



# ORDINARY MEETING OF COUNCIL

## MINUTES

17 OCTOBER 2018



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**MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP  
CITY COUNCIL HELD 17 OCTOBER 2018 IN ST KILDA TOWN HALL**

The meeting opened at 6:30pm.

**PRESENT**

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

**IN ATTENDANCE**

Peter Smith, Chief Executive Officer; Lili Rosic, General Manager City Strategy and Sustainable Development; Mary McGorry, Interim 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; Damien Dewar, Manager Strategy and Design; Brett Walters, Manager Sustainability and Transport; Sally Jones, Manager Cultural and Economic Development; Janelle Bryce, Manager Family, Youth and Children; Entsar Hamid, Program Director Service Transformation; Jorja Pindor, Program Director Waste Futures; Peter Benazic, Manager Maintenance and Operations; Holli Taylor, Graffiti Management Officer; Ian Sumpter, Manager South Melbourne Market.

*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 Baxter/Pearl**

That the minutes of the Ordinary Meeting of Council of the Port Phillip City Council held on 3 October 2018 be confirmed.

**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 Development Review, by way of close association.



#### 4. PETITIONS AND JOINT LETTERS

Nil.

#### 5. SEALING SCHEDULE

Nil.

#### 6. PUBLIC QUESTION TIME

Peter Holland

Mr Holland spoke to his concerns around the LAGI design competition for the St Kilda Triangle and stated that having been won by Melbourne's NH Architectures team, has this had a focus on adding art and renewable energy to the Council's Master Plan. Mr Holland asked what is the position of Council on co-operating with the State government on this?

*The Mayor, Cr Voss, deferred to Damian Dewar, Manager Strategy and Design, who responded that the LAGI design created ideas for how we might be able to use the triangle site. It's hoped the Victorian Government of the day would see the LAGI design as an opportunity for the St Kilda Triangle site that builds on the Master Plan, and it is hoped that they commit to undertaking a business case to explore the future re-development of the site. Cooperating with the State on such a case would be consistent with our approach and masterplan since 2016.*

Trevor White

Mr White spoke to a recent election promise by the State Liberal Party, and local candidate Andrew Bond, to spend \$36.2M to create an underground car park and garden park on top of the St Kilda Triangle. Mr White asked the following questions in relation to this matter:

- Did the Liberal party or any of its candidates or officers contact the City of Port Phillip, its councillors, CEO or staff to inform them of this announcement prior to the Liberals announcement on the weekend?
- What is the current estimate of undertaking removal of the contaminated soil to create the underground Car Park and the creation of the 'at grade' garden park and associated infrastructure of these works in 2018?
- Is there a shortfall between the \$36.2M the Liberals are offering and the current estimates, if so, what is the amount and who would be asked to pay the deficit?
- Has the Liberal party given the City of Port Phillip the plans for their proposal and if so does it comply with current City of Port Phillip Master Plan for the Triangle; and if there are no plans how was the Liberals budget costed?
- Has the Liberal party offered to reimburse the City of Port Phillip for the forgone car parking revenue lost during construction?
- Will the councillors standing for state parliament be required to declare conflict of interest and be excused from any council discussions on the Triangle?

# MINUTES - ORDINARY MEETING OF COUNCIL - 17 OCTOBER 2018



*The Mayor, Cr Voss, deferred to Kylie Bennetts, Director Office of the CEO who responded that tonight councillors are listening to questions from the public and receiving a response from officers only, and on that basis, there is no conflict in this matter in terms of the councillors that may be standing as candidates for election.*

*Lili Rosic, General Manager City Strategy and Sustainable Development, responded that Council staff were not informed of the proposal by the Liberal Party prior to this announcement. In relation to costing of proposed works for an underground car park and creation of garden park, Ms Rosic stated that the rough estimate in the 2015 preliminary case was \$36.55M which included approximately \$25M in soil removal costs. The estimated cost of developing a park on top was \$21.5M. However in the absence of a detailed proposal it's not possible to compare 2015 costings with any new proposal as this would depend on details such as the extent of the car parking, extent of soil to be removed, and the standard and amenity of the park constructed.*

*In regard to whether there is a shortfall between what the Liberals are offering and current estimates and who would be paying for the deficit and if the budget is appropriate, Ms Rosic responded that it's difficult to provide a definite answer without seeing a more detailed proposal of the proposed development and engaging a surveyor to cost these works.*

