



ORDINARY MEETING OF COUNCIL

MINUTES

5 SEPTEMBER 2018



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**MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP
CITY COUNCIL HELD 5 SEPTEMBER 2018 IN SOUTH MELBOURNE
TOWN HALL**

The meeting opened at 6:30pm.

PRESENT

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

IN ATTENDANCE

Chris Carroll, Acting Chief Executive Officer; Lili Rosic, General Manager Place Strategy and Development; Carol Jeffs, General Manager Community and Economic Development; Anthony Traill, Acting General Manager Infrastructure and Amenity; Dennis O’Keeffe, Acting General Manager Customer and Corporate Services; Kylie Bennetts, Director Office of the CEO; Katrina Terjung, Manager Strategy & Growth; Aidan O’Neill, Coordinator City Strategy; Brett Walters, Manager Sustainability & Transport; David Nankervis, Coordinator Recreation & Open Space Planning; Stefan Mitrik, Coordinator Transport Safety Engineering; Mary McGorry, Manager Family, Youth & Children; Entsar Hamid, Program Director Service Transformation; David Hehir, Coordinator Foreshore.

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

Moved Crs Simic/Gross

That the apology be received and a leave of absence granted to Cr Brand.

A vote was taken and the MOTION was CARRIED.

2. CONFIRMATION OF MINUTES

MOVED Crs Gross/Baxter

That the minutes of the Ordinary Meeting of the Port Phillip City Council held on 15 August 2018 be confirmed.

A vote was taken and the MOTION was CARRIED.



Item 15.2 NOTICE OF MOTION - Australia Day Celebrations

Moved Crs Pearl/Gross

That the item be brought forward as the next agenda item.

A vote was taken and the MOTION was CARRIED.

The Notice of Motion was not moved so Council proceeded to the next item of business.

10.2 Emission Requirements for Car Share Vehicles

Moved Crs Baxter/Simic

That Council defer this item to a later date.

A vote was taken and the MOTION was CARRIED unanimously.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Cr Pearl declared an indirect interest in item 9.2 Children's Services Policy – Draft Policy Objectives, by way of close association.

Cr Gross declared an indirect interest in item 9.1 North Port Oval Upgrade and Funding Agreement, by way of close association.

4. PETITIONS AND JOINT LETTERS

Nil.

5. SEALING SCHEDULE

Nil.



6. PUBLIC QUESTION TIME

Debra Holland (*in relation to the unmove Notice of Motion 15.2*)

Ms Holland spoke against the proposed motion, now lapsed, advising that she does not support any celebration on 26 January. Ms Holland advised that date has only been a public holiday since 1994, and supports moving the date to a day which will not offend our First Nation people.

Lynette Austin (*in relation to the unmove Notice of Motion 15.2*)

Ms Austin advised that she does not acknowledge Australia Day, and spoke of its reference as invasion day.

Rieo Ellis (*in relation to the unmove Notice of Motion 15.2*)

Ms Ellis asked why the motion had been deferred tonight, and if there has been any consultation with the Boon Wurrung community to date?

Cr Gross responded that he had consulted with two members of the Boon Wurrung community, and had withdrawn the motion tonight to allow for further consultation.

Cr Mia McGregor (*Maribyrnong Council*)

Cr McGregor asked what City of Port Phillip's policy is on single use plastics at Council's venues and events, and what has been done to eliminate them?

The Mayor, Cr Voss, deferred to Lili Rosic, General Manager Place Strategy and Development who advised that Council is finalising its "Don't Waste It" strategy which deals with how we are going to manage waste as a city. This strategy will be presented to Council on 20 September 2018. City of Port Phillip has three outcomes which deal specifically with plastics, promoting a reduction of single use plastics, advocating to the Government to ban use of non-recyclable items and packaging and working with residents and businesses to encourage the purchase of products that have minimal packaging.

The Mayor, Cr Voss, deferred to Anthony Traill, Acting General Manager Infrastructure and Amenity, who responded that in relation to Council events, the plastic policy is regularly updated and distributed to suppliers, and a copy is available on our website.

The Mayor, Cr Voss, further advised that South Melbourne Market had been single use plastic bag free since April this year, which had the support of over 90% of the stall holders and customers.



