEPTEMBER 2025



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

### 3. RECOMMENDATION

That Council:

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

### 4. KEY POINTS/ISSUES

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

# MEETING OF THE PORT PHILLIP CITY COUNCIL

## 24 SEPTEMBER 2025



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

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

### **5. CONSULTATION AND STAKEHOLDERS**

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

### **6. LEGAL AND RISK IMPLICATIONS**

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

### **7. FINANCIAL IMPACT**

7.1 There are no financial impacts arising from this report.

### **8. ENVIRONMENTAL IMPACT**

8.1 There are no environmental impacts arising from this report.

### **9. COMMUNITY IMPACT**

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

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

### **10. GENDER IMPACT ASSESSMENT**

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

### **11. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY**

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

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

### **12. IMPLEMENTATION STRATEGY**

#### **12.1 TIMELINE**

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




# MEETING OF THE PORT PHILLIP CITY COUNCIL 24 SEPTEMBER 2025



## 13. OFFICER MATERIAL OR GENERAL INTEREST

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

### ATTACHMENTS

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

<b>Completed</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/04/2025
		<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETED
21/02/2024	Proposed Lease of the Port Phillip EcoCentre in the St Kilda Botanical Gardens, St Kilda	<p>That Council:</p> <p>3.1 Concludes the statutory process under section 115 of the <i>Local Government Act 2020</i> by granting a lease over the Port Phillip EcoCentre site to Port Phillip EcoCentre Incorporated on the following key terms:</p> <p>3.1.1 Length of lease – 15 years.</p> <p>3.1.2 Rent – commencing at \$104.00 per annum exclusive of GST.</p> <p>3.1.3 The tenant to be responsible for a schedule of maintenance and for all utilities and outgoings associated with the operation of their service.</p> <p>3.2 Authorise the Chief Executive Officer, or their delegate, to execute the lease.</p>	<p>Certificate of Occupancy has been issued, and the Lease commenced on 12 August 2025.</p> <p>The Eco Centre officially opened on 25 July 2025.</p>	Major, Michael	2/09/2025
6/03/2024	Proposed Discontinuance of Road Adjoining 3-5, 7, 9, and 15 Fitzroy Street, St Kilda	<p>That Council:</p> <p>Having considered that there were no submissions in response to the public notice regarding Council's proposal to discontinue the road being the land contained in certificate of title volume 2591 folio 074 (described as Road R1 on plan of subdivision LP29616) (Road):</p> <p>3.1 Resolves to discontinue the Road as it considers that the Road is not reasonably required for public use for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> It is enclosed between the walls and fences of the adjoining properties, and only accessible on the southern boundary;</li> <li><input type="checkbox"/> It is only open to the general public for pedestrian access to the rear of the adjoining properties at 3-5 and 7 Fitzroy Street;</li> <li><input type="checkbox"/> It is not open to the general public for vehicular access; and</li> <li><input type="checkbox"/> It does not form part of a thoroughfare for pedestrian or vehicular traffic to any other public road;</li> </ul> <p>3.2 Resolves to sell the discontinued Road for market value plus reimbursement of Council's costs to facilitate this transaction to the adjoining owner of 3-5, 7, 9, and 15 Fitzroy Street, St Kilda (Owner);</p> <p>3.3 Notes that proceeds from the sale will go into Council's Strategic Property Reserves used to support the acquisition and development of the property portfolio;</p> <p>3.4 Directs that a notice pursuant to clause 3 of Schedule 10 of the <i>Local Government Act 1989</i> is published in the Victorian Government Gazette;</p> <p>3.5 Authorises the Chief Executive Officer or their delegate to negotiate, approve, and enter into such documentation to complete the discontinuance, sale, and transfer of the Road as described;</p> <p>3.6 Directs that the Chief Executive Officer or their delegate signs an authorisation allowing Council's solicitors to execute transfer documents and</p>	<p>The property was settled on 20 December 2024. Council is awaiting confirmation from the Titles' office that the title has been consolidated onto the purchaser's title.</p>	Major, Michael	2/09/2025

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MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETED
		<p>any other documents required to be signed on Council's behalf in connection with the transfer of the discontinued Road to the Owner;</p> <p>3.7 Directs that any easements, rights or interests required to be created or saved over the Road by any public authority be done so and not be affected by the discontinuance and sale of the Road; and</p> <p>3.8 Directs that the Owner be required to consolidate the title to the discontinued Road with the title to the Owner's land (or such part of it approved by Council) within 12 months of the date of the transfer of the discontinued Road.</p>			
20/03/2024	Council Submission to the Victorian Government's Fishermans Bend Urban Renewal Area Development Contributions Plan (Planning Scheme Amendment GC224)	<p>That Council:</p> <p>3.1 Endorses the City of Port Phillip submission to Draft Planning Scheme Amendment GC224 - Fishermans Bend Development Contributions Plan and Open Space Uplift mechanism (Attachment 1).</p> <p>3.2 Notes that the submission will form the basis of the City of Port Phillip's engagement with the Department of Transport and Planning, in the interest of resolving issues where possible prior to a Precincts Standing Advisory Committee.</p> <p>3.3 Authorises the CEO, or their delegate, to make administrative changes and correct any errors, that do not materially affect the intent of the submission, prior to submission to the Department of Transport and Planning.</p> <p>3.4 Authorises the CEO, or their delegate, to make adjustments to the submission and subsequent advocacy before the Precincts Standing Advisory Committee process as necessary if further information on the draft DCP or the draft Amendment GC224 transpires through the process consistent with the thrust of Council's endorsed submission provided Council is kept briefed on those changes.</p> <p>3.5 Requests the Department of Transport and Planning to release the updated scope and cost information that has formed the basis of the draft Development Contributions Plan projects in sufficient time to enable them to be reviewed by Council and other submitters.</p> <p>3.6 Requests the Mayor write to the Victorian Government seeking a commitment to the eventual funding and delivery of the Fishermans Bend Tram servicing the Sandridge and Wirraway Precincts.</p> <p>3.7 Requests the CEO, or their delegate, write to the Victorian Government seeking commitments to:</p> <p>3.7.1 release a comprehensive funding and finance strategy for all infrastructure classifications and categories.</p> <p>3.7.2 release the updated scope and cost information that has formed the basis of all draft DCP projects in sufficient time to enable them to be reviewed by Council and other submitters.</p>	<p>Council notified the Department of Transport and Planning (DTP) of its endorsed submission and actively participated in the subsequent planning scheme amendment process led by the Precincts Standing Advisory Committee (PSAC) including through the seven-week advisory committee hearing process over November-December 2024.</p> <p>Through the DCP panel process, and through parallel discussions with DTP regarding the Fishermans Bend Partnership Agreement and associated work program, all items listed in 3.7 have been raised with the Victorian Government.</p> <p>In June 2025 the Mayor provided a letter to VAGO in relation to the Developing Fishermans Bend audit, which was tabled in Parliament in June 2025 alongside the VAGO report. This included reference to our ongoing advocacy priority for tram and train connections to Fishermans Bend.</p> <p>A letter was sent by the Mayor to the Minister for Precincts, Planning and Public Transport on 21 August 2025 confirming outstanding actions that still require resolution, namely commitment to the tram and MM2 and the development of a comprehensive governance and implementation strategy.</p>	Boden, Daniel	2/09/2025



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		<p>3.7.3 development of an updated Fishermans Bend Partnership Agreement, and an infrastructure governance and implementation strategy.</p> <p>3.7.4 confirmation of process, timeframes and eventual funding for the delivery of catalytic infrastructure, including the Fishermans Bend tram and Melbourne Metro 2.</p> <p>3.7.5 Collaborative development and finalisation of the Montague, Sandridge and Wirraway Precinct Implementation Plans, and a commitment to the review and update of any approved DCP as part of the Precinct Implementation Plan processes.</p>			
20/03/2024	Council Submission to the Victorian Government's Montague Precinct Implementation Plan (Fishermans Bend)	<p>That Council:</p> <p>3.1 Welcomes the Victorian Government's development of and consultation on the Draft Montague Precinct Implementation Plan.</p> <p>3.2 Endorses the attached submission to the Victorian Government's Draft Montague Precinct Implementation Plan (Attachments 1 and 2).</p> <p>3.3 Authorises the CEO, or their delegate, to write to the Victorian Government, notifying them of the Council Submission and seeking:</p> <p>3.3.1 Confirmation of council involvement in any updates to the Montague Precinct Implementation Plan, planning scheme amendment and associated supporting material.</p> <p>3.3.2 Receipt and review of the planning controls that will form part of a planning scheme amendment that implements the Montague Precinct Implementation Plan.</p> <p>3.3.3 Receipt and review of the Making Montague supporting material prior to finalisation of the Montague Precinct Implementation Plan for the upcoming planning scheme amendment.</p> <p>3.3.4 Involvement in aligning the government's infrastructure funding strategy (including development contributions plan) and Montague Precinct Implementation Plan processes and outcomes, noting that Council has made a separate submission to the Planning Scheme Amendment GC224 Fishermans Bend Development Contributions Plan process.</p> <p>3.4 Authorises the CEO, or their delegate, to make minor amendments to the submission that do not materially alter the intent.</p>	<p>State Government was notified of Council endorsed submission (Item 3.2 complete). The DTP Fishermans Bend work program identifies MPIP refinement and finalisation as a priority project for 2025. DTP has recently embarked on a collaborative process with Council officers to resolve outstanding Council feedback on MPIP and review the development of draft planning controls and supporting material (3.3.2 and 3.3.3).</p> <p>Letter issued from the Mayor to Ministers for Precincts, Planning and Public Transport on 21 August 2025.</p>	Boden, Daniel	2/09/2025
17/04/2024	Notice of Motion - Councillor Marcus Pearl - Pickles Street Intersection	<p>That Council:-</p> <p>1. Notes the decision of Council regarding the intersection of Pickles, Bridge and Glover Streets made on 21 February 2024</p> <p>2. Notes that the intersection of Pickles Street at Bridge Street and Glover Street is identified as a Road Safety Black Spot.</p>	<p>The outcome of Council's decision has been communicated to affected community members.</p> <p>The project is funded as part of the 2025/26 Council Budget. This project is</p>	Mason, Thomas	15/09/2025

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		3. Endorses making the trial median closure at the intersection of Pickles Street at Bridge Street and Glover Street permanent. 4. Request officers to communicate this decision to local residents.	currently with Council's Project Delivery area for completion of detailed design and construction within the 25/26 Financial Year.		
19/06/2024	Waste Review Management Action Plan	That Council: 3.1 Notes the Management Action Plan endorsed by Council's Audit & Risk Committee at its meeting of 21 May 2024. 3.2 Notes the key terms of the settlement between The City of Port Phillip and Citywide Service Solutions P/L.	Council officers have successfully implemented the Waste Management Action Plan, developed in response to independent reviews of the kerbside waste procurement and transition processes. All 62 actions have now been completed, delivering substantial improvements in procurement and contract management practices.  A key reform is the introduction of the High Value High Risk (HVHR) procurement framework, which mandates that procurements exceeding \$5 million or rated as high-risk be governed through Council's project lifecycle system. Currently, four procurements are underway under this framework, supported by updated policies, assurance programs, and targeted training initiatives. These measures aim to embed robust governance, improve accountability, and uplift capability across the organisation.	Liu, Peter	15/09/2025
21/08/2024	Eastern Reserve Dog Park	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: <ul style="list-style-type: none"> <li><input type="checkbox"/> Programming the park lighting to be on from 7am until sunrise, and sunset until 7.30pm each day</li> <li><input type="checkbox"/> Trialling locking gates open between 7.30pm to 7am from 1 September 2024 to 31 March 2025; and</li> <li><input type="checkbox"/> Prohibiting dog walking businesses from using the Reserve.</li> </ul>	At the 20 August 2025 Meeting of Council, Council resolved to make the current gate opening arrangement (7:30PM to 7:00AM) a permanent operational measure at Eastern Reserve North.  At the same meeting, Council noted that when the <i>Places for People: Public Space Strategy 2022 – 2032</i> is next reviewed it will include an updated action to continue to undertake further planning work to identify appropriate sites for dog off-leash areas across the municipality.	Ulcoq, Claire	30/08/2025

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		<p>3.4 Requests Council officers to look for opportunities to improve education and enforcement and make design enhancements to the Reserve.</p> <p>3.5 Requests Council officers to undertake further work to identify, advocate for and build new fenced dog off-leash areas in the area.</p>			
21/08/2024	Dog Off-Leash Guidelines	<p>That Council:</p> <p>3.1 Endorses and adopts the Dog Off-Leash Guideline (Attachment 1), including the attached action plan (Attachment 3)</p> <p>3.2 Thanks the community for providing feedback on the Guideline</p> <p>3.3 Approves Council officers to commence community engagement in early 2025 on the following proposed changes to dog on and off-leash restrictions:</p> <p>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</p> <p>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</p> <p>3.3.3 Update the summer restrictions on the beach between Station Pier and Bay Street in Port Melbourne to 7.30pm - 10.00am</p> <p>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</p> <p>3.4 Authorises the Chief Executive Officer, or their delegate, to make minor editorial updates to the adopted Guidelines, if required.</p> <p>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.</p> <p>3.6 Reaffirms that there will be no net-loss of reduction in dog off-leash spaces and access times.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>3.1 The Dog Off Leash Guidelines endorsed by Council and published on Council's website. (3.1)</p> <p>3.3 Community engagement on the proposed changes to dog on and off-leash restrictions took place from 8 March to 11 April 2025. The findings of the engagement were uploaded to Council's Have Your Say webpage in June 2025.</p> <p>At the 20 August 2025 Meeting of Council, Council adopted Council Order No. 5 which makes the following updates to dog off-leash areas: Fennell Reserve in Port Melbourne to be designated as a dog off-leash area.</p> <ul style="list-style-type: none"> <li>The section of Port Melbourne beach between Station Pier and Bay Street to be designated as a dog off-leash area between 7:30 PM and 10:00 AM the next day during summer (1 November to 31 March).</li> <li>The section of Elwood Beach between Point Ormond to the rock groyne in front of Elwood Angling Club to be designated as a dog off-leash area between 7:30 PM and 10:00 AM the next day during summer (1 November to 31 March).</li> <li>The Community Synthetic Ground (Pitch 3) at JL Murphy Reserve to be changed to a dog prohibited area.</li> </ul>	Ulcoq, Claire	15/09/2025