*Ms Rosic further responded that the Liberal Party has not shared their plans for the triangle with the City of Port Phillip and it would be speculation on Council's part to comment on how the budgeting was estimated. In relation to whether the Liberal Party had offered to reimburse Council for any parking loss during construction, Ms Rosic responded that the Liberal Party has not been in contact with the City of Port Phillip regarding this proposal.*

## Isaac Hermann

Mr Hermann spoke to the required flood planning in place leading into the flood season and stated that there doesn't seem to be a plan for City of Port Phillip catchments. Mr Hermann asked if Council will be providing a flood management plan for the rest of the municipality or will this be provided by Melbourne Water, and by when? Mr Hermann also asked if Council has an effective flood emergency plan for the entire municipality?

Mr Hermann expressed concern around the lack of availability of sandbags after December 2015's flooding and asked if the City of Port Phillip and SES has a plan that addresses these oversights?

*The Mayor, Cr Voss, deferred to Brett Walters, Manager Sustainability and Transport, who responded that officers have commenced workshops with Melbourne Water, and community consultation is expected in the new year. Mr Walters also stated that we hope to see an adoption of a new municipal flood management plan around March next year.*

*Mr Walters advised that the municipal flood emergency plan was last revised in November 2017 and remains current, however is due for review with potential to be revised in November this year. The review will be coordinated by Council's Emergency Management team.*

*Mr Walters advised he will take the information Mr Hermann provided on sandbags into consideration while working with the SES on the development of the flood emergency plan.*

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## Geoffrey Love

Mr Love expressed concerns around the Elster Catchment Forum and reiterated concerns raised at the previous council meeting that the forum principles had been decided and were not open to input from the community reference group, noting this does not conform to the community engagement principles. Mr Love stated that the report from Melbourne Water showed that the working group would only be addressing 1 in 20 year events and not 1 in 100 year events. Is it Melbourne Water's policy not to try to mitigate 1 in 100 year events? This would be a major policy shift for Melbourne Water and who would then be responsible for this work? Mr Love asked if Council is aware of the Elster Catchment working group's decision to abandon efforts to mitigate 1 in 100 floods in Elwood, and if Council endorses this decision? Mr Love asked which instrumentality would be responsible for protecting Elwood residents and businesses from major flood events?

*The Mayor, Cr Voss, deferred to Brett Walters, Manager Sustainability and Transport, who responded Melbourne Water have confirmed that they are not abandoning efforts to mitigate 1 in 100 year events. Council and Melbourne Water, and other partners are being progressive and taking pragmatic action – and has not ruled out 1 in 100 year events.*

## Helen Halliday

Ms Halliday expressed concern around Elster Creek and the wording provided and has raised questions of the principles being in contradiction with the memorandum of understanding and its priorities for the area. Ms Halliday stated she would like to see Council re-endorse those principles to make sure it's clear there has been no sliding back on those key issues which have been addressed by Council previously. Ms Halliday raised concern with the accessibility of a report on Albert Park Lake, and the commitment made to review this. Ms Halliday asked that any reports which have a direct bearing on citizens be made available as a matter of course rather than request. Ms Halliday expressed further concern around Alma Park and the availability of information relating to the facilities being developed. Ms Halliday asked that the public be made aware of what these facilities are. Ms Halliday stated that until an integrated water management process is established, all the various principles being adopted do not fall within an integrated water management scheme. Ms Halliday stated that she would like to see a fully integrated water management scheme in place.

*The Mayor, Cr Voss, deferred to Brett Walters, Manager Sustainability and Transport, who responded that public tender design documentation is due to be released regarding Alma Park, details of which will be made available to public. Mr Walters advised that this would include detail on underground storage to provide irrigation for the Park and involves a constructive wet land to clean the harvested water. Mr Walters stated that this question may need to be taken on notice to provide further information on where the public can find the tender documents. Regarding Albert Park, Mr Walters stated that the project lead on this case is Parks Victoria so there will need to be a discussion with them around what can be released, however there is now a general practice to make our reports public. Regarding integrated water management and the need for a plan, Council recently adopted 'Act and Adapt - Sustainable Environment Strategy' which includes a specific action to develop a plan of this type - which is on the near horizon expected to be completed June next year.*