James Woollett

Mr Woollett spoke on behalf of the Middle Park Library Action Group and asked why there has been no consultation with staff at the Civic Kindergarten, Middle Park Primary School and Toy Library about opening hours? Additionally he would like to know when will the opening hours be realigned? When will a functioning data collection system be installed? When will the children's collection be increased? Mr Woollett invited Councillors and Council staff to attend the next meeting of the Middle Park Library Action Group to be held on Friday at 1.30pm at the local Community Centre and answer questions then.

The Mayor, Cr Voss, deferred to Carol Jeffs, Manager Community and Economic Development who responded that she would take the Questions on Notice, and would commit to sending a staff member to the meeting on Friday to answer the questions.

ADDITIONAL AGENDA ITEMS

Acknowledgement of Service - Ms Carol Jeffs

The Mayor, Cr Voss, acknowledged the service given by Ms Carol Jeffs, General Manager Community and Economic Development who has resigned to take up the role of Chief Executive Officer at Cardinia Shire Council. Councillors expressed their best wishes, and the Mayor presented Ms Jeffs with a bouquet of flowers.

Acknowledgement of the passing of Mirka Mora

The Mayor, Cr Voss, acknowledged the recent passing of Mirka Mora, who she noted left an indelible impression on Australia and her long-time home of St Kilda. Cr Voss advised that Ms Mora arrived in Australia after leaving Paris in 1951 and quickly became entrenched in St Kilda's arts scene, noting her works are featured in galleries across Australia and the world.

Moved Crs Voss/Copsey

That Council acknowledges the contribution that Mirka Mora has made to Victoria's arts scene and that Council offers its sincere condolences to the family and friends of this wonderful person and artist.

A vote was taken and the MOTION was CARRIED unanimously.

7. COUNCILLOR QUESTION TIME

Cr Copsey asked about the recent factory fire in West Melbourne and asked what City of Port Phillip is doing to understand the impacts of the fire on water, air quality and wildlife, with dead fish washing up on the shores of Port Phillip Bay. Cr Copsey further asked how this is impacting the little penguin colony in St Kilda?

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The Mayor, Cr Voss, deferred to Anthony Traill, Acting General Manager Infrastructure and Amenity, who responded that Council has been monitoring the impact of the fire with the Emergency Municipal teams, who work closely with other Government departments, including the Environmental Protection Agency (EPA). Water run off initially fell into the Yarra River and into Port Phillip bay. The EPA have released a statement today that after four days of monitoring the northern beaches, there is no sign that water quality has been affected. There is ongoing management with regard to dead fish in the river, however, there are no known impacts to the little penguin colony.

Cr Simic asked, given the EPA's statement that the water quality is of a high standard, is there an explanation for the dead fish washing up in the bay?

The Mayor, Cr Voss, deferred to Anthony Traill, Acting General Manager Infrastructure and Amenity, who responded that EPA statement had explained the dead fish were a result of the creek backwash, winds and currents. The EPA have set up a meeting to be held on Thursday 6 September at Footscray Town Hall for community members who would like further information.

Cr Simic asked if there was a commitment from the EPA to continue monitoring the situation above the normal monitoring, which is usually once a week.

The Mayor, Cr Voss, deferred to Anthony Traill, Acting General Manager Infrastructure and Amenity, who responded he would take the Question on Notice.

Cr Copsey asked if the fish washing up on the beaches were river species or bay species? Has Council had any contact with the Port Phillip Eco Centre or any of the beach patrols, which may provide an alternate source of information because the information from the EPA does not align with observations in local neighbourhoods?

The Mayor, Cr Voss, deferred to Anthony Traill, Acting General Manager Infrastructure and Amenity, who responded that he personally had not had any contact with these groups, and would take the Question on Notice.

Cr Voss asked if the replacement trees for St Kilda Road have been purchased yet, because it is desirable to have them as mature as possible when they are planted?

Lili Rosic, General Manager Place Strategy and Development, responded that the trees have not been purchased yet. City of Port Phillip are working with City of Melbourne and the designers of the rail project to confirm a suitable species of trees for the environment, including an alternate Elm species which is being tested for drought tolerance. Project planning for the planting of trees is for 2025, once the rail project is completed, however several opportunities to plant a little earlier are expected. Further details of the species can be supplied if required.

Cr Voss asked about the progress and compliance with the local law relating to supermarket trolleys which came into effect this financial year?

Anthony Traill, Acting General Manager Infrastructure and Amenity, responded that a lot of good work has been done by the supermarkets with most installing the devices (wheel locks or coin operated locks). Enforcement commenced in August and seven infringements have been issued, with the last supermarket installing the devices that should be operational in the

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next week or two. Next steps include working with supermarkets on the collection of abandoned trolleys.