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		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.	<p>Noting that no changes will be made to the current conditions at SS Anderson (Pitch 1) at JL Murphy Reserve, North Port Oval, Robinson Reserve and Howe Crescent Reserve West.</p> <p>3.5 At the 6 August 2025 Meeting of Council, Council endorsed a 14-month trial of dog waste bags in up to 12 locations across the Municipality as part of The Domestic Animal Management Plan (DAMP) 2026-29.</p> <p>3.8 Officers investigated option for reduced dog registration fees for dogs which undergo dog obedience training as part of the 2025/26 budget. Even though Council cannot set the associations that are approved for the discounted fee, we do actively promote local training including the Hobson Bay Obedience Club. We will ensure we have local options on our dog training page including Hobson Bay. We will also update the Animal registration page to highlight training as one of the discount options.</p> <p>To further encourage responsible pet ownership we run free Dogs in the Park training twice a year, residents can bring their dogs and practice basic commands, learn how to reduce reactivity and obtain tailored approaches from professionals. The next session is on October 19<sup>th</sup> and will be advertised shortly.</p> <p>3.9 Officers have undertaken audits of dog on and off-leash signage in open spaces signage across the municipality including the foreshore. Signs are in the final stages of</p>		

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			design and are anticipated to be installed prior to summer beginning. 3.10 Officers submitted an application to the Department of Energy Environment and Climate Action (DEECA) for funding for a new fenced dog off-leash area in Fennell Reserve in Port Melbourne. Council was unsuccessful in receiving funding through DEECA's New and Upgraded Dog Parks program. (3.10).		
16/04/2025	Petition: Keep Albert Park Peaceful. Relocate this commercial activity to an industrial area	That Council: 1. Receives and notes the Petition. 2. Notes the request to relocate the kitchen. 3. Notes that Council does not have the power to relocate the kitchen to a different site. 4. Notes that officers are using Council's existing powers to address any breaches of State or Council laws and Council will continue to work with the Temple and the Community to ameliorate any adverse amenity impacts. 5. Requests officers write to the lead petitioner thanking them for their petition and advising them of the outcome.	Manager City Development communicated the outcome of this resolution to the lead petitioner. At the 18 June Council meeting Council resolved to authorise the Manager City Development to instruct legal representation to prepare an application to be submitted to the Victorian Civil and Administrative Tribunal (VCAT).	Wood, Paul	30/04/2025
11/12/2024	Proposed Discontinuance and Sale of Part of Laneway R1229 Merton Place, Albert Park	That Council: 3.1 Acting under section 17(4) of the <i>Road Management Act 2004</i> (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 <i>Local Government Act 1989</i> (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 <i>The Age</i> 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;	Public Notice was advertised with no submissions received by Council. A second Council meeting resolved to discontinue and sell the land to the adjoining owner. Council approved the gazettal notice on 4 June 2025. Council is awaiting confirmation of gazettal publication. Following gazettal, a Contract of Sale and Vendor's Statement will be prepared by Council's Solicitor to document the sale. Settlement is scheduled for 20 October 2025.	Major, Michael	15/09/2025

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		<p>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;</p> <p>3.2.5 Resolves to hear and consider any submissions received pursuant to section 223 of the Act at a future Council meeting; and</p> <p>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 <i>Discontinuance and Sale of Roads Policy</i> (March 2023).</p>			
11/12/2024	Proposed Discontinuance and Sale of Laneways R3317 and R3319, 60-66 Clarke Street, Southbank	<p>That Council:</p> <p>3.1 Acting under section 17(4) of the <i>Road Management Act 2004</i> (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.</p> <p>3.2 Acting under clause 3 of Schedule 10 of the <i>Local Government Act 1989</i> (Vic) ("the Act"):</p> <p>3.2.1 Resolves that the statutory procedures be commenced to discontinue the Roads;</p> <p>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 <i>The Age</i> newspaper;</p> <p>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;</p> <p>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;</p> <p>3.2.5 Resolves to hear and consider any submissions received pursuant to section 223 of the Act at a future Council meeting;</p> <p>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</p>	<p>Applicant accepted the additional cost of the in-situ bluestone pavers. It was resolved at a meeting of Council on 11 December 2024 to remove Roads R3317 and R3319 from the Public Road Register and commence the statutory procedures and give notice pursuant to Sections 207A and 223 of the Act.</p> <p>Council gave public notice in <i>The Age</i> newspaper on 6 March 2025 and on Council website. No submissions were received in response to the public notice.</p> <p>At the 20 August 2025 Council meeting it Resolved by Council to discontinue and sell the laneway. Gazettal will be published in September 2025.</p>	Major, Michael	15/09/2025

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		in accordance with Council's <i>Road Discontinuance and Sale of Roads Policy</i> (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).			
16/04/2025	Presentation of CEO Report Issue 116 - February 2025	That Council: 3.1 Notes the CEO Report – Issue 116 (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.	CEO Report – Issue 116 received and noted by Council and published to Council's website with the following minor amendments: - The Inkerman Safe Travel Corridor project title was updated to finish at Hotham Street (incorrectly published as Orrong Road pg. 11). - Councillors' attendance was also reported as 100% which was amended to nil. There are no meetings held in the month of January (pg. 30).	Isaac, Kihm	5/05/2025
16/04/2025	Draft Plan for Port Phillip (including Budget) 2025-35 and Budget 2025-26: Release for Public Consultation	That Council: 3.1 Endorses the draft Plan for Port Phillip 2025-35 (Attachment 1), including the Municipal Health and Wellbeing Plan, Asset Plan, draft Financial Plan (10-year), draft Revenue and Rating Plan and draft Budget 2025/26 and the Rating Strategy 2025-29 (Attachment 2) to be released for community engagement. 3.2 Expresses its thanks and gratitude to the community panel members for their involvement in providing recommendations for the development of the draft Plan for Port Phillip (including Budget) 2025-35. 3.3 Notes that the draft Budget 2025/26 includes: 3.3.1 An increase of 3.0 per cent to the average general rate, which is equivalent to the rates cap set by the Victorian Government. 3.3.2 General rates continuing to be raised by application of differential rates under section 161 of the Local Government Act 1989 for residential, commercial, industrial, derelict, vacant and unactivated retail land. 3.3.3 With consideration of the draft 2025 revaluation and consistent with our Rating Strategy, a 2.0 per cent rates reallocation from residential to non-residential properties, to maintain fairness and consistency in the distribution of rates. 3.3.4 An increase in the Default Waste Charge of 13.1 per cent from \$203.60 to \$230.30 primarily due to the State Government Landfill	Community engagement on the Draft Plan for Port Phillip (including Budget) 2025-35 ran from 17 April to 18 May 2025. A Special meeting of Council was held on 13 May 2025 to hear community feedback on the Draft Plan for Port Phillip (including budget) 2025-35. The Plan for Port Phillip (including Budget) 2025-35 was endorsed by Council at its Special Meeting of Council held on 23 June 2025.	Liu, Peter	24/06/2025



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		<p>Levy increasing by 28 per cent in 2025/26 (a 158 percent increase since 2019/20).</p> <p>3.3.5 An increase in the Private Waste Collection Rebate from \$69.50 to \$89.00 to reflect the increase in the waste charge and to make a more equitable rebate.</p> <p>3.3.6 Continuing targeted support to the community through:</p> <p>3.3.6.1 One-off rate waivers up to a maximum of \$750 or 50 per cent of the general rates and charges imposed on rateable land, whichever is less, in cases of extreme financial hardship, on application to the Chief Financial Officer.</p> <p>3.3.6.2 Increasing the Council-funded pensioner rates rebate by 4.5 per cent to \$230 in 2025/26 – the City of Port Phillip is one of the few councils that offers this scheme in addition to the State Government rebate.</p> <p>3.3.7 Fees and charges generally increasing by 3.15 per cent, noting that these may be subject to variation, and to provide support to those who need it most.</p> <p>3.3.8 Statutory fees set by the Victorian Government being updated prior to the final adoption of the budget based on the gazetting of 2025/26 penalty rates and units.</p> <p>3.3.9 Ongoing commitment to efficiency savings of \$0.8 million (and \$3.6 million in one-off efficiencies) in Budget 2025/26 with a commitment to look for more during the financial year.</p> <p>3.3.10 No debt, aside from some finance lease liabilities will remain as part of our financing strategy.</p> <p>3.3.11 Capital investment of \$75 million to maintain, grow and improve services and assets.</p> <p>3.3.12 Intention to lease three properties as required by section 115 of the Act as outlined in this report.</p> <p>3.4 In response to Community Panel recommendations and reflecting on updated Council priorities and the updated Municipal Health Plan, the draft Budget 2025/26 includes provision for the following items:</p> <p>3.4.1 Additional \$250,000 ongoing budget to fund activities addressing loneliness and isolation, social connection and combating discrimination and racism and antisemitism including:</p> <p>3.4.1.1 \$43,000 to increase base funding to South Port Day Links to \$100,000 from 2025/26 (the substantive funding agreement remains the same).</p>			

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		<p>3.4.1.2 Funding of an embedded volunteer coordinator to support and build the capacity of important community volunteer organisations.</p> <p>3.4.1.3 \$60,000 to fast track the delivery of the Multicultural Strategy development.</p> <p>3.4.2 Additional \$250,000 ongoing budget to fund new actions emanating from the community safety roundtable and the community safety plan.</p> <p>3.4.3 Additional \$200,000 ongoing budget to uplift city amenity including increased street cleaning and pressure washing of main streets across the city.</p> <p>3.4.4 Additional \$400,000 (\$100,000 ongoing) to improving greening throughout the city including the development of urban forest precinct plans.</p> <p>3.4.5 Re-prioritisation of \$450,000 from the St Kilda Festival to fund greater investment in local arts and events.</p> <p>3.4.6 Reinstate \$15,000 funding for Friends of Suai until the end of the friendship in 2030.</p> <p>3.4.7 An ongoing commitment to Wild at heart at \$9,000 per annum replacing the three-year fixed term support which expires in 2026/27.</p> <p>3.5 Notes that the draft Budget 2025/26 informed by the updated Asset Plan (included in Attachment 1), includes a project portfolio of \$92.6 million for 2025/26 and an updated 10-year project portfolio (full detail outlined in Attachment 1) which includes the following key items:</p> <p>3.5.1 Additional \$8.9 million investment over the next 10 years in the South Melbourne Market (total project \$30.5 million excluding contingency) to deliver the full scope of works for Project Connect including mandatory compliance, loading bay and waste optimisation and York Street and Coventry Street Open space and public realm works.</p> <p>3.5.2 Additional \$9.0 million investment over the next 10 years for a greater focus improving road condition and local infrastructure.</p> <p>3.5.3 Additional \$4.5 million to progress with the demolition and remediation of the newly acquired Sandridge public open space.</p> <p>3.5.4 Provisional one-off allocation of \$1.2 million for affordable housing, pending the development of the updated housing and homelessness strategy.</p> <p>3.5.5 Continued investment in strategic land acquisitions with:</p>			

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		<p>3.5.5.1 Additional \$3.0 million for open space development in Lakeside Ward.</p> <p>3.5.5.2 Future acquisitions to be subject to review and prioritisation.</p> <p>3.5.6 Continued investment in major projects including South Melbourne Town Hall, Lagoon Reserve, the delivery of the Elwood Masterplan and Council's commitment to upgrade six childcare centres across the City.</p> <p>3.6 Notes that the draft Budget 2025/26 results in a cumulative cash surplus of \$0.52 million providing additional contingency for financial risks including the projected impact of inflation.</p> <p>3.7 Notes that officers will seek an exemption from the Secretary of the Department of Health to preparing a stand-alone Municipal Health and Wellbeing Plan based on the draft Council Plan that Council has endorsed for community engagement. This will permit the Municipal Health and Wellbeing Plan to be incorporated into the Plan for Port Phillip (including Budget) 2025-35.</p> <p>3.8 Approves the release of the draft Plan for Port Phillip (including Budget) 2025-35, inclusive of the draft Community Vision, draft Municipal Health and Wellbeing Plan, draft Asset Plan, draft (10-year) Financial Plan, draft Revenue and Rating Plan, and the draft Budget 2025/26, amended to reflect any changes made through resolutions at this meeting, for community engagement (Attachment 1).</p> <p>3.9 Changes the date of the Special Council Meeting to consider adoption of the Plan for Port Phillip (including Budget) 2025-2035 from Wednesday 25 June 2025 to Monday 23 June 2025 commencing 6:30 pm at the St Kilda Town Hall. Receives and hears feedback and submissions arising from the community engagement process at the Special Council Meeting to be held on 13 May 2025, commencing 6:30 pm at the St Kilda Town Hall, prior to considering adoption of the draft Plan for Port Phillip (including Budget) 2025-35, at the Special Council Meeting to be held on Monday 23 June 2025 commencing 6:30 pm at the St Kilda Town Hall.</p> <p>3.10 Authorises the Chief Executive Officer to make amendments to the draft Plan for Port Phillip (including Budget) 2025-35 (Attachment 1) to reflect any changes through resolutions at this meeting, and to make minor editorial adjustments and corrections to the document to prepare for publication and distribution.</p> <p>3.11 Authorises the Chief Executive Officer to:</p> <p>3.11.1 continue to provide Council projects and services within the parameters of the adopted Plan for Port Phillip (including Budget) 2021-2031 and any decisions of Council that have updated this; and</p>			

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		3.11.2 incur planning, design and community consultation expenditure on new projects proposed in the draft Budget 2025/26.			
16/04/2025	Conservation Management Plan: Port Melbourne Town Hall	That Council: 3.1 Notes the Port Melbourne Town Hall Conservation Management Plan (2025), which updates and supersedes the 2000 version. 3.2 Notes that the Conservation Management Plan will help ensure that the future use, management and upgrades of the Port Melbourne Town Hall enrich rather than diminish its assessed heritage values. 3.3 Thanks the contributors to the Conservation Management Plan. 3.4 Notes that the Conservation Management Plan is to be revised to reflect the recent upgrading and reconfiguration of the front service counter, and the updating of the Port Melbourne Town Hall's hazardous materials audit, and delegates to the CEO to authorise those minor changes.	The Conservation Management Plan has been updated as per the Council resolution. No further action required.	Savenkov, Anthony	30/04/2025
16/04/2025	Councillor Expenses Monthly Reporting - March 2025	That Council: 3.1 Notes the monthly Councillor expenses report for March 2025 (attachment 1) and that this will be made available on Council's website.	March 2025 expense reports received and noted by Council and published to Council's website.	Gillett, Mitchell	13/05/2025
16/04/2025	Records of Informal Meetings of Council	That Council: 3.1 Receives and notes the written records of Informal Meetings of Council (attached) as required by the City of Port Phillip Governance Rules.	Records noted by Council, no further action required.	Williams, Emily	13/06/2025
23/04/2025	63 Bay Street, Port Melbourne - 1324/2006/D	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 an Amended Permit. 3.2 That a Notice of Decision to Grant an Amended Permit be issued as per the permissions detailed in the Minutes of the Planning Committee Meeting.	Notice of Decision issued on 23 April 2025.	Buckley, Connor	6/05/2025
23/04/2025	31 Tribe Street, South Melbourne - PDPL/00565/2024	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 for application PDPL/00565/2024 at 31 Tribe Street, South Melbourne. 3.2 That the Notice of Decision be issued subject to the permissions as detailed in the Planning Committee Meeting minutes.	A Notice of Decision was issued 23 April 2024. The Notice of Decision included a new condition to set back the first floor of the garage building (in response to objector concerns), The application has been appealed at Victorian Civil and Administrative Tribunal. (VCAT)	Grose, Peter	22/08/2025