*Mr Walters stated that the endorsement by Council of the Principles is current and being followed. The issue around whether this holds true in Principles 1 & 4 and the concern around semantics of those principles is in relation to the wording 'in preference to' which raises concern that there is no intent to do any work in playing fields or public open spaces. It really indicates that Council is first looking for opportunities in those areas and not ruling out the more public areas. Feedback has been provided to Melbourne Water around the semantics and they are currently reviewing this.*

#### Gail Hastings

Ms Hastings spoke to her concerns around Council's submissions to Heritage Victoria in relation to the Permit application for redevelopment of the former Bishop's residence as part of the Christ Church Complex on Acland Street into a child care centre. Given that Council accepts the same heritage significance to elements comprising of Christ Church Complex as Heritage Victoria, Ms Hastings asked if Council recognises that its suggestion to reduce the car park did not go far enough? Ms Hastings also asked if Council now recognises that the construction of any sized car park at the rear of Christ Church would negatively impact the integrity and setting of the former Bishop's Residence and Christ Church Complex?

*The Mayor, Cr Voss, deferred to Damian Dewar, Manager Strategy and Design who responded that Council's suggestions to Heritage Victoria were part of an offer to work together to establish a solution to the problem of finding a use for the Bishop's residence. This in no way means that we do not believe the car parking will have an impact.*

## **PRESENTATION OF AWARD**

Peter Smith, Chief Executive Officer, announced that on 11 October 2018 Council was awarded the 2018 Premier's Sustainability Award in the Government category.

The award was received in recognition of the Melbourne Renewable Energy Project (MREP). Brett Walters, Manager Sustainability and Transport to provided further details of the project, and present the Award to the Mayor, Cr Voss, who accepted on behalf of Council and acknowledged the work of the officers involved.

Cr Pearl left the Chamber at 7.05pm.  
Cr Pearl returned to the Chamber at 7.07pm.



## 7. COUNCILLOR QUESTION TIME

Cr Copsey asked how the use of plastic cups at Melbourne Marathon in City of Port Phillip is congruent with the City of Port Phillip's policy on reducing single use plastics at events? Cr Copsey also asked if current policy settings would result in a different permitting outcome for this event if it were held in the City in the future.

*The Mayor, Cr Voss, deferred to Anthony Traill, Acting General Manager Infrastructure and Amenity, who responded that the City of Port Phillip has updated its guidelines on sustainability at events, so this is the first summer of events season in implementing those guidelines. At the event, with the permit process, we do consider biodegradable cups, however we were concerned with the plastic insert fill which would make it difficult to recycle. This is something we will revise and consider when looking at the best product for next year. Single use plastic cups used this year were successfully recycled and appropriate. Mr Traill reiterated that Council will consider what is used for similar events this summer that require drinks re-fill for participants.*

Cr Simic asked if officers can confirm the number of emergency beds and accommodation options that have closed in the last two years and how many places are in the pipeline to be closed. Cr Simic highlighted that in 2017 there was the closure of the Gatwick Hotel which housed 80 beds, the demolition of Elwood Sands Motel, closure of the Regal's 50 places, as well as Tennison Street Beach House. Cr Simic asked what impact the closures are having on the existing referral services and if this is being raised with officers by those services.

*The Mayor, Cr Voss, deferred to Mary McGorry, Acting General Manager Community and Economic Development who took the question pertaining to the actual count of beds closed in the last two years on notice. Ms McGorry stated that one of the responses being undertaken that is regarding the closure of the accommodation options, is to progress forward with City of Port Phillip Functional Zero which is an evidence based approach to our partnership working to reduce homelessness with the community business philanthropic and public sector.*

*Ms McGorry stated these closures are having an impact on emergency accommodation, and officers are operating with community organisations; however, the lack of affordable and emergency housing remains an issue for our locality.*

The Mayor, Cr Voss asked what we are doing to be more visible and pro-active with being seen and enforcing the dogs on on-leash provisions of the Local Law in our streets. Cr Voss asked what Local Laws Officers will be wearing and if they will be noticeable

*Anthony Traill, Acting General Manager Infrastructure and Amenity, responded that Council has a vision and summer management program which has been in operation for five years and aims to increase our services to manage the increased visitation that our municipality experiences at this time of year. The program has started for this year and in regard to local laws we have engaged two extra summer amenity local laws officers to patrol shopping precincts and foreshores.*

*Mr Traill advised that currently the local law officers are wearing hi-vis vests, however a uniform is being considered. Patrols with the local Police have also been instigated, who will be actively walking along the foreshore and shopping precincts in the busier summer months.*



## 8. PRESENTATION OF CEO REPORT

Nil.

