



# ORDINARY MEETING OF COUNCIL

## MINUTES

4 JULY 2018



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**MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP  
CITY COUNCIL HELD 4 JULY 2018 IN ST KILDA TOWN HALL**

The meeting opened at 6:30pm.

**PRESENT**

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

**IN ATTENDANCE**

Peter Smith, Chief Executive Officer; Lili Rosic, Acting General Manager Place Strategy and Development; Fiona Blair, General Manager Infrastructure and Amenity; Chris Carroll, General Manager Customer and Corporate Services; Kylie Bennetts, Director Office of the CEO, Mary McGorry, Manager Diversity and Inclusion, Michelle Rysanek, Senior Property Project Manager, Karen Hayes, Manager Asset Management and Property, Matthew Langhorn, Property Portfolio Manager, Lisa Paton, Acting Manager Sustainability and Transport, John Bartels, Coordinator Strategic Transport, Craig McLean, Manager Place and Design.

*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 Baxter/Copsey**

That an apology was received and a leave of absence granted to Cr Voss.

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

**2. CONFIRMATION OF MINUTES**

**Moved Crs Bond/Simic**

That the minutes of the Ordinary Meeting of the Port Phillip City Council held on 20 June 2018 be confirmed.

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



### **3. DECLARATIONS OF CONFLICTS OF INTEREST**

Nil.

### **4. PETITIONS AND JOINT LETTERS**

#### **Item 4.1 Gasworks Park Fence**

A Petition containing 53 signatures, was received from local residents requesting that Council consider the fencing of Gasworks Park on Richardson and Pickles Street to protect dogs (off leash) and car drivers from unnecessary and dangerous contact between dogs and vehicles.

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

#### **Peter Wood**

Spoke in support of the petition and highlighted some of the issues that dog owners and vehicle drivers are currently experiencing due to the lack of fencing.

#### **Moved Crs Bond/Copsey**

That Council:

Receives the Petition and notes that officers will provide a response at a future Council meeting.

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

### **5. SEALING SCHEDULE**

Nil.

### **6. PUBLIC QUESTION TIME**

Nil.

### **7. COUNCILLOR QUESTION TIME**

Nil.



## **8. PRESENTATION OF CEO REPORT**

### **8.1 Presentation of CEO Report - Issue 45**

**Moved Crs Simic/Baxter**

That Council:

- 3.1 Notes the CEO Report Issue 45 (provided as Attachment 1) including changes to budget forecasts and project portfolio identified in May 2018.

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



## 9. PEOPLE AND COMMUNITY

### 9.2 Delivered and Centre-Based Meals

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

Lesley Greagg

Ms Greagg spoke of her experiences with the delivered meals service including the benefits of regular social contact with the aged community via the delivered meals service. Ms Greagg commended Council staff for the service she has received.

#### **Purpose**

- 1.1 To consider a series of options and indicative costs to progress the implementation of a new delivered and community meals program to continue Council's proud tradition of providing nutritious and low-cost food to the most vulnerable of the City's population in a way that provides value for money for the Council. The Community Meals Grants Subsidy Program would remain separate.

#### **Moved Crs Simic/Baxter**

That Council:

- 3.1 Gives notice to the current food provider by 28 July 2018 that the meals supply agreement will not be continued beyond 28 October 2018.
- 3.2 Seeks to procure partner cafes within the City of Port Phillip to provide a subsidised range of options, using a voucher system, to enhance social inclusion opportunities for vulnerable residents who have a need for nutritious and low-cost meals.
- 3.3 Procures an alternative provider who would directly deliver a range of individual meals, undertake welfare checks to those who wish or require it, and provide shopping packs for those returning home from hospital.
- 3.4 Continues to inform interested groups of stakeholders of the progress of the new model and existing clients of delivered meals.
- 3.5 Continues to offer centre-based meals program to current City of Port Phillip residents that have used the Betty Day centre-based meals program.

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



## 12. PLANNING

### 12.2 St Kilda Marina Project - Final Site Vision and Objectives and Opportunities and Constraints Paper, and Project Progression from Stage 2 to Stage 3

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

#### Elizabeth Meredith

Ms Meredith spoke of her wish to see the best environmental and aesthetic outcomes for the Marina area. Ms Meredith has a close association with Rollos Café which operates in the Marina and spoke to her concerns for businesses in the Marina area should lease arrangements be compromised by Marina works.