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23/04/2025	49A Pakington Street, St Kilda - PDPL/00073/2025	<p>3.1 That a Planning Permit be issued for the land at 49 Pakington Street St Kilda with the following permissions:</p> <p>□ Clause 43.01-1 – Demolish or remove a building in a Heritage Overlay</p> <p>3.2 That the decision be issued subject to the conditions detailed in the Planning Committee meeting Minutes.</p>	Planning permit issued on 23 April 2025.	Wood, Paul	7/05/2025
23/04/2025	51-59 Thistlethwaite Street and 476-484 City Road, South Melbourne - 39/2015/D	<p>3.1 That an Amended Permit be issued for the demolition of the existing buildings construction of two, mixed use, multi-storey buildings, use the land for accommodation (dwellings and residential hotel) and retail premises (other than hotel, shop and tavern) over two stages, and alter access to a road in a Transport Zone 2 at 51-59 Thistlethwaite Street and 476, 478, 480 and 486 City Road, South Melbourne.</p> <p>3.2 That the decision be issued as detailed in the Minutes of the Planning Committee Meeting.</p>	Permit issued on 23 April 2025.	Laing, Samuel	29/04/2025
23/04/2025	106 Barkly Street, St Kilda - 757/2018	<p>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 for Application No. 757/2018 at 106 Barkly Street, St Kilda.</p> <p>3.2 That a Notice of Decision to Grant a Permit be issued subject permissions detailed in the minutes of the Planning Committee meeting.</p>	Notice of Decision issued on 23 April 2025.	McInnes, James	29/04/2025
7/05/2025	Smith Street Upgrades - Fishermans Bend Primary School	<p>That Council:</p> <p>3.1 Endorses the staged delivery of Smith Street, with Stage 1 identified as an immediate priority to deliver upgrade works along the school frontage.</p> <p>3.2 Endorses the Option <b>2B</b> concept design for Stage 1, which retains two-way access along Smith Street, and includes a new footpath, linear park, and pick up drop off zone including new kerb on the eastern side and safer crossing across Smith Street to connect to the new traffic lights. <b>It also includes a shared (bike/pedestrian) path on the western side.</b></p> <p>3.3 Advocates to the Department of Transport and Planning (DTP) for priority delivery of the planned nearby intersections along Williamstown Road, including Salmon Street, Prohasky Street, Beacon Road and Graham Street</p> <p>3.4 Notes the community engagement undertaken and that community feedback has informed both the concept design and delivery approach.</p> <p>3.5 Notes changes to truck movements will be required on Smith Street including time restrictions.</p>	<p>The Department of Transport and Planning (DTP) has formally written to ask Council to construct the Stage 1 works for Smith Street, which will commence in mid-2026 onwards once the school is complete and associated construction-use of Smith Street has ended. DTP are preparing the detail design based on the concept design for Option 2B which was endorsed by Council.</p> <p>Council is working closely with DTP and VSBA to ensure safe school access for Day one school opening in early 2026. This includes temporary works, introducing new speed limits, signage and truck restrictions.</p> <p>DTP is leading design and construction of new pedestrian operated signals across Williamstown Road which will also be delivered in time for school opening.</p>	Boden, Daniel	15/09/2025

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7/05/2025	Endorsement of Draft Domestic Animal Management Plan (DAMP) 2026 – 2029	That Council: 3.1 Endorses the draft Domestic Animal Management Plan 2026-2029 to be released for community consultation. 3.2 Notes that consultation on the draft Domestic Animal Management Plan 2026-2029 will occur in May 2025, and that feedback will be considered prior to finalising the Plan. 3.3 Notes that findings from consultation will inform the final version of the Domestic Animal Management Plan 2026-2029 which will be presented to Council for adoption in August 2025. 3.4 Notes the Council resolution of 21 August 2024 to understand costs, scope and time frames for a trial of the provision of environmentally- appropriate dog waste bags and identifies suitable trial locations based on community involvement through the Domestic Animal Management Plan.	Community engagement was undertaken during May and June 2025 on draft Domestic Animal Management Plan. Approximately 450 people participated, with 223 completing surveys and 3 people providing written submissions.  At the 6 August 2025 Council meeting Council endorsed the Domestic Animal Management Plan 2026-2029 and approved a 14-month trial of dog waste bags in up to 12 locations across the Municipality to be informed through community input.	Montague, Nellie	31/08/2025
13/05/2025	Plan for Port Phillip (including budget) 2025-35: Hearing of Community Feedback	That Council: 4.1 Thanks the Community who have provided their feedback at the 13 May 2025 Special Meeting of Council as part of the draft Plan for Port Phillip (including budget) 2025-35.	The Plan for Port Phillip 2025-35 was endorsed by Council at its Special Meeting of Council held on 23 June 2025.  Letters have been drafted and will be sent out in late September to thank and update community members who have submitted requests as part of the Plan for Port Phillip draft engagement process.	Bailey, Jacky	17/09/2025
21/05/2025	Community Safety Response	That Council: 3.1 Notes officers' response to the 11 December 2024 Community Safety Notice of Motion. <b>Section 1 Community Safety Roundtable</b> 3.2 Thanks participants in the Community Safety Roundtable process for their commitment and valuable ideas and insights. 3.3 Notes the Roundtable Report and Recommendations by Ian Gray from the Community Safety Roundtable held on 19 March 2025. 3.4 Requests the Mayor write to Ian Gray thanking him for his contribution to the Community Safety Roundtable session and Report. 3.5 Publishes on Council's website the Roundtable Report and Recommendations, the pre-reading provided to the roundtable participants and the submissions provided by participants, where the participants have agreed to their release 3.6 Refers the Roundtable Report Recommendations related to Local Laws and protocols to the engagement around the Local Laws amendment as outlined in the Local Law Response paper 21 May 2025.	Initial Community engagement on Community Safety Plan and Community Safety Roundtable recommendations took place from 22 May to 29 June 2025.  A formal letter was sent to Ian Gray on 12 September 2025 recognising and thanking them for their significant contribution to the Community Safety Roundtable including chairing of the session in March 2025 and preparation of the Roundtable Report with comprehensive recommendations.  The Roundtable Report and Recommendations was sent by the Mayor to the Victoria Police Local Inspector inviting them to meet with the Mayor and CEO in September 2025.  An officer analysis of the Roundtable Report Recommendations was	Montague, Nellie	18/09/2025

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		<p>3.7 Requests that Council officers:</p> <p>3.7.1 Continue implementation of the following recommendations from the Roundtable Report:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Recommendation 2: Advocate for an ACLO role specific to the Port Phillip Police Service Area.</li> <li><input type="checkbox"/> Recommendation 12: Maintain and enhance existing partnership protocols among CoPP, Victoria Police, and key service providers (e.g., Launch, Access Health, Ngwala Willumbong).</li> <li><input type="checkbox"/> Recommendation 13: Continue to support and adequately fund service providers demonstrating effectiveness, particularly those working with high-impact cohorts (individuals leaving prison, mental health, or rehabilitation facilities).</li> <li><input type="checkbox"/> Recommendation 14: Lead a coordinated advocacy campaign to increase the resources of PACER and HOPS.</li> <li><input type="checkbox"/> Recommendation 16: Renew and clearly define service agreements between CoPP and community service agencies, outlining explicit mandates, outreach obligations, required capacities, and accountability mechanisms.</li> <li><input type="checkbox"/> Recommendation 17: Enhance the Port Phillip Zero collaboration, implementing identified improvements based on participant feedback.</li> <li><input type="checkbox"/> Recommendation 24: Urgently review and modify problematic public spaces (e.g., Woodstock), applying Crime Prevention Through Environmental Design (CPTED) principles.</li> <li><input type="checkbox"/> Recommendation 27: Review the current placement of CCTV cameras to ensure their ongoing value and efficacy to community safety efforts in the CoPP.</li> <li><input type="checkbox"/> Recommendation 29: Continue to invest in and publicise the work of the Trauma Aware Port Phillip group with a view to expanding its reach and impact.</li> <li><input type="checkbox"/> Recommendation 32: Review the need to equip CoPP Local Laws officers with protective gear (such as stab-proof vests) due to increased safety risks encountered.</li> <li><input type="checkbox"/> Recommendation 33: Provide Local Laws officers with essential equipment for emergency situations and site management, including temporary fencing, pressure cleaning equipment, and access control measures.</li> </ul> <p>3.7.2 Commence review of each remaining recommendation and the Ian Gray report in its entirety in consultation with relevant stakeholders</p>	<p>undertaken and presented to the 17 September Council meeting.</p> <p>At the 17 September Council meeting, Council endorsed the release of the draft Community Safety Plan for the next phase of community engagement, and that those with lived experience as residents in our local communities experiencing unsafe environments are engaged via targeted consultation, and trauma informed consultation with people with experience of homelessness. Council also endorsed reconvening the Community Safety Roundtable to seek their feedback as part of the engagement process.</p>		



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		<p>now and supplement with community feedback, as required, once this is available</p> <p>3.7.3 Request that a report be brought back to Council regarding how each action will be implemented as part of the development of the Community Safety Plan.</p> <p>3.8 Requests the Mayor to send the Roundtable Report and Recommendations to the Chief Commissioner of Victoria Police and Local Inspector and invites them to meet with the Mayor and CEO.</p> <p><b>Section 2 Community Safety Plan</b></p> <p>3.9 Endorses the approach and engagement methodology for development of the new Community Safety Plan.</p> <p>3.10 Notes that the Roundtable Report and Recommendations will form part of engagement for the development of the Community Safety Plan.</p> <p>3.11 Notes a draft Community Safety Plan based on feedback from engagement will come back to Council for review in August/September 2025.</p>			
21/05/2025	Contract Extension – Contract 000941 - General Civil Works and Asphaltting Services	<p>That Council:</p> <p>3.1 Exercises the extension of Contract 000941 Part A - General Civil Works and Part B - Asphaltting Services – Panel of Suppliers with all the six (6) panel contractors for a further period of two-years.</p> <p>3.1.1 Part A - General Civil Works Panel of suppliers include:</p> <p>a) Fulton Hogan Industries Pty Ltd</p> <p>b) Presta and Sons Pty Ltd</p> <p>c) TDL Contractors Pty Ltd</p> <p>3.1.2 Part B - Asphaltting Services Panel of suppliers include:</p> <p>a) Boral Resources (Vic) Pty Ltd</p> <p>b) Fulton Hogan Industries Pty Ltd</p> <p>c) RABS Paving Services Pty Ltd</p> <p>3.2 Notes that although no funding is guaranteed to any recommended contractor(s), the total projected contract expenditure for Part A and Part B remains at \$55,939,117 (GST exclusive) over the full eight-year contract term including extensions, as per Council's original approval at the commencement of the contract.</p> <p>3.3 Authorises the Chief Executive Officer, or their delegate, to execute the Contract Document (Extension) on behalf of Council.</p> <p>3.4 Authorises the Chief Executive Officer, or their delegate, to determine if the second and final contract extension is to be exercised in 2027 and to execute the contract extension within the Council approved expenditure limit.</p>	Contract extension letters have been executed and sent to the panel members as per the Council resolution. No further action required.	Miller, Karen	27/08/2025

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21/05/2025	Chapel Street, St Kilda - Proposed Pedestrian Operated Signal	That Council: 3.1 Endorses Council officers' delivery of a Pedestrian Operated Signal (the project) along Chapel Street, St Kilda where the design and construction of the project is funded by St Michael's Grammar School. 3.2 Allocates \$75,000 to undertake community engagement and for project management and legal fees and any other costs associated with the design and construction of the project for 25/26. 3.3 Endorses Council funding the ongoing maintenance of the pedestrian operated signal.	Officers have commenced discussions with St Michael's Grammar School to formalise an agreement supporting the delivery of these works.  A consultation letter has been prepared and will be distributed to affected properties during September 2025.	Menxhiqi, Arian	4/06/2025
21/05/2025	Grant Assessment Reference Committees Community Appointments	That Council: 3.1 Appoints four community members to the role of Committee Members on the Community Grants Assessment Reference Committee as appears in Confidential <b>Attachment 1</b> from June 2025 to June 2027. 3.2 Appoints five community members to the role of Committee Members to the Cultural Development Fund - Projects Assessment Reference Committee as appears in Confidential <b>Attachment 2</b> and a further three community members to a 'pool' should other Committee Members resign during the course of two years from June 2025 to June 2027. 3.3 Notes that six previous community panel member appointments have ended and formally thanks these Members for their participation and commitment. 3.4 Endorses the updated Terms of Reference Community Grant Program, as appears in <b>Attachment 3</b> . 3.5 Endorses the updated Terms of Reference Cultural Development Fund: Projects, as appears in <b>Attachment 4</b> .	Applicants notified and the updated terms of reference have been published to Council's website.	Blackford, Emma	17/06/2025
21/05/2025	Third Quarter 2024-25 Financial Review	That Council: 3.1 Notes that full year cumulative cash surplus before the third quarter budget requests is \$1.67 million which is \$1.05 million more than budget of \$0.62 million. 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 for additional tree removal required to requests in accordance with Council's tree removal assessment process 3.4 Notes attachment 3 – Portfolio updates and achievements. 3.5 Notes in accordance with Section 97(3) of the Act, the Chief Executive Officer supported by the Chief Financial Officer, concludes that a revised budget for 2024/25 is not required.	Council decision was communicated with relevant stakeholders and funding approval and services commenced.	Liu, Peter	4/06/2025

