



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

2 AUGUST 2023



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MINUTES - MEETING OF THE PORT PHILLIP CITY COUNCIL - 2 AUGUST 2023



MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL HELD 2 AUGUST 2023 IN ST KILDA TOWN HALL AND VIRTUAL VIA WEBEX

The meeting opened at 6:31pm.

IN ATTENDANCE

Cr Cunsolo (Chairperson), Cr Baxter, Cr Bond, Cr Crawford, Cr Martin, Cr Nyaguy, Cr Sirakoff.

Brian Tee, General Manager City Growth and Development, Allison Kenwood, General Manager Community Wellbeing and Inclusion, Lachlan Johnson, General Manager, Operations and Infrastructure, Joanne McNeill, General Manager Governance, Capability and Experience, Xavier Smerdon, Head of Governance, Katrina Collins, Emily Williams Council Business Advisor, Marc Jay, Acting Manager Safety and Amenity, Cindy Stubbs, Consultant.

The City of Port Phillip respectfully acknowledges the Traditional Owners of this land, the people of the Kulin Nations. We pay our respect to their Elders, past and present. We acknowledge and uphold their continuing relationship to this land.

Mayor Cunsolo noted that Chris Carroll, Chief Executive Officer, was unwell and absent from the meeting. Brian Tee, General Manager City Growth and Development was presiding officer for this meeting.

REQUESTS TO ATTEND BY ELECTRONIC MEANS

Nil.

1. APOLOGIES

An apology was received from Councillor Pearl.

LEAVE OF ABSENCE

MOVED Crs Sirakoff/Martin

That Council grants a leave of absence for Councillor Clark from Friday 28 July – Monday 28 August 2023.

A vote was taken and the MOTION was CARRIED unanimously.

2. CONFIRMATION OF MINUTES

MOVED Crs Sirakoff/Baxter

That the minutes of the Meeting of the Port Phillip City Council held on 19 July 2023 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.



3. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

STATEMENT FROM THE MAYOR

Mayor Cunsolo read a statement on behalf of Council to convey its heartfelt congratulations to Port Melbourne Football Club for their premiership in the 2023 VFLW Grand Final against Collingwood Football Club.

After a competitive finals campaign, with an exceptionally close semi-final, this is a great achievement for the club, Port Phillip community and women in sport more broadly. Success coming so early in the team's inception is a testament to the work the club and players have invested to gain this result.

Council looks forward to continuing its relationship with the Port Melbourne Football Club ahead of the 2024 season. This success will assist in supporting participation and partnership with our local football clubs, particularly junior girls beginning their football careers.

The Mayor congratulated the club and wished them all the best for the remainder of the VFL season and future campaigns.

4. PUBLIC QUESTION TIME AND SUBMISSIONS

Submissions can be listened to in full on our website:
<https://webcast.portphillip.vic.gov.au/archive.php>

Council Report Submissions:

7.1 Joint Letter - Requesting Installation of a Gate to restrict Public Access to Lane

- Vince Carfora

Item 10.2 Options for Regulation and Management of Short Stay Accommodation

- Roy Hansen
- Claire Mear

5. COUNCILLOR QUESTION TIME

Nil.

6. SEALING SCHEDULE

Nil.



7. PETITIONS AND JOINT LETTERS

7.1 Joint Letter - Requesting Installation of a Gate to restrict Public Access to Lane

A Joint Letter containing Six signatures, was received from local residents.

The following question was taken on notice during discussion of the item:

Councillor Baxter: Are there other examples where this sort of treatment has occurred before and, if so, does that effect things like adverse possession?

Lachlan Johnson General Manager, Operations and Infrastructure, advised that currently the access to the laneway is governed under the Road Management Act. It is not possible for Council to install a gate and restrict access under the Road Management Act. There has been some correspondence about the purchase of the public road, discontinuing the road, closing the road, having it become free hold land and then being sold. Council officers are going to consider alternatives that potentially achieve the same outcome in the next few weeks and bring a response to this Joint Letter back to Council for consideration. Council officers will look at other options that would potentially be available to the submitters. With regards to other circumstances across the City where similar issues have arisen, the question was taken on notice.

Councillor Baxter followed up, if the road was discontinued, could Council then consider installing a gate?

Lachlan Johnson General Manager, Operations and Infrastructure advised that roads need to have free access so a gate could not be installed. If the road is discontinued it is no longer a road so therefore other access controls could be looked at.