#### Peter Tanner

Mr Tanner spoke of his concerns around the selection process for the St Kilda Marina Project community panel. Mr Tanner suggested a merit based approach to selection would be appropriate, together with some degree of preference given to candidates most affected by the Marina area.

#### **Purpose**

- 1.1 To present the outcomes of Stage 2 community consultation undertaken in May 2018 and seek endorsement for the final Site Vision and Objectives for the St Kilda Marina, and for the Final St Kilda Marina Project Opportunities and Constraints Paper.
- 1.2 To seek endorsement to progress the project works from the Stage 2 gateway (Identifying the Site Vision and Objectives) to Stage 3 (Setting the Parameters) of the project plan.

#### **Moved Crs Crawford/Brand**

That Council:

- 3.1 Endorses the Final Site Vision and Objectives presented in Attachment 5.
- 3.2 Endorses the Final St Kilda Marina Project Opportunities and Constraints Paper presented in Attachment 6.
- 3.3 Endorses the progress of the St Kilda Marina Project from the Stage 2 gateway (Identifying the Site Vision and Objectives) to Stage 3 (Setting the Parameters) of the project plan
- 3.4 Delegates to the CEO the ability to make minor editorial changes.

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

#### **Cr Simic called a DIVISION:**

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

**AGAINST: Crs Bond and Pearl**

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



## 14. ORGANISATIONAL PERFORMANCE

### 14.2 Proposal for managing future lease process - 129A Beaconsfield Parade Albert Park

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

#### Michael Nham

Mr Nham is the tenant at 129A Beaconsfield Parade, Albert Park, operating as the café 'Nshry'. Mr Nham spoke to his experiences as the tenant of this property and urged Council to expedite the process.

#### **Purpose**

- 1.1 To seek Council approval to enter into a short term lease with 129A Beaconsfield Parade, Albert Park, currently known as "Nshry" whilst planning for the site is undertaken to identify the preferred use of the site for the future.

#### **Moved Simic/Baxter**

That Council:

- 3.1 Authorises a community engagement process to be undertaken for 129A Beaconsfield Parade to determine the preferred outcomes for future use of the site.
- 3.2 Authorises Officers to proceed to a short term Lease with the incumbent Lessee on the same terms and conditions as the current Lease whilst a community engagement process occurs.
- 3.3 Resolves that any future commercial arrangements for the site will be procured through a competitive and transparent process to ensure best value is achieved for the community in alignment with best practice of Crown Land leasing principles.

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

**Cr Bond requested a DIVISION:**

**FOR: Crs Baxter, Brand, Copsey, Gross and Simic**

**AGAINST: Crs Bond, Crawford and Pearl**

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



### **Moved Crs Pearl/Bond**

That Council move item 15 Notices of Motion forward for consideration as the next agenda item due to it having several members of the public who wished to speak to the item.

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

## **15. NOTICES OF MOTION**

### **Item 15.1**

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

#### **Nick Haines**

Mr Haines read a letter from James Power, a booker from the Prince of Wales Hotel. The letter highlighted the benefits that artists would receive from a musician loading permit and the benefit to the local area.

#### **Suzanne Norton**

Stated that she is the President of live music for St Kilda. Ms Norton stated that the lack of parking options for loading is a significant problem for artists in the area and that alleviating the costs of parking would be a great step forward.

#### **Michelle Nicol**

Thanked Cr Bond for bringing the motion to Council and stated that this is a fantastic step forward to recognise the contribution of musicians and live venues in Port Phillip. Ms Nicol expressed her hopes that a live music policy would be developed by the City of Port Phillip.

#### **Johnny Iodice**

Mr Iodice spoke as the owner of the Vineyard restaurant in St Kilda and hosts approximately 350 live acts per year at the restaurant. Mr Iodice spoke to the difficulties that artists have when loading and unloading for events and spoke in support of the Notice of Motion to help alleviate this issue.