Cr Voss asked for an update on the Victorian Auditor-General's Office (VAGO) recommendations relating to insurance for Councils.

Kylie Bennetts, Director Office of the CEO, advised that overall the findings in the VAGO report reinforced Council's approach to managing its insurable risks, and advised that for the past few years the Council has tested the market to determine if it is getting value for money for the provision of its insurance services. Council has also undertaken a range of independent assessments of our risk exposure and coverage and that pointed to, within the VAGO report, as being best practice. The report did highlight several areas that we will be using to drive future improvement opportunities, in particular making better use of our claims data to better understand our risk profile, but also look to mitigate as many risks as possible before they become claims. It is worth noting, that while it was not a specific recommendation, the report did reference that the Victorian Risk Management Framework which is used by the Victorian Government is a model document in terms of guiding our risk management framework and we will be using that to undertake a review of our risk policy and framework within this calendar year. The Audit committee, at its August meeting, received a confidential report on Council's insurance services as well as a brief overview of the VAGO report, this information will be provided to Councillors in October.

Cr Voss advised she had been approached by a couple of Rotary groups asking for access to playground equipment that Council no longer needs, they would like to reuse or repurpose this equipment, if there is no risk, can Council donate the equipment?

Anthony Traill, Acting General Manager Infrastructure and Amenity, responded that a risk assessment would need to be carried out because one of the issues of regifting playground equipment is that to meet Australian Standards is that it must be fixed in very securely to the ground, making it very hard not to incur damage when removing playgrounds. Most of our renewals are at the end of the equipment's useful life, so it would not be safe to pass on, but we can consider regifting when doing playground upgrades, on a case by case situation.

Cr Voss asked in relation to telecommunications and other service providers digging up footpaths and putting in caps with no apparent organisation and using different pits, and destroying the look and feel of our footpaths, what can we do to ensure they all use a single pit or there is some sort of coordination with the digs?

Dennis O'Keeffe, Acting General Manager Customer and Corporate Services responded that around 75% of footpath complaints relate to utility service pits and it costs Council approximately \$1.2M per year to rectify these pits. It is a high priority item for the Asset Protection Team and Council is in discussion with a neighbouring municipality which has a very successful program to tackle these issues. Council is also working on a policy which establishes how and in what condition pits should be left and are expecting to see improvements throughout the year.

Cr Bond asked, in relation to Fitzroy Street, which was "marked up" months ago to have all the damaged service pits repaired, when this work will occur?

The Mayor, Cr Voss, deferred to Dennis O'Keeffe, Acting General Manager Customer and Corporate Services, who advised he would take the Question on Notice.

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Cr Bond asked about the condition of Peanut Farm Reserve Oval. Cr Bond noted the reserve was refurbished approximately six months ago, and is now in appalling condition, what has gone wrong and how can Council rectify it?

The Mayor, Cr Voss, deferred to Anthony Traill, Acting General Manager Infrastructure and Amenity, who responded that he would take the Question on Notice.

Cr Bond asked about the condition of the oval at Alma Park, which was resurfaced 12 to 18 months ago and is not in a condition to be used for competitive sport.

The Mayor, Cr Voss, deferred to Anthony Traill, Acting General Manager Infrastructure and Amenity, who responded that there is a current project – Alma Park water harvesting – which will install water tanks under the ground and as part of that project, the Oval will be repaired.



8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report - Issue 47

Purpose

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

MOVED Crs Copsey/Baxter

That Council:

- 3.1 Notes the CEO Report Issue 47 (provided as Attachment 1) including changes to budget forecasts and project portfolio identified in July 2018.

A vote was taken and the MOTION was CARRIED unanimously.



9. PEOPLE AND COMMUNITY

Cr Gross declared an indirect interest in item 9.1 North Port Oval Upgrade and Funding Agreement, by way of close association and left the chamber at 7.30pm

9.1 North Port Oval Upgrade and Funding Agreement

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

Chris Sewell

Spoke on behalf of the Port Melbourne Cricket Club and requested seven or maybe eight wickets be installed once the redevelopment is complete.

