



# MEETING OF THE PORT PHILLIP CITY COUNCIL

## MINUTES

18 NOVEMBER 2020



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**MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL  
HELD 18 NOVEMBER 2020 IN ST KILDA TOWN HALL**

The meeting opened at 6:30pm.

**PRESENT**

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

**IN ATTENDANCE**

Peter Smith, Chief Executive Officer, Lili Rosic, General Manager Development Transport and City Amenity, Tony Keenan, General Manager Community Wellbeing and Inclusion, Chris Carroll, General Manager Customer Operations and Infrastructure, Kylie Bennetts, General Manager City Growth and Organisational Capability, Rachel Russell, Manager Governance and Organisational Performance, Kirsty Pearce, Head of Governance, Rebecca Purvis, Governance Officer, Emily Williams, Council Meetings Officer, Brian Tee, Manager Partnerships and Transport, Stefan Mitrik, Coordinator Transport Safety, Thomas Mason, Project Manager – Domain, Anthony Traill, Manager Open Space, Recreation and Community Resilience, Emma Murdoch, Head of Property and Workplace Operations, Donna D’Alessandro, Manager Safety and Amenity, Joanne McNeill, Executive Manager Property and Assets, Lisa Davis, Manager Safety and Amenity, Andrea Joseph, Team Leader, Animal Management and Safety Amenity, Samuel Yeo, Executive Assistant to the Mayor.

*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**

Nil

**2. CONFIRMATION OF MINUTES**

**MOVED Crs Bond/Pearl**

That the minutes of the Meeting of the Port Phillip City Council held on 21 October 2020 be confirmed.

That the minutes of the Special Meeting of the Port Phillip City Council held on 11 November 2020 be confirmed.

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

**3. DECLARATIONS OF CONFLICTS OF INTEREST**

Nil



#### 4. PUBLIC QUESTION TIME AND SUBMISSIONS

The following submissions were made verbally during the virtual council meeting and can be listened to in full on our website:

<http://webcast.portphillip.vic.gov.au/video.php>

A copy of written submissions has also been made available on the website.

##### Public question time

- **Jack Vukoja:** I've noticed that there are a lot of development plans for the new St Kilda Pier and Brooks Jetty. Does Council have any plans to improve public safety and access from the St Kilda foreshore, along Shakespeare Grove to Acland Street as its very highly populated with pedestrians. As a resident here, I see a lot of chaos and a lot of safety issues as this area.

*Brian Tee, Manager Partnerships and Transport advised that Council has identified the redevelopment of St Kilda as an opportunity to improve safety and access to the foreshore and we will be looking at some of the opportunities that have been identified within this question. One of the areas we are particularly keen to explore is improvements on the intersection of Cavell Street and Shakespeare Grove to increase pedestrian safety.*

##### Council Report Submissions (written submissions are available on the website)

#### 7.1 Petition - Requesting to investigate alternative options to make the Kerferd Road Crossover at Herbert Street safer

- Norbert Oberholzner
- Andrew Perkins

#### 7.3 Petition - Requesting Kirrip Park, South Melbourne become an 'off-leash' dog park after 5PM on weekdays and anytime during the weekend and/or public holidays

- Cambeez Chu

#### 7.4 Petition - Request to allow building of a BMX track on Julier Reserve, Port Melbourne

- Cooper Allen

#### 7.5 Petition - Speeding vehicles and excessive traffic noise in Port Phillip

- Louisa Williams
- Matt Van Rensburg
- Alan Wilson

#### 14.3 Item 14.3 Review Submissions for Proposed Tenancy Agreement - Port Melbourne Soccer Club

- John Turnbull

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The following questions were submitted prior to the meeting and were read out in summary by the Head of Governance. The submissions and Officer responses can be found on the website: <https://www.portphillip.vic.gov.au/about-the-council/council-meetings/2020-meetings-and-agendas>

## **Public Question Time**

**Adrian Jackson:**

- 1 With predictions of extreme future flooding in low lying areas of Port Phillip why is Fishermans Bend being developed with buildings instead of open space ovals and parkland?
- 2 Who will pay for the parklets and who will keep them clean? What consultation has been undertaken? Who manages parklets when cafes are closed and are they fire safe?
- 3 Can Council explain what "Play Space" and "Pop Ups" are as mentioned in the council website and Have Your Say published on 13 Oct 20?
- 4 What is Council going to do, with police and government assistance naturally, about the illegal drugs, violent assaults and anti-social behaviours in Fitzroy St?
- 5 Why does council not ban alcohol on outdoor council areas all year round?
- 6 Can the 50kph speed sign in Patterson St be replaced with a 40kph sign?

