



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

19 MAY 2021



Please consider
the environment
before printing



Consider carefully how
the information in this
document is transmitted



**MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL
HELD 19 MAY 2021 IN ST KILDA TOWN HALL**

The meeting opened at 6:31pm.

PRESENT

Cr Crawford (Chairperson), Cr Baxter, Cr Bond, Cr Clark, Cr Copey, 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. Kirsty Pearce, Head of Governance, Emily Williams, Council Meetings Officer, Joanne McNeill, Executive Manager Property and Assets, Anthony Savenkov, Head of Real Estate Portfolio (Development & Transactions), Anthony Traill, Manager Open Space, Recreation and Community Resilience, Lauren Bialkower, Manager City Growth and Culture, Brian Tee, Manager Partnerships and Transport.

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 Martin/Bond

That the minutes of the Meeting of the Port Phillip City Council of the Port Phillip City Council held on 5 May 2021 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Pearl identified and declared a conflict of interest in item 18.1 Workcover Update and Preferred Insurer.



4. PUBLIC QUESTION TIME AND SUBMISSIONS

The following submissions were made verbally during the council meeting and can be listened to in full on our website: <http://webcast.portphillip.vic.gov.au/archive.php>

Public Question Time:

- **Trina Lewis:** Going forward, can the council guarantee that rate payer sponsored time and money is not spent on issues outside its remit or in support of politically motivated organisations?

Kylie Bennetts, General Manager City Growth And Organisational Capability advised that the Local Government Act 2020 outlines the role of Council which is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. A Council is considered under the Act to have provided good governance if it performs its role in accordance with the overarching governance principles outlined in section 9 of the Act. These nine governance principles require Council amongst other things to place priority to achieving the best outcomes for the municipal community including future generations; the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks is to be promoted; the community is engaged on strategic planning and decision making; the ongoing financial viability of the Council is to be ensured and regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

- **Victoria wilding:** Why has the market's performance not improved, despite the massive investment from rate payers? The last annual report showed a loss of \$1.8m. Why is Council allowing this market to keep losing rate payer's money, and what, if anything, is being done to cut its sizeable and unsustainable operating expenses?

Kylie Bennetts, General Manager City Growth And Organisational Capability advised, in the financial year 2019/20 and 2020/21 the South Melbourne Market has incurred losses. This was directly due to the rent relief provided to support traders through the COVID period, most of which were government mandated, and the additional expenses incurred to comply and adjust to new and changing COVID government restrictions. Over the course of March 2020 to March 2021 the Council have supported traders affected by COVID with over \$2.3 million in rent relief. The Market Committee and Management have done a significant amount of work to ensure the Market starts to operate in a more financially sustainable way and have recently submitted a budget to Council which plans for a breakeven operating result for 2021/22. In saying that we need to be mindful that there is still the possibility of further significant disruption this year with respect to COVID which may influence these results. The Market has also done a 10-year forecast which plans for small operating profits each financial year from 2022/23 through to 2029/30. Financial sustainability of the Market is also a key theme in the draft South Melbourne Market Strategic Plan which is currently out for community consultation.

- **Rob Mahoney:** I want to know if the Council has a plan attached to their declaration of a climate emergency and if Council plan to restore the tree planting budget to pre-pandemic levels of funding.

Kylie Bennetts, General Manager City Growth And Organisational Capability Advised Council declared a Climate Emergency in September 2019. This motion reinforced the existing suite of Council policy commitments, programs and projects that address climate change including the Act and Adapt Strategy, endorsed in 2018. There is currently no plan to develop a Climate



Emergency Plan or Strategy. Rather, Council through the draft Council Plan and Budget incorporated the Climate Emergency declaration as part of its Sustainable Port Phillip Strategic Direction. In the draft Council Plan, Council has also outlined its intent to provide projects that support sustainability and climate change mitigation and adaptation as outlined in the 'Act and Adapt Strategy' prioritised within available budgets each year. The draft Council Plan report includes an attachment #4 – 'Climate Emergency Response' which outlines Council's intent through the draft plan to provide \$21.9m of activities across Council in 2021/22 that address the climate emergency, reduce emissions and plan for a changing climate. This attachment is available on Council's website and is a useful resource for our community on Council's intent through the draft Council plan in this policy area.

