



# ORDINARY MEETING OF COUNCIL

## MINUTES

5 FEBRUARY 2020

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**MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP  
CITY COUNCIL HELD 5 FEBRUARY 2020 IN PORT MELBOURNE  
TOWN HALL**

The meeting opened at 6:31pm.

**PRESENT**

Cr Voss (Chairperson), Cr Baxter, Cr Bond, Cr Brand, Cr Copsey, Cr Crawford, Cr Gross, Cr Pearl.

**IN ATTENDANCE**

Peter Smith, Chief Executive Officer; Lili Rosic, General Manager City Strategy and Sustainable Development; Tony Keenan, General Manager Community and Economic Development; Lachlan Johnson, Interim General Manager Infrastructure and Amenity; Chris Carroll, General Manager Customer and Corporate Services; Kylie Bennetts, Director Office of the CEO, Nick Dunstan, Coordinator Service Transformation, Adele Denison, Coordinator Festivals, Justine Hyde, Manager Cultural and Economic Development, Emma Murdoch, Head of Property and Workplace Operations, Kirsty Pearce, Senior Governance Advisor, Rebecca Purvis, Governance Officer.

*The City of Port Phillip respectfully acknowledges the Yalukut Weelam Clan of the Boon Wurrung. We pay our respect to their Elders, both past and present. We acknowledge and uphold their continuing relationship to this land.*

**1. APOLOGIES**

An apology was received from Councillor Simic.

**MOVED Crs Gross/Baxter**

That an apology be received and a leave of absence granted to Councillor Simic.

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



## 2. CONFIRMATION OF MINUTES

### **MOVED Crs Pearl/Bond**

That the minutes of the Ordinary Meeting of the Port Phillip City Council held on 4 December 2019 be confirmed with the following amendment to item 4.1:

#### Rhonda Small

Ms Small spoke in support of ~~the~~ *against* the petition, and focused on the definition of what a safe street means to the community.

That the minutes of the Special Meeting of the Port Phillip City Council held on 11 December 2019 be confirmed.

That the minutes of the Special Meeting of the Port Phillip City Council held on 29 January 2020 be confirmed.

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

## 3. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

## 4. PETITIONS AND JOINT LETTERS

Nil.

## 5. SEALING SCHEDULE

Nil.

*The Mayor advised of the addition of a condolence motion to the meeting agenda.*

## CONDOLENCE MOTION

**Robert 'Bob' Semple**

**Moved Crs Pearl/Baxter**

That Council:

- Expresses its deep regret on the passing of Robert (Bob) Semple OAM BEM
- Offers its sincere condolences to his family, and the Rats of Tobruk Association.
- Places on record its appreciation for his distinguished service to Country and Community.

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



## 6. PUBLIC QUESTION TIME

Edward Hagg

Mr Hagg raised issues with large camper vehicles parking on residential streets. Has Council put any strategies in place to deal with the increased flow of large campervans and mobile homes stopping in the Blvd, Port Melbourne?

*Lachlan Johnson, Acting General Manager Infrastructure and Amenity, addressed the issues raised by Mr Hagg and took the questions on notice for further discussion.*

Michael Sabada

- Is it the case that the Council has an insurance payment due to it for the water damage that occurred to South Melbourne Town Hall?
- If so, what is the sum that is due from the Insurer?
- Why has the water damaged portion of the Town Hall not been repaired on the ground floor?
- When will the water damaged portions of the South Melbourne Town Hall be repaired?
- Is the replacement of the access ramp on the eastern side (ANAM entrance), being paid for by City of Port Phillip? At what cost?

*Chris Carroll, General Manager Customer and Corporate Services, took the questions on notice.*

## 7. COUNCILLOR QUESTION TIME

Nil.

## 8. PRESENTATION OF CEO REPORT

Nil.



## 9. PEOPLE AND COMMUNITY

### 9.1 Multicultural Advisory Committee Terms of Reference

#### Purpose

- 1.1 For Council to adopt the Multicultural Advisory Committee Terms of Reference.

