



# ORDINARY MEETING OF COUNCIL

## MINUTES

7 NOVEMBER 2018



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**MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP  
CITY COUNCIL HELD 7 NOVEMBER 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; Tony Keenan, Interim General Manager Community and Economic Development; Anthony Traill, Acting General Manager Infrastructure and Amenity; Chris Carroll, General Manager Customer and Corporate Services; Kylie Bennetts, Director Office of the CEO; Brett Walters Manager Sustainability and Transport; Zoe O'Mahoney Coordinator Sustainable Policy and Peter Benazic Manager Maintenance and Operations.

*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 Simic/Baxter**

That the minutes of the Ordinary Meeting of the Port Phillip City Council held on 17 October 2018 be confirmed.

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

**3. DECLARATIONS OF CONFLICTS OF INTEREST**

Nil.



## 4. PETITIONS AND JOINT LETTERS

### Item 4.1 – Cash for Containers

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

#### Mark Spencer

Mr Spencer spoke in support of the Cash for Containers petition and asked that the Council vote in favor of the Petition's motion.

A Petition containing 51 signatures, was received from residents and visitors to Port Phillip.

#### **MOVED Crs Baxter/Simic**

That Council receives and notes the Petition and provides a response at a future Council Meeting.

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

## 5. SEALING SCHEDULE

Nil.

## PRESENTATION OF AWARD

The Mayor, Cr Voss, advised the Chief Executive Officer had requested an additional agenda item for the presentation of a Living Heritage Award.

The Living Heritage Project aims to acknowledge people, within their lifetime, who are active in the community and whose knowledge and way of life contribute to the sense of place and history in the City.

The Mayor, Cr Voss, presented a Living Heritage Award to Ms Dot Elsum.

## 6. PUBLIC QUESTION TIME

#### Louise Tregurtha

Ms Tregurtha raised concern with the proposed Optus mobile phone tower at Elwood Park. Ms Tregurtha asked that if Council agrees that the proposal is not Low Impact, what could the Council do to support resident's objection to this tower?

*Lili Rosic, General Manager City Strategy and Sustainable Development, responded that if the tower is low impact then it does not require a planning permit, the Council will therefore have no input. If the tower is not low impact it will require a permit, small telecommunication facilities do not require permissions from State and Local government if they fall within the exemptions of the Commonwealth Government. Officers are aware of residents' concerns and Council is seeking its own legal advice on the matter.*

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## Dr Anne-Marie Barraja-Rohan

Dr Barraja-Rohan also raised concern with the proposed Optus mobile phone tower at Elwood Park. Dr Barraja-Rohan stated that research shows around mobile phone towers there is a higher incidence of cancers, depression and other symptoms related to radiation sickness. Dr Barraja-Rohan asked how is the Council going to apply the Precautionary Principle to protect the wellbeing of its constituents exposed to radiation?

*Lili Rosic, General Manager City Strategy and Sustainable Development, responded that Council planners do not have expertise in emissions and rely on relevant expertise from Commonwealth Government. Each environment has an electromagnetic energy report to establish compliance with relevant Australian Standards and there is a website available where this information can be provided. Optus will also provide Council with information which will be explored when legal advice is obtained. Council will consider information provided this evening and the impact on the community when making any determinations.*

## David Graver

Mr Graver spoke to his concerns about the installation of a mobile phone tower in Elwood Park. Mr Graver asked how Council can assure residents that there is no risk from emissions from the proposed facility and how this can be verified?

*Lili Rosic, General Manager City Strategy and Sustainable Development, responded that Council officers can assure residents in terms of levels of emissions based on Australian Standards, however the Australian Government Radiation Protection and Nuclear Safety Agency could provide additional information. The report we have received states that the maximum level for this current tower is 3.58% exposure, however Council is endeavoring to have discussions with Optus and will ask if the community can be invited so they have the opportunity to have questions answered by the provider.*

## Noel Gilcrist

Ms Gilcrist spoke to her concerns around the proposal of an additional mobile phone tower in the Elwood area. Ms Gilcrist asked if Council would assist in helping set up and/or participate in an open forum with Optus representatives to enable the local community to address concerns.