Anthony Traill Manager Open Space, Recreation and Community Resilience advised that the street tree planting program in 2018/19 had a budget of \$540,000. In 2019/20 Council increased that to 640,000. As per the question in 20/21 that was decreased by 200k due to the pandemic. The draft budget 21/22 currently out for consultation has proposed an increase of 100k in each of 21/22 and 22/23 to offset the 2021 reduction.

- **Paul Hickey** Why are COPP wages and materials/service expenses 35% to 100% (respectively) higher than neighbouring, comparable Councils? What rent relief has been provided to COPP's commercial tenants, especially Live Nation who manages the Palais. Has Live Nation, a US listed multinational, received a lease waiver, not deferral, of between A\$600,000 to A\$900,000 for year 2019/ 2020? = COVID lockdown If yes, why has that generosity not been extended to rate payers facing similar difficulties due to COVID lockdown i.e. loss of business or job?

Chris Carroll, General Manager Customer Operations and Infrastructure advised that caution needs to be taken when making gross comparisons as each Council has a different asset mix, service profile, capital programs, and ways of delivering services. Port Phillip for instance provides greater levels of childcare, aged care, parking, community facilities, and beach cleaning services, we also have different revenue sources that offset some of those costs as well, such as parking revenue and government funding. We'd need further information from Mr Hickey on which Councils he is referring to in relation to the specific figures mentioned but based on a quick look at Yarra and Stonnington the differences are much smaller than this.

The Mayor asked Mr Carroll to confirm we have hardship relief available if residents need to contact Council regarding these options.

Mr Carroll advised that CoPP has some of the most generous financial hardship provisions of Councils in Victoria and people are encouraged to contact Council through our ASSIST office or online, if they are experiencing difficulty and we will work with them if we can.

In relation to the second part of the question, Joanne McNeill, Executive Manager Property and Assets advised that at the start of the COVID-19 pandemic, the Victorian Government introduced the Commercial Tenancy Relief Scheme (the Scheme) to relieve financial hardship faced by commercial tenants and landlords as a result of the coronavirus pandemic. On 25 March 2020, Council introduced its Emergency Rent Relief Package which provided rental waivers over and above the requirements of the Scheme. The emergency relief package provided for tiered levels of support to members of the community, community organisations as well as local traders and other important sectors of the City of Port Phillip economy and provided for a wide range of support across the whole community. With the continuation of the state emergency provisions, Council extended the rent relief, which has now ended as of 30 March 2021. While we have started to see the reactivation of many businesses and activities across our municipality, larger entertainment venues such as the Palais Theatre will take much longer



to recover due to the constraints on the industry, which include ongoing international travel restrictions, promoter hesitancy to book shows due to uncertainty of lockdowns and individuals hesitation to attend events with crowds. Given the ongoing obstacles faced by this industry, Live Nation has requested that Council consider extending their rental support for the 2021 calendar year. As the current lease with Live Nation is intended to harness and develop a long term mutually beneficial relationship between the Lessee, Council and the community through the activation of the Palais Theatre, Council resolved on 7 April 2021 to continue to provide proportional rent relief in the form of rent waivers until the end of June 2021 with any further rental support after this date is to be considered as part of the 2022 Council Budget. The cost of the rental waivers to commercial tenants in total to date has been \$2.73m (inclusive of GST). The cost of the rental waivers for Live Nation has been \$1.03m (inclusive of GST) to date.

- **Warwick Renshaw:** Why are the City of Port Phillip employee costs so much higher than the Melbourne and Australian averages, and how is Council planning to reduce these costs going forward? What benchmark is Council planning to use to measure employee costs in 2021-22? How will working from home contribute to improved service efficiency and lower employee costs in the future?

Chris Carroll, General Manager Customer Operations and Infrastructure advised that Service Profile budgets need to be taken cautiously because they include our aggregated employee costs because they include elements that are not relevant when comparing wages across Councils such as allowances for redundancy, use of agency staff, work cover, parental and long service leave, We calculate our average salary at around 4% higher than the Victorian average based on information from the Australian Bureau of Statistics. This is explainable given we're based in metro Melbourne whereas the Victorian average includes rural and regional areas with lower average salaries. Notably, based on ABS information, we are around 10% lower than the average wage for the Victorian public sector, a key part of our market, of the jobs market, and a key competition for talent. Council has substantially reduced its management staff FTE over the past 12 months and constrained its growth in staff FTE over the past 5 years to 1%. It has continued focus on efficiency which has enabled the Council to operate within the rates cap while its expenditure requirements, particularly things like waste, have driven excessively higher than the rates cap. That commitment to efficiency has enabled us to keep within the cap while continuing to grow expenditure in those key services. We have an ongoing commitment to efficiency and that's baked into our budget every year for the next 10 years. In regards to the final question regarding working from home, Mr. Carroll took the question on notice.