#### **MOVED Crs Gross/Baxter**

That Council:

- 3.1 Adopts the Multicultural Advisory Committee Terms of Reference (Attachment 1).
- 3.2 Delegates authority to the Chief Executive Officer to make amendments to the document to correct any minor drafting errors that do not materially alter the intent.

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

### 9.2 Friends of Suai/Covalima Chairperson and Terms of Reference

The following speaker made a verbal submission in relation to this item:

#### Megs Alston

Ms Alston thanked Council for the her reappointment as Chairperson and spoke to the changes encompassed in the new Terms of Reference.

#### Purpose

- 1.1 To seek Council endorsement of the 2020 Friends of Suai/Covalima (FoSC) Community Reference Committee (CRC) updated Terms of Reference and the appointment of the 2019 FoSC CRC Chairperson.

#### **MOVED Crs Baxter/Brand**

That Council:

- 3.1 Accepts and endorses the nomination of Megs Alston as Chairperson of Friends of Suai/Covalima Community Reference Committee 2019-22.
- 3.2 Accepts and endorses the 2020 Friends of Suai/Covalima Community Reference Committee Terms of Reference.
- 3.3. Delegates authority to the Chief Executive Officer to make amendments to the Terms of Reference to correct any minor drafting errors that do not materially alter the intent.

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



## 10. TRANSPORT AND PARKING

Nil.

## 11. SUSTAINABILITY

### 11.1 Collaborative Procurement for Sorting of Kerbside Recyclable Material & Advanced Waste Processing

#### Purpose

- 1.1 To update Council on the north-west collaborative procurement for Advanced Waste Processing (AWP) and endorse Council's participation in the Memorandum of Understanding (MOU) for this procurement process (attachment 1).
- 1.2 To update Council on the long-term collaborative procurement for the sorting of kerbside recyclable material (SKRM) and seek Council endorsement for the forthcoming MOU for this procurement process.

#### MOVED Crs Gross/Voss

That Council:

- 3.1 Notes the upcoming key dates for these procurement processes:

NW AWP collaborative procurement:

- MOU to be signed and returned February 17, 2020
- Develop draft business case March-May 2020
- Approve developed business case August 2020 (decision/exit point)

SKRM collaborative procurement

- MOU to be signed March 2020 (date TBC)
- Tender process to commence June 2020 (decision/exit point)

- 3.2 Notes that both processes are in the early stages of development, contain numerous decision/exit points and are focused on investigating and testing the market for future waste and resource recovery solutions in a manner that is as technology agnostic as practicable.

- 3.3 Notes that the outcomes currently driving officer level involvement for Council in pursuit of AWP are for solutions that:

- Provide maximum resource recovery (highest resource recovery before thermal treatment or landfill)
- Work best towards achieving DWI targets (100% diversion by 2028) to respect community expectations
- Minimise, as much as possible, the logistic impact (and therefore cost impact) on collection services
- Provide the overall best value (fiscal) option to Council



- Promote Circular Economy principles
  - Limit Carbon/Greenhouse gas emissions generated from the process
  - Must not incentivise volume of waste (i.e. create a need to 'feed the machine')
- 3.4 Authorises the CEO to sign the Memorandum of Understanding (MOU) for the North Western Advanced Waste Processing
- 3.5 Authorises the CEO to sign the Memorandum of Understanding (MOU) Sorting of Kerbside Recyclable Material collaborative procurement processes.
- 3.6 Notes that Port Phillip has observer status with the SE (South East) Advanced Waste Processing Procurement Process.

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

**Cr Bond called for a DIVISION.**

**FOR: Crs Bond, Voss, Brand, Crawford, Gross and Pearl**

**AGAINST: Crs Baxter and Copsy**

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

## **12. PLANNING**

Nil.

## **13. ARTS CULTURE & ECONOMIC DEVELOPMENT**

### **13.1 Draft Live Music Action Plan**

#### **Purpose**

- 1.1 To present the draft Live Music Action Plan and seek approval to commence a period of community consultation and engagement.