Purpose

- 1.1 To provide Council with an update on the upcoming redevelopment of North Port Oval.
- 1.2 To seek Council approval to enter into a Deed of Agreement between City of Port Phillip and AFL Victoria for the upgrade of North Port Oval.
- 1.3 To seek Council approval to delegate authority to the Chief Executive Officer to agree to terms and conditions of the Deed of Agreement.
- 1.4 To seek Council approval to temporarily increase the Chief Executive Officer's financial delegation to \$1.915M in order to execute the proposed Deed of Agreement on behalf of City of Port Phillip.

MOVED Crs Pearl/Crawford

That Council:

- 3.1 Enters into a Deed of Agreement with AFL Victoria to project manage the design and delivery of the upgrade of North Port Oval for a cost to Council of up to \$1.915M, excluding costs associated with offsite disposal of contaminated soil.
- 3.2 Notes that if excess soil is contaminated requiring offsite disposal an additional cost of \$215,000 to \$815,000 (depending on the soil contamination classification) will be required in addition to the quoted \$1.915M and funded by bringing forward funds from the 2020/21 allocation to Northport Oval upgrade.
- 3.3 Authorises the Chief Executive Officer to finalise the terms and conditions of the Deed of Agreement.

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- 3.4 Authorises a temporary increase in the Chief Executive Officer's financial delegation to \$1.915M for the purposes of executing the Deed of Agreement on behalf of City of port Phillip, for the upgrade of North Port Oval.
- 3.5 Notes Northport Oval is identified as a key community public space to cater for the new population of Sandridge region within Fishermans Bend Urban Renewal Area (FBURA) and these works will support grounds ability to be available for public access during the day, when not in use by the sport tenants.
- 3.6 Notes that the seven current wickets are reduced to six wickets through this proposal.

A vote was taken and the MOTION was CARRIED unanimously.

Cr Gross returned to the chamber at 7.53pm.



10. Transport and Parking

10.1 Alma Road / Alexandra Street, St Kilda East - Trial of Safety Improvements

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

Damon Ross

Spoke against the recommendation as it will disadvantage residents. The current speed limit is not enforced and the intersection is subject to poor visibility. Suggested that traffic lights be placed at the intersection.

Sandra Fairthorne

Stated the proposed partial closure of Alexandra Street would only exacerbate the already congested local traffic, a small roundabout, lights or clear signage indicating right turn restrictions only at peak hour at the south end of Alexandra Street is the safest and most practical solution.

Chris Drossos

Agreed with the previous speaker, the best option is a roundabout which is not as expensive as traffic lights.

Alison Boughey

Stated the number of incidents is far higher than those in the report, not all misses are counted in the figures. Urged Council to go ahead with proposed trial of safety improvements at the corner of the Alma Road and Alexandra street intersection. The road closure may cause inconvenience but safety trumps inconvenience in this case.

Mary Lucas

Stated the intersection is growing with intensity of accidents, with all the history, why is the matter even going to the residents, just do it.

Greg Asher

Stated the proposed solution causes several problems Council aren't aware of. It will send several cars through to Merchant Street which has an S bend in it that drops down to one lane which will cause accidents. The solution is to put in a roundabout.

Michelle Marr-Deszcz

Alma Road and Alexandra Street intersection is the main exit and access point for residents in this area and it is used to access residential facilities and there will be congestion and gridlock with the proposed road closure. Council's catchphrase is we are connected and it is easy to move around, please think about this because it won't be easy to move around and residents will be at more risk.

Anthony Deszcz

Alexandra Street is a rat run between 7am - 9am every morning, people trying to beat traffic and cut across by blocking us out. People will die eventually, police and Council are not monitoring speed.

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Kostas Morfis

Stated he is the owner of a garage that was demolished due to an accident and everyone agrees that this intersection is an issue. If we restrict traffic and reduce flow there will be downstream side effects. Traffic lights will reduce speed.

Kevin Curtis

Alexandra Street and Alma Road are dangerous, residents have to turn right onto Alma Road if they cannot do this, they will use Landsdowne Road which is very narrow and will make things worse. Either traffic lights, roundabout, policing of speed limit or speedbumps would be better.

Nina Sanadze-Schiff

Agreed it was a dangerous intersection and would like to see different measures tried such as speed cameras and a reduction in speed to 40km. A roundabout would also be a good idea.

Romy Paltoglou

Drives through the intersection and finds it unclear as to the rules of who is going where and when. The speed limit is too high and agreed with previous speakers that there needs to be traffic lights, a roundabout or a keep clear pedestrian sign.