## PRESENTATION OF REPORTS

The Mayor changed the order of the presentation of reports as was printed in the Agenda.

## 12. PLANNING

### 12.1 Fitzroy Street and Environs Special Rate and Charge Renewal 2019 - 2024 Intention to Declare Report

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

#### Roger Wyndham

Mr Wyndham spoke in favour of the Special Rate and Charge Renewal and stated that it's important to businesses on Fitzroy street who continue to struggle. Mr Wyndham stated that maintaining the rate is important so that business owners can maintain the consistency of efforts in keeping the profile of the street alive.

#### **Purpose**

- 1.1 To commence the statutory process to renew the Fitzroy Street Special Rate and Charge Scheme, for the 1 July 2019 to 30 June 2024 period, for the purpose of marketing, tourism, promotion and business development of the Fitzroy Street and Environs business precinct.

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

That Council:

- 3.1 Notes the letter received from the Fitzroy Street Business Association (FSBA) requesting the renewal of the Special Rate and Charge Scheme for the Fitzroy Street and Environs business precinct (**Attachment 1**).
- 3.2 Having otherwise considered all relevant matters, commences the statutory process under the Local Government Act 1989 (The Act) to renew a Special Rate and Charge Scheme to and for the properties within the defined Fitzroy Street and Environs Business Precinct, such Special Rate and Charge Combined Scheme is to raise a maximum amount of \$216,700 per annum up to a maximum of \$1,083,500 in total for a period of five years, commencing on 1 July 2019 and ending on 30 June 2024.
- 3.3 In accordance with Section 163(1A) and 163B(3) of the Act, directs that public notices be published in The Port Phillip Leader of the intention of Council to declare at an ordinary meeting of Council to be held in April 2019 (further details of which may be accessed by visiting Council's website [www.portphillip.vic.gov.au](http://www.portphillip.vic.gov.au) on or shortly after 1 January 2019, when details of the dates which have been resolved upon by Council for the holding of its ordinary meetings for 2019 will have become



publicly available), in accordance with the proposed declaration of Special Rate and Charge Scheme in the form of the attachment to this resolution (**Attachment 2**) (Proposed Declaration of Special Rate and Charge Scheme) such Special Rate and Charge Combined levy to be for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Fitzroy Street Business Association and funds, administratively only and subject always to the approval, direction and control of Council, are to be used for the purposes of the appointment of a coordinator, promotional, advertising, marketing and business development, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Fitzroy Street and Environs Business Precinct.

- 3.4 Directs that in accordance with section 163 (1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners and the occupiers of the properties referred to in the Proposed Declaration attached, forming a part of the Proposed Declaration of Special Rate and Charge Combined Scheme advising of the intention of Council to declare the Special Rate and Charge Combined Scheme at the ordinary meeting of Council to be held in April 2019 (further details of which may be accessed by visiting Council's website [www.portphillip.vic.gov.au](http://www.portphillip.vic.gov.au) on or shortly after 1 January 2019, when details of the dates which have been resolved upon by Council for the holding of its ordinary meetings for 2019 will have become publicly available), the amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the Special Rate and Charge Combined levy) will be liable, the basis of the calculation and distribution of the Scheme and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Rate and Charge Scheme will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act.
- 3.5 Advises the Fitzroy Street Business Association of the matters specified in paragraphs 3.2, 3.3 and 3.4 of this resolution.
- 3.6 Authorises the Chief Executive Officer or delegate –
- (a) to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and section 163(1A), (1B) and (1C) and sections 163B and 223 of the Act; and
- (b) to prepare a funding agreement between Council and the Business Association to formalise the administrative operations of the Special Rate and Charge Scheme, such agreement being to ensure that at all times, and as a precondition to the payment of any funds by Council to the Business Association, Council is, and remains, legally responsible for approving, directing and controlling the expenditure of the proceeds of the Scheme in accordance with its obligations under the Local Government Act 1989 to do so.
- 3.7 Directs that the agreement specified in paragraph 3.6b of this resolution will be approved by the authorised officers of Council once the Special Rate and Charge Combined Scheme is declared.

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



## 12.2 Acland Street Village Special Rate and Charge Renewal 2019 - 2024 Intention to Declare Report

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

Janet Rosenberg

Ms Rosenberg, President of the Acland Street Village Association, spoke in favour of the Special Rate and Charge Renewal and stated that it is important to the traders of the Acland Street Village to maintain their profile. Ms Rosenberg also stated that it enables the association to market St Kilda which is beneficial to all the businesses represented .

