

RESPONSES TO QUESTIONS TAKEN ON NOTICE

COUNCIL MEETING 20 MAY 2026



8.1 Community Infrastructure Plan

Question from Councillor Mears:

In respect to the Lakeside Ward, can you advise the open space contributions over the last five years, or if not available, over the last year. In doing so, can you advise the direct local benefits of those contributions?

Response:

Open space contributions are collected and held in reserves based on neighbourhood areas (postcodes) rather than ward boundaries. Given the close alignment of St Kilda Road with the Lakeside Ward, this response has been based on open space contributions collected from the St Kilda Road postcode area and related local expenditure.

Over the past five years, Council has collected \$7.3 million in open space contributions from developments along St Kilda Road. Of this amount, \$5 million has been allocated to open space projects within the surrounding area, representing 68% of contributions collected from that locality.

Question from Councillor Jay:

What percentage of the open space funds over the last five years collected from St Kilda Road have been used directly in the wedge between Kings Way and St Kilda Road benefiting those residents and ratepayers from the development in those areas?

Response:

Over the past five years, Council collected \$7.3 million of open space contributions from developments along St Kilda Road. Of this amount, \$5 million has been allocated to open space projects in the wedge between Kings Way and St Kilda Road, representing 68% of contributions collected from that area.

13.1 Plan for Port Phillip (including Budget) 2025-35 (Year 2): Hearing of Community Feedback

Question from Councillor Mears:

In relation to the budget request received by St Kilda Primary School to explore joint use of the new indoor school Community Hall. Could funds for this be utilised from the open space contributions fund for this purpose?

Response:

Public Open Space Contributions are collected under the Subdivision Act 1988 to support the provision, acquisition and improvement of public open space. Under the Act, Council may use these funds to improve land that is already set aside, zoned or reserved for public recreation, public resort, parklands or similar purposes.

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A new indoor school community hall would generally be considered a built community facility rather than public open space. As such, it is unlikely that Open Space Contributions could be used for this purpose.

13.4 Councillor Social Media Policy

Question from Councillor Mears:

Are State and Federal politicians held to this level of prescriptive social media policy?

Response:

State and Federal MPs are also subject to enforceable rules and overlay legislation when using social media, similar to councillors.

Victorian (State) MPs – key, explicit obligations

Victorian MPs are subject to a statutory Code of Conduct under the Members of Parliament (Standards) Act 1978 (Vic). Relevantly, it includes obligations about:

- Use of public resources (must comply with applicable laws/rules/guidance on public resources).*
- Personal conduct (must not bring Parliament into disrepute; must not deliberately mislead Parliament or the public).*
- Confidentiality (must respect confidentiality of information received in the course of public duties and not misuse confidential information).*

Where content is produced/distributed using publicly funded parliamentary resources, Victorian MPs are also governed by the Members of Parliament (Victoria) Guidelines (No. 01/2024), which set rules for communications and resourcing (including identification/communications requirements). If the person is a Minister/Parliamentary Secretary, additional expectations apply under the Victorian Ministerial Code of Conduct, including in relation to electronic communications and integrity standards.

Commonwealth (Federal) MPs – key, explicit obligations

Federal parliamentarians are covered by the Behaviour Code for Australian Parliamentarians, which explicitly applies to conduct “by electronic communication” (capturing social media) and is enforceable within the parliamentary workplace standards framework.

General laws also apply to state and federal elected representatives online, including areas such as privacy, defamation, discrimination/harassment and contempt of court (i.e., social media comments are treated as public communications).

Finally, for both levels of government parliamentary privilege protects statements made in parliamentary proceedings, however, it does not automatically protect statements made outside Parliament (e.g., on social media). They are also subject to their own respective authorised material provisions when posting electoral campaign material.