Purpose

- 1.1 To seek Council's endorsement of a 12-month trial of road user safety improvements at the intersections of Alma Road / Alexandra Street in St Kilda East.

MOVED Crs Copsey/Crawford

That Council:

- 3.1 Notes that the intersection of Alma Road and Alexandra Street has been identified as a road accident black spot with six (6) crashes recorded at the site between 1/01/2012 and 31/12/2016. A further four (4) crashes have been recorded/reported up to 30/06/2018.
- 3.2 Endorses a 12-month trial of a partial median closure along Alma Road at Alexandra Street to improve safety for all road users.
- 3.3 Continues to pursue a partnership with VicRoads to develop and deliver road safety improvements through the identification of road accident black spots throughout the municipality.
- 3.4 Advises all residents that made submissions regarding the proposed trial of Council's resolution and thanks them for their contribution.

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- 3.5 Officers will evaluate the 12-month trial and provide a report to Council on traffic measures required to improve safety at the intersection of Alexandra Street and Alma Road.

A vote was taken and the MOTION was CARRIED.

Cr Copsey called for a DIVISION.

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

AGAINST: Crs Bond and Pearl

A vote was taken and the MOTION was CARRIED.

The Mayor adjourned the meeting for a short break at 8.54pm.

The meeting resumed at 9.06pm.



12.2 Victorian Pride Centre – Consider Independent Advisor’s recommendations and request for Ministerial Amendment (AmC149) to the Port Phillip Planning Scheme

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

Peter McEwan

Spoke to elements of the report including design, amenity and planning. Noted the Environmentally Sustainable Design objectives of the centre.

Purpose

- 1.1 To consider the report and recommendations of the Independent Advisor appointed to review submissions in relation to proposed Amendment C149 which proposes to facilitate the use and development of the Victorian Pride Centre at 79-81 Fitzroy Street, St Kilda.
- 1.2 To consider whether to request the Minister for Planning prepare and approve Amendment C149 to the Port Phillip Planning Scheme, as a Ministerial Amendment under section 20(4) of the *Planning and Environment Act 1987*.



MOVED Crs Gross/Copsey

That Council:

- 3.1 Requests the Minister for Planning prepare and approve Amendment C149 to the Port Phillip Planning Scheme, pursuant to Section 20(4) of the Planning and Environment Act 1987, in accordance with the documentation provided at Attachment 6, with the following changes:
- Delete conditions 8, 9 and 10 within the document titled 'Port Phillip Planning Scheme Incorporated Document – Victorian Pride Centre – 79-81 Fitzroy Street, St Kilda':
'Green Star Rating
 - 8. Prior to the commencement of buildings and works, evidence must be submitted to the Responsible Authority that demonstrates the project has been registered to seek a minimum 5 Star Green Star Design and As-Built rating (or equivalent) with the Green Building Council of Australia.
 - 9. Prior to the occupation of the building, evidence must be submitted to the Responsible Authority that demonstrates the building can achieve a minimum 5 Star Green Star Design Review certification (or equivalent).
 - 10. Within 12 months of occupation of the building, certification must be submitted to the Responsible Authority that demonstrates that the building has achieved a minimum 5 Star Green Star Design and As Built rating (or equivalent).'
 - Replace with a new condition as follows:
'Sustainability Management Plan
 - 8. Prior to the commencement of development (excluding demolition), a Sustainability Management Plan (SMP) outlining proposed sustainable design initiatives must be submitted to the Responsible Authority. The SMP must either confirm that the development has been registered with the Green Building Council of Australia (GBCA), seeking a minimum 5 Star Green Star rating (or equivalent), or demonstrate how alternative sustainability initiatives will achieve a similar overall sustainability performance outcome, to the satisfaction of the Responsible Authority. When approved, the SMP will be endorsed and form part of the Incorporated Document. The development must incorporate the sustainable design initiatives listed in the approved SMP before any use approved under this incorporated document commences.'
 - Renumber the remaining conditions within the incorporated document.
- 3.2 Notes changes made to proposed Amendment C149 in response to community submissions and the recommendations of the Independent Advisor, including the:



- introduction of a condition within the Incorporated Document to ensure that the results of the Crime Prevention Through Environmental Design Assessment commissioned by Council are incorporated into the detailed design of the building with particular regard to the portico on Fitzroy Street, the Jackson Street Plaza and the basement car park;
- specific exclusion of 'nightclub' as a potential land use within the Incorporated Document;
- reinstatement of the flag pole / radio mast to that version that was subject to community consultation version of the Development Plans forming part of the Incorporated Document; and
- introduction of a condition within the Incorporated Document to require time restrictions on the public parking proposed within the basement car park.