The Mayor advised that a number of questions relating to the **Local Festivals Fund** had been received. Questions on this matter were heard first and then a response provided by an officer.

- **Bill Garner:** Regarding the cancellation of the Local Festivals Fund grant,
 - 1 How does this last-minute decision fit with good governance?
 - 2 What changed in those few days to justify this drastic action?
 - 3 Did Council receive any complaints regarding Musical Balconies before the event? If so, how many and what was their nature?
 - 4 How does the initial delay in announcing successful applicants and the subsequent cancelling of the funding round for the Local Festivals Fund – Recovery Grant fit with Council's claim to be expediting support for creative practitioners in a time of COVID?
 - 5 Have eligibility and assessment criteria ever previously been queried after the assessment panel's recommendations had already proceeded to delegate sign-off?
 - 6 Are the eligibility criteria being reviewed specifically to consider excluding Progressive Port Phillip from applying for grants to run community events?



- **Rhonda Small:** What triggered the administrative review of Local Festivals Fund Round 2, after all funding decisions had been made and the announcement was pending? What were the "errors" discovered? How were they found? By whom? What is the 'intent and desired outcome' that Council now wants for these festivals, if not what we provided for our neighborhood with over 40 local musicians playing a paying gig on 8 May? Given the admission of errors on the part of Council, will Musical Balconies and other applicants be compensated by Council?
- **Krystyna Kynst:** I have five questions for Council tonight:
 1. What complaints from Councillors did the CEO and officers receive before the Musical Balconies event and how did the CEO and officers respond?
 2. All Councillors would be aware of Section 124 (a) of the Local Government Act
 - a. "A councillor must not intentionally direct, or seek to direct, a member of Council staff in the exercise of a delegated power or the performance of a delegated duty or function of the council".
Given the Musical Balconies grant application had provisional approval already, how does its subsequent sudden cancellation sit with this section of the ACT?
 3. When, and under what circumstances, did all Councillors become aware of complaints about Progressive Port Phillip's auspice of the Musical Balconies grant?
 4. Who made the final decision to cancel the whole second round of Local Festival Funds?
 5. Could the officers indicate where/how the eligibility and assessment criteria for Local Festivals Fund grant rounds failed to meet the provisions of the Local Government Act?
- **Judy Gunson:** Why was the funding for this festival withdrawn at the last minute, leaving performers and organisers with a very bad impression of the processes that council follows?
- **David Bornstein:** Why did Council cancel the Local Festivals Fund grant for Musical Balconies event?
- **Jeanie Marsh:** Can Council please clarify the reasons for the last-minute cancellation of the Local Festivals funding round, and tell us what strategies will be adopted to ensure that such a damaging situation does not occur in the future?

Kylie Bennetts, General Manager City Growth And Organisational Capability provided a response:

Officers apologise to all applicants to the Local Festivals Grant Fund and our community for its service response on this occasion and the time taken to consider this matter. Recently Council received some enquiries from our community about a project that had applied for funding through the Local Festivals Recovery Grants program. Following these enquiries officers reviewed the matter including when the grant process was last audited. In 2020 an internal audit was undertaken by Council's internal auditors of several of Council's grant funding programs. In this Audit there were some specific findings in relation to the Local Festivals Fund. Through the review of the administration of the most recent process it was clear that some of these recommendations had not been fully implemented including assessment panel composition, delegate sign-off and clear reporting and approval processes, notification of applicants prior to appropriate delegate sign-off and review of the program itself including effectiveness criteria, assessment model and program frequency. As part of normal practice, officers spoke with Council on this matter to advise them of the findings of this review. The CEO subsequently



made the very difficult decision that given the procedural issues the round of funding should be cancelled; the audit findings should be fully implemented as quickly as possible and a new funding round be established once this had occurred to ensure that the administration of grants from public monies was conducted correctly to provide public confidence in the process. Officers are currently working with Council to implement the Audit findings. Further details of this will be provided in due course.