*Lili Rosic, General Manager City Strategy and Sustainable Development, stated that this answer has already been provided in the previous response to the question raised by Mr Graver.*

## Tanya Canfield.

Ms Canfield advised of concern with the demolition of the property at 41-49 Bank Street, South Melbourne and the exposed building debris which remains at this address. Ms Canfield asked what precautions were taken regarding this demolition to ensure the health and safety of neighbouring residents and what evidence can be provided to show that it was compliant with all regulations.

*Lili Rosic, General Manager City Strategy and Sustainable Development responded that the demolition has been completed and WorkSafe Victoria are confident that all required information has been provided to relevant bodies. Clearance reports have been provided which indicates the contractor undertook the demolition in accordance with requirements*



*where asbestos is present. Officers are still in conversation with WorkSafe Victoria and visited the site today to conduct further testing and are engaging with a hygienist to check the site again. To date there has been nothing that has alerted either party that the community is at risk.*

## **7. COUNCILLOR QUESTION TIME**

Councillor Pearl asked if officers could provide details on what the Council can do rectify the conditions of bins in the St Kilda Road area which are dirty and lacking cleanliness. Councillor Pearl also asked what additional resources would be required to maintain general cleanliness and condition of the bins.

*Peter Benazic, Manager Maintenance and Operations, responded that current resources are being arranged to clean the bins as well as additional polishing on a range of sites. At this point additional resources are not being looked at, instead we are trying to make our current resources more efficient in order achieve this.*

Councillor Crawford asked if officers could provide a comparison between the effects of mobile phone use and mobile phone towers? Councillor Crawford also asked that if it was found under investigation that a proposed mobile phone tower was not low impact, would this be a decision for installation that would come back to Council?

*Lili Rosic, General Manager City Strategy and Sustainable Development, responded that If a mobile phone tower is low impact then it is exempt from a planning application so does not come to Council. There is no legal and actual way of influencing this policy. If it's a low impact tower, there are high standards which will need to be met and will ensure it complies with relevant standards.*

*Ms Rosic further responded that more information will be gathered from Federal Government agencies in order to make the comparison between the tower and mobile phone use.*

Councillor Voss asked if officers have an idea about the amount of additional base stations and boosters to the mobile phone network which are being put in and where they are going? Councillor Voss also asked if it is a concern that it will be taking up parkland.

*Lili Rosic, General Manager City Strategy and Sustainable Development responded that the question would be taken on notice*

Councillor Simic asked if there was a resolution reminding our politicians that their words and actions have the potential to increase and deepen institutional racism?

*Kylie Bennetts Director Office of the CEO responded that on 23 April 2013 the Council moved and endorsed the following motion:*

*"That Council commits to the supporter agreement prepared by the Australian Human Rights Commission entering into an agreement to support the document 'Racism it stops with me' campaign'. This motion was carried and Council has a statement on its website that the City of Port Phillip supports the 'Racism it stops with me campaign'."*



Councillor Simic asked officers why the Peanut Farm Reserve is currently disallowed from holding a market on the oval?

*Anthony Traill Acting General Manager Infrastructure and Amenity, responded that the Peanut Farm Reserve has a soil management plan over that particular site relating to the maintenance of the park. Council has been working with Veg Out St Kilda Farmers Market to find ways which they can comply with the soil management plan.*

## 8. PRESENTATION OF CEO REPORT

### 8.1 Presentation of CEO Report - Issue 49

#### Purpose

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

#### **MOVED Crs Simic/Copsey**

That Council:

- 3.1 Notes the CEO Report Issue 49 (provided as Attachment 1) including changes to budget forecasts and project portfolio identified in October 2018.