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		3.6 Delegates authority to 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.			
7/05/2025	Review of the Road Management Plan 2021	That Council: 3.1 Notes that in accordance with Division 1, Regulation 8, of Part 3 of the <i>Road Management (General) Regulations 2016</i> (Vic), officers have reviewed the Road Management Plan 2021. 3.2 Approves the draft Road Management Plan 2025 for community engagement. 3.3 Acting under Division 1, Regulation 9, of Part 3 of the <i>Road Management (General) Regulations 2016</i> (Vic): 3.3.1 Resolves that the statutory procedures be commenced to give public notice of Port Phillip's review and proposed amendment of its Road Management Plan 2021; 3.3.2 Directs that public notice of the Road Management Plan 2021 review be published in the <i>Government Gazette</i> and <i>The Age</i> newspaper, inviting submissions to Port Phillip as the road authority within a period not less than 28 days; and 3.3.3 Resolves to hear and consider any submissions received from persons aggrieved by the proposed amendment.	Community consultation ran from 8 May to 6 June 2025 via Council's Have Your Say webpage. The Road Management Plan was endorsed by Council at the 2 July 2025 Council meeting.	Tuchan, Vicki	21/05/2025
7/05/2025	Victorian Electoral Commission's (VEC) Report on the 2024 City of Port Phillip General Election	That Council: 3.1 Receives and notes the report provided by the Victorian Electoral Commission on the 2024 City of Port Phillip Council general election at Attachment 1.	Victorian Electoral Commission's (VEC) Report on the 2024 City of Port Phillip General Election received and noted by Council in accordance with regulation 83(3) of the Local Government (Electoral) Regulations 2020	Collins, Katrina	4/07/2025
7/05/2025	Policy and Plan Completion Updates	3.1 Council approves an extension to the expiry dates of the following documents, to enable the renewal to happen concurrently with, or immediately following, the renewal of the 'parent' strategy: 3.1.1 Outdoor Sport Lighting Operating Guidelines to December 2027 3.1.2 Sport Surface Operating Guidelines to December 2027 3.1.3 Outdoor Trading (Dining) Policy to November 2026 3.1.4 Nature Strip and Street Gardening Guidelines to June 2026 3.1.5 Public Place CCTV Policy to November 2027. 3.2 Council approves an extension to the expiry dates of the following documents, to enable more time for councillor consideration:	The expiry dates have been updated on each of these documents, and they have been republished on Council's website and policy bookcase. The changes have also been reflected in the Policy and Strategy Register.	Bailey, Jacky	10/09/2025

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		3.2.1 Community Flagpole and Illumination Scheme (formerly Flagpole and Banner Scheme) to July 2025 3.2.2 Councillor Gift and Hospitality Policy to August 2025 3.2.3 Port Phillip City Collection Policy 2019 to May 2026 3.3 Council approves an extension to the expiry dates of the following documents, to enable more time for in-depth community consultation and engagement: 3.3.1 Footpath Trading Fee Policy to December 2025 3.3.2 Community Engagement Policy to December 2025. 3.4 Council notes that the above documents have undergone a desktop review by council officers and remain fit for purpose until the proposed extension date.			
7/05/2025	Appointment of Authorised Officer Pursuant to the Planning and Environment Act 1987	That Council: 3.1 In the exercise of the powers conferred by section 147(4) of the <i>Planning and Environment Act 1987</i> Council resolves that: 3.1.1 The members of Council staff referred to in the Instrument of Appointment and Authorisation at <b>Attachment 1</b> be appointed and authorised as set out in the Instrument. 3.1.2 The Instrument of Appointment and Authorisation comes into force immediately once the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it. 3.1.3 The previous Instruments of Appointment and Authorisation made under the <i>Planning and Environment Act 1987</i> , are revoked immediately after the common seal of Council is affixed to the Instrument of Appointment and Authorisation referred to in 3.1.2.	11A Instruments of Appointment for officers of the City Development and Safety and Amenity Departments has been signed by the Mayor and CEO and the Common Seal affixed. A copy has been sent to the relevant officers and the Authorised Officer Register has been updated.	Collins, Katrina	4/07/2025
7/05/2025	Records of Informal Meetings of Council	That Council: 3.1 Receives and notes the written records of Informal Meetings of Council (attached) as required by the City of Port Phillip Governance Rules.	Records received and noted by Council, no further action required.	Williams, Emily	26/06/2025
18/06/2025	Petition: Enhancing Argyle Street Precinct	That Council: 1. Receives and notes the petition. 2. Thanks the petitioners for their petition. 3. As this petition pertains to an operational matter, in accordance with Council's Governance Rules, Council refers the petition to the CEO for consideration.	The matter was referred to the CEO for consideration. The submission was considered during the finalisation of the concept design. The information was also included in the engagement summary report and published on the Have Your Say page.	McLean, Craig	2/07/2025

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		4. Notes that Council has recently completed community engagement on proposed improvements to Argyle Street, which were instigated in response to community advocacy. 5. Notes that the feedback received via the petition will be included and responded to as part of the community engagement process.			
18/06/2025	Petition: Urban Forest Precinct Plan	That Council: 1. Receives and notes the Petition and provides a response as part of the Balaclava & East St Kilda Urban Forest Precinct Plan report being considered at a future Council meeting.	Petition received and noted by Council and a response provided as part of the 'Balaclava & East St Kilda Urban Forest Precinct Plan' endorsed at the 20 August 2025 Council meeting.	Pritchard, Dana	2/07/2025
18/06/2025	Presentation of CEO Report Issue 117 - Quarter 3, and CEO Report Issue 118 - April, 2024-25	That Council: 3.1 Notes the CEO Report – Issue 117 (provided as Attachment 1). 3.2 Notes the CEO Report – Issue 118 (provided as Attachment 2). 3.3 Authorises the CEO or their delegate to make minor editorial amendments that do not substantially alter the content of the report.	CEO Report – Issue 117 received and noted by Council and published to Council's website with the following minor amendments: - truncated text for the Fisherman's Bend project update (pg. 6). Shrine to Sea project status update added into the report (pg.44).	Isaac, Kihm	20/06/2025
18/06/2025	Older Persons Advisory Committee Annual Report 2024 - For Endorsement	That Council: 3.1 Acknowledges the value of the work undertaken by the Older Persons Advisory Committee as the peak advisory and advocacy body on issues affecting the wellbeing of older people (55 years and over) within the City of Port Phillip. 3.2 Notes the Older Persons Advisory Committee Annual Report 2024 (Attachment 1) 3.3 Thanks the members of the Older Persons Advisory Committee for their contribution, and for their generosity in sharing their knowledge and lived experience to improve the lives of older people in Port Phillip.	Older Persons Advisory Committee (OPAC) Annual Report received and noted by Council and published to Council's website and copies provided to each OPAC member. A letter of thanks signed by the Mayor and Councillor Buckingham were provided to each OPAC member acknowledging their contribution.	Jamieson, Simone	12/09/2025
18/06/2025	St Kilda Botanical Gardens Public Toilets Design & Construction	That Council: 3.1 Thanks community members who have provided feedback on the proposed new public amenities within St Kilda Botanical Gardens. 3.2 Notes the Feasibility Study Report and Engagement Summary Report included as Attachments 1 and 2. 3.3 Endorses proceeding to the design stage at the preferred location (option C), in the Southeast quadrant, near the children's playground, and adjacent Tennyson Street.	Works are now underway to design and deliver location option C.	Tuchan, Vicki	15/09/2025

<b>Completed</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/04/2025
		<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETED
18/06/2025	Edwards Park Public Amenities Location	That Council: 3.1 Extends its thanks to the community for their feedback on the location options for upgrading the public toilets in Edwards Park. 3.2 Notes the updated assessment of options within the park against the considerations required under the Public Toilet Plan. 3.3 Resolves to construct new public amenities in Edwards Park at <b>location 1a:</b> in the southwest corner of the park and increase the project budget by up to \$70,000 for additional sewer outfall pumping infrastructure, by drawing down upon the Asset Renewal Reserve.	Works are now underway to design and deliver location 1a.	Tuchan, Vicki	15/09/2025
18/06/2025	Flood Modelling Technical Updates	That Council: 3.1 Endorses option 1 to refer the matter of updating the flood model specification back to Melbourne Water as the technical experts and floodplain manager.	The matter was referred to Melbourne Water officers on 19 June 2025 via email. Confirmation from Melbourne Water was received the same day.	Barron, Natalie	23/06/2025
18/06/2025	Community Electric Vehicle Charging Program	That Council: 3.1 Confirms Fast Cities Australia Pty Limited (trading as Evie Networks) to design, supply, install, operate, manage and maintain a public electric vehicle fast charging station at 228-234 Park Street, South Melbourne. 3.2 Authorises the Chief Executive Officer, or their delegate to execute the licence agreement with Fast Cities Australia Pty Limited (trading as Evie Networks) 3.3 Allows applications for installation of private EV chargers in, on or above footpaths from properties in flood-prone areas. 3.4 Permits applications for installation of private EV chargers in, on or above footpaths from properties with off-street parking. 3.5 Removes the requirement for \$500 bond to be paid and refunded upon completion of installation of the private kerbside EV charging device. 3.6 Updates the guidance for installation of private EV chargers in, on or above footpaths to be technology-neutral and accommodate emerging devices. 3.7 Authorises the Chief Executive Officer, or their delegate, to register private EV chargers on public kerbside with Before You Dig Australia on behalf of the applicant.	The CEO has signed a licence with Fast Cities Australia to design, supply, install, operate, maintain and manage a public electric vehicle fast charging station at 228-234 Park Street, South Melbourne. Permit application requirements for private vehicle charging infrastructure have been updated to reflect updated permit conditions. Updated conditions are now available on Council's website.	Renae Walton	15/09/2025
18/06/2025	Existing use rights associated with the International Society for Krishna Consciousness	That Council: 3.1 Resolves to apply to the Victorian Civil and Administrative Tribunal (VCAT) for a declaration under section 149A of the <i>Planning and Environment Act 1987</i> , for a determination on whether existing use rights are established in relation to the use of 197-205 Danks Street Albert Park for purposes associated with the International Society for Krishna Consciousness (ISKCON) Temple.	The resolution has been acted on, Manager City Development has instructed legal representation to prepare an application to be submitted to VCAT (Section 149A in accordance with the resolution.	Wood, Paul	25/08/2025

<b>Completed</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/04/2025
		<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETE D
	(ISKCON) Temple at 197-205 Danks Street Albert Park	3.2 Authorises the Manager City Development to instruct planning and/or legal representation to determine, based on evidence and law, the extent of any existing use rights, to apply and advocate in relation to the application for a declaration under section 149A of the <i>Planning and Environment Act 1987</i> . 3.3 Authorises the requisite budget to undertake the declaration proceeding.	We note budget allocation for this process.		
18/06/2025	Councillor Expenses Monthly Reporting - April and May 2025	That Council: 3.1 Notes the monthly Councillor expenses report for April 2025 (attachment 1) and that this will be made available on Council's website. 3.2 Notes the monthly Councillor expenses report for May 2025 (attachment 2) and that this will be made available on Council's website.	April and May 2025 expense reports received and noted by Council and published to Council's website.	Gillett, Mitchell	24/06/2025
18/06/2025	190 St Kilda Road, St Kilda - 715/2016/B	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 an Amended Permit. 3.2 The permit preamble and conditions will show changes including deletions as strikeout and new requirements in <b>bold</b> (excluding headings which remain bold). 3.3 That a Notice of Decision to Grant an Amended Permit be issued at 190-192 St Kilda Road, St Kilda subject to the conditions listed in the Minutes of the meeting held on 18 June 2025.	Notice of decision to grant an amended planning permit issued 18 June 2025 Amended permit issued 18 July 2025 after no appeal received.	Schreuder, Matthew	15/09/2025
23/06/2025	Plan for Port Phillip (Including Budget) 2025-35 and Budget 2025-26: Adoption	That Council: 3.1 Notes the Emergency Services and Volunteers Fund (ESVF) will replace the Fire Services Property Levy (FSPL) starting 1 July 2025. This new levy will be collected by council and included in the rates notices, but it is a State Government tax/charge, NOT a council-imposed fee. 3.2 For 2025/26, it is estimated that this levy will raise approximately \$37.7 million from ratepayers in the municipality, a sharp 57 percent increase from \$24 million in 2024/25. 3.3 Key changes of the ESVF for 2025/26 include: 3.3.1 Fixed component of the ESVF to increase by 3 percent depending on property type. 3.3.2 Variable component of the ESVF to increase 64 percent for industrial properties and 100 percent for residential and commercial properties. 3.3.3 Majority of residential properties will see an increase between \$50 to \$150 depending on the value of their property, which is significantly greater than the rates cap increase of 3 percent. 3.4 Notes Council has raised significant concerns about the financial burden this legislation will impose on the community. In addition, officers will likely to be	Billing systems have been updated for new rates and charges and rates notices sent out across the municipality with the new payment dates and due dates for updated rates and associated charges (3.1-3.16). All submitters that provided feedback were notified of the outcome in writing in September 2024. (3.16) Relevant stakeholders have been communicated with and Budget requests (3.17) have been communicated to the relevant departments to action. The updated <i>Rating Strategy 2025-2029</i> has been published to the website. (3.23) Plan for Port Phillip 2025-35, inclusive of the Community Vision, Municipal Public Health and Wellbeing Plan, Asset Plan,	Liu, Peter	7/07/2025