Any request for consideration of compensation should be made directly to Council officers. Officers will follow standard processes including reference to Council's insurer (if relevant). Officers recognise that this difficult decision has caused great inconvenience to all applicants, some who were well advanced in their preparations. This is regrettable however it was important to balance this with the administration of grants from public monies.

Council Report submissions:

Item 9.2 Rainbow Local Government Implementation

- Sean Mulcahy

Item 14.2 Intention to Sell: 39-47 Camden Street, Balaclava – Consideration of Submissions in Response to Public Notice

- Justin Halliday
- Helen Halliday

The following people made submissions which were read out in summary form and can be listened to on our website: <http://webcast.portphillip.vic.gov.au/archive.php>

Public Question Time:

- **Adrian Jackson:** Before funding and designing any proposed bike paths and similar variants that will remove valued street car parking, will Council first consult by letter box drop particularly as well as in Have Your Say, with all residents and businesses either side of the street to see if the proposal is supported or needed by the people who live and work there?

Before council spends ratepayers' funds on bike infrastructure, they need to know how many pedal bikes riders are residents within Port Phillip. What is council's data justification for bike paths on council roads?

Lili Rosic, General Manager Development Transport and City Amenity advised that 5 May Council endorsed officers to progress the development of concept designs for three separated bike lane options for the Safe Travel Corridor on Inkerman Road and to provide these to Council along with a communication and engagement plan for the project early 2022.. The Inkerman Safe Travel Corridor is a high priority bike corridor for delivery in Council's Move Connect Live, Integrated Transport Strategy. The recently adopted City of Port Phillip Community Engagement Policy outlines our promise to the community to "consider the needs and interests of all people in the decision-making process, and actively remove barriers to engagement". Without concept designs to illustrate what we are proposing, it may be difficult for some members of our community to understand the extent of the proposed bike corridor and how it integrates with other road infrastructure and the streetscape. This would reduce the community's ability to make



an informed, meaningful contribution and the consultation process could be compromised. Additionally, the lack of visual materials would make it more difficult for anyone with language or literacy difficulties to participate in the consultation process. Project costing without concept designs is also highly uncertain and this information would not be able to be provided to the community. Once concept plans are developed, a detailed community engagement approach will be developed in line with Council's Community Engagement Policy. The designs will be brought to Council for endorsement for consideration and Council will have the opportunity to proceed with community consultation on the concept designs or rescope or reconsider the project. In regards to Council's data justification I will invite my colleague Mr. Tee to provide a response.

Brian Tee, Manager Partnerships and Transport responded to the second part of the question advised that the bike corridors were independently prioritised considering crash history, population density, school enrolments parking loss and so on. Protected bike lanes protect bike riders from moving traffic and people exiting parked cars. They shorten road crossing distances for pedestrians and reduce vehicle speeds making the street safer for all road users. In 2019 the City of Melbourne found that, protected bike lanes reduce crashes by 41% compared to conventional bike lanes. City of Melbourne research found that safe bike corridors are likely to increase bike riding among those who don't feel confident. Surveys completed in 2018 found that 83% of respondents including respondents from Port Phillip would aim to ride if a protected bike lane was provided An Infrastructure Victoria report found that a shift to riding is a cost effective way to manage congestion. They found an increase of 55% of people choosing to cycle, is achievable and could save every inner Melbourne car driver around 18 minutes in traffic per week. Modelling completed for the Inner Melbourne Action Plan predicts that the Inkerman Bike Corridor could see at least 100% increase in riders if it is part of an integrated bike network.

- **Adrian Jackson:** Why is the council calling for bids for funding up to \$10,000 per event and festivals during a pandemic? Will event organisers be told to consider the pandemic? If the festival is approved by council, will council tell the organisers to fund it themselves instead of trying to use ratepayers' funds? Will council suggest to the organisers to charge an entry fee to cover their costs?

Kylie Bennetts, General Manager City Growth And Organisational Capability advised all grants given since the pandemic have had a COVID-19 recovery focus with specific assessment criteria related to the different funding streams. It is critical that opportunities are provided for our community to gather together in a COVID-safe way and event organisers are required to ensure that they are meeting required guidelines.

