These Minutes contain only summary comments from members of the public. To hear full submissions and view a complete recording of the meeting, go to:
The meeting opened at 6:30pm.

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

IN ATTENDANCE
Peter Smith, Chief Executive Officer; Lili Rosic, General Manager City Strategy and Sustainable Development; Fiona Blair, Acting General Manager Community and Economic Development; Lisa Davis, Acting General Manager Infrastructure and Amenity; Chris Carroll, General Manager Customer and Corporate Services; Kylie Bennetts, Director Office of the CEO, Suzane Becker, Manager Transport Choices, Emma Murdoch, Head of Property Operations, Thomas Mason, Senior Transport Engineer, Joanne McNeill, Manager Asset Management and Property, Murray Chick, Coordinator Governance.

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 Pearl.

MOVED Crs Voss/Baxter
That an apology be received and a leave of absence granted to Councillor Pearl.

A vote was taken and the MOTION was CARRIED.

2. CONFIRMATION OF MINUTES

MOVED Crs Voss/Baxter
That the minutes of the Ordinary Meeting of the Port Phillip City Council held on 4 September 2019 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.

6. PUBLIC QUESTION TIME

Rhonda Small
Ms Small raised a series of questions on the Children’s Services Policy as adopted by Council on 4 September 2019.

- As part of the business cases being developed, will the community be given the full breakdown of what constitutes Council’s investment in Council run centres?
- What are the direct and indirect costs that make up the costs to be reviewed?
- We have heard that over $500,000 of efficiencies have already been identified. What are these and are they now being enacted?
- Will the indirect costs of voluntary parent management of community managed services and any deleterious effects for salaries and conditions of Council’s current staff be considered as part of the business case for transitioning centres?
- Why are services not being offered at least five year leases given the stability of service provision the community expects for its children’s services?
- And if the answer has to do with a few services possibly needing to be located, then why not treat these as expectations rather than shortening leases for all services?
- What is Council’s definition of ‘ensuring competitive neutrality’?
- What is the overarching framework for the business cases to be developed and is developing a public interest argument to justify direct service provision actually part of it or not?

Mayor Gross advised that these questions would be taken on notice.

Judith Cook
Ms Cook distributed photos to Councillors of various scenes on Carlisle Street. Ms Cook spoke to her concerns about the state of Carlisle Street and asked how regularly the bins and other areas of Carlisle Street were cleaned.

Lisa Davis, Acting General Manager Infrastructure and Amenity, advised that cleaning occurs regularly but acknowledged that this is an ongoing challenge. Ms Davis advised that she would follow up this matter with relevant officers.

Steven Squires
Mr Squires spoke to the dangerous vehicle activity at the intersection of Barkly Street and Acland Street in St Kilda and specifically the no stopping zone on Acland Street. Can parking inspectors be utilised to monitor this area to ensure safe vehicle activity?
Lisa Davis, Acting General Manager Infrastructure and Amenity, advised that she would follow this matter up with parking inspectors and the Police and would come back to Mr Squires with a response.

7. COUNCILLOR QUESTION TIME

Councillor Simic asked officers to provide an update on the effectiveness of the truck curfew along Beaconsfield Parade. Is there any enforcement taking place by Vic Roads to manage and monitor the curfew?

Lili Rosic, General Manager City Strategy and Sustainable Development, advised that she has not received a recent update on this matter and that she would follow this up with Vic Roads and the Police. Ms Rosic encouraged residents to contact police if they are noticing trucks not complying with the curfew restrictions.

PROCEDURAL MOTION

MOVED Crs Crawford/Copsey

That Council, given the level of public interest in the two Notices of Motion listed on the agenda, moves a Procedural Motion that Notice of Motion items 15.1 and 15.2 be moved forwarded and discussed prior to Presentation of Reports.

A vote was taken and the MOTION was CARRIED unanimously.