MOVED Crs Crawford/Martin

That Council:

1. Receives and notes the Joint Letter and provides a response to a future Council meeting.

A vote was taken and the MOTION was CARRIED unanimously.

8. PRESENTATION OF CEO REPORT

Nil.

9. INCLUSIVE PORT PHILLIP

Nil.



10. LIVEABLE PORT PHILLIP

10.1 Community Safety Plan and Public Place CCTV Cameras and Policy Report

Purpose

- 1.1. To seek Council endorsement of the Community Safety Plan (Version 1.1) with a review date of November 2025; and subsequent development of a new Action Plan to support.
- 1.2. To seek Council endorsement of the Public Place Closed Circuit Television (CCTV) Policy (Version 1.1) with a review date of November 2025.
- 1.3. To seek Council endorsement within the Public Place Closed Circuit Television (CCTV) Policy (Version 1.1) for the ability of Council to directly fund renewal and upgrade of CCTV systems in public places in the absence of funding from other sources.

MOVED Crs Cunsolo/Bond

That Council:

- 3.1. Endorse Community Safety Plan (Version 1.1) with a review date of November 2025.
- 3.2. Endorse Public Place Closed Circuit Television (CCTV) Policy (Version 1.1) with a review date of November 2025 including capacity for Council to fund renewal and upgrade of existing CCTV systems in public places; through appropriate approval processes.
- 3.3. Authorises the CEO (or their delegate) to make minor editorial amendments to the Community Safety Plan (Version 1.1) and the Public Place Closed Circuit Television (CCTV) Policy (Version 1.1), that do not materially alter their intent.

A vote was taken and the MOTION was CARRIED unanimously.

10.2 Options for regulation and management of short stay accommodation

Purpose

- 1.1 To provide Council with a background on Short Stay Accommodation in Port Phillip and options for regulation and management of amenity and other impacts.

MOVED Crs Bond/Crawford

That Council:

- 3.1 Endorses maintaining existing controls, by continuing to utilise State legislation to address amenity concerns with Short Stay Accommodation.
- 3.2 Continues advocacy to State Government for introduction of a consistent, State-wide approach to regulate Short Stay Accommodation.
- 3.3 Notes the petition presented to Council on 4 April 2023 seeking advocacy for a State Government response to Short Stay Accommodation.



- 3.4 Writes to the petitioner, thanking them for their petition and advises them of the outcome of the meeting.

The vote on this motion was NOT taken.

In accordance with section 42 of the Governance Rules Councillor Martin moved the following procedural motion:

MOVED Crs Martin/Cunsolo

That this matter be adjourned to the Council Meeting to be held at 6:30pm on 4 October 2023.

A vote was taken and the MOTION was CARRIED.

11. SUSTAINABLE PORT PHILLIP

Nil.

12. VIBRANT PORT PHILLIP

Nil.

13. WELL GOVERNED PORT PHILLIP

13.1 Electoral Representation Review - Response to the Electoral Representation Advisory Panel Preliminary Report

Purpose

- 1.1 For Council to consider the response submission to the Electoral Representation Advisory Panel's (ERAP) Port Phillip City Council electoral structure review - preliminary report (Attachment 2) to the 2023 Electoral Representation review of the Port Phillip City Council (Attachment 1).

MOVED Crs Martin/Sirakoff

That Council:

- 3.1 Agrees to provide a response submission to the Electoral Representation Advisory Panel's Port Phillip City Council electoral structure review - preliminary report (Attachment 2).
- 3.2 Authorises the CEO, or their delegate, to make appropriate amendments to the submission (Attachment 1) in consultation with the Mayor that do not materially alter the overall intent.
- 3.3 Endorses the Mayor to sign the draft response submission (Attachment 1) on behalf of Council.

A vote was taken and the MOTION was CARRIED.



13.2 Municipal Association of Victoria State Council - October 2023 - Submissions

Purpose

- 1.1 To seek Council's ratification of submission of motions for consideration at the Municipal Association of Victoria (MAV) State Council Meeting.

MOVED Crs Martin/Cunsolo

That Council:

- 3.1 Submits the following motions for consideration at the MAV State Council Meeting on 13 October 2023:
 - 3.1.1 That the MAV:
 - a) Leads a coordinated approach to development of a regulatory and compliance framework and technology to support Victorian councils to effectively respond to their extensive and diverse legislative compliance requirements in an efficient manner.
 - b) Considers previous examples, such as Queensland, in the development of such a framework.
 - 3.1.2 That the MAV:
 - a) Notes that open space is critical to ensure liveable, healthy and thriving communities and notes ongoing concerns regarding the failure to provide open space in developing areas like Fishermans Bend;
 - b) Advocates that the State Government prioritise delivery of open space, including by working with Councils to develop and deliver open space strategies.