#### **MOVED Crs Copsy/Brand**

That Council:

- 3.1 Authorises the draft Live Music Action Plan to be released for a period of community consultation following the endorsement of the draft plan.
- 3.2 Delegates authority to the Chief Executive Officer to make amendments to the document to correct any minor drafting errors that do not materially alter the intent.
- 3.3 Notes that feedback from the consultation period will be presented prior to consideration of the final Live Music Action Plan in May 2020.

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



## 14. ORGANISATIONAL PERFORMANCE

### 14.1 Status of Council Decisions and Questions Taken on Notice recorded by Council: 1 October - 31 December 2019

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

In relation to item 12.1 '129A Beaconsfield Parade, Albert Park – a potential new life for Kiosk 7' from the Ordinary Council Meeting held on 19 June 2019, Cr Pearl asked for an update on whether the lease will be completed by 28 February as indicated in this report?

*Chris Carroll, General Manager Customer and Corporate Services, took the question on notice.*

#### 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 October and 31 December 2019, 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 October to 31 December 2019.

#### **MOVED Crs Pearl/Copsey**

That Council:

- 3.1 Notes the implementation status of Council and Planning Committee Resolutions as contained in Attachments 1 - 3.
- 3.2 Notes the response status of questions taken on notice during Council Meetings as contained in Attachment 4.

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





**14.2 Proposed Tenancy Agreement "Sandbar" 175B Beaconsfield Parade, Albert Park - Completion of Statutory Procedures**

**Purpose**

- 1.1 To seek Council's approval to complete statutory procedures under Section 190 of the Local Government Act 1989 (Vic) ("Act") and finalise the proposed tenancy agreement with Sandbar on the Bay Pty Ltd (Tenant) for the premises at 175B Beaconsfield Parade, Albert Park

**MOVED Crs Pearl/Bond**

That Council:

- 3.1 After considering submissions in response to the Notice of Intention to Lease for the property at 175B Beaconsfield Parade, Albert Park to Sandbar on the Bay Pty Ltd (**Tenant**), resolves to conclude the statutory procedures under Sections 190 and 223 of the Local Government Act 1989 (**Act**) and approves the proposed tenancy agreement to the Tenant.
- 3.2 Authorises the Chief Executive Officer or delegate to execute such tenancy agreement on the key terms outlined below:
- 3.1.1 Proposed Tenant: Sandbar on the Bay Pty Ltd
  - 3.1.2 Demised Premises: 175B Beaconsfield Parade, Albert Park
  - 3.1.3 Permitted Use: Café/Restaurant with Liquor Licence
  - 3.1.4 Commencement Date: 1 April 2020
  - 3.1.5 Term: 10 years
  - 3.1.6 Commencement Rent: \$127,200 per annum plus GST
  - 3.1.7 Outgoings: Paid by Tenant

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

**15. NOTICES OF MOTION**

Nil.

**16. REPORTS BY COUNCILLOR DELEGATES**

Nil.

**17. URGENT BUSINESS**

Nil.



## 18. CONFIDENTIAL MATTERS

### **MOVED Crs Crawford/Gross**

That in accordance with Section 77(2)(a) of the Local Government Act 1989 (as amended), the meeting be closed to members of the public in order to deal with the following matters, that are considered to be confidential in accordance with Section 89(2) of the Act, for the reasons indicated:

#### **18.1 Metro Tunnel Project - Compensation for Loss of revenue for on-street parking**

The information in this report is considered to be confidential in accordance with the Local Government Act 1989 (as amended), as it relates to:

89(2)(d). Contractual matters

89(2)(f). Legal advice.

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

The meeting was closed to the public at 7.49pm.

The meeting was reopened to the public at 8.04pm.

As there was no further business the meeting closed at 8.04pm.

Confirmed: 19 February 2020

Chairperson \_\_\_\_\_