### **Moved Crs Bond/Copsey**

That Council:

1. Creates a new permit class: 'Musician Loading Permit', for application in Loading Zones adjacent to live music venues, to allow musicians in non-commercial vehicles to use Loading Zones for a limited time period, through an allowable exemption under Regulation 317 of the Road Safety Road Rules.
2. Provides 'Musician Loading Permits' (subject to an approved application and fee payment) to live music venues, that wish to provide short term parking within adjacent loading zones to musicians to allow for the loading and unloading of equipment. Permits would be transferrable between vehicles.
3. Authorises the Chief Executive Officer or delegate to establish application and approval processes, terms and conditions of use and a fee consistent with cost recovery.

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





Cr Pearl left the Chamber at 8.09 PM

Cr Pearl returned to the Chamber at 8.10 PM

## 9. PEOPLE AND COMMUNITY

### 9.1 Status Report : National Disability Insurance Scheme

#### Purpose

- 1.1 To provide councillors with an update on the issues, impacts and responses of the National Disability Insurance Scheme (NDIS) program and how the City of Port Phillip is assisting our community to transition with care.

#### Moved Crs Copsey/Crawford

That Council:

- 3.1 Notes this report.
- 3.2 Will receive bi-annual update reports until the end of the NDIS in kind period in September 2019.

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

## 10. TRANSPORT AND PARKING

Nil.

## 11. SUSTAINABILITY

Nil.



## 12. PLANNING

### 12.1 Creating a rainbow road on Jackson Street within the Fitzroy Street Precinct

#### Purpose

- 1.1 To seek Council endorsement for creating a rainbow road on Jackson Street, as a demonstration of the City of Port Phillip's commitment to supporting and celebrating community diversity.

#### Moved Crs Crawford/Copsey

That Council:

- 3.1 Endorses the creation of a rainbow road on Jackson Street, St Kilda as a tangible demonstration of the City of Port Phillip's support for diversity and inclusion within our community.
- 3.2 Informs residents and businesses along Jackson Street and the Fitzroy Street Business Association of the rainbow road works and installation timeframes.

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



### 12.3 Contract 2131 Amenity Tree Maintenance Tender Award

#### Purpose

- 1.1 To present the report of the Tender Evaluation Panel ("TEP") for the Amenity Tree Maintenance Contract and to recommend awarding of contract number 2131.

#### Moved Crs Copsey/Baxter

That Council:

- 3.1 Awards contract number 2131 to Citywide Service Solutions Pty Ltd for an initial term of two years and seven months commencing on 1 September 2018 with an option to extend for three years and a further two years (totalling seven years and seven months).
- 3.2 Notes the contract term anniversaries are being aligned to neighbouring Councils to provide City of Port Phillip the opportunity for joint procurement in future years.
- 3.3 Notes the lump sum contract value of \$1,745,000 excluding GST per annum in year one, with an approximate cost of \$4,603,068 excluding GST over the initial term of two years and seven months.
- 3.4 Notes the schedule of rates contract value of \$1,423,653 excluding GST per annum in year one, with an approximate cost of \$3,755,399 excluding GST over the initial term of two years and seven months.
- 3.5 Notes the capital improvements and renewals with project funding up to \$6,330,867 excluding GST over the initial term of two years and seven months.
- 3.6 Notes the total contract expenditure of up to \$14,689,333 excluding GST over the initial term of two years and seven months and up to \$45,890,324 excluding GST over the full life of the contract including extensions (seven years and seven months).
- 3.7 Notes on the anniversary of this contract the lump sum, schedule of rates and day rates will increase by All Groups Consumer Price Index, Melbourne.
- 3.8 Reviews contract number 2131 during the initial term of two years and seven months to determine if an extension period of three years be exercised.
- 3.9 Reviews contract number 2131 during the second term at five years and seven months to determine if a final extension period of two years be exercised.
- 3.10 Delegates to the CEO the power to determine if contract extensions are to be exercised and to execute contract extensions as required.
- 3.11 Affixes the Common Seal of Port Phillip City Council to Contract 2131 between Council and Citywide Service Solutions Pty Ltd
- 3.12 Extends its gratitude to all Tenderers that made submissions to this public tender process.