Council Report submissions:

Item 9.2 Rainbow Local Government Implementation

- Adrian Jackson

Item 14.3 Intention to Sell: 39-47 Camden Street, Balaclava – Consideration of Submissions in Response to Public Notice

- Adrian Jackson



5. COUNCILLOR QUESTION TIME

Councillor Martin: Further to the 5 May Council Meeting, where we were advised that the average annual rate increase for an individual in the City of Port Phillip was 1.27% per year: when compounding is taken into account, what is the average rate increase for an individual in the past five years, and what are the corresponding figures in our neighbouring municipalities and how do these figures compare with CPI? If Council's FTE staffing from 5 years are taken as a benchmark, what has been the percentage in our full-time equivalent staffing in the last 5 years and are we able to compare this with our neighbouring municipalities?

Peter Smith, Chief Executive Officer advised that in terms of comparison with other Councils, Chris Carroll has already explained some of the different contexts in terms of operating costs in response to an earlier Public Question but in terms of the five-year shift in FTE, the City of Port Phillip has a net increase of only 9 FTE in the last five years, representing 1%, which is less than population growth in terms of service being provided. Yarra has had a 9% increase, Glen Eira 9%, Stonnington 19%, Bayside 13% increase. FTE has gone down over the last two years. In terms of the average rates per population growth and annual growth, Port Phillip annual growth 0.8%, Yarra annual growth 0.9%, Stonnington 2%, Bayside 2.8%, and Glen Eira 3.1%.

Councillor Pearl: Can officers provide an update on the lighting solutions for Lagoon Reserve, and if any transition arrangements are being put in place to assist both walkers, dog walkers and local residents that live in the area?

Anthony Traill Manager Open Space, Recreation and Community Resilience advised that at Lagoon Reserve, after consulting with people that use the park as dog walkers and those who have been impacted by the lighting, Council is going to trial a lighting program for the next couple of weeks that turns on at 5pm and turns off at 7:30pm. We will monitor and track this around usage needs, to strike a balance between community activation there and some of the lighting spill that is caused. I note this is a temporary measure until a future lighting solution is installed at this particular site.

Councillor Sirakoff: In response to the answer given to Councillor Martin (particularly the first question), can the CEO clarify that the FTE figures mentioned were per population or just straight figures?

Peter Smith, Chief Executive Officer clarified that it is per population, the key figure is probably not the net FTE, but the increase in FTE. If you assume that five Councils are growing at similar rates, in terms of population growth, the key figure there is not actually the net number but the percentage increase in FTE. Port Phillip has a net increase over the past five years of 1% and a significant decrease relative to two years ago in FTE (in percentage terms) and that takes out the factor of population.

Councillor Sirakoff: Recently I have been receiving emails concerned about the new parking scheme where Council is moving to increased zoned areas rather than parking permits that allow residents to park in their street and connected streets. If the new scheme does make parking more difficult to park in their own street, will Council be looking at or modifying the scheme, notably in smaller streets or cul-de-sacs?

Brian Tee, Manager Partnerships and Transport advised that the policy takes effect on 1 July 2021. Built into the policy is a review at the end of 12 months, so this can be taken into account as part of that review.



6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

Nil.

8. PRESENTATION OF CEO REPORT

Nil.

WITHDRAWAL OF REPORT

The Mayor advised that Item 13.2, Skyline Ferris Wheel Multi-Year permit, has been removed from tonight's agenda.

9. PEOPLE AND COMMUNITY

9.1 Mobile CCTV Trailer

Purpose

- 1.1 To advise Council on the requirements and confirmed costings for the purchase and implementation of a mobile closed-circuit television (CCTV) trailer.
- 1.2 To provide an update on Council's funding submission to the Department of Justice and Community Safety's (DJCS) Building Safer Communities Grant Program for the purchase of a mobile CCTV trailer.

MOVED Crs Pearl/Martin

That Council:

- 3.1 Notes the submission to the Department of Justice's Building Safer Communities Grant Program for \$117,120 to acquire a mobile CCTV trailer as per the Council resolution on 3 February 2021 has been submitted.
- 3.2 Notes Council would need to budget \$5,000 per annum to cover maintenance, insurance, registration and data costs for the infrastructure.
- 3.3 Resolves to purchase a mobile CCTV trailer if successful with grant application.
- 3.4 Notes that the current public place CCTV policy indicates that any new public places CCTV systems should only be progressed by Council when State or Federal Government funding has been acquired.
- 3.5 Delegates to Officers to make necessary amendments to the existing Memorandum of Understanding with Victoria Police to include a mobile CCTV trailer.