### Purpose

- 1.1 To commence the statutory process to renew the Acland Street Special Rate and Charge Scheme, for the 1 July 2019 to 30 June 2024 period, for the purpose of marketing, tourism, promotion and business development of the Acland Street Village business precinct.

### MOVED Crs Simic/Brand

That Council:

- 3.1 Notes the letter received from the Acland Street Village Business Association (ASVBA) requesting the renewal of the Special Rate and Charge Scheme for the Acland Street Village business precinct (**Attachment 1**).
- 3.2 Having otherwise considered all relevant matters, commences the statutory process under the Local Government Act 1989 (The Act) to renew a Special Rate and Charge Scheme to and for the properties within the defined Acland Street Village Business Precinct, such Special Rate and Charge Combined Scheme is to raise a maximum amount of \$195,000 per annum up to a maximum of \$975,000 in total for a period of five years, commencing on 1 July 2019 and ending on 30 June 2024.
- 3.3 In accordance with Section 163(1A) and 163B(3) of the Act, directs that public notices be published in The Port Phillip Leader of the intention of Council to declare at an ordinary meeting of Council to be held in April 2019 (further details of which may be accessed by visiting Council's website [www.portphillip.gov.gov.au](http://www.portphillip.gov.gov.au) on or shortly after 1 January 2019, when details of the dates which have been resolved upon by Council for the holding of its ordinary meetings for 2019 will have become publicly available), in accordance with the proposed declaration of Special Rate and Charge Scheme in the form of the attachment to this resolution (**Attachment 2**) (Proposed Declaration of Special Rate and Charge Scheme) such Special Rate and Charge Combined levy to be for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Acland Street Village Business Association and funds, administratively only and subject always to the approval, direction and control of Council, are to be used for the purposes of the appointment of a coordinator, promotional, advertising, marketing and business development, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the



Acland Street Village Business Precinct.

- 3.4 Directs that in accordance with section 163 (1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners and the occupiers of the properties referred to in the Proposed Declaration attached, forming a part of the Proposed Declaration of Special Rate and Charge Combined Scheme advising of the intention of Council to declare the Special Rate and Charge Combined Scheme at the ordinary meeting of Council to be held in April 2019 (further details of which may be accessed by visiting Council's website [www.portphillip.gov.gov.au](http://www.portphillip.gov.gov.au) on or shortly after 1 January 2019, when details of the dates which have been resolved upon by Council for the holding of its ordinary meetings for 2019 will have become publicly available), the amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the Special Rate and Charge Combined levy) will be liable, the basis of the calculation and distribution of the Scheme and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Rate and Charge Combined Scheme will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act.
- 3.5 Advises the Acland Street Village Business Association of the matters specified in paragraphs 3.2, 3.3 and 3.4 of this resolution.
- 3.6 Authorises the Chief Executive Officer or delegate –
- (a) to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and section 163(1A), (1B) and (1C) and sections 163B and 223 of the Act; and
- (b) to prepare a funding agreement between Council and the Business Association to formalise the administrative operations of the Special Rate and Charge Scheme, such agreement being to ensure that at all times, and as a precondition to the payment of any funds by Council to the Business Association, Council is, and remains, legally responsible for approving, directing and controlling the expenditure of the proceeds of the Scheme in accordance with its obligations under the Local Government Act 1989 to do so.
- 3.7 Directs that the agreement specified in paragraph 3.6b of this resolution will be approved by the authorised officers of Council once the Special Rate and Charge Scheme is declared.

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



## 9. PEOPLE AND COMMUNITY

### 9.1 In Our Backyard - Review and Action Plan

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

#### Ann Byrne

Ms Byrne spoke to her concerns regarding the two week consultation time for this report and request the period extended to at least one month from the date of release.

#### Rob Nyaguy

Mr spoke to his concerns regarding the insufficient timeframe given for the public to respond to such a complex policy and asked that at least one month is given to the community.

#### **Purpose**

- 1.1 To advise Councillors of the outcomes of the SGS review into In Our Back Yard –Growing Affordable Housing in Port Phillip (IoBY) and present a draft IoBY Action Plan 2018-2019 (the draft Plan) which responds to the findings and recommendations of the SGS review.
- 1.2 To seek authorisation to release the draft Plan for a two-week consultation period, prior to its finalisation and endorsement in November 2018.