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



## 12.4 Contract 2130 Open Space Maintenance Tender Award

### Purpose

- 1.1 To present the report of the Tender Evaluation Panel ("TEP") for the Open Space Maintenance Contract and to recommend awarding of contract number 2130.

### Moved Crs Baxter/Gross

That Council:

- 3.1 Awards contract number 2130 to Citywide Service Solutions Pty Ltd for an initial term of three years and seven months commencing on 1 September 2018 with an option to extend for two years and a further two years (totalling seven years and seven months).
- 3.2 Notes the contract term anniversaries are being aligned to neighbouring Councils to provide City of Port Phillip the opportunity for joint procurement in future years.
- 3.3 Notes the lump sum contract value of \$4,121,000 excluding GST per annum in year one, with an approximate cost of \$15,263,391 excluding GST over the initial term of three years and seven months.
- 3.4 Notes the schedule of rates contract value of \$915,271 excluding GST per annum in year one, with an approximate cost of \$3,389,988 excluding GST over the initial term of three years and seven months.
- 3.5 Notes the capital improvements and renewals with project funding up to \$5,555,711 excluding GST over the initial term of three years and seven months.
- 3.6 Notes the total contract expenditure of up to \$24,209,090 excluding GST over the initial term of three years and seven months and up to \$53,864,299 excluding GST over the full life of the contract including extensions (seven years and seven months).
- 3.7 Notes on the anniversary of this contract the lump sum, schedule of rates and day rates will increase by All Groups Consumer Price Index, Melbourne.
- 3.8 Reviews contract number 2130 during the initial term of three years and seven months to determine if an extension period of two years be exercised.
- 3.9 Reviews contract number 2130 during the second term at five years and seven months to determine if a final extension period of two years be exercised.
- 3.10 Delegates to the CEO the power to determine if contract extensions are to be exercised and to execute contract extensions as required.
- 3.11 Affixes the Common Seal of Port Phillip City Council to Contract 2130 between Council and Citywide Service Solutions Pty Ltd.
- 3.12 Extends its gratitude to all Tenderers that made submissions to this public tender process.

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



## 13. ARTS CULTURE & ECONOMIC DEVELOPMENT

Nil.

## 14. ORGANISATIONAL PERFORMANCE

### 14.1 Kirrip Park: Naming of the park commonly known as Montague Community Park - Community consultation results

#### Purpose

- 1.1 At its meeting of 4 April 2018, Council endorsed the progression of 'Kirrip Park' as the permanent name for the new community park at the Ferrars Street Education and Community Precinct to community consultation phase. This report provides the outcomes of the community consultation, and recommends a naming decision for approval by Council.
- 1.2 'Kirrip' means friend or mate in the Boon Wurrung language.

#### Moved Crs Simic/Copsey

That Council:

- 3.1 Notes the results of the community consultation process on the proposal to name the community park at the Ferrars Street Education and Community Precinct, 'Kirrip Park'.
- 3.2 Endorses the proposed name of Kirrip Park as the official name for the area that is commonly referred to as Montague Community Park, and submits the name to the Registrar of Geographic Names for review and registration in VICNAMES.
- 3.3 Writes to the objectors to this naming proposal, as is required by the Naming Rules, to advise them of how they can appeal Council's decision to the Registrar of Geographic Names, should they wish to do so.

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



## 16. REPORTS BY COUNCILLOR DELEGATES

Councillor Pearl reported that he and Councillor Crawford attended the final meeting of the Community Grants Committee in which they had final discussions around allocating grants to various programmes in Port Phillip. Councillor Pearl expressed his gratitude to the community members on the Committee that have given years of great service to the Port Phillip Community. The results of the grants decisions will be coming to Council for endorsement at the 18 July 2018 Council meeting.

Councillor Crawford reported that the play "Letters to Lindy" will be performed at the Gasworks Arts Park from 26-28 July and encouraged people who are interested to attend the play.

## 17. URGENT BUSINESS

Nil.

## 18. CONFIDENTIAL MATTERS

Nil.

As there was no further business the meeting closed at 8.37pm.

Confirmed: 18 July 2018

Chairperson \_\_\_\_\_