3.3 Advise the Minister for Planning that the recommendations of the Independent Advisor have been accepted by Council as detailed in Attachment 5, with variation to the recommendation for a 'Good Neighbour Protocol' on the basis that this is more appropriately addressed outside of the Incorporated Document.

3.4 Writes to the Victorian Pride Centre Board requesting that they initiate the creation of a 'Good Neighbour Protocol' directly with neighbouring residents (outside of the process for Amendment C149) to establish a clear understanding of expected amenity outcomes and to provide a pathway to resolve any disputes that may arise.

3.5 Authorises the Chief Executive Officer (or delegate) to finalise the Amendment C149 documentation for Ministerial approval.

3.6 Writes to all submitters advising them of Council's resolution, and thanking them for their comments and interest in relation to Amendment C149.

A vote was taken and the MOTION was CARRIED.



Cr Pearl declared an indirect interest in item 9.2 Children's Services Policy – Draft Policy Objectives, by way of close association and left the chamber at 9.18pm

9.2 Children's Services Policy – Draft Policy Objectives

Purpose

- 1.1 To provide Council and the community with the outcomes of Stage 1 consultation and revised draft key policy objectives for the Children's Services Policy.

Moved Crs Copsey/Baxter

That Council:

- 3.1 Note that Council officers have reviewed and synthesised all feedback from the community, the Children's Services Reference Group and the Independent Service Providers Focus Group to provide Council with consolidated policy objectives for endorsement
- 3.2 Endorse the proposed policy objectives for the Children's Services Policy. Those policy objectives are:
 1. Council will work with partners to ensure that every child, regardless of their abilities or background, will have access to affordable, safe, accessible, quality Early Years services to support development to their full potential.
 2. Council will understand current and future needs of families in the city and influence the provision of Early Years services to meet the those needs.
 3. Early Years services will be financially sustainable and consistently aligned with relevant policies and legislation at the local, state and federal level.
 4. Council will encourage collaboration across all Early Years' services.
 5. Families will have access to the services and information they need, at the times they need it, to make choices appropriate for their needs.
 6. Early Years services will be supported by safe, accessible, contemporary, fit-for-purpose, sustainable facilities and environments.
 7. Children will have access to natural environments which allow them to learn about and experience play in nature. This includes natural environments within early years services.

A vote was taken and the MOTION was CARRIED unanimously.



Cr Pearl returned to the chamber at 9.34pm.

11. SUSTAINABILITY

Nil.

12. PLANNING

12.1 2018/19 Visitor and Summer Management Program

Purpose

- 1.1 To advise Council on actions taken in response to its 21 March 2018 resolution in relation to new/altered alcohol restrictions, investigation of a Christmas season event on St Kilda foreshore and outline the 2018/19 Visitor and Summer Management Program.

MOVED Crs Copsey/Gross

That Council:

- 3.1 Notes the extensive planning, resources and financial investments to deliver the 2018/19 Visitor and Summer Management Program for people to enjoy our foreshore and City while protecting public safety.
- 3.2 Notes a Christmas season event was investigated with a preference to maintain free public access to the area for all.
- 3.3 Acknowledge the role backpacker, short-term accommodation establishments and traders have in assisting to promote the area as a safe and inviting destination for tourism.
- 3.4 Notes that Officers will hold another meeting to ensure backpacker and short-term accommodation establishments understand the role they can play in promoting the area and ensuring their guests understand alcohol restrictions, appropriate behaviours and educational approach to glass and litter impacts.

A vote was taken and the MOTION was CARRIED unanimously.



13. ARTS CULTURE & ECONOMIC DEVELOPMENT

Nil.

14. ORGANISATIONAL PERFORMANCE

14.1 Microsoft Licensing and Services Contract

Purpose

- 1.1 To present the report of the Tender Evaluation Panel for Tender 2161 Microsoft Enterprise Agreement and Services and recommend the awarding of the contract to Data #3 Limited for a three (3) year period commencing 1 October 2018.

The Mayor, Cr Voss asked if the contract contain any new products?

Dennis O’Keeffe, Acting General Manager Corporate and Customer Services, responded that he would take the Question on Notice.