<b>Completed</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/04/2025
		<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETED														
		<p>responsible for explaining and justifying the substantial taxation increase introduced by the State Government.</p> <p>3.5 Notes that the community should direct ESVF enquiries to this email address esvf@dtf.vic.gov.au and refer to fact sheet from the State Government (Attachment 10).</p> <p>3.6 Endorses a 3.0 percent average rate increase for 2025/26 which is consistent with the rates cap set by the Victorian Government.</p> <p>3.7 Declares rates for Budget 2025/26 as required by Section 94 of the Local Government Act as follows:</p> <p>3.7.1 An amount of \$141,255,506 to be raised by general rates for the period 1 July 2025 to 30 June 2026.</p> <p>3.7.2 Differential rates in the dollar based on type or class of land on the 2025 Capital Improved Value of all rateable properties within the municipality:</p> <table><tr><th>Type or class of land</th><th>Rate per \$ Capital Improved Value</th></tr><tr><td>General rate for rateable residential land</td><td>0.001796</td></tr><tr><td>General rate for rateable commercial land</td><td>0.002183</td></tr><tr><td>General rate for rateable industrial land</td><td>0.002159</td></tr><tr><td>General rate for rateable vacant land</td><td>0.005388</td></tr><tr><td>General rate for rateable derelict land</td><td>0.007184</td></tr><tr><td>General rate for rateable unactivated retail land</td><td>0.007184</td></tr></table> <p>3.7.3 The properties on Attachment 3 to be "Recreational and Cultural Lands" and that the level of general rates for these properties be set in accordance with percentages of the general rate also shown in this attachment.</p> <p>3.7.4 Grants a rebate equivalent to half the general rate for the elderly persons flats as outlined in Attachment 4, in accordance with the agreement between Council and the Ministry of Housing.</p> <p>3.7.5 Subject to the consent of the Minister for Local Government, treats any person(s) who has been excused the prescribed amount of the general rate for the year ending 30 June 2025 in accordance with the State Concessions Act 2004 as being similarly eligible for 2025/26.</p>	Type or class of land	Rate per \$ Capital Improved Value	General rate for rateable residential land	0.001796	General rate for rateable commercial land	0.002183	General rate for rateable industrial land	0.002159	General rate for rateable vacant land	0.005388	General rate for rateable derelict land	0.007184	General rate for rateable unactivated retail land	0.007184	<p>(10-year) Financial Plan, Revenue and Rating Plan, and the Budget 2025/26 (including the schedule of fees and charges) as set out in Attachment 1 has been published to Council's website. (3.25).</p>		
Type or class of land	Rate per \$ Capital Improved Value																		
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<b>Completed</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/04/2025
		<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETE D
		<p>3.8 Recognises the cost of living pressures, continues to provide targeted support to the community through:</p> <p>3.8.1 One-off rate waivers up to a maximum of \$750 or 50 per cent of the general rates and charges imposed on rateable land, whichever is less, in cases of extreme financial hardship, on application to the Chief Financial Officer.</p> <p>3.8.2 Increasing the Council-funded pensioner rates rebate by 4.5 per cent to \$230 in 2025/26 – the City of Port Phillip is one of the few councils that offers this scheme in addition to the State Government rebate.</p> <p>3.9 Declares services charges for Budget 2025/26 as required by Section 94 of the Local Government Act as follows:</p> <p>3.9.1 An amount of \$16,997,477 of net waste service charges for the period 1 July 2025 to 30 June 2026.</p> <p>3.9.2 A default waste charge for all rateable properties of \$230.30 and a kerbside FOGO collection charge for single unit dwellings of \$77.00.</p> <p>3.9.3 An annual garbage charge of \$500.00 per property on all non-rateable properties that receive waste management services from the City of Port Phillip. Notes additional charges may apply for multiple waste bins.</p> <p>3.9.4 An annual garbage bin surcharge of \$290.00 for properties that are provided with an upsize 240-litre bin for the collection of non-recyclable waste.</p> <p>3.9.5 A new fee for additional 120-litre garbage bins of \$290.00 per bin (same cost for an upsize 120-litre to 240-litre bin)</p> <p>3.9.6 An 80-litre waste bin annual rebate of \$82.00 for properties that take up a small waste bin.</p> <p>3.9.7 A private waste collection rebate of \$89.00 for residential properties that have private collection for waste.</p> <p>3.10 Notes the previously declared special rate schemes for 2025/26:</p> <p>3.10.1 Port Melbourne Business Precinct for marketing, management and business development to the maximum of \$320,000.</p> <p>3.10.2 Carlisle Street Business Precinct for the purpose of marketing, promotion, business development and centre management expenses up to the maximum of \$200,000.</p> <p>3.10.3 Fitzroy Street and Environs Business Precinct for marketing, management and business development to the maximum of \$200,000</p>			

<b>Completed</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/04/2025
		<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETED																		
		<p>3.10.4 Acland Street Village Business Precinct for marketing, management and business development to the maximum of \$187,320.</p> <p>3.11 Adopts the following payment dates and due dates for rates and associated charges:</p> <table><tr><th>Payment Type Description</th><th>Due Date</th><th>Interest from</th></tr><tr><td>Full Payment</td><td>15 Feb, 2026</td><td>Same as instalments</td></tr><tr><td>1<sup>st</sup> Instalment</td><td>30 Sept, 2025</td><td>1 Oct, 2025</td></tr><tr><td>2<sup>nd</sup> Instalment</td><td>30 Nov, 2025</td><td>1 Dec, 2025</td></tr><tr><td>3<sup>rd</sup> Instalment</td><td>28 Feb, 2026</td><td>1 Mar, 2026</td></tr><tr><td>4<sup>th</sup> Instalment</td><td>31 May, 2026</td><td>1 Jun, 2026</td></tr></table> <p>3.12 Authorises the Chief Financial Officer and the Coordinator Revenue and Valuations to collect all rates and charges and the Emergency Services and Volunteers Fund.</p> <p>3.13 Notes that the penalty interest rate set in accordance with the Penalty Interest Rates Act 1983 at the prescribed rate (10 percent) as at 1 July 2025 fixed by the Governor in Council for general rates and charges that remain unpaid after the payment dates prescribed by the Governor in Council.</p> <p>3.14 Notes the community consultation on the draft Plan for Port Phillip 2025-35 including Budget 2025/26 took place from 17 April to 18 May 2025, and the feedback is summarised in Section 5 of this report and detail provided in Attachment 6.</p> <p>3.15 Directs Officers to respond in writing to thank all those that have made formal written submissions and to advise them of the outcome of Council's decision.</p> <p>3.16 Having considered all the submissions received and those heard at the Council Meeting of 13 May 2025, and having completed its budget deliberations, agrees to include the following community requests into the Budget 2025/26 in addition to those already included as part of the draft Budget 2025/26:</p> <p>3.16.1 Clarendon &amp; Coventry Street Business Association – To provide total one-off funding of \$40,000 to support the establishment of a special rating scheme.</p> <p>3.16.2 Fishermans Bend Business Forum – To provide total one-off funding of \$15,000 to support the development of a strategic and operation plan and information sharing sessions.</p> <p>3.16.3 Port Melbourne Bowls Club – To provide one off funding of up to \$295,000 (funded from the Asset Renewal Fund) designated for improvements that enhance female amenities and ensure</p>	Payment Type Description	Due Date	Interest from	Full Payment	15 Feb, 2026	Same as instalments	1 <sup>st</sup> Instalment	30 Sept, 2025	1 Oct, 2025	2 <sup>nd</sup> Instalment	30 Nov, 2025	1 Dec, 2025	3 <sup>rd</sup> Instalment	28 Feb, 2026	1 Mar, 2026	4 <sup>th</sup> Instalment	31 May, 2026	1 Jun, 2026			
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<b>Completed</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/04/2025
		<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETED
		<p>compliance with Disability Discrimination Act (DDA) standards for accessible toilets. This funding is contingent upon the club providing a matching financial contribution of an equivalent amount. The commitment aligns with Council's previous support provided to the Albert Park Bowls Club for similar pavilion upgrades.</p> <p>3.17 In response to Community Panel recommendations and reflecting on updated Council priorities and the updated Municipal Public Health and Wellbeing Plan, Budget 2025/26 includes provision for the following items:</p> <p>3.17.1 Additional \$250,000 ongoing budget to fund activities addressing loneliness and isolation, social connection and combating discrimination and racism and antisemitism including:</p> <p>3.17.1.1 \$43,000 to increase base funding to South Port Day Links to \$100,000 from 2025/26 for two years.</p> <p>3.17.1.2 \$60,000 funding for a dedicated volunteer coordinator at South Port Community Centre to strengthen local volunteer organisations from 2025/26 for two years.</p> <p>3.17.1.3 \$25,000 one off allocation to fast track the delivery of the Multicultural Strategy development.</p> <p>3.17.1.4 \$15,000 to support events and activities aligned with key cultural and community dates.</p> <p>3.17.1.5 The remaining \$88,000 to be included in budget 2025/26 with allocations to be determined by Council resolution.</p> <p>3.17.2 Additional \$250,000 ongoing budget to fund new actions emanating from the community safety roundtable and the community safety plan, initial allocations include:</p> <p>3.17.2.1 \$32,000 in 2025/26 to provide additional funding to Launch Housing to increase their existing service agreement to better contribute to overhead costs.</p> <p>3.17.2.2 \$60,000 in 2025/26 to fund Ngwala to partner in supporting rough sleepers and providing outreach and service coordination for the First Nations community.</p> <p>3.17.2.3 The remaining \$158,000 to be included in budget 2025/26 with allocations to be determined by Council resolution during 2025/26 following further development of the delegated Community Safety Round Table recommendations and/or the completion of public engagement on the Community Safety Plan and the Affordable Housing and Homelessness Strategy.</p> <p>3.17.3 Provisional funding support for affordable housing within the municipality totalling \$5.3 million over the 10-years. The additional</p>			

<b>Completed</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/04/2025
		<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETE D
		<p>allocation is subject to the development of the new Homelessness and Affordable Housing Strategy:</p> <p>3.17.3.1.1 That the 2025/26 funding allocation be distributed as follows:</p> <p>a) An immediate one-off allocation of \$150k for St Kilda Community Housing to repurpose a house for rough sleepers in St Kilda.</p> <p>b) That the remaining \$450,000 of 2025/26 funding be allocated following the completion of the new Homelessness and Affordable Housing Strategy.</p> <p>3.17.4 Additional \$200,000 ongoing budget to uplift city amenity including increased street cleaning and pressure washing of main streets across the city.</p> <p>3.17.5 Additional \$400,000 (\$100,000 ongoing) to improving greening throughout the city including the development of urban forest precinct plans.</p> <p>3.17.6 Re-prioritisation of \$450,000 from the St Kilda Festival to fund greater investment in local arts and community events including the following allocations:</p> <p>3.17.6.1 \$105,000 for one year to increase current Cultural Development Fund – Key Art Organisations allocations by \$15,000.</p> <p>3.17.6.2 \$50,000 for one year to increase the Cultural Development Fund – Festivals and Events.</p> <p>3.17.6.3 \$25,000 for the National Theatre for one year whilst they wait for the next competitive Cultural Development Fund – Key Organisations round.</p> <p>3.17.6.4 The remaining \$270,000 to be included in budget 2025/26 with allocations to be determined by Council resolution.</p> <p>3.17.7 Reinstate \$15,000 annual funding for Friends of Suai until the end of the friendship in 2030.</p> <p>3.17.8 Provides Wild at Heart \$9,000 per annum for two years to provide a waiver for venue hire fees at Sol Green.</p> <p>3.17.9 Provides Port Phillip Community Group a 2-year extension (expiring June 2027) for their service agreement and delivery of Share the Food Program (including warehouse rental) totalling \$739,440 per year.</p>			

<b>Completed</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/04/2025
		<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETED																
		<p>3.17.10 Provides South Port Community Centre a 2-year extension (expiring June 2027) for their service agreement totalling \$143,040 per year.</p> <p>3.17.3 Provisional funding support for affordable housing within the municipality totalling \$5.3 million over the 10-years. The additional allocation is subject to the development of the new Homelessness and Affordable Housing Strategy:</p> <p>3.17.3.1 \$600,000 per year for 2025/26 to 2027/28 (inclusive) funded from future property sales and the 2024/25 favourable cash surplus.</p> <p>3.17.3.2 \$500,000 per year for the remaining seven years of the Council funded from reduced contributions to the municipal growth fund.</p> <p>3.18 Notes the full year forecast for 2024/25 has improved from \$1.53 million to \$3.3 million since release of the draft Budget.</p> <p>3.19 Notes the financial changes identified and incorporated into the proposed Budget 2025/26 in Attachment 2.</p> <p>3.20 Notes that the Budget 2025/26 proposed by Officers includes a cumulative cash surplus of \$0.54 million providing contingency reflective of the current economic operating environment.</p> <p>3.21 Notes that Budget 2025/26 does not contain any new borrowings.</p> <p>3.22 In accordance with section 115 of the Act, Council intends to lease the following properties on the terms listed as follows:</p> <table><thead><tr><th>Property Address</th><th>Permitted Use</th><th>Commencing Rent (Exc GST)</th><th>Lease Term</th></tr></thead><tbody><tr><td>147 Liardet Street, Port Melbourne</td><td>Commercial</td><td>Market Rent</td><td>Five (5) Years</td></tr><tr><td>71A Acland Street, St Kilda</td><td>Commercial / Hospitality</td><td>Market Rent</td><td>Up to Twenty-One (21) Years</td></tr><tr><td>129 Beaconsfield Parade, Albert Park</td><td>Commercial</td><td>Market Rent</td><td>Up to Six (6) Years</td></tr></tbody></table> <p>3.23 Adopts the updated Rating Strategy 2025-29 (Attachment 5).</p> <p>3.24 Notes that an exemption has been granted from the Department of Health to preparing a stand-alone Municipal Public Health and Wellbeing Plan based on the draft Plan for Port Phillip that Council has endorsed for community engagement. This will permit the Municipal Public Health and Wellbeing</p>	Property Address	Permitted Use	Commencing Rent (Exc GST)	Lease Term	147 Liardet Street, Port Melbourne	Commercial	Market Rent	Five (5) Years	71A Acland Street, St Kilda	Commercial / Hospitality	Market Rent	Up to Twenty-One (21) Years	129 Beaconsfield Parade, Albert Park	Commercial	Market Rent	Up to Six (6) Years			
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<b>Completed</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/04/2025
		<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	DATE COMPLETED
		<p>Plan to be incorporated into the Plan for Port Phillip (including budget) 2025-35.</p> <p>3.25 Adopts the Plan for Port Phillip 2025-35, inclusive of the Community Vision, Municipal Public Health and Wellbeing Plan, Asset Plan, (10-year) Financial Plan, Revenue and Rating Plan, and the Budget 2025/26 (including the schedule of fees and charges) as set out in Attachment 1, and incorporates all changes made by resolution in this meeting.</p> <p>3.25.1 Authorises the CEO, or their delegate to implement a long daycare fee at North St Kilda Children's Centre, between the range of \$159.00-\$162.00 per day during the renovation period in 2025/26.</p> <p>3.26 Notes that the Plan for Port Phillip 2025-35 replaces the current Council Plan 2021-31, adopted by Council on 26 June 2024.</p> <p>3.27 Authorises the Chief Executive Officer, or their delegate, to make amendments to the Plan for Port Phillip (including budget) 2025-35 (Attachment 1) to reflect any changes through resolutions at this meeting, and to make minor editorial adjustments and corrections to the document to prepare for publication and distribution.</p>			