#### **MOVED Crs Simic/Brand**

That Council:

- 3.1 Receives and notes the SGS report by reviewing IoBY
- 3.2 Publicly releases for consultation the draft IoBY Action Plan – 2018-19, for a period of four (4) weeks closing Monday 19th November 2018
- 3.3 Authorises the CEO to make any minor editorial changes to the draft IoBY Action Plan 2018-19, prior to its release for community consultation
- 3.4 Notes that the outcomes of this consultation will be provided to Council in addition to a final Action Plan for endorsement by December 2018.

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



## 9.2 Children's Services Policy Development Review

Cr Pearl declared an indirect interest in item 9.2 Children's Services Policy Development Review, by way of close association, and left the chamber at 7.40pm

### Purpose

- 1.1 To provide Council with a progress report on the Children's Services Policy development project.
- 1.2 To seek Council approval to revise the policy development timeline. More time is required to fully consider and synthesise the data collected to develop the draft service response for Stage 2 consultation.

### MOVED Crs Gross/Baxter

That Council:

- 3.1 Note the progress report on the development of the Children's Services Policy.
- 3.2 Approve the revised policy development timeline which includes:
  - submission of the Children's Services draft service response to Council in December 2018
  - commencement of Stage 2 community engagement on the draft service response in February 2019
  - submission of the new Children's Services Policy for endorsement in May 2019.

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

Cr Pearl returned to the Chamber at 7.49pm.



## 10. TRANSPORT AND PARKING

### 10.1 Emission Requirements for Car Share Vehicles

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

Justin Passaportis

Mr Passaportis is the General Manager of GoGet Carshare and recognised Council's role as a supporter and leader in the Carshare environment. Mr Passaportis asked that Councillors support the officers recommendation to allow access to larger vehicles eg people movers and SUVs for people participating in car share.

#### Purpose

- 1.1 This report seeks to clarify and amend the tailpipe emission requirements placed on Car Share Providers under Council's Car Share Policy 2016-2021.

#### MOVED Crs Pearl/Bond

That Council:

- 3.1 Endorses the approach of average fleet-wide tailpipe carbon dioxide equivalent emission targets for car share passenger vehicles.
- 3.2 Endorses the progressive improvement of tailpipe carbon dioxide equivalent emissions in its Car Share Policy 2016 – 2021, be amended from 15 grams of carbon dioxide equivalent emissions per kilometre to 5 grams of carbon dioxide equivalent emissions per kilometre, using a 2018 baseline of 160 grams of carbon dioxide equivalent emissions per kilometre
- 3.3 Amend the wording of the relevant passage in the Car Share Policy 2016-2021 to read: "Average emissions for passenger vehicle fleets of 160 grams of carbon dioxide equivalent emissions per kilometre in 2018, reducing by 5 grams per kilometre annually until 2021."

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



## 11. SUSTAINABILITY

### 11.1 Don't Waste It!: Waste Management Strategy 2018 - 2028 - Consideration of submissions and adoption

#### Purpose

- 1.1 To present the 'Don't Waste It!': Waste Management Strategy 2018-2028 for adoption, following community consultation.

#### MOVED Crs Gross/Bond

That Council:

- 3.1 Adopts the 'Don't Waste It!': Waste Management Strategy 2018-2028, as provided at Attachment 1, inclusive of updates that respond to feedback during community consultation.
- 3.2 Notes that the 'City of Port Phillip Waste Management and Resource Recovery Plan 2014 -2017' is superseded by the adopted 'Don't Waste It!' Waste Management Strategy 2018-2028.
- 3.3 Adopt the amendments (as per Attachment 3) to the 'Act and Adapt' Strategy 2018 -2028, and incorporate these amendments to align with the adopted 'Don't Waste It!' Strategy 2018-2028.
- 3.4 Thanks community members and groups for their participation in community engagement activities and for providing feedback on the draft Strategy.
- 3.5 Authorises the Chief Executive Officer to make minor editorial updates to the adopted Strategy if required.

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

The Mayor, Cr Voss, adjourned the meeting for a short break at 8.23pm.

The meeting resumed at 8.30pm.

Cr Gross returned to the Chamber at 8.31pm.



## 11.2 Baseline of Municipal Greenhouse Gas Emissions Project

### Purpose

- 1.1 To report the results of the Baseline of Municipal Greenhouse Gas Emissions Project and to amend the reported baseline in the Sustainable City Community Action Plan.