AMENDMENT

MOVED Crs Bond/Cunsolo

- 3.6 In the event that Council are unsuccessful in this grant application, that this item be brought back to Council for further consideration.

A vote was taken and the AMENDMENT was CARRIED.



The Amendment became the Substantive Motion.

That Council:

- 3.1 Notes the submission to the Department of Justice's Building Safer Communities Grant Program for \$117,120 to acquire a mobile CCTV trailer as per the Council resolution on 3 February 2021 has been submitted.
- 3.2 Notes Council would need to budget \$5,000 per annum to cover maintenance, insurance, registration and data costs for the infrastructure.
- 3.3 Resolves to purchase a mobile CCTV trailer if successful with grant application.
- 3.4 Notes that the current public place CCTV policy indicates that any new public places CCTV systems should only be progressed by Council when State or Federal Government funding has been acquired.
- 3.5 Delegates to Officers to make necessary amendments to the existing Memorandum of Understanding with Victoria Police to include a mobile CCTV trailer.
- 3.6 In the event that Council are unsuccessful in this grant application, that this item be brought back to Council for further consideration.

A vote was taken and the MOTION was CARRIED.

Cr Bond called for a DIVISION.

FOR: Crs Crawford, Cunsolo, Bond, Sirakoff, Martin, Pearl and Clark

AGAINST: Crs Baxter and Copsey

The MOTION was CARRIED.

9.2 Rainbow Local Government Implementation

Purpose

- 1.1 To provide Council with a costed program of work that would see all Council services and programs move towards Rainbow Tick Accreditation over time, and a timeframe in order that this can be considered by Council prior to June 2021 to inform the final 2021/31 Council Plan and Budget.

MOVED Crs Crawford/Martin

That Council:

- 3.1 That Council notes this report which outlines a costed program of work that would see all Council services and programs move towards Rainbow Tick accreditation over time.
- 3.2 That Council notes that implementation of the outlined program of works will require:
 - 3.2.1 \$36,000 for the 2021-22 Financial Year
 - 3.2.2 \$13,000 per annum in subsequent years
 - 3.2.3 \$ a one-off cost of \$90,000 for accreditation in 2023-24 financial year



AMENDMENT

MOVED Crs Copsey/Cunsolo

Amends 3.2 as follows:

3.2 That Council:

- 3.2.1 Endorses \$36,000 to be included in the 2021-22 Financial Year budget and notes that this will reduce the cumulative cash surplus outlined in the draft budget from \$1.616m to \$1.580m.
- 3.2.2 Notes that \$13,000 per annum will be required in subsequent years and this will be considered in future budget processes of Council.
- 3.2.3 Notes a one-off cost of \$90,000 for accreditation is required in 2023-24 financial year, and this will be considered in future budget processes of Council.

A vote was taken and the AMENDMENT was CARRIED.

The Amendment became the Substantive Motion.

That Council:

3.1 That Council notes this report which outlines a costed program of work that would see all Council services and programs move towards Rainbow Tick accreditation over time.

3.2 That Council:

- 3.2.1 Endorses \$36,000 to be included in the 2021-22 Financial Year budget and notes that this will reduce the cumulative cash surplus outlined in the draft budget from \$1.616m to \$1.580m.
- 3.2.2 Notes that \$13,000 per annum will be required in subsequent years and this will be considered in future budget processes of Council.
- 3.2.3 Notes a one-off cost of \$90,000 for accreditation is required in 2023-24 financial year, and this will be considered in future budget processes of Council.

A vote was taken and the MOTION was CARRIED.

Cr Copsey called for a DIVISION.

FOR: Crs Baxter, Crawford, Cunsolo, Bond, Sirakoff, Copsey, Martin and Clark

AGAINST: Nil

ABSTAINED Cr Pearl

The MOTION was CARRIED.

The mayor adjourned the meeting for a break at 8.11pm.



The meeting resumed at 8:20pm

10. TRANSPORT AND PARKING

10.1 Dockless Electric Scooter Trial

Purpose

- 1.1 To update Council on the progress of the delivery of a Dockless Electric Scooters (e-scooters) trial as supported by a Council resolution of 2 October 2019 (Attachment 1), and seek Council's endorsement to submit an EOI to participate in the State Government's e-scooter trial for a period of 12 months.
- 1.2 The State Government has invited Council to submit an expression of interest for a twelve-month trial of e-scooters.