The Mayor, Cr Voss asked if there was any information available about what the percentage of the dollar figure is for the license, what percentage is support, what percentage is training and associated services?

Dennis O’Keeffe, Acting General Manager Corporate and Customer Services, responded that he would take the Question on Notice..

MOVED Crs Copsey/Gross

That Council:

- 3.1 Awards Data #3 Limited the Microsoft Enterprise Agreement and Services contract 2161 to provide licensing and associated services to Council for a three (3) year period commencing 1 October 2018 through to 30 September 2021
- 3.2 Notes that the total contract value equals \$2,135,470 excluding GST over three (3) years.
- 3.3 Affixes the Common Seal of the Port Phillip City Council to Contract No. 2161 between Port Phillip City Council and Data #3 Limited.

A vote was taken and the MOTION was CARRIED unanimously.



14.2 Proposed Report of Operations for the Annual Report 2017/18

Purpose

- 1.1 To receive and consider the draft report of operations for the year ending 30 June 2018.

MOVED Crs Crawford/Pearl

That Council:

- 3.1 Notes the attached draft report of operations for the year ending 30 June 2018 which will form part of the Annual Report 2017/18.
- 3.2 Approves the Chief Executive Officer and Mayor to certify that the Governance and Management checklist fairly presents Council's governance and management arrangements, which is required in the report of operations.
- 3.3 Notes that councillors will be kept updated on the progress of the Annual Report 2017/18 before submission to the Minister for Local Government by 30 September 2018.
- 3.4 Notes the designed Annual Report 2017/18 will be formally presented to Council on 17 October 2018.

A vote was taken and the MOTION was CARRIED.



14.3 In Principle Approval of the Annual Financial Statements 2017/18 and Performance Statement 2017/18

Purpose

- 1.1 To obtain Council's in principle approval of the annual financial statements and performance statement for the financial year ending 30 June 2018.

MOVED Crs Simic/Baxter

That Council:

- 3.1 Gives in principle approval to the annual financial statements and performance statement (the statements) for the financial year ending 30 June 2018.
- 3.2 Authorises the Mayor, Councillor Bernadene Voss and Councillor Dick Gross or delegates to certify the annual financial statements and performance statement for the financial year ending 30 June 2018.
- 3.3 Sets the materiality threshold in the performance statement at +/- 10 per cent of Council's 2016/17 result, for the reporting of explanations for variances between 2017/18 and 2016/17 result.

A vote was taken and the MOTION was CARRIED unanimously.



15. NOTICES OF MOTION

Item 15.1

MOVED Crs Voss/Copsey

That Council:-

- 1 Supports the World War I Centenary Community Commemorative Committee proposal to provide a place for contemplation, engagement, understanding and learning about World War including its impact, ramifications and legacy from a community perspective, in the railway reserve along Station Street, Port Melbourne, between Ingles and Bridge streets.
- 2 Notes that the project has been developed by the committee, which comprises members of the St Kilda Historical Society, Port Melbourne Historical and Preservation Society, Middle Park History Group, local veterans and military historians, and representatives from St Kilda RSL Sub-Branch and Friends of Elwood RSL.
- 3 Notes that the project will be delivered in time for Remembrance Day, 11 November 2018 and will be managed by City of Port Phillip staff.
- 4 Notes that the Committee successfully applied for an Armistice Centenary Grant of \$29,768, issued by the Department of Veteran Affairs, and was unsuccessful in seeking grant funding from the Department of Premier and Cabinet.
- 5 Approves \$20,232 of unbudgeted expenditure as Council's contribution to the initiative, bringing the total cost of the project to \$50,000.

A vote was taken and the MOTION was LOST.



16. REPORTS BY COUNCILLOR DELEGATES

Cr Copsey reported that City of Port Phillip will be hosting a meeting of the Metropolitan Transport Forum.

17. URGENT BUSINESS

Nil.

18. CONFIDENTIAL MATTERS

MOVED Crs Gross/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 Metro Tunnel Project - Loss of Revenue for On-Street Parking

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

89(2)(f). Legal advice.

18.2 Customer Experience Program Delivery Partner Contract Award

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

89(2)(d). Contractual matters.

A vote was taken and the MOTION was CARRIED.

The meeting was closed to the public at 10.10pm.

The meeting was re-opened to the public at 10.17pm

As there was no further business the meeting closed at 10.17pm.

Confirmed: 20 September 2018

Chairperson _____