15. NOTICES OF MOTION

Item 15.1 Motion to Declare a Climate Emergency

The following speakers made a verbal submission in support of the Notice of Motion:

<table>
<thead>
<tr>
<th>Justin Halliday</th>
<th>Rhonda Small</th>
<th>Ella Simons</th>
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</thead>
<tbody>
<tr>
<td>Tamar Simons</td>
<td>Coralie Ling</td>
<td>Luka Kanaf</td>
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<tr>
<td>Malcolm Robins</td>
<td>Anne Callaghan</td>
<td>Tanel Jan Palgi</td>
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<tr>
<td>Natasha Rabbidge</td>
<td>Anna Griffiths</td>
<td>Gillian Upton</td>
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<tr>
<td>Jack Halliday</td>
<td>Theo Boltman</td>
<td>Geoff Mulhall</td>
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<tr>
<td>Helen Halliday</td>
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MOVED Crs Baxter/Gross

That Council:

1. Declares that climate change, including sea level rise and mass species extinction, poses serious risks to the people of Port Phillip and Australia, and should be treated as an emergency.

2. Updates all relevant Council strategies and policies to incorporate and embed this declaration.

3. Requests that the CEO takes into account the impact of the climate emergency as part of organisational decision-making and planning.


5. Notes that the City of Port Phillip, through its Act and Adapt Strategy, has a focus on reducing emissions, reducing contamination of land and water, restoring biodiversity, and adaptation to Climate Change including reduction of heat island effect and other health issues related to a warming climate.

6. Notes the City of Port Phillip’s membership of the Melbourne Renewable Energy Project, as well as its commitment to generation of renewable energy through solar on council assets.

7. Requests that regular reporting on organisation-wide response to the climate emergency be included as a permanent item in the CEO report.

AMENDMENT

MOVED Crs Brand/Crawford

That Council adds the following clause as part 8 of the motion:

Advocates to the State and Federal Government and Parliaments to declare a climate emergency and take action to drastically reduce warming emissions in Australia and across the world.

A vote was taken and the AMENDMENT was CARRIED

AMENDMENT

Moved Cr Bond

That Council adds the following clause as part 9 of the motion:

That the Councillors and staff of the City of Port Phillip be banned from all future air travel in any and all circumstances for Council business.

The AMENDMENT LAPSED for the want of a seconder.
SUBSTANTIVE MOTION

Cr Bond called for a DIVISION.

MOVED Crs Baxter/Gross

That Council:

1. Declares that climate change, including sea level rise and mass species extinction, poses serious risks to the people of Port Phillip and Australia, and should be treated as an emergency.

2. Updates all relevant Council strategies and policies to incorporate and embed this declaration.

3. Requests that the CEO takes into account the impact of the climate emergency as part of organisational decision-making and planning.


5. Notes that the City of Port Phillip, through its Act and Adapt Strategy, has a focus on reducing emissions, reducing contamination of land and water, restoring biodiversity, and adaptation to Climate Change including reduction of heat island effect and other health issues related to a warming climate.

6. Notes the City of Port Phillip’s membership of the Melbourne Renewable Energy Project, as well as its commitment to generation of renewable energy through solar on council assets.

7. Requests that regular reporting on organisation-wide response to the climate emergency be included as a permanent item in the CEO report.

8. Advocates to the State and Federal Government and Parliaments to declare a climate emergency and take action to drastically reduce warming emissions in Australia and across the world.

FOR: Crs Voss, Baxter, Brand, Copsey, Crawford, Gross and Simic

AGAINST: Cr Bond

A vote was taken and the SUBSTANTIVE MOTION was CARRIED.
15. NOTICES OF MOTION (Cont.)

Item 15.2 Lady Forster Kindergarten

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

James Newbury
Spoke in support of Lady Forster Kindergarten and the Notice of Motion by Councillor Crawford.

Allison Prasser
Spoke in support of the motion and detailed the work that is being undertaken by the kindergarten. Ms Prasser urged Council to help Lady Forster Kindergarten secure a long term future on the Elwood foreshore.