<b>Outstanding</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/01/1900
	<b>Officer:</b>	<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	ESTIMATED COMPLETION
20/03/2024	Proposed Discontinuance of Road Adjoining 197 and 199 Princes Street, and 55 Station Street, Port Melbourne	<p>That Council:</p> <p>Having considered that there were no submissions in response to the public notice regarding Council's proposal to discontinue the road known as Laneway R2243 (Road):</p> <p>3.1 Resolves to discontinue the Road as it considers that the Road is not reasonably required for public use for the following reasons:</p> <p>3.1.1 It is enclosed on the side and rear boundaries by adjoining properties, and only accessible onto Princes Street;</p> <p>3.1.2 It is only open to the general public for pedestrian access to the rear of the adjoining property at 55 Station Street, Port Melbourne;</p> <p>3.1.3 It is not open to the general public for vehicular access; and</p> <p>3.1.4 It does not form part of a thoroughfare for pedestrian or vehicular traffic to any other public road;</p> <p>3.2 Resolves to retain and restrict access to the discontinued Road, entering into a Section 173 Agreement with the adjoining land owners;</p> <p>3.3 Authorises the Chief Executive Officer, or their delegate to negotiate, approve, and enter into such documentation to complete the discontinuance, retention, and restriction of public access of the Road as described;</p> <p>3.4 Directs that any easements, rights or interests required to be created or saved over the Road by any public authority be done so and not be affected by the discontinuance and restriction of public access; and</p> <p>3.5 Directs that a notice pursuant to clause 3 of Schedule 10 of the <i>Local Government Act 1989</i> is published in the Victorian Government Gazette.</p>	Officers have been awaiting a response from the residents' representative. A final follow up has been made in an attempt to enter into a Section 173 Agreement, failing this, officers will commence a process to reverse this decision.	Stewart, Leigh	30/09/2025
15/05/2024	Domain Precinct Parking Review	<p>That Council:</p> <p>3.1 Notes the challenges associated with parking in the Domain Precinct and the role that parking management has in enabling access to parking.</p> <p>3.2 Notes the findings and recommendations in the O'Brien Domain Precinct Parking Review report (Attachment 1).</p> <p>3.3 Requests that officers further assess and brief Council on the reconfiguration of road-space in Palmerston Crescent and Bowen Crescent, including:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> reconfiguration to provide additional parking</li> <li><input type="checkbox"/> opportunities for streetscape improvements including planting, and</li> <li><input type="checkbox"/> an assessment of probable costs.</li> </ul>	<p>Officers are progressing implementation of changes outlined in the endorsed report. The first changes will be delivered along Park Street and completed alongside Park Street streetscape improvement project currently under construction. Remaining parking restriction changes across the precinct will be rolled out in the second half of 2025. (3.5)</p> <p>Officers are assessing options with the intent to align these works with programmed asset renewal and maintenance. This approach aims to reduce costs and minimise disruption by avoiding repeat construction activity. If no near-term</p>	Mason, Thomas	30/12/2025

<b>Outstanding</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/01/1900
	<b>Officer:</b>	<b>Date To:</b> 30/06/2025

MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	ESTIMATED COMPLETION
		<p>3.4 Notes that projects in paragraph 3.3 would be subject to the Council budget process with community engagement undertaken as part of any project.</p> <p>3.5 Requests that officers implement proposed changes to locations of loading bays and timed on-street parking restrictions, outlined in the O'Brien report (Attachment 1).</p> <p>3.5.1 Delegates officers to adjust recommended changes to ensure changes are consistent with Council's Parking Management Policy.</p> <p>3.6 Notes that changes to parking restrictions would be undertaken as part of Council's operating budget.</p> <p>3.7 Notes that access to permit parking in Area 1 is limited, particularly south of Albert Road, and delegates officers to identify and provide changes to parking bays, where appropriate, to offer greater flexibility for parking permit holders in this area.</p> <p>3.8 Notes that officers continue to negotiate with developers to provide onsite loading facilities and visitor parking in new developments.</p>	renewal works are scheduled, officers will present the reconfiguration projects as standalone proposals for Council's consideration through the budget process. The findings of this assessment will be presented to Councillors in a workshop scheduled in December 2025. (3.3)		
15/05/2024	South Melbourne Market Project Connect Scope Endorsement	<p>That Council:</p> <p>3.1 Endorses the scope for the South Melbourne Market's overarching program of capital works "Project Connect", excluding line 1 of part 6B of the scope being the Closure of Cecil Street northbound to traffic, extend public and tenanted outdoor space only.</p> <p>3.2 Requests officers to bring a report back to Council to consider the possible closure of Cecil Street to allow for separate consideration of this matter.</p> <p>3.3 Notes the feedback from Community Consultation program on Project Connect and the Market's Days and Hours (provided at Attachment 1).</p> <p>3.4 Notes there is no proposal to change current Market trading hours and days at this time.</p> <p>3.5 Authorises the CEO, or their delegate, to make minor adjustments to the Project Connect Scope during concept design as required to ensure alignment with compliance and renewal requirements and strategic vision.</p>	<p>The scope for the South Melbourne Market's overarching program of capital works "Project Connect" was endorsed excluding line 1 of part 6B of the scope being the Closure of Cecil Street northbound to traffic, extend public and tenanted outdoor space only.</p> <p>Officers are progressing with the Project Connect capital works, officers will continue to monitor a separate proposal to close Cecil Street.</p>	McLean, Craig	31/12/2025
5/06/2024	Community Electric Vehicle (EV) Program	<p>That Council:</p> <p>3.1 Notes the decision at the 1 May 2024 Council meeting to "support the continued exploration and installation of on-street <b>Public</b> Utility Pole-Mounted and Kerbside EV Charger technology including using the following criteria to determine the locations for on-street EV Chargers:</p>	<p><u>Public Charging model (Action 3.1):</u></p> <p><input type="checkbox"/> Three locations for pole mounted chargers are being progressed with EVX. Residents in the immediate vicinity of these locations have been made aware that a pole mounted charger may be installed and that two</p>	Renae Walton	30/10/2025

<b>Outstanding</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/01/1900
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MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	ESTIMATED COMPLETION
		<p>3.1.1 Prioritise street locations outside Permit Zones unless the Permit Zone street has no access to off-street parking and there is high demand for EV chargers.</p> <p>3.1.2 Consider safety implications in determining the location of on-street EV Chargers.</p> <p>3.1.3 Prioritise the spread of locations across the City of Port Phillip to provide access to EV charging across the municipality.</p> <p>3.1.4 Consider the outcome of community engagement with residents in the streets where on-street EV chargers are proposed to be installed."</p> <p>3.1.5 And delegates authority to the CEO to enter agreements with EVX Pty. Ltd to deliver public EV charging infrastructure based on above endorsed criteria.</p> <p>3.2 Authorises the CEO or their delegate to enter agreements with public EV charger providers that meet the criteria in 3.1.</p> <p>3.3 Continue the private EV charger model:</p> <p>3.3.1 to permit private chargers</p> <ul style="list-style-type: none"> <li>that extends for a period of 4 years OR the installation of 100 private EV chargers, whichever comes first, after which time the model will be reviewed.</li> <li>that accepts permit applications in batches. New calls for applications will be made as existing batches are completed.</li> <li>that renews permits annually, with audits to ensure compliance of conditions.</li> <li>Permit renewals could be declined if the location of private EV chargers constrains Council works on Council roads and footpaths.</li> </ul> <p>3.3.2 Continue the current criteria to private EV chargers with the following updates:</p> <ul style="list-style-type: none"> <li>Permit holders will be strongly encouraged to hold appropriate insurance cover and are made aware by Council of the risks and their legal liability in the absence of appropriate cover.</li> <li>All current and future permit holders will be required to register their chargers with Dial Before You Dig Australia and renew their registration as required.</li> <li>Applications for properties in flood prone areas, will not be considered until relevant authorities' recommend approval. Existing chargers in flood prone areas will be reviewed and permits may not be renewed.</li> </ul>	<p>parking spots directly adjacent to these chargers, will be dedicated to EV's while charging.</p> <p>□ Agreements with EVX Pty. Ltd are pending. Formalising agreements with the provider are dependent on final checks being undertaken by EVX, with the utility pole provider.</p> <p><u>Private Charging model (Action 3.3):</u></p> <p>The private charging application has been updated to reflect changes endorsed at the meeting.</p>		

<b>Outstanding</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/01/1900
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MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	ESTIMATED COMPLETION
		<ul style="list-style-type: none"> <li>Permit application fees to be increased from \$132 to \$500. All other fees will remain the same subject to cpi (i.e., Street Occupation permit, Working within roads reserve consent, Planning Permit).</li> <li>A bond of \$500 is paid and refunded upon completion of installation and reinstatement of footpaths as per Council standards. A separate bond of \$500 is secured to ensure removal of charger and reinstatement of the footpath. The bond value will be assessed and increased if required based on site conditions.</li> </ul> <p>3.3.3 Undertake a review of the need for private EV chargers at the end of 4 years OR the installation of 100 private EV chargers, whichever comes first.</p> <p>3.3.4 Authorise resourcing of up to 0.4FTE (\$50k) and \$30k for legal /consultant fees to support implementation of private EV charger model.</p>			
5/06/2024	Proposed Discontinuance of Road (in part) Johnson Street, South Melbourne	<p>That Council:</p> <p>Having considered that there were no submissions in response to the public notice regarding Council's proposal to discontinue a segment of Johnson Street between Normanby Road and Munro Street, South Melbourne (Road):</p> <p>3.1 Resolves to discontinue and retain the Road as it considers that the Road is not reasonably required for public use for the following reasons:</p> <p>3.1.1 It is not required to maintain the urban character of the area;</p> <p>3.1.2 It may result in a better use of land through the provision of public open space;</p> <p>3.1.3 It is not required for access to other premises; and</p> <p>3.1.4 It may result in amenity improvements through the delivery of a public park; and</p> <p>3.2 Directs that a notice pursuant to clause 3 of Schedule 10 of the <i>Local Government Act 1989</i> is published in the Victorian Government Gazette.</p>	<p>The road is yet to be closed to traffic. Once this occurs, officers will proceed to gazette the discontinuance and finalise the process.</p> <p>Council officers have commenced discussions with DEECA to facilitate the Road status change to reserve the land for park purposes and for Council to be appointed as Committee of Management pursuant to S14 of the Crown Land Reserves Act 1978.</p> <p>It is anticipated that the initiated road closure will be completed by the end of 2025.</p>	Stewart, Leigh	31/12/2025
4/09/2024	Johnson Street Park and Signalised Crossing - Works-in-kind Project Delivery (Fishermans Bend)	<p>That Council:</p> <p><u>Project Design</u></p> <p>3.1 Endorses the Project Design Scope (Attachment 1) and Concept Design (Attachment 2) to inform the delivery of Johnson Street Park and Signalised Pedestrian Crossing.</p> <p>3.2 Authorises the Chief Executive Officer (or their delegate) to approve changes to the Project Design Scope and Concept Design, if those</p>	<p>Officers continue to work with the Developer (Gamuda Land), the Department of Transport and Planning and to finalise the Works-in-Kind Section 173 Agreement. Significant progress has been made between the parties towards agreement.</p> <p>The Planning Scheme Amendment is now complete with C233port gazetted in May</p>	Boden, Daniel	31/12/2025

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		<p>changes do not alter the overall intent of the design, and if required through any value management exercise.</p> <p><u>Works-in-kind Section 173 Agreement</u></p> <p>3.3 Acknowledges delegation under the Instrument of Delegation – Members of Staff (7 June 2023) to negotiate and enter into an agreement under section 173 of the Planning Environment Act 1987 in accordance with the Incorporated Document for 272-280 Normanby Road, South Melbourne, June 2023 in the Port Phillip Planning Scheme (Incorporated Document) and informed by the Project Design Scope and Concept Design (Attachments 1 and 2).</p> <p>3.4 Notes this includes including credits in respect to the use of public open space contribution funds towards the Project and appropriate terms in the works-in-kind Section 173 Agreement pursuant to the Incorporated Document, limited to 8% of the site value of the land.</p> <p><u>Planning Scheme Amendment</u></p> <p>3.5 Adopts the draft planning scheme amendment documentation (Attachment 3), and requests the Minister for Planning (Minister) to prepare, adopt and approve Amendment C233port to the Port Phillip Planning Scheme, without notice, in accordance with the Minister's powers of the Planning and Environment Act 1987 (Vic) (Act).</p> <p>3.6 Authorises Officers to consult with the Minister, in accordance with sections 8(1)(b), 20(4) and 20(5) of the Act, to assist the Minister to prepare, adopt and approve the planning scheme amendment.</p> <p>3.7 Authorises the Chief Executive Officer (or their delegate) to make changes to Amendment C233port to give effect to the outcomes in 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.</p> <p><u>Community Engagement</u></p> <p>3.8 Notes the community engagement feedback which informed the Project and Planning Scheme Amendment, outlined in the <i>Johnson Street Park Community Engagement Summary Report, June 2024</i> (Attachment 4) and <i>Council Meeting Report 5 June 2024, Item 13.3, for Proposed Discontinuance of Road (in part) Johnson Street, South Melbourne</i>.</p>	2025, rezoning Johnson Street to Public Park and Recreation Zone.		
27/11/2024	Notice of Motion - Councillor Thomann - O'Donnell Gardens Fountain	<p>That Council</p> <p>1 Requests officers provide Councillors with an update as early as practicable on the status and options, including cost requirements, to undertake the restoration of the Edward O'Donnell Fountain, including ensuring it is fully repaired, well-maintained and illuminated, to be considered as part of the development of the 2025/26 Budget.</p>	As part of the budget development process, an upgrade of the O'Donnell Fountain was considered. It has been agreed an initial step is to review the works undertaken to date and the heritage refurbishment report to develop a feasibility, options and business case for funding in future years.	Vandepeer, Clint	31/12/2025