### MOVED Crs Baxter/Copsey

That Council:

- 3.1 Notes the greenhouse gas emissions profile of 1,735,646 tonnes of carbon dioxide equivalent emissions for the municipality for the 2016 calendar year.
- 3.2 Endorses an amendment to page six of the Sustainable City Community Action Plan to read "The estimated total greenhouse gas emissions across the municipality is 1,736,646 tonnes of carbon dioxide equivalent".

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

## 11.3 Graffiti Management Plan Update

### Purpose

- 1.1 To provide Council and the community with an update of the proposed framework to revise Council's Graffiti Management Plan.

### MOVED Crs Crawford/Gross

That Council:

- 3.1 Endorse the recommended community consultation model of public meetings and online feedback.
- 3.2 Endorse officers to incorporate community feedback into the development of Council's new Graffiti Management Plan.
- 3.3 Endorse the following customer experience improvements: (a) issuing "opt out" notices to facilitate graffiti removal and (b) the cross-council reporting and tag registry project as spearheaded by the Municipal Association of Victoria provided the costs are within current operational budget parameters.

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



### **13. ARTS CULTURE & ECONOMIC DEVELOPMENT**

Nil.

### **14. ORGANISATIONAL PERFORMANCE**

#### **14.1 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 Gross/Baxter**

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.**



## 14.2 Proposed Discontinuance and Sale of Road Abutting 26 Moore Street, Elwood

### Purpose

- 1.1 To seek Council's approval to complete the statutory procedures pursuant to the *Local Government Act 1989 Vic (Act)* and finalise the discontinuance and sale of road abutting 26 Moore Street, Elwood, being part of the land contained in certificate of title volume 11170 folio 096 (**Road**).

### MOVED Crs Crawford/Bond

That Council:

- 3.1 Resolves that, having followed all the required statutory procedures in accordance with sections 189, 207A and 233 of the *Local Government Act 1989 (Vic) (Act)* pursuant to its powers under clause 3 of Schedule 10 of the Act, having considered that there were no submissions received in response to the public notice and being of the opinion that the road abutting 26 Moore Street, Elwood being part of the land contained in certificate of title volume 11170 folio 096 (**Road**) is not reasonably required for public use, it discontinues the Road.
- 3.2 Directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is published in the Government Gazette.
- 3.3 Directs that once discontinued, the Road is transferred to the registered proprietors of 26 Moore Street, Elwood for \$8,000 plus GST in accordance with Council's Discontinuance and Sale of Roads Policy where adverse possession for land in the road could be achieved, plus other incidental costs in relation to the discontinuance and sale process.
- 3.4 Directs that the Chief Executive Officer or delegate signs an authorisation allowing Council's solicitors to execute the transfer documents and any other documents required to be signed in connection with the discontinuance and sale of the Road on Council's behalf and its subsequent transfer to the registered proprietors of 26 Moore Street, Elwood.
- 3.5 Directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale.
- 3.6 Directs that the registered proprietors of 26 Moore Street, Elwood be required to consolidate the title to the Road with the title to their property within 12 months of the date of transfer of the discontinued Road.

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



## 14.3 Status of Council Decisions: 7 June - 5 September 2018

### Purpose

- 1.1 To provide Councillors with an update on the status of all Resolutions passed by Council at Council and Planning Committee Meetings between 7 June and 5 September 2018, and the status of actions that were previously reported as outstanding in the last quarterly status report.

### MOVED Crs Bond/Baxter

That Council:

- 3.1 Notes the implementation status of Council and Planning Committee Resolutions as contained in Attachments 1 - 4.

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

## 14.4 South Melbourne Market Committee Membership

### Purpose

- 1.1 To seek Council endorsement of the remuneration and recruitment process for the independent members of the South Melbourne Market (SMM) Section 86 Committee (the Committee).

### MOVED Crs Bond/Pearl

That Council:

- 3.1 Notes that Council will be responsible for authorising any changes to the remuneration rates for all independent members of the Committee from this day forward.
- 3.2 Endorses the payment of an annual fee for all independent members of the Committee as this better reflects the responsibilities and time commitments required to successfully fulfil these roles.
- 3.3 Endorses the use of the Victorian Government Appointment and Remuneration Guidelines as a framework to guide remuneration decisions for all independent members of the Committee.
- 3.4 Endorses the classification of the SMM Committee as a Group A Board - Band 5 under the Victorian Government Appointment and Remuneration Guidelines.
- 3.5 Considering, Recommendation 3.4 and an assessment of the remuneration of a similar profile goods and produce market, endorses the annual remuneration for the SMM Committee as:
  - 3.5.1 \$24,000 GST inclusive for the independent Chair; and
  - 3.5.2 \$12,000 GST inclusive for the independent members of the Committee.