MOVED Crs Crawford/Brand

That Council:

1. Formalises its support for the continued use of 63B Ormond Esplanade, Elwood by Lady Forster Kindergarten

2. Requests officers develop and implement an advocacy strategy for an extension of Lady Forster Kindergarten’s lease beyond January 2024 on the basis that there is:

   a) Demand modelling indicates that there is a need for kindergarten services in the area.

   b) At this time, there are no viable facilities that would adequately meet demand for kindergarten services in the area (particularly with the increase of three-year-old kindergarten).

   c) Lady Forster Kindergarten provides a high quality kindergarten service to over 100 children and has embraced its beachside location in the development of its curriculum which is dependent on its coastal location.

3. Notes that officers are reviewing all council owned and managed assets in the Elwood foreshore area to inform the development of a strategic management plan for the assets that responds to current and future service needs.

A vote was taken and the MOTION was CARRIED unanimously.
8. **PRESENTATION OF CEO REPORT**

Nil.

9. **PEOPLE AND COMMUNITY**

9.1 **Victorian Pride Centre s173 Licence (Building Projections)**

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

**Peter McEwan**

Mr McEwan spoke in support of the officer’s recommendation and spoke to the building progress that has been made to date. Mr McEwan thanked City of Port Phillip Officer Emma Murdoch for her diligence in this matter.

**Purpose**

1.1 To seek approval to enter into a licence agreement with the Victorian Pride Centre (VPC) under a Section 173 of the *Planning and Environment Act 1987* for the building projections over part of Fitzroy Street as per their development plans included within the approved Incorporated Document.

**MOVED Crs Copsey/Voss**

That Council:

3.1 Authorises the Chief Executive Officer or delegate to enter into a licence agreement with the Victorian Pride Centre (VPC) under Section 173 of the Planning and Environment Act 1987 for the building projections over part of Fitzroy Street as per the development plans included within the approved Incorporated Document.

3.2 Charges a licence fee of $1 for the projection estimated at a value of $486,060.75, and recognises the amount forgone as an additional contribution to the VPC to assist in the development of the centre.

A vote was taken and the MOTION was CARRIED unanimously.
10. TRANSPORT AND PARKING

10.1 Adoption of the Domain Precinct Public Realm Masterplan

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

Julie Clutterbuck
Ms Clutterbuck spoke as President of Port Phillip Bicycle User Group and raised concerns that cycle lanes are insufficient within the masterplan. Ms Clutterbuck asked that Council improve the amenity of cycle lanes within the masterplan and the wider municipality.

Claudia Marck
Ms Marck spoke to the benefits of quality cycling amenity for communities and urged Council to prioritise safe cycling infrastructure within the municipality including separated cycle lanes on Park Street.

Betj Jovceva
Ms Jovceva addressed the difficulty to access her carpark due to infrastructure changes and urged Council to investigate and restore the amenity of the intersection at Park Street, Wells Street and Palmerston Street.

Freda Erlich
Ms Erlich spoke to the importance of separated cycle lanes urged Council to implement separated cycle lanes within the municipality.

Boriana Statelova
Ms Statelova spoke to the difficulties she has experienced as a resident on the corner of Park Street and Kings Way, South Melbourne. Ms Statelova raised concerns about the lack of consideration given to residents with the removal of parking which is a vital amenity for local residents.

Bob Turner
Mr Turner described his concerns with the proposed masterplan including lack of consideration for future planning and development.

Fiona Reed
Ms Reed detailed issues with Kings Way Reserve traffic congestion, retention of blue stone toilet block and asked for the Reserve to return to green grass instead of the current sand area.

David MacGowan
Mr MacGowan spoke on behalf of the G12+ domain precinct residents group and spoke to a range of issues including lack of viable parking alternatives when removing on street parking, a failure to address traffic management and the proposed Park Street bike link.

Peter Holland
Mr Holland spoke in support of the Bicycle Users Group’s submission relating to separated cycle lanes and argued that on road cycle lanes are dangerous.
Purpose

1.1 To present the Domain Precinct Public Realm Masterplan to Council for adoption.

MOVED Crs Voss/Simic

That Council:


3.2 Acknowledges and thanks the community members and stakeholders who provided input and feedback through the engagement process to develop the Domain Precinct Public Realm Masterplan.

3.3 Strengthens its advocacy to the Victorian Government’s transport statutory authorities and Rail Projects Victoria to resolve safety and traffic issues at the intersection of Park Street and Wells Street in South Melbourne through the delivery of a fully signalised intersection.