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		2 Thanks those members of the public who have signed a petition requesting these works be undertaken.			
5/02/2025	Petition - Demand Proactive Measures for Community Safety and Crisis Services in City of Port Phillip	That Council: 1. Receives and notes the Petition. 2. Reaffirms its commitment to a safe and liveable community. 3. Continues to consider additional resources and improvements to council policies and programs to improve community safety and perceptions of safety. 4. Continues to advocate for state government resources including police resources and services that will improve community safety and perceptions for safety. 5. Requests the Mayor writes to the relevant State Government Ministers to advocate for resources, including police resources and mental health and homelessness services that will improve community safety and perceptions for safety.	Council endorsed "Community Safety & Social Cohesion" as a Tier 1 advocacy priority. Officers are developing an advocacy plan, including identifying opportunities to engage key stakeholders on this issue. Officers are also developing a dedicated communications campaign on this item to present our advocacy positions and actions to stakeholders and the community.  Wrote to and met with the Federal Special Envoy for Social Housing & Homelessness  Participated in a Mayoral Roundtable on community safety with neighbouring councils.  The Mayor raised this item in meetings with local MPs Nina Taylor, David Southwick and Josh Burns. The Mayor and officers continue to raise this item through strategic memberships, including raising the item through M9 where this has been adopted as an advocacy priority.  A letter has been drafted to formally advocate for this item and will be sent to the relevant State Government Ministers in September 2025.	Montague, Nellie	30/09/2025
19/03/2025	Petition Response: Port Melbourne Life Saving Club - Outside Showers	That Council: 1. Expresses its appreciation to the signatories of the petition. 2. Thanks the signatories for their patience whilst Council has worked through the options for the provision, including investigations of the potential for warm water showers to be incorporated in a potential upgrade of the Port Melbourne Life Saving Club. 3. Notes that a number of outdoor showers are provided along the foreshore for community members to utilise, particularly when visiting one of our many beaches. 4. Notes that all outdoor public showers are plumbed for cold water use only.	Investigation into inclusion of hot water showers and locker provision has been included in the Project upgrade of the public toilets adjacent the Port Melbourne Life Saving Club.	Tuchtan, Vicki	31/12/2025

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		<p>5. Resolves to consider implementing warm water showers, and secure storage options, as part of the upgrade of the existing public toilet block at Port Melbourne Beach (adjacent to Port Melbourne Lifesaving club).</p> <p>6. Resolves to consider secure storage options for swimmers in the short term.</p>			
16/04/2025	Proposed Discontinuance and Sale of Part Laneway R1229 Merton Place, Albert Park	<p>That Council:</p> <p>Having considered that there were no submissions in response to the public notice regarding Council's proposal to discontinue the road being the land contained within Certificate of Title Volume 3931 Folio 017 (described as Lot 1 on Title Plan 740609P):</p> <p>3.1 Resolves to discontinue the Road as it considers that the Road is not reasonably required for public use for the following reasons:</p> <ul style="list-style-type: none"> <li>It is currently fenced in with an adjoining property, namely 18 Merton Place, Albert Park, and only accessible on the eastern boundary;</li> <li>It is only open to the general public for pedestrian access to the rear of the adjoining properties at 5 and 7 Little Findlay Street, Albert Park;</li> <li>It is not open to the general public for vehicular access; and</li> <li>It does not form part of a thoroughfare for pedestrian or vehicular traffic to any other public road; and</li> </ul> <p>3.2 Resolves to sell the discontinued Road for market value plus reimbursement of Council's costs to facilitate this transaction to the adjoining owner of 18 Merton Place, Albert Park (Owner);</p> <p>3.3 Notes that proceeds from the sale will go into Council's Strategic Property Reserves used to support the acquisition and development of the property portfolio;</p> <p>3.4 Directs that a notice pursuant to clause 3 of Schedule 10 of the <i>Local Government Act 1989</i> is published in the Victorian Government Gazette;</p> <p>3.5 Authorises the Chief Executive Officer or their delegate to negotiate, approve, and enter into such documentation to complete the discontinuance, sale, and transfer of the Road as described;</p> <p>3.6 Directs that the Chief Executive Officer or their delegate signs an authorisation allowing Council's solicitors to execute transfer documents and any other documents required to be signed on Council's behalf in connection with the transfer of the discontinued Road to the Owner;</p> <p>3.7 Directs that any easements, rights or interests required to be created or saved over the Road by any public authority be done so and not be affected by the discontinuance and sale of the Road; and</p>	<p>Council approved the gazettal notice on 4 June 2025. Council is awaiting confirmation of gazettal publication.</p> <p>Following gazettal, a Contract of Sale and Vendor's Statement will be prepared by Council's Solicitor to document the sale.</p> <p>Settlement scheduled for 20 October 2025.</p>	Tuchan, Vicki	31/10/2025

<b>Outstanding</b>	<b>Committee:</b> Council Meeting and Planning Committee	<b>Date From:</b> 1/01/1900
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		3.8 Directs that the Owner be required to consolidate the title to the discontinued Road with the title to the Owner's land (or such part of it approved by Council) within 12 months of the date of the transfer of the discontinued Road.			
7/05/2025	Approach to Melbourne Water's Flood Mapping Update	That Council: 3.1 Notes the officer report in relation to the proposed approach to Melbourne Water's flood mapping update. 3.2 Endorses the proposed approach of Melbourne Water for the upcoming flood mapping update and resulting planning scheme amendment to the Port Phillip Planning Scheme. 3.3 Authorises the Chief Executive Officer (or their delegate) to prepare a response to the Managing Director of Melbourne Water that: <input type="checkbox"/> Indicates support for the Melbourne Water approach and requests that the Minister for Planning consults broadly with stakeholders before making a decision on the ministerial amendment.	Letters were drafted to both the Minister for Planning and Melbourne Water endorsing the approach that was laid out. However, after this Council decision Melbourne Water contacted officers to inform us that their approach was potentially changing.  Melbourne Water will be attending a meeting with Council officers on Tuesday 23 September 2025 to provide a further update to officers and the Flood Steering Committee.	Rogers, Luke	30/09/2025
21/05/2025	Local Law Response	That Council: 3.1 Endorses engagement with community, stakeholders and staff of responsibilities and escalation points and other factors in relation to: <input type="checkbox"/> Protocols between Council, Service Providers and Victoria Police to support Community Amenity Local Law 2023. <input type="checkbox"/> Effective implementation of the current Community Amenity Local Law 2023 to support the proposed protocols 3.2 Writes to the Inspector seeking a commitment from Victoria Police to work in partnership with Council to enact protocols to support people usually exempt under the Local Law Clause 42 Camping on Council Land. 3.3 Affirms that protocols are necessary to improve the effectiveness of Council Local Law and for the successful implementation of any proposed amendments to Council's Local Laws in relation to Camping on Council Land 3.4 Notes the outcomes of investigations into potential amendments to the <i>Community Amenity Local Law 2023</i> to address community safety, including those outlined in the Notice of Motion from the Council Meeting on 19 February 2025. 3.5 Notes that the Community Safety Roundtable Report includes discussion and recommendations on the Local Law amendments and protocols and that these have been considered in the Local Law review.	Community feedback on this project was open from 22 May - 29 June 2025. Councillors were briefed on the findings of the engagement on 27 August.  Officers have drafted a letter to the Inspector seeking a commitment from Victoria Police in September 2025.  The protocol, developed with Police input is progressing, is awaiting legal advice from Victoria Police.	Montague, Nellie	31/12/2025



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		<p>3.6 Notes the legal advice commissioned by the City of Port Phillip in relation to the February 19 Notion of Motion on changes to the local law is now available on Council's public website.</p> <p>3.7 Endorses engaging on the potential amendment to the Local Law noting that this will include:</p> <p>3.7.1 The ability to temporarily designate an area as a no encampment area in consultation with key stakeholders so that:</p> <p>a) The amenity of the Council land or the amenity of land in the vicinity of the Council land is or is likely to be adversely affected; or</p> <p>b) The safety or welfare of a person is or is likely to be put at risk by behaviours of persons congregating on Council land with the intention or apparent intention of camping or sleeping there.</p> <p>3.7.2 Notes that:</p> <p>a) such a designation could be considered an exceptional circumstance after existing and enhanced assertive outreach models with service providers and supportive conversations had failed.</p> <p>b) that enforcement of the potential amendment would not include fines, but instead, the removal and impoundment of equipment following provision of outreach and support services, where individuals have refused both a request and then warning to remove the material from the designated area.</p>			
21/05/2025	Proposed Road Discontinuance - Kerferd Road & Herbert/Montague Street. Albert Park Intersection ("Shrine to Sea Project")	<p>That Council:</p> <p>3.1 Acting under section 17(4) of the <i>Road Management Act 2004</i> (Vic), resolves to remove the Road known as KERR0140L and KERR0140R (also known as Herbert / Montague Street intersection (along Kerferd Road), Albert Park) from Council's Register of Public Roads.</p> <p>3.2 Acting under clause 3 of Schedule 10 of the <i>Local Government Act 1989</i> (Vic) ("the Act"):</p> <p>3.2.1 Resolves that the statutory procedures be commenced to discontinue the Road, on the basis that the Road is no longer reasonably required for general public use for the reasons set out in this report;</p> <p>3.2.2 Directs that under sections 206, 207A and 223 of the Act, public notice of the proposed discontinuance of the Road be given in The Age newspaper;</p> <p>3.2.3 Resolves that the public notice required to be given under the Act should state that if the Road is discontinued, the Road will</p>	Public notice has been given, and submissions can be made by Thursday 18 September 2025. A second report will come before council following this notice period.	Tuchtan, Vicki	30/09/2025

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		<p>remain in the ownership of the Crown for the purposes of a public open space;</p> <p>3.2.4 Authorises the Chief Executive Officer or delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to the matter; and</p> <p>3.2.5 Resolves to hear and consider any submissions received pursuant to section 223 of the Act at a future Council meeting to be determined at a later date.</p> <p>3.3 Apply to Depart of Energy, Environment and Climate Action (DEECA) to:</p> <p>3.3.1 Initiate the reservation of the Road and appoint Council as the Committee of Management; and</p> <p>3.3.2 Issue a licence pursuant to the Land Act 1958 (Vic) (or as otherwise necessary) to enable Council to access the Road and perform any required works for the development of the reservation as a permanent open space / park, pending the reservation of the land and appointment of Council as Committee of Management, following formal gazettal of the proposed discontinuance.</p>			
18/06/2025	Submission to Victoria's draft 30-year infrastructure strategy	<p>That Council:</p> <p>3.1 Notes and expresses its support for the officer submission to Infrastructure Victoria regarding '<i>Victoria's Draft 30-Year Infrastructure Strategy</i>'.</p> <p>3.2 Notes the Melbourne Transport Forum's submission regarding '<i>Victoria's Draft 30-Year Infrastructure Strategy</i>'.</p> <p>3.3 Notes the Melbourne 9's submission regarding '<i>Victoria's Draft 30-Year Infrastructure Strategy</i>'.</p> <p>3.4 Authorises the Chief Executive Officer (or their delegate) to engage with Infrastructure Victoria to further the stated aims of the officer submission to Infrastructure Victoria regarding '<i>Victoria's Draft 30-Year Infrastructure Strategy</i>'.</p>	<p>Infrastructure Victoria is considering submissions until October 2025. As such, there has not yet been a formal opportunity to engage directly on the matters raised in Council's submission.</p> <p>Council officers continue to advocate for infrastructure improvements through alternative channels, including the Municipal Association of Victoria (MAV), the M9 group of inner metropolitan councils, and direct engagement with the Victorian Government.</p>	Rogers, Luke	31/10/2025
18/06/2025	Council Advisory Committee Review Update	<p>That Council:</p> <p>3.1 Adopts the updated Terms of Reference documents for the:</p> <p>□ Youth Advisory Committee as outlined in Attachment 1</p> <p>3.2 Authorises the Chief Executive Officer, or their delegate, to make minor changes that do not materially alter the Terms of Reference document.</p> <p>3.3 Grants officers an extension until 30 September to report back on Council's advisory committee review.</p>	<p>Councils Delegated and Advisory Committee page has been updated with the updated Youth Advisory Committee Terms of Reference.</p> <p>Councillors were briefed on the proposed Council Committee Framework and Committee model on 27 August 2025. A</p>	Gillett, Mitchell	31/10/2025

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MEETING DATE	SUBJECT	MOTION	COMMENTS	RESPONSIBLE OFFICER	ESTIMATED COMPLETION
		<p>3.4 Notes the valuable contributions of the LGBTIQ+ advisory committee and pauses recruitment of new members pending the outcome of the advisory committee review.</p> <p>3.5 Notes the valuable contributions of the Multicultural advisory committee and pauses recruitment of new members pending the outcome of the advisory committee review.</p> <p>3.6 Notes the valuable contributions of the Older Persons Advisory Committee and pauses recruitment of new members pending the outcome of the advisory committee review.</p> <p>3.7 Revokes Councillors who were appointed at the 11 December 2024 Ordinary Meeting from the:</p> <p><input type="checkbox"/> Quick Response Grants Program Assessment Panel</p>	<p>further briefing will take place with Councillors on 24 September 2025.</p> <p>The report back to Council on the Framework and the committee model is scheduled for a future meeting of Council for Council consideration.</p>		
18/06/2025	Petition: Woodgate Street and Boundary Street Lighting	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receives and notes the Petition.</li> <li>2. Thanks the petitioners for their Petition relating to street lighting between Woodgate and Boundary Streets, South Melbourne.</li> <li>3. Directs the CEO, or their delegate, to arrange for the temporary deployment of a lighting solution to improve the current situation, and the pruning of trees to address shading issues impacting lighting performance.</li> <li>4. Provides a response at a future Council meeting, informed by the municipal wide assessment of the public lighting network.</li> </ol>	<p>Best immediate/low-cost options relate to uplift of existing lighting in Boundary. A design for both Boundary and Woodgate has been procured and will guide an application for lighting changes in Boundary Street that has been lodged with the Electricity Network Provider. Further options will need to be assessed against budget availability.</p>	Vandepeer, Clint	30/09/2025

Questions taken on notice		Committee:	Council and Planning Committee Meetings		Date From:	1/01/2025
					Date To:	31/03/2025
Meeting Date	Meeting Section	Asked by	Question	Response		
23/03/2025 (Planning Committee )	Item 63 Bay Street, Port Melbourne - 1324/2006/D	Cr Halliday	Has there been a specific number of planning complaints that we have received?	<a href="#">Response to question taken on Notice - Planning Committee Meeting 23 April 2025</a>		
7/05/2025	Councillor Question Time	Cr Halliday	Following up from Victoria Horner's question raised during Public Question Time. When the assessment of occupancy was completed on Lydon Street, what level of occupancy did we see on that street, and did it include both sides of the street or just the rail reserve side?	<a href="#">Responses to questions taken on notice – Council Meeting 7 May 2025</a>		
7/05/2025	Councillor Question Time	Cr Buckingham	Last week I visited 106 Barkly Street, St Kilda which is the location of an artist's studio and gallery. We heard from one of the committee members of the artist's studio at the previous planning meeting because their premise is due to be developed. They are losing their long-standing space where they create art. What activities can the City of Port Phillip do to support artists creating their work in the municipality with particularly interest to our pop-up program?			
7/05/2025	Item 10.2 Draft Domestic Animal Management Plan (DAMP) 2026-2029	Cr Halliday	We collect registration fees from our dog owners, but we also conversely employ Animal management and Local Laws officers, and supply dog off leash parks etc. Do we have an idea of what our outlay is annually of supporting our dog community compared to the revenue generated from dog registrations.			
7/05/2025	Item 13.4 Policy and Plan Completion Updates	Cr Halliday	In relation to the Nature Strip and Street Gardening Guidelines. Why does this have a short time frame of only two years?			
21/05/2025	10.1 Community Safety Response	Cr Buckingham	My understanding is that the legal advice that Council received about the local law changes found that there would be implementation issues that would potentially make Council's actions incompatible with the Human Rights Charter. If the Council went through with such changes and such actions, how would a legal challenge come to the Council and what kind of costs would that incur on the City of Port Phillip	<a href="#">Responses to questions taken on notice – Council Meeting 21 May 2025</a>		
21/05/2025	10.1 Community Safety Response	Cr Crawford	Is Council aware of how often the tip out law, in relation to drinking on public streets, was used since it had been enacted?			
18/06/2025	Public Question Time	Katrina Mathers	I am a here today as a representative for 106 Art Studios and Gallery. For those who don't know the plight for 106 at the moment, we're a 30-year-old community based, volunteer run artist hub for artists. A planning permit has been approved to redevelop the building that we're in into apartments so we're going to have to move. I want to bring everyone up to speed that we are planning on a phase 2 existence and need council help. We are preparing a proposal document that we want to present to council and ask that everyone here reads it. As I understand you're accepting the budget at the next meeting, is there anything else we could do to convince you to support us in our phase 2 existence, substantially, financially and in terms of infrastructure support to find a new location?	<a href="#">Responses to questions taken on notice – Council Meeting 18 June 2025</a>		
18/06/2025	Item 7.1 Woodgate Street and Boundary Street Lighting	Cr Makin	We've highlighted that we're going to be undertaking a municipal wide assessment of the public lighting network through the next financial year. It would be useful to talk through the methodology around the assessment. Will part of the prioritisation include proximity to public transport, proximity to likelihood of urban renewal of those precincts in order to see an increase in pedestrian traffic in these areas?			