MOVED Crs Copsey/Bond

That Council:

- 3.1 Notes that Council resolved to support a trial of dockless electric scooters (e-scooters) on Council land on 2 October 2019 (Attachment 1).
- 3.2 Endorses the CEO (or his delegate) to submit an Expression of Interest to the State Government to participate in the dockless electric scooters (e-scooters) trial for a period of up to twelve-months.

A vote was taken and the MOTION was CARRIED unanimously.

11. SUSTAINABILITY

Nil.

12. PLANNING

Nil.



13. ARTS CULTURE & ECONOMIC DEVELOPMENT

13.1 Cultural Development Fund (CDF) Recovery Grants Recommendations 2021

Purpose

- 1.1 To present a list of the recommended Cultural Development Fund Recovery grant recipients for Council's consideration and approval.

MOVED Crs Pearl/Copsey

That Council:

- 3.1 Thanks those who have submitted applications for funding through the Cultural Development Fund.
- 3.2 Thanks the Cultural Development Fund Committee for their work in assessing each application and making recommendations to Council.
- 3.3 Endorses the Cultural Development Fund Committee recommendations for awarding the Cultural Development Fund Recovery grants as outlined in confidential **Attachment 1**.
- 3.4 Releases details of the successful applicants, once all applicants have been provided with details on the status of their application.

A vote was taken and the MOTION was CARRIED unanimously.

14. ORGANISATIONAL PERFORMANCE

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

Purpose

- 1.1 To consider whether 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 TP 954315P (a copy of which is attached as Attachment 1 to this report) (**Title Plan**) should be discontinued pursuant to the *Local Government Act 1989 (Vic)* (**Act**) and sold to the owners of 17 Coventry Place and 378 Coventry Street, South Melbourne.

MOVED Crs Crawford/Copsey

That Council, having considered that there were no submissions in response to the public notice regarding Council's proposal to discontinue 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**):

- 3.1 resolves to discontinue the Road as it considers that the Road is not reasonably required for public use as:
 - 3.1.1 there is no evidence that the Road is used for public purposes;



- 3.1.2 the Road is not required for public access; and
- 3.1.3 the Road does not provide vehicular access to any property.
- 3.2 resolves to sell the discontinued Road, for the market value of \$63,000 plus GST (i.e. \$31,500 plus GST from each abutting owner), that part of the Road shown as:
 - 3.2.1 Lot 1 on the Title Plan to the owners of 378 Coventry Street, South Melbourne; and
 - 3.2.2 Lot 2 on the Title Plan to the owners of 17 Coventry Place, South Melbourne.
- 3.3 notes that the proceeds from the sale will go into Council's Strategy Property Reserves used to support the acquisition and development of the property portfolio;
- 3.4 notes that the owners of 378 Coventry Street, South Melbourne have agreed to purchase the bluestone pitchers within the Road, the value of which has been assessed by Council Asset Management Team to be \$800 plus GST;
- 3.5 directs that a notice pursuant to clause 3 of Schedule 10 of the *Local Government Act 1989* (Vic) is published in the *Victoria Government Gazette*;
- 3.6 directs that the Chief Executive Officer or 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 owners of 17 Coventry Place and 378 Coventry Street, South Melbourne, respectively; and
- 3.7 directs that the owners of 17 Coventry Place and 378 Coventry Street, South Melbourne be required to consolidate the titles to the discontinued Road with the titles to the abutting properties of the owners within 12 months of the date of the transfer of the discontinued Road.

A vote was taken and the MOTION was CARRIED unanimously.

14.2 Intention to Sell: 39-47 Camden Street, Balaclava – consideration of submissions in response to public notice

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

Councillor Crawford asked what the height limit of the relevant area is, for development, given that the site in question backs on to other housing.

Anthony Savenkov, Head of Real Estate Portfolio (Development & Transactions) took the question on notice.

Purpose

- 1.1 To consider submissions received in response to a notice published in accordance with section 189 of the *Local Government Act 1989* advising of City of Port Phillip's intention to sell land at 39-47 Camden Street, Balaclava and determine whether to proceed with the sale of the property.