3.4 Advocates to Rail Projects Victoria and Cross Yarra Partnership that opportunities are provided for stakeholder and community input and feedback on the design of the Albert Road Reserve and surrounds.

3.5 Optimises opportunities for short-term, servicing and visitor car parking in the Domain Precinct, and minimises any further reduction of car parking where practicable without compromising safety and in accordance with Council’s Move, Connect, Live 2018-28.

3.6 Undertakes community consultation on the Park Street Bike Link project, following adoption of the Domain Precinct Public Realm Masterplan, to enable opportunities for affected residents and stakeholders to provide input into the design.

3.7 Consider the feasibility of a protected bike lane in the section of Park Street between Kings Way and Moray Street. As part of the feasibility assessment officers consider testing a temporary separated bike lane prior to the implementation of the Park Street Tram Link. Officers to report back to Council on the cost and feasibility of the trial.

3.8 Authorises the Chief Executive Officer or his delegate to make minor editorial corrections where required and to finalise the design and formatting of the Domain Precinct Public Realm Masterplan.

AMENDMENT

MOVED Crs Copsey/Baxter

To replace 3.7 with the following paragraph:

3.7 Show a protected bike lane in the section of Park Street between Kings Way and Moray Street in the Domain Precinct Public Realm Masterplan, and in the short term implement a temporary separated bike lane in this section prior to the implementation of the Park Street Tram Link.
MINUTES - ORDINARY MEETING OF COUNCIL - 18 SEPTEMBER 2019

Cr Simic called for a DIVISION.

FOR: Crs Baxter, Copsey and Simic

AGAINST: Crs Bond, Voss, Brand, Crawford and Gross

A vote was taken and the AMENDMENT was LOST.

SUBSTANTIVE MOTION

MOVED Crs Voss/Simic

That Council:


3.2 Acknowledges and thanks the community members and stakeholders who provided input and feedback through the engagement process to develop the Domain Precinct Public Realm Masterplan.

3.3 Strengthens its advocacy to the Victorian Government’s transport statutory authorities and Rail Projects Victoria to resolve safety and traffic issues at the intersection of Park Street and Wells Street in South Melbourne through the delivery of a fully signalised intersection.

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3.8 Authorises the Chief Executive Officer or his delegate to make minor editorial corrections where required and to finalise the design and formatting of the Domain Precinct Public Realm Masterplan.

A vote was taken and the MOTION was CARRIED unanimously.
11. SUSTAINABILITY

Nil.

12. PLANNING

12.1 Fishermans Bend: Suburb Name Change Motion and Fishermans Bend Community Forum

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

Lucas Riley

Mr Riley spoke in support of the retention of the name ‘South Melbourne’ for the current South Melbourne suburb.

Purpose

1.1 To consider the review of the Fishermans Bend Community Forum, and the Council motion of 6 June 2018 to commence the suburb naming processes for Montague, Sandridge and Wirraway; and

1.2 To note the public engagement undertaken by the Fishermans Bend Taskforce.

MOVED Crs Voss/Crawford

That Council:

3.1 Defers implementation of the motion passed at the meeting of 6 June 2018: “…to commence the naming and community consultation processes for the naming of three new suburbs, being Montague, Sandridge and Wirraway…” until after finalisation of the Fishermans Bend Precinct Plans.

3.2 Endorses amendments to the Fishermans Bend Community Forum Terms of Reference as detailed in attachment 1, with an additional amendment to include Fishermans Bend Business Forum at Clause 5 – Forum Membership.

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.
13. ARTS CULTURE & ECONOMIC DEVELOPMENT

13.1 Delegation to the CEO - Placemaking Activities - 12 month Review

Purpose

1.1 To seek Council endorsement for a further 12 months' governance arrangements, after the initial 12-month trial, so that Officers can continue to quickly respond to new ideas that come from the community who are involved in Council’s placemaking activities.

MOVED Crs Voss/Simic

That Council:

3.1 Delegates to the Chief Executive Officer (CEO) the continued authority to make any decision or to do any act or thing, on behalf of the Council, to achieve the objectives of the placemaking program within the designated precincts for a period of 12 more months.