*The Mayor advised a response to all questions would be published to Councils website and sent to Mr Jackson.*

## **5 COUNCILLOR QUESTION TIME**

Councillor Pearl – Question in relation to the Medium strip/grass areas on Beaconsfield Parade. Grass is overgrowing by up to a foot high at the moment towards the St Kilda end of the medium strip which is creating a fire hazard. Can officers provide an update on what Council's maintenance obligations of the medium strips are, do VIC Roads maintain these or Council? And provide an update as to when this situation can be remedied?

*Chris Carroll, General Manager Customer Operations and Infrastructure, took the question on notice.*

## **6 SEALING SCHEDULE**

Nil



## 7 PETITIONS AND JOINT LETTERS

### **Item 7.1 Petition - Requesting to investigate alternative options to make the Kerferd Road Crossover at Herbert Street safer**

A change.org Petition containing 258 signatures, was received from local residents.

#### **MOVED Crs Copsey/Bond**

That Council:

1. Receives and notes the Petition.
2. Requests Council Officers provide a response to this petition at the next available Council meeting in December.
3. Notes that Council Officers will notify the head petitioners of both petitions of Council's endorsed recommendation.

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

### **Item 7.2 Petition - Request for the removal of rubbish bin and the installation of two recycle bins at either end of shopping strip on Tennyson Street, Elwood**

A Petition containing 407 signatures, was received from local residents.

#### **MOVED Crs Copsey/Baxter**

That Council receives and notes the petition and that officers provide a response at the next available Council Meeting.

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

### **Item 7.3 Petition - Requesting Kirrip Park, South Melbourne become an 'off-leash' dog park after 5PM on weekdays and anytime during the weekend and/or public holidays**

A Change.org Petition containing 417 signatures, was received from local residents.

#### **MOVED Crs Pearl/Baxter**

That Council:

1. Receives and notes the Petition.
2. Acknowledges the important role that pets play in people's lives.
3. Notes that a site-specific review of Kirrip Park as a potential dog off leash area will be undertaken in 2021 and that a report will be submitted to Council following completion of the review process.

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



**Item 7.4 Petition - Request to allow building of a BMX track on Julier Reserve, Port Melbourne**

A change.org Petition containing 330 signatures, was received from local residents.

**MOVED Crs Martin/Cunsolo**

That Council:

Receives and notes the Petition.

- 1 Thanks the community for their petition and acknowledge the community benefits and social connectiveness a BMX track would provide.
- 2 Notes that the current BMX track constructed on public land at R.F Julier Reserve is not in accordance with Local Law 49 and cannot be supported.
- 3 Notes vandalism of a Council tree is not acceptable in any situation.
- 4 Notes the petition will be submitted as a community request for consideration in the upcoming 2021/2022 budget process.

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

**Item 7.5 Petition - Speeding vehicles and excessive traffic noise in Port Phillip**

A change.org Petition containing 523 signatures was received from local residents.

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

Councillor Pearl – Can Officers provide details of known operations by the Environment Protection Authority on noise pollution, particularly in the Port Melbourne area?

*Stefan Mitrik, Coordinator Transport Safety, took the question on notice.*

**MOVED Crs Copsy/Cunsolo**

That Council receives and notes the petition and that officers provide a response at the next available Council Meeting.

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

**8. PRESENTATION OF CEO REPORT**

Nil.

**9. PEOPLE AND COMMUNITY**

Nil.



## 10. TRANSPORT AND PARKING

Nil.

## 11. SUSTAINABILITY

Nil.

## 12. PLANNING

Nil.

## 13. ARTS CULTURE & ECONOMIC DEVELOPMENT

Nil.

## 14. ORGANISATIONAL PERFORMANCE

### 14.1 Presentation of the City of Port Phillip Annual Report 2019/20

#### Purpose

- 1.1 To endorse the City of Port Phillip's Annual Report 2019/20.

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

Councillor Pearl – In reference to page 253 within the Annual Report, it says the underlying result in 2019/20 is negative \$2.9million, and below it says that Councils underlying operating result in 2020 is a deficit of \$6.5million. Can Officers clarify if there is a difference between the underlying result and the operational underlying result?

*Chris Carroll, General Manager Customer Operations and Infrastructure, took the question on notice.*

#### MOVED Crs Pearl/Copsey

That Council:

- 2.1 Receives and considers the Annual Report 2019/20 (attachment 1).
- 2.2 Delegates authority to the Chief Executive Officer to make minor amendments to the documents to correct drafting errors that do not materially alter the intent of the documents.