- 3.6 Notes that either the Council or the SMM Committee can request that the Council, review the remuneration of all independent members of the Committee at any point in time.
- 3.7 Endorses the application of a CPI increase at the beginning of each financial year for the independent Chair and independent members of the Committee, with the earliest time that this adjustment can take effect being 1 July 2020.
- 3.8 Notes that recommendations 3.2-3.6 will take effect from 1 March 2019.
- 3.9 Notes the recruitment approach for all independent members of the Committee and the Committee appointment process for the two Councillor representatives as outlined in this report.

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

#### **14.5 South Melbourne Market Annual Report 2017/18**

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

Teresa Warren

Ms Warren is pleased that the Market is winning so many awards, and fully supported the banning of single use plastic bags and commented on the success of the summer night markets. Ms Warren stated there appeared to be less bins than a few years ago and that food hygiene safety standards could be improved.

#### **Purpose**

- 1.1 To present the South Melbourne Market 2017/18 Annual Report to Council for adoption.

#### **MOVED Crs Pearl/Copsey**

That Council:

- 3.1. Notes the 2017/18 Annual Report for the South Melbourne Market;
- 3.2. Notes the feedback from the South Melbourne Market Committee, which considered the report at its meeting of 16 October 2018. This feedback included that the Committee:-
  - a. Commended the Market Management on the results achieved during 2017/18;
  - b. Were very supportive of the 2017/18 Annual Report;
  - c. Requested several minor amendments to the 2017/18 Annual Report, related to further detail on environmental sustainability measures, market mix and the activities of the Committee.
- 3.3. Delegates to the CEO the ability to make amendments to the South Melbourne Market 2017/18 Annual Report, in line with feedback from the Committee, prior to the document being published and distributed.

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



#### **14.6 City of Port Phillip - Annual Report 2017/18**

##### **Purpose**

- 1.1 To receive and consider the City of Port Phillip's Annual Report 2017/18.

##### **MOVED Crs Copsey/Gross**

That Council:

- 3.1 Receives and considers the Annual Report 2017/18 (attachment 1).

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

#### **15. NOTICES OF MOTION**

Nil.

#### **16. REPORTS BY COUNCILLOR DELEGATES**

Nil.



## 17. URGENT BUSINESS

### MOVED Crs Bond/Brand

That an item of urgent business relating to the Municipal Association of Victoria (MAV) be accepted.

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

### MOVED Crs Voss/Bond

That Council:

Does not support the Municipal Association of Victoria's (MAV) proposed motion that will be put to the State Council on 19 October 2018, as follows:

1. That State Council empowers the MAV Board to propose the following rule changes to the MAV Rules 2013:
  - a. To amend schedule 2 to provide for a President who has been elected at large, to nominate for re-election as President, without being their Council's representative or being from a participating member council provided that they are a councillor and continue to be a councillor.
  - b. To change the definition of "representative" under the rules to clarify that the removal of a representative by a member Council does not result in a sitting Board member or the President losing their position on the MAV Board.
  - c. To amend section 15, vacancies and resignations, to clarify that a Board member or the President does not lose their position on the Board should their Council be classified as non-participating.
  - d. Provide in the rules for electronic voting at State Council.
2. That State Council note that the Board has determined pursuant to clause 20.3 of the MAV Rules that members of State Council may vote on a motion to amend the Rules by email in addition to those members who are present at the meeting voting in person.
3. That these rules come into effect for the March 2019 MAV election
4. That a broad and comprehensive review of the rules be undertaken post the 2019 MAV elections.

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



## 18. CONFIDENTIAL MATTERS

### **MOVED Crs Gross/Pearl**

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 Audit & Risk Committee - Appointment of External Member**

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)(h). A matter which the Council or special committee considers would prejudice the Council or any person.

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

The Meeting was closed to the public at 9.05pm.

The Meeting was reopened to the public at 9.08pm.

As there was no further business the meeting closed at 9.08pm.

Confirmed: 7 November 2018

Chairperson \_\_\_\_\_