3.2 Notes that the CEO has the power under an Instrument of Delegation granted by Council to give directive to a member of Council staff to carry out any of the powers delegated to the CEO.

3.3 Determines that participants of the placemaking program, where assessed as appropriate by the CEO, may be exempt from the requirements for a permit to be issued under the Local Law.

3.4 Delegates to the CEO the specific ability to waive, fix or reduce charges and exempt permits for Footpath Trading within the designated placemaking precincts of Fitzroy Street, South Melbourne and Waterfront Place between 21 September 2019 and 21 September 2020.

3.5 Designates for the purposes of this delegation, the placemaking precincts of Fitzroy Street, South Melbourne and Waterfront Place, and determines that this authority may be executed within these precincts.

3.6 Determines that this delegation expires on 21 September 2020, and notes that an interim report will be presented to Council in March 2020 detailing the progress of this trial.

3.7 Reserves the ability to withdraw this delegation, either in part or in full, at any time.

3.8 Notes that this delegated authority is subject to the following limitations and conditions:

3.8.1 In enacting any delegated power, the CEO (and any officer carrying out a directive of the CEO) must:

- Only make decisions that are legal and ethical;
- Make decisions that are affordable and financially realistic;
- Declare and effectively manage real, perceived and potential conflicts of interest;
- Maintain confidentiality and security of information.

3.8.2 Projects and activities implemented for testing by the program must:
1.1 To present the January 2018 to June 2019 St Kilda Esplanade Market Annual Report to Council and to appoint four stallholder representatives to the Committee.

MOVED Crs Bond/Voss

That Council:

3.1 Accepts and notes the St Kilda Esplanade Market Annual Report Jan 2018 to June 2019.

3.2 Appoints Committee members to the St Kilda Esplanade Market Reference Committee as appears in confidential Attachment 3 from 13 November 2019 until 13 November 2021, with confidentiality on this matter to be lifted by the CEO once all notifications have been made.

A vote was taken and the MOTION was CARRIED unanimously.
14. ORGANISATIONAL PERFORMANCE

14.4 Proposed Tenancy Agreement - "Sandbar" 175B Beaconsfield Parade, Albert Park

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

Councillor Voss asked for an update on ramp works being undertaken at the property.

Joanne McNeill, Manager Asset Management and Property, took the question on notice.

Purpose

1.1 To seek Council’s approval to commence statutory procedures in relation to granting a new tenancy agreement to Sandbar on the Bay Pty Ltd (Tenant) for the premises at 175B Beaconsfield Parade, Albert Park.

MOVED Crs Bond/Crawford

That Council:

3.1 Resolves that the statutory procedures be commenced under Section 190 of the Local Government Act 1989 (Act) for the proposed lease with Sandbar on the Bay Pty Ltd (Tenant) at 175B Beaconsfield Parade, Albert Park by publishing a notice in the local newspaper inviting persons to make a submission under Section 223 of the Act, with the proposed lease 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

3.2 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.

3.3 Resolves to hear and consider any submissions received pursuant to Section 223 of the Act at a future Council meeting.

A vote was taken and the MOTION was CARRIED unanimously.
14.5 Proposed Property Policy - Adoption

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

Rhonda Small

Ms Small spoke to issues with the proposed policy including the length of leases, the definition of community benefit and potential burden placed on community organisations to qualify for discounted leases.

Purpose

1.1 To present the results of the second round of community engagement for the property policy.

1.2 To present the revised draft property policy to Council seeking adoption.

MOVED Crs Voss/Brand

That Council:

3.1 Notes and thanks the community members who have provided feedback and assisted in the development of the new property policy.

3.2 Notes that a key objective for Council in entering into leases and licences with community organisations for Council assets is to support these organisations delivering services to the community, and promote health and wellbeing, social, environmental, cultural, recreational or economic opportunities and benefits in the City of Port Phillip.

3.3 Approves the adoption of the proposed Property Policy on the basis that the policy will be brought back to Council for review after the first year of implementation, or prior to the Council election period, whichever comes first.