# MEETING OF THE PORT PHILLIP CITY COUNCIL

## 24 SEPTEMBER 2025



### 12.2 COUNCILLOR EXPENSES MONTHLY REPORTING - AUGUST 2025

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

**PREPARED BY:** MITCHELL GILLET, COORDINATOR COUNCILLOR AND EXECUTIVE SUPPORT

#### 1. PURPOSE

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

#### 2. EXECUTIVE SUMMARY

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

#### 3. RECOMMENDATION

That Council:

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

#### 4. KEY POINTS/ISSUES

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

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

### 5. CONSULTATION AND STAKEHOLDERS

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

### 6. LEGAL AND RISK IMPLICATIONS

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

### 7. FINANCIAL IMPACT

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

### 8. ENVIRONMENTAL IMPACT

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

### 9. COMMUNITY IMPACT

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

### 10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

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

### 11. IMPLEMENTATION STRATEGY

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

### 12. OFFICER MATERIAL OR GENERAL INTEREST

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

## ATTACHMENTS 1. Declaration of Councillor Expenses - August 2025

# Declaration of Councillor Expenses – August 2025

## Councillor Allowances and Expenses

The following pages set out the expenses incurred by each Councillor in the following categories:

Councillor Allowance includes statutory allowances for the Mayor and Councillors, inclusive of a provision paid in recognition of the fact that Councillors do not receive superannuation.

Conference and Training includes any registration fees, accommodation and meal costs associated with attendance or participation in conferences, training or professional development programs.

Travel includes cabcharge / taxi fares, Mayoral vehicle at standard charge out rate, public transport / myki costs, airfares, rail and bicycle reimbursements associated with Council business related travel.

Car Mileage includes reimbursement to Councillors for kilometres travelled in their private vehicles associated with Council business related travel.

Child and Family Care include payments for necessary childcare arrangements incurred to attend: Council and Special Council Meetings, Council Briefings, ceremonial functions, events and occasions agreed by the Chief Executive Officer or resolution of Council.

Information and Communication Technology includes the monthly fees and usage costs associated with mobile telephones, tablets and internet charges.

### Councillor Attendances

In addition to regular Council Meetings and Councillor briefings, Councillors attend meetings as Councillor appointed representatives of delegated, advisory and external boards and committees.

Details of Councillor Representative appointments is available [here](#).

Note: All expenses are exclusive of Goods and Services Tax (GST) where applicable.

## Cr Libby Buckingham

incurred the following expenses during the month August:

Expense	Value
Councillor Allowance	\$3,230.16
Conferences and Training	\$10,270.00
Travel	
Car Mileage	
Child and Family Care	
Information and Communication Technology	\$59.00
<b>TOTAL</b>	<b>\$13,559.16</b>

## Cr Louise Crawford (Mayor)

incurred the following expenses during the month August:

Expense	Value
Councillor Allowance	\$10,973.92
Conferences and Training	
Travel <i>(including provision of a Mayoral vehicle charged at \$11,500 per annum pro rata to cover operating costs)</i>	\$987.59
Car Mileage	
Child and Family Care	
Information and Communication Technology	\$44.00
<b>TOTAL</b>	<b>\$12,005.51</b>

## Cr Heather Cunsolo

incurred the following expenses during the month August:

Expense	Value
Councillor Allowance	\$3,230.16
Conferences and Training	
Travel	
Car Mileage	
Child and Family Care	
Information and Communication Technology	\$68.00
<b>TOTAL</b>	<b>\$3,298.16</b>



## Cr Justin Halliday

incurred the following expenses during the month August:

Expense	Value
Councillor Allowance	\$3,230.16
Conferences and Training	
Travel	
Car Mileage	
Child and Family Care	
Information and Communication Technology	\$44.00
<b>TOTAL</b>	<b>\$3,274.16</b>

## Cr Rod Hardy

incurred the following expenses during the month August:

Expense	Value
Councillor Allowance	\$3,230.16
Conferences and Training	
Travel	\$279.65
Car Mileage	
Child and Family Care	
Information and Communication Technology	\$59.00
<b>TOTAL</b>	<b>\$3,568.81</b>

## Cr Beti Jay

incurred the following expenses during the month August:

Expense	Value
Councillor Allowance	\$3,230.16
Conferences and Training	\$791.32
Travel	
Car Mileage	
Child and Family Care	
Information and Communication Technology	\$44.00
<b>TOTAL</b>	<b>\$4,065.48</b>

## Cr Alex Makin

incurred the following expenses during the month August:

Expense	Value
Councillor Allowance	\$3,230.16
Conferences and Training	
Travel	\$39.23
Car Mileage	
Child and Family Care	
Information and Communication Technology	\$59.00
<b>TOTAL</b>	<b>\$3,328.39</b>

## Cr Bryan Mears (Deputy Mayor)

incurred the following expenses during the month August:

Expense	Value
Councillor Allowance	\$5,486.84
Conferences and Training	
Travel	
Car Mileage	
Child and Family Care	
Information and Communication Technology	\$59.00
<b>TOTAL</b>	<b>\$5,545.84</b>

## Cr Serge Thomann

incurred the following expenses during the month August:

Expense	Value
Councillor Allowance	\$3,230.16
Conferences and Training	
Travel	
Car Mileage	
Child and Family Care	
Information and Communication Technology	\$103.00
<b>TOTAL</b>	<b>\$3,333.16</b>



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

13.1	<i>Procurement Australia Renewal 2026 - 2029.....</i>	207
13.2	<i>Proposed Discontinuance and Sale - Part Union Place (Adjoining 154-158 Bank Street) South Melbourne.....</i>	215



**13.1** **PROCUREMENT AUSTRALIA RENEWAL 2026 - 2029**

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

**PREPARED BY:** **DAVID CRICHTON, HEAD OF RECRUITMENT, WORKFORCE SYSTEMS AND EXPERIENCE**  
**DANIEL LEW, CHIEF PEOPLE OFFICER**

**1. PURPOSE**

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

**2. EXECUTIVE SUMMARY**

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



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

### **3. RECOMMENDATION**

That Council:

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

### **4. KEY POINTS/ISSUES.**

#### **4.1 BACKGROUND**

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

# MEETING OF THE PORT PHILLIP CITY COUNCIL

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

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

### Current State Expenditure

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

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

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



4.1.12 Some areas of higher agency spend are outlined below:

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

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

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

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

## 4.2 PROCUREMENT REVIEW 2024

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

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

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

## 4.3 RECRUITMENT ENHANCEMENTS AND WORKFORCE CONTROLS

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



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

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

**4.4 RENEWAL TENDER**

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

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

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





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

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

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



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

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

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

#### **4.5 PROCUREMENT RECCOMENDATIONS**

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

#### **4.6 PROCESSES & SYSTEMS**

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

### **5. CONSULTATION AND STAKEHOLDERS**

- 5.1 Councils current Enterprise agreement (2025) sets forth specific circumstances in which the use of agency or temporary staff is supported. Council is committed to meeting its obligations under the agreement and continues to work closely with employee representatives to ensure that agency arrangements accord with the agreement.
- 5.2 Council has not directly engaged with unions or external bodies regarding the renewal of the Procurement Australia contract outside of representatives directly engaged by Procurement Australia.

### **6. LEGAL AND RISK IMPLICATIONS**

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

### **7. FINANCIAL IMPACT**

- 7.1 Renewing the contract with Procurement Australia does not have a direct budget impact as all labour hire and agency resourcing is funded through existing budget and existing recruitment activity controls.
- 7.2 The use of agency staff to deliver key services in high impact areas is budgeted year to year alongside the use of existing permanent staff.
- 7.3 Any short-term financial implications arising from the use of agency staff is managed through the normal monthly forecast review process and annual budget process.

### **8. ENVIRONMENTAL IMPACT**

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



**9. COMMUNITY IMPACT**

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

**10. GENDER IMPACT ASSESSMENT**

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

**11. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY**

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

**12. IMPLEMENTATION STRATEGY**

**12.1 TIMELINE**

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

**12.2 COMMUNICATION**

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

**13. OFFICER MATERIAL OR GENERAL INTEREST**

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

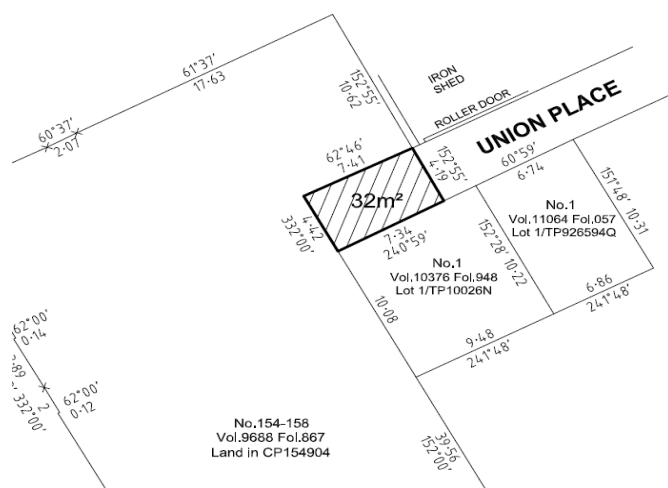
**ATTACHMENTS 1. Confidential- 2024 Review of Recruitment Procurement panels.**

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

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

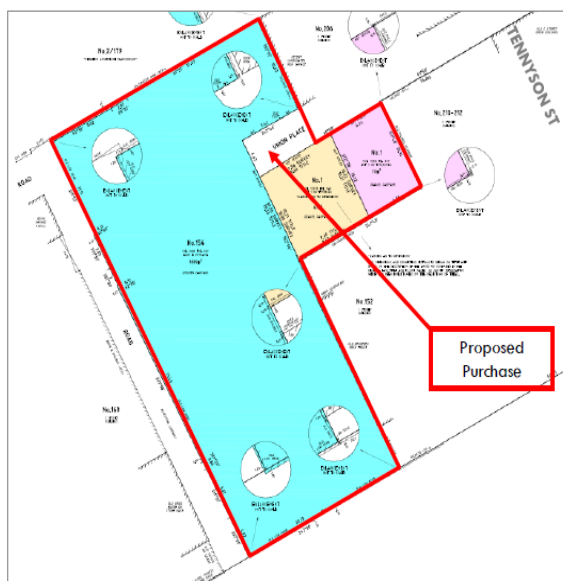
**MICHAEL MAJOR. TEAM LEADER PROPERTY OPERATIONS**

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



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

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





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

### 3. RECOMMENDATION

That Council:

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

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

### 4. KEY POINTS/ISSUES

#### Background

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



### **Adjoining Property**

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

### **Application**

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

## **5. CONSULTATION AND STAKEHOLDERS**

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

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

## 6. LEGAL AND RISK IMPLICATIONS

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

## 7. FINANCIAL IMPACT

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





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

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

## **8. ENVIRONMENTAL IMPACT**

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

## **9. COMMUNITY IMPACT**

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

## **10. GENDER IMPACT ASSESSMENT**

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

## **11. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY**

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

## **12. IMPLEMENTATION STRATEGY**

### **12.1 TIMELINE**

12.1.1 If the Proposal is approved:

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

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

### 12.2 COMMUNICATION

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


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

### 13. OFFICER MATERIAL OR GENERAL INTEREST

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

### ATTACHMENTS

1. Public Notice Inviting Submissions Under Section 223  [Download](#)



**PROPOSED DISCONTINUANCE AND SALE OF  
PART UNION PLACE (ADJOINING 154-158 BANK  
STREET), SOUTH MELBOURNE VIC 3205**

**PUBLIC NOTICE INVITING SUBMISSIONS UNDER SECTION 223**

Port Phillip City Council (**Council**), gives notice under section 206 and clause 3 of Schedule 10 of the *Local Government Act 1989* ("**1989 Act**") and section 114 of the *Local Government Act 2020* that Council proposes to discontinue part of Road UNIP01-10 adjoining 154-158 Bank Street, South Melbourne VIC 3205, shown hatched on the plan below, and to sell that land to the owner of 154-158 Bank Street, South Melbourne VIC 3205.



**14. NOTICES OF MOTION**

Nil

**15. REPORTS BY COUNCILLOR DELEGATES**

**16. URGENT BUSINESS**

**17. CONFIDENTIAL MATTERS**

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

**RECOMMENDATION**

That Council resolves to move into confidential to deal with the following matters pursuant to section 66(2) of the *Local Government Act 2020*:

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

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

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