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

## 9. PEOPLE AND COMMUNITY

### 9.1 Council's Endorsement of the Everybody's Home National Housing Campaign

#### Purpose

- 1.1 To respond to a request from the Mayor about how Council might join the "Everybody's Home" campaign.

#### **MOVED Crs Crawford/Baxter**

That Council joins the national "Everybody's Home" campaign as a supporter.

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

## 10. TRANSPORT AND PARKING

Nil.



## 11. SUSTAINABILITY

### 11.1 Elster Creek Catchment 2018 Action Plan - Q3 Update

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

#### Geoffrey Love

Mr Love spoke to his concern around the Elster Creek Catchment Report and the aims to mitigate flooding in Elwood. Mr Love asked if the City of Port Phillip will raise the Oval Two development with Bayside City Council and Melbourne Water and develop an agreed plan that addresses flood mitigation concerns. Mr Love also asked if the City of Port Phillip will work to promote a broader vision for catchment management to ensure the best outcome for flood mitigation, water pollution and the health of our bay and beaches.

*Brett Walters Manager Sustainability and Transport, responded that the concerns have already been raised with Council's partners, and notes there is a meeting with City of Port Phillip and Bayside City Council where Council will take this matter up, and continue to work with Bayside City Council in partnership to get the outcome the community is calling for.*

*Mr Walters further responded that the Elsternwick North Project is looking at broader environmental issues beyond flooding. Water pollution and the health of our bay are included in Bayside's considerations for the work around the redevelopment of the former golf site. Council is part of the Dandenong Creek Catchment integrated water management strategy process which is promoting a forward looking vision for this. Council's recently endorsed Act and Adapt Sustainable Environment Strategy has an action to address integrated water management through its Water Sensitive City Plan.*

#### Helen Halliday

Ms Halliday asked similar questions regarding aspects of the reports which have been provided to Councillors in relation to the Elster Creek Catchment 2018 Action Plan and asked if there is a better model officers could be putting forward in how it may be more effectively done?

*Brett Walters Manager Sustainability and Transport, responded that the Hansen report has been circulated in draft form to the community reference group rather than being an attachment to the Council report, and is why councillors have not seen it. As the report is in draft form we have not taken the opportunity to review it and its resourcing implications.*

*Lili Rosic General Manager City Strategy and Sustainable Development, also responded that the Hansen report will be presented to Glen Eira City Council this month as they commissioned this work and our intention is to then share it with City of Port Phillip councillors.*



Isaac Hermann

Mr Hermann spoke to his concern around the flood retarding basin options reports and asked why they have not been released to the public. Mr Hermann also asked if there is any community consultation scheduled to take place regarding the review of the flood emergency plan that is due to be reviewed this month?

*Brett Walters Manager Sustainability and Transport, responded that in regards to the flood retarding basin options report discussions were had with Melbourne Water, however no formal report has been developed yet. The opportunities for retarding basins were identified in the City of Glen Eira through the GHD study. Melbourne Water is working with Glen Eira to develop options which include the use of open space with the dual purpose of flood mitigation. Any flood mitigation options in achieved in Glen Eira will not have an impact on City of Port Phillip*

**Purpose**

- 1.1 To provide Councillors and the community with an update on delivery of the Elster Creek Catchment Action Plan 2018 (Action Plan) and other water-related activities within the Elster Creek Catchment during the July to September 2018 period (Quarter three).

**MOVED Crs Gross/Baxter**

That Council:

- 3.1 Notes the information contained within the report and Quarter three status update of deliverables in the Elster Creek Catchment 2018 Action Plan.
- 3.2 Endorses the revised Elster Creek Catchment Action Plan 2018, as included at Attachment 1.
- 3.3 Continues to support CEO representation on the Elster Creek Catchment CEO forum, Council Officer involvement in the Elster Creek Catchment Working Group and other related activities that support the identification and implementation of deliverables that are required to mitigate flood impacts in the catchment.
- 3.4 Acknowledges the positive engagement and commitment demonstrated by our partners Melbourne Water, City of Bayside, City of Glen Eira and City of Kingston to working together to identify and implement initiatives in the Elster Creek Catchment to reduce downstream flooding impacts.