3.4 Notes that the implementation of the policy will require significant work to assist in managing the impacts of change on affected community groups and appropriate transition arrangements are required to be entered on a case by case basis.

3.5 Delegates authority to the Chief Executive Officer to make amendments to the Policy to correct any minor drafting errors that do not materially alter the intent.

A vote was taken and the MOTION was CARRIED unanimously.
14.1 Election Period Policy

Purpose

1.1 To present to Council the Election Period Policy for the 2020 General Election.

MOVED Crs Brand/Voss

That Council:

3.1 Adopts the draft Election Period Policy – 2020 General Election (Attachment 1) with the following amendments:

**New clause 4.6.7: Councillor appointments to external committees**

Where a Councillor has been appointed to an external committee or board and attends a meeting of the committee or board during the election period, the Councillor may attend only in their role as a Councillor. A Councillor must not attend an external committee or board meeting, where they are a Councillor representative, in their capacity as a candidate. A Councillor must be mindful of their obligations under this election period policy, and not conduct any electoral campaigning activities at the meeting.

**Amended clause 5.6:**

5.6.1 Endorses the principle that Council facilities should be made available during the election period in an impartial manner to enable the community to hear from candidates.

5.6.2 For purposes other than usual community use, Council facilities may only be booked during the election period by persons, groups or organisations who are neutral with regard to the participating political parties or candidate campaigns. If a Council facility is hired for the purposes of discussing issues before voters (e.g. a community candidate forum), then every candidate of the municipality, or of that Ward, must be invited to equally participate in the event. The obligation to ensure fair and equitable participation for all candidates remains with the Hirer. Any feedback, enquiries or complaints on the running of the event will be directed to the Hirer.

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 of the policy.

AMENDMENT

Moved Crs Simic/Gross

To add the following wording to 4.6.7

“it is expected that they will attend meetings of the committee or board during the election period. However,”

A vote was taken and the AMENDMENT was CARRIED.
The AMENDMENT became the SUBSTANTIVE MOTION.

The SUBSTANTIVE MOTION was PUT.

That Council:

3.1 Adopts the draft Election Period Policy – 2020 General Election (Attachment 1) with the following amendments:

**New clause 4.6.7: Councillor appointments to external committees**

Where a Councillor has been appointed to an external committee or board it is expected that they will attend meetings of the committee or board during the election period. However, the Councillor may attend only in their role as a Councillor. A Councillor must not attend an external committee or board meeting, where they are a Councillor representative, in their capacity as a candidate. A Councillor must be mindful of their obligations under this election period policy, and not conduct any electoral campaigning activities at the meeting.

**Amended clause 5.6:**

5.6.1 Endorses the principle that Council facilities should be made available during the election period in an impartial manner to enable the community to hear from candidates.

5.6.2 For purposes other than usual community use, Council facilities may only be booked during the election period by persons, groups or organisations who are neutral with regard to the participating political parties or candidate campaigns. If a Council facility is hired for the purposes of discussing issues before voters (e.g. a community candidate forum), then every candidate of the municipality, or of that Ward, must be invited to equally participate in the event. The obligation to ensure fair and equitable participation for all candidates remains with the Hirer. Any feedback, enquiries or complaints on the running of the event will be directed to the Hirer.

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 of the policy.

A vote was taken and the MOTION was CARRIED.
14.2 Making of Meeting Procedure Local Law No.2/2019

Purpose

1.1 The purpose of this report is to present to Council a proposed Meeting Procedure Local Law No. 2/2019 for Council to make in accordance with the Local Government Act 1989 (the Act).

MOVED Crs Gross/Copsey
That Council:

3.1 Makes Meeting Procedure Local Law No. 2/2019 in the form attached to this report (Attachment 1) in accordance with sections 111 and 119 of the Local Government Act 1989.

3.2 Delegates authority to the Chief Executive Officer to make amendments to the Meeting Procedure Local Law No. 2/2019 to correct any minor drafting errors that do not materially alter the intent.