A vote was taken and the MOTION was CARRIED unanimously.

EN BLOC MOTION

MOVED Crs Martin/Crawford

That the following items be moved en bloc:

- 13.3 Status of Council Decisions and Questions Taken on Notice recorded by Council: 1 April - 30 June 2023
- 13.4 Councillor Expenses Monthly Reporting - June 2023
- 13.5 Updates to the S5 Instrument of Delegation - Council to the Chief Executive Officer

A vote was taken and the MOTION was CARRIED unanimously

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13.3 Status of Council Decisions and Questions Taken on Notice recorded by Council: 1 April - 30 June 2023

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 1 April – 30 June 2023 and the status of actions that were previously reported as outstanding in the last quarterly status report.
- 1.2 To provide Council with an update on the status of Questions Taken on Notice during Council Meetings from 1 April – 30 June 2023 and the status of questions taken on notice that were previously reported as outstanding in the last quarterly status report.

MOVED Crs Martin/Crawford

That Council:

- 3.1 Notes the implementation status of Council and Planning Committee Resolutions as contained in Attachments 1 and 2.
- 3.2 Notes the response status of questions taken on notice during Council Meetings as contained in Attachment 3.

A vote was taken and the MOTION was CARRIED unanimously.

13.4 Councillor Expenses Monthly Reporting - June 2023

Purpose

- 1.1 To report on the expenses incurred by Councillors during June 2023, in accordance with the Councillor Expenses and Support Policy.

MOVED Crs Martin/Crawford

That Council:

- 3.1 Notes the monthly Councillor expenses report for June 2023 (attachment 1) and that this will be made available on Council's website.

A vote was taken and the MOTION was CARRIED unanimously.

13.5 Updates to the S5 Instrument of Delegation - Council to the Chief Executive Officer

Purpose

- 1.1 To recommend to Council that an updated S5 Instrument of Delegation (delegation) be issued to the Chief Executive Officer.

MOVED Crs Martin/Crawford

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That Council:

- 3.1 Approves an update to the Chief Executive Officer's S5 Instrument of Delegation to allow for making expenditure that exceeds \$1m (including GST), unless it is expenditure made under a contract already entered into, or is expenditure which Council is, by or under legislation, required to make (such as WorkCover and fire services property levy) in which case it must not exceed \$2m (including GST)
- 3.2 Approves an update to the Chief Executive Officer's S5 Instrument of Delegation to allow for the purchase of compulsory insurance such as Public Liability/Professional Indemnity and Asset insurance renewals in which case it must not exceed \$2m (including GST)
- 3.3 Delegates to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer (Attachment 1), subject to the conditions and limitations specified in that Instrument.
- 3.4 Affixes the common seal of Council to the Instrument of Delegation to the Chief Executive Officer.
- 3.5 Notes that this Instrument of Delegation to the Chief Executive Officer comes into force immediately when the common seal of Council is affixed to the Instrument.
- 3.6 Revokes the current Instrument of Delegation to the Chief Executive Officer dated 20 October 2021 upon the coming into force of the Instrument. (Attachment 1)
- 3.7 Notes that the duties and functions set out in the instrument must be performed, and the powers set out in the instrument must be executed, in accordance with any policies of Council that it may from time to time adopt.
- 3.8 Authorises the CEO or delegate to update table four of the Procurement Policy to align with the S5 Instrument of Delegation. (Attachment 3)

A vote was taken and the MOTION was CARRIED unanimously.

14. NOTICES OF MOTION

14.1 Notice of Motion Mayor Heather Cunsolo – Provision of Parking Permits to Southbank Police Station

MOVED Crs Cunsolo/Crawford

That Council:-

1. Provide 30 annual parking permits for Southbank Police Station staff, at a cost aligned with the cost of a Visitor Parking Permit per year, until the current Parking Management Policy ends in 2028.

A vote was taken and the MOTION was CARRIED.

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15. REPORTS BY COUNCILLOR DELEGATES

Nil.

16. URGENT BUSINESS

Nil.

17. CONFIDENTIAL MATTERS

Nil.

As there was no further business the meeting closed at 7.17pm.

Confirmed: 16 August 2023

Chairperson _____