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



## 14.2 Proposed Discontinuance of Part of the Road Part R2975 Between 17 Coventry Place and 378 Coventry Street, South Melbourne

### Purpose

- 1.1 To seek Council's approval to:
  - consider removing the road between 17 Coventry Place and 378 Coventry Street, South Melbourne, part R2975 that is part of the land contained in Memorial Book X Number 653 (**Road**), and shown as Lot '1' and Lot '2' on the title plan attached as Attachment 1 to this report (**Title Plan**) from Council's Register of Public Roads if it is no longer required for general public use; and
  - commence the statutory procedures pursuant to the *Local Government Act 1989* (Vic) (Act) to consider discontinuing the Road. If the Road is subsequently discontinued, the Road is proposed to be sold to the adjoining owners for market value.

### MOVED Crs Pearl/Crawford

That Council:

- 3.1 Acting under section 17(4) of the *Road Management Act 2004* (Vic), resolves that the road between 17 Coventry Place and 378 Coventry Street, South Melbourne, part of R2975 that is part of the land contained in Memorial Book X Number 653 (**Road**), and shown as Lot '1' and Lot '2' on the title plan attached as Attachment 1 to this report (**Title Plan**), 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 the report.
- 3.2 Acting under clause 3 of Schedule 10 of the *Local Government Act 1989* (Vic) (**Act**):
  - 3.2.1 resolves that the statutory procedures be commenced to discontinue the Road;
  - 3.2.2 directs that under sections 207A and 223 of the Act public notice of the proposed discontinuance and sale of the Road be given in The Age newspaper;
  - 3.2.3 resolves that the public notice required to be given under sections 207A and 223 of the Act should state that if the Road is discontinued, Council proposes to sell, for market value, that part of the Road shown as:
    - Lot '1' on the on the Title Plan to the owners of 378 Coventry Street, South Melbourne; and
    - Lot '2' on the Title Plan to the owners of 17 Coventry Place, South Melbourne.
  - 3.2.4 notes that the market value of the Road was previously assessed at \$63,000 plus GST (i.e. \$31,500 plus GST each adjoining owner);
  - 3.2.5 notes that the owners of 378 Coventry Street, South Melbourne have agreed to purchasing the bluestone pavers within the Road assessed by Council Asset Management Team to be \$800 plus GST;





- 3.2.6 notes that proceeds from the proposed sale will go into Council's Strategic Property Reserves used to support the acquisition and development of the property portfolio;
- 3.2.7 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 this matter; and
- 3.2.8 resolves to hear and consider any submissions received pursuant to section 223 of the Act at a Council Meeting to be determined at a later date.

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

### **14.3 Review Submissions for Proposed Tenancy Agreement - Port Melbourne Soccer Club**

#### **Purpose**

- 1.1 To report and hear submissions received from interested parties regarding Councils intention to enter a new short-term tenancy agreement (**Proposed Tenancy Agreement**) with Port Melbourne (Nea Ellas) Soccer Club Inc. trading as Port Melbourne Soccer Club (**PMSC**) at 430 Plummer Street, Port Melbourne (part of JL Murphy Reserve) as required under Section 223 of the Local Government Act 1989.

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

Councillor Martin – Are we able to get a costing for adding two gates and compare that with the costing of removing the fence and building a new fence next to Oval 1?

*Peter Smith, Chief Executive Officer, took the question on notice.*

Councillor Bond asked officers whether an amendment was required in order to defer any further removal of fencing until a report is brought back to the next Council meeting.

*Chris Carroll, General Manager Customer Operations and Infrastructure, undertook to defer any removal of fencing until further decisions are made at the 2 December Council Meeting. Chris Carroll also undertook to come back to Council with costings to install a fence between pitches 1 and 2.*

#### **MOVED Crs Bond/Copsey**

That Council:

- 3.1 Notes that notice has been given under Section 190 of the Local Government Act 1989 (Act) inviting submissions from interested parties regarding the proposed lease with the existing tenant, Port Melbourne (Nea Ellas) Soccer Club Inc. trading as Port Melbourne Soccer Club for 430 Plummer Street, Port Melbourne (part of JL Murphy Reserve).
- 3.2 Notes the submissions received by the closing date of 21 August 2020, as required under Section 223 of the Local Government Act 1989.

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- 3.3 Notes that Officers will bring back to Council a report at the next Council meeting that proposes a response to the submissions received from interested parties regarding Council's intention to provide a short term agreement to the Port Melbourne (Nea Ellas) Soccer Club Inc. trading as Port Melbourne Soccer Club for 430 Plummer Street, Port Melbourne (part of JL Murphy Reserve).

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

## **14.4 Outcomes of the Audit and Risk Committee Meeting held 8 September 2020**

### **Purpose**

- 1.1 To bring to the attention of the Council the matters addressed at the scheduled 8 September 2020 meeting.

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

That Council:

- 2.1 Notes the matters addressed at the 8 September 2020 meeting of the Audit and Risk Committee.

**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**

Nil.

As there was no further business the meeting closed at 8.08pm.

Confirmed: 2 December 2020

Chairperson \_\_\_\_\_