3.3 Affixes the common seal to Meeting Procedure Local Law No.2/2019.

3.4 Authorises the Chief Executive Officer to give public notice of the making of Meeting Procedure Local Law No. 2/2019 on Council’s website, in the Port Phillip Leader and in the Victoria Government Gazette in accordance with sections 83A(2)(a) and 119(3) of the Local Government Act 1989.

3.5 Authorises the Chief Executive Officer to send a copy of the Meeting Procedure Local Law No. 2/2019 to the Minister for Local Government in accordance with section 119(4) of the Act.

A vote was taken and the MOTION was CARRIED unanimously.
14.3 Proposed Discontinuance and Sale of Road Abutting 1 Little Graham Street, Albert Park

Purpose

1.1 This report seeks Council’s approval to consider whether the road abutting 1 Little Graham Street, Albert Park, being the whole of the land contained in certificate of title volume 1458 folio 525 and shown as lot 1 on the title plan attached as Attachment 1 to this report (Road), should be discontinued pursuant to the Local Government Act 1989 (Vic) (Act) and sold to the owner of 1 Little Graham Street, Albert Park (1 Little Graham Street).

MOVED Crs Voss/Crawford

That Council:

3.1 Having considered that there were no submissions in response to the public notice regarding the proposed discontinuance and sale of the road shown as lot 1 on the title plan attached as Attachment 1 to this report (Road), being the whole of the land contained in certificate of title volume 1458 folio 525:

3.1.1 resolves to discontinue the Road as it considers that the Road is not reasonably required for public use for reasons set out in the report;

3.1.2 resolves to sell the discontinued Road, for the market value of $45,500 plus GST, to the owner of 1 Little Graham Street, Albert Park (Owner);

3.1.3 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;

3.1.4 directs that a notice pursuant to clause 3 of Schedule 10 of the Local Government Act 1989 (Vic) (Act) is published in the Victoria Government Gazette;

3.1.5 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 Owner; and

3.1.6 directs that the Owner be required to consolidate the title to the discontinued Road with the title to 1 Little Graham Street, Albert Park within 12 months of the date of transfer of the discontinued Road.

A vote was taken and the MOTION was CARRIED unanimously.
14.6 Intention to advertise proposed lease: 63A Ormond Esplanade, Elwood

Purpose

1.1 To seek approval to carry out the statutory process to consider the lease of a building at 63A Ormond Esplanade, Elwood, including to hear and consider public submissions.

MOVED Crs Copsey/Gross

That Council:

3.1 Resolves to commence the statutory procedures under section 190 of the Local Government Act 1989 (the “Act”) advising of its intention to lease the Council managed property at 63A Ormond Esplanade, Elwood.

3.2 Authorises relevant members of Council staff to carry out the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act.

3.3 Authorises that if no submissions are received pursuant to the provisions of Section 223 of the Act, following publication of the Public Notice, Officers with the relevant delegation are to undertake the necessary procedural steps to lease the land, including the execution of all relevant documentation.

3.4 Note that in the event submissions are received, a further report will be presented to Council to enable consideration of the submissions.

A vote was taken and the MOTION was CARRIED unanimously.

14.7 Assembly of Councillors

Purpose

1.1 The purpose of this item is to report to Council written records of Assemblies of Councillors at the City of Port Phillip as required by section 80A (2) (a) and (b) of the Local Government Act 1989.

MOVED Crs Voss/Copsey

That Council:

2.1 Receives and notes the written records of Assemblies of Councillors (attached) as required by section 80A (2) (a) and (b) of the Local Government Act 1989.

A vote was taken and the MOTION was CARRIED unanimously.
16. REPORTS BY COUNCILLOR DELEGATES

Nil.

17. URGENT BUSINESS

Nil.

18. CONFIDENTIAL MATTERS

MOVED Crs Bond/Voss
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 St Kilda Marina Project - Endorsement of the RFP for Issue to Successful EOI Respondents

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

18.2 Contract matter

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

A vote was taken and the MOTION was CARRIED unanimously.

The Meeting was closed to the public at 11.36pm.
The Meeting reopened to the public at 11.59pm

As there was no further business the meeting closed at 11.59pm.

Confirmed: 2 October 2019

Chairperson ________________________________