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

**12. PLANNING**

Nil.

**13. ARTS CULTURE AND ECONOMIC DEVELOPMENT**

Nil.





## 14. ORGANISATIONAL PERFORMANCE

### 14.1 Council and Planning Committee meeting timetable for 2019

#### Purpose

- 1.1 To present to Council a proposed timetable for Council and Planning Committee meetings for 2019.

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

That Council:

- 3.1 Adopts the Council Meeting and Planning Committee meeting timetable for 2019 as contained in Attachment 1
- 3.2 Authorises the Chief Executive Officer, in consultation with the Mayor, to vary the location of Council and/or Planning Committee meetings if required.

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

### 14.2 September 2018 Quarter Financial Report

#### Purpose

- 1.1 To provide Council with an overview of the results of the September 2018 quarter budget review for 2018/19 and obtain adoption of a number unbudgeted initiatives to support Council Plan objectives.

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

That Council:

- 3.1 Defers this matter to a future Council meeting.

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



### **14.3 Inner Melbourne Action Plan - Annual Report 2017-18 and Financial Report 2017-2018**

#### **Questions taken on Notice during discussion of this item**

Councillor Pearl asked if officers have a view on the value for ratepayers and our local businesses of the \$300,000 in consulting fees which were spent in the last financial year, and the tourist map which came to \$45,000 in printing and \$45,000 in development costs. Councillor Pearl asked if any work had been done which determines the cost benefit to rate payers and local businesses, on those amounts?

*Peter Smith CEO, advised that IMAP is one of the strategic partnerships which Council is reviewing and it is planned to bring the results of that review to a Councillor briefing in November. Mr Smith advised that the other aspects of the question would be taken on notice.*

#### **Purpose**

- 1.1 For Council to note the Inner Melbourne Action Plan Annual Report 2017-2018 and Financial Report 2017-2018.

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

That Council:

- 3.1 Notes the Inner Melbourne Action Plan Annual Report 2017-18 and Financial Report 2017-18 and makes it available via Council's website.

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

## **15. NOTICES OF MOTION**

Nil.



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

Councillor Bond reported that as he is a candidate in the 2018 State Election that he will be taking a leave of absence from 8 November 2018 until 25 November 2018.

Councillor Simic reported that as he is a candidate in the 2018 State Election that he will be taking a leave of absence from 8 November 2018 until 25 November 2018.

Councillor Copsey reported that as she is a candidate in the 2018 State Election that she will be taking a leave of absence from 8 November 2018 until 25 November 2018.

Councillor Gross reported to Council as the delegate to MAV State Council meeting that the two motions put up by Port Phillip City Council were passed by the State Council.

Councillor Gross also advised that the Mayor, Councillor Voss, received a 2018 Mayor Emeritus Award. The award of Mayor Emeritus recognises Councillors who have served three or more full terms as mayor.

Councillor Crawford reported to Council in her capacity as the Council representative on the Gasworks Board. Councillor Crawford reported that currently and until the 11 November 2018 Gasworks are hosting a 'From Nature' sculpture exhibition. Councillor Crawford also reported that a new Australian play 'Become The One' has been developed by Gasworks and will premiere at Gasworks in January 2019.

Councillor Baxter reported to Council that the Association of Bayside Municipalities had an all-day session at the MAV which provided an opportunity to have alignment with other State departments, and how we can feed in our priorities of the re-nourishment program.

Councillor Brand reported to Council in his capacity as a member of the Linden New Art Board. Councillor Brand reported on Linden's recent hosting of an inaugural exhibition by artist Julia deVille which was vivid and appealing to a wide range of the public.

## **17. URGENT BUSINESS**

Nil.

## **18. CONFIDENTIAL MATTERS**

Nil.

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As there was no further business the meeting closed at 8.26pm.

Confirmed: 21 November 2018

Chairperson \_\_\_\_\_