MOVED Crs Crawford/Bond



That Council:

- 3.1 Notes that it has received, heard and considered the submission in response to its Notice of Intention to Sell 39-47 Camden Street, Balaclava, being Parcel "A" in the Balaclava Retail Renewal Precinct, by expression of interest or auction.
- 3.2 Resolves to sell 39-47 Camden Street, Balaclava, by expression of interest or auction.
- 3.3 Authorises Officers to do all things necessary to enable the land to be sold.
- 3.4 Directs Officers to set the confidential reserve price prior to sale, based on an independent valuation.
- 3.5 In the sale of 39-47 Camden Street, Balaclava by public auction or expression of interest, authorises and delegates the Chief Executive Officer, the Manager Property Assets, the Head of Real Estate Portfolio, and Property Development Associate, to enter into and sign all relevant contractual agreements, and authorises the affixing of the Common Seal of the Port Phillip Council to the relevant documents, should that be required.
- 3.6 Advises the submitter of the decision to sell the land and the reason(s) for the decision.
- 3.7 Notes that Council may later determine to sell the land by private treaty, by exercising a put option, and has notified the public of its intention to do so under section 189 of the *Local Government Act 1989*, (the "Additional Notice").
- 3.8 Notes that submissions received in response to the Additional Notice will be reported to a subsequent Ordinary Meeting of Council.
- 3.9 Authorises the Chief Executive Officer (or their delegate) to enter into, but not exercise, a put option (or options), resulting from negotiations with adjoining land stakeholder(s), requiring the purchase of 39-47 Camden Street, Balaclava, for no less than market value, and with an obligation to provide no less than 55 car parking bays for use by the public, and additionally authorises the affixing of the Common Seal of the Port Phillip Council to the relevant documents, should that be required.

A vote was taken and the MOTION was CARRIED unanimously.

14.3 Councillor Expenses Monthly Reporting - January February March 2021

Purpose

- 1.1 To commence reporting to the community monthly on expenses incurred by Councillors, in accordance with the Councillor Expenses and Support Policy adopted by Council at its meeting of 3 March 2021.

MOVED Crs Pearl/Sirakoff

That Council:

- 3.1 Receives and notes the monthly Councillor expense reports for January, February and March 2021 (attachment 1); and
- 3.2 Notes that the expense reports will be made available on Council's website.

A vote was taken and the MOTION was CARRIED unanimously.



15. NOTICES OF MOTION

Nil.

16. REPORTS BY COUNCILLOR DELEGATES

Councillor Copsey reported to Council on attending the Australian Local Government Women's Association conference (ALGWA). "It was an excellent event, I wanted to commend ALGWA for all of the great work they do and for putting on a fantastic conference with a really engaging program of speakers and also extend my congratulations to the City of Yarra for hosting a fantastic conference this year, which also incorporated some great cultural experiences in their city which was available for visiting delegates. The theme of the ALGWA conference this year was Culture, Conduct, and Retention .ALGWA has done amazing work in advancing women's participation in local government and seeking to increase women's representation in elected positions. They also do quite a bit of work around creating and advocating policy positions that will make local government a more inclusive space for women to participate. "

Councillor Cunsolo also reported to Council on attending the ALGWA conference. "I am very grateful for the opportunity to attend the conference because not only were the speakers and topics relevant and interesting but just being in a room full of women who are in a role similar to me that I have no exposure to outside of people here today was very important to me. There were 55 Councils represented across the State. It was very impressive to have access to that many people, and seeing the people around the room of various ages. The City of Yarra did a great job of incorporating more than just the speaking series across the weekend, with the other events."

17. URGENT BUSINESS

Nil.



18. CONFIDENTIAL MATTERS

MOVED Crs Martin/Cunsolo

That in accordance with the Local Government Act 2020, 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 3 of the Act, for the reasons indicated:

Report No.	Report Title	Confidential reasons
18.1	Workcover Update and Preferred Insurer	<p>(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;</p> <p>(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.</p>
18.2	Commercial property leasing matter	<p>(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.</p> <p>(g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.</p> <p>(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.</p>

A vote was taken and the MOTION was CARRIED unanimously.

The meeting was closed to the public at 8:40pm.

The meeting reopened to the public at 9:03pm.

As there was no further business the meeting closed at 9:03pm.

Confirmed: 2 June 2021

MINUTES - MEETING OF THE PORT PHILLIP CITY
COUNCIL - 19 MAY 2021



Chairperson _____