



ORDINARY MEETING OF COUNCIL

MINUTES

20 FEBRUARY 2019



Please consider
the environment
before printing



Consider carefully how
the information in this
document is transmitted



**MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP
CITY COUNCIL HELD 20 FEBRUARY 2019 IN ST KILDA TOWN HALL**

The meeting opened at 6:31pm.

PRESENT

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

IN ATTENDANCE

Peter Smith, Chief Executive Officer; Lili Rosic, General Manager City Strategy and Sustainable Development; Tony Keenan, General Manager Community and Economic Development; Fiona Blair, General Manager Infrastructure and Amenity; Chris Carroll, General Manager Customer and Corporate Services; Kylie Bennetts, Director Office of the CEO, John Bartels, Coordinator Strategic Transport; Suzane Becker, Manager Transport Choices; Brett Walters, Manager Environmental Sustainability; Tim Graffen, Sustainable Design Planner; Joanne McNeill, Manager Asset Management & Property; Emma Murdoch, Head of Property Operations; Anthony Traill, Manager Open Space & Recreation Services; Lachlan Johnson, Manager Project Services; Damien Dewar, Manager Strategy & Design; Lisa Davis, Portfolio Director; Aidan O'Neill, Head of Fishermans Bend Strategy; Anthony Savenkov, Head of Property Projects.

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 Voss/Simic

That the minutes of the Ordinary Meeting of Council of the Port Phillip City Council held on 6 February 2019 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.



3. DECLARATIONS OF CONFLICTS OF INTEREST

Cr Baxter declared an indirect conflict of interest by way of applicable gift, in item 14.5 Proposed Lease Port Melbourne Yacht Club – Completion of Statutory Procedures.

Cr Copsey declared an indirect conflict of interest by way of applicable gift, in item 14.5 Proposed Lease Port Melbourne Yacht Club – Completion of Statutory Procedures.

Cr Simic declared an indirect conflict of interest by way of applicable gift, in item 14.5 Proposed Lease Port Melbourne Yacht Club – Completion of Statutory Procedures.

4. PETITIONS AND JOINT LETTERS

Item 4.1

A Petition containing 57 signatures was received from Ms Bernadette Snowden and presented to a Council Meeting on 5 December 2018. In addition 52 electronic signatures were received.

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

Bernadette Snowden

Ms Snowden thanked Council and officers for the 10 minute parking bays but expressed concern that there would not be enough parking during sessional kinder.

MOVED Crs Crawford/Baxter

That Council:

1. Acknowledges there is community support for the introduction of free 10-minute parking at the Elwood Beach Carpark for parents and carers attending the Lady Forster Kindergarten and that adjusting the parking controls will improve accessibility to the Kindergarten.
2. Endorses changing six paid parking spaces in the Elwood Beach car park, near the kindergarten, to six free 10-minute parking bays, to operate between 7:30am and 6:00pm, Monday to Friday, with paid parking to remain outside of these hours and on weekends.
3. Notes that Transport Safety Engineering team will monitor the new short-term spaces over a six month period to determine if the provision of the additional short term parking has improved parking accessibility for families attending the Lady Forster Kindergarten and suitably addressed the concerns raised by the petition organiser.
4. Advises the petition organiser Bernadette Snowden of Council's decision and outcome of her petition.

A vote was taken and the MOTION was CARRIED unanimously.



5. SEALING SCHEDULE

Nil.

6. PUBLIC QUESTION TIME

Peter Holland

Asked two questions in relation to St Kilda Marina:

1. Will Councillors, rather than officers be making the policy decisions relating to the marina?
2. Would Councillors consider an alternative lease arrangement if a superior proposal emerges during the present consultation period?

The Mayor, Cr Gross, responded that, in relation to the first question, there is no doubt that the ultimate decision will be made by Councillors, at the end of a lengthy, informative and inclusive process.

The Mayor, Cr Gross, deferred to Ms Joanne McNeill, Manager Asset Management & Property, who responded that Council will consider all submissions received as part of the consultation period with an open mind and then make a decision about how to proceed.

There will be a whole range of things that would need to be considered as part of considering any alternative proposal including process, the ownership of key infrastructure and transition arrangements. If there are any proponents with a viable alternative offer, they should make a submission as part of the consultation process and Council would then need to consider how to proceed including things such as if there were to be a change from a direct negotiation to a competitive process and what that would mean for the process.

Virgil Hesse

Asked if, in light of global warming, Council would consider a complete ban on fireworks in the municipality?

The Mayor, Cr Gross, responded that it was a good suggestion, and asked for officers to respond to Mr Hesse.

7. COUNCILLOR QUESTION TIME

Cr Simic stated that members of the public have contacted him with complaints and issues regarding the footpath near their homes and dwellings and after experiencing some frustration waiting for Council's processes to provide a response to their requests. These requests include issues regarding damaged sections of path, pot holes and other issues. On average how long does it take for us to respond to foot path issues from the community? If required, how are decisions made regarding which section of footpath is upgraded and where upgrades will take place?

The Mayor, Cr Gross, deferred to Mr Chris Carroll, General Manager Customer and Corporate Services who responded that he would take the question on notice.

MINUTES - ORDINARY MEETING OF COUNCIL - 20 FEBRUARY 2019



Cr Pearl asked for an update on the ugly power box at St Kilda Junction installed by State Government for powering Yarra Trams?

The Mayor, Cr Gross, deferred to Ms Lili Rosic, General Manager City Strategy & Sustainable Development, who advised plans have been developed and the substation will have some works. The Tender will be awarded and Ms Rosic will advise when those works will occur. There has been extensive community consultation undertaken and in the meantime some temporary greenery has been installed to improve amenity.

Cr Pearl asked for an update on the Remembrance Garden in Port Melbourne, and for a breakdown of cost of phase 1 and 2 of the project.

The Mayor, Cr Gross, deferred to Ms Fiona Blair, General Manager Infrastructure and Amenity who responded that she would take the question on notice.

Cr Bond asked about scheduled remediation works and the rebuilding of the pavilion in Lagoon Reserve, Port Melbourne.

The Mayor, Cr Gross, deferred to Ms Fiona Blair, General Manager Infrastructure and Amenity who responded that in Council's 10 year program the works were scheduled for 2020/21. However, as part of this years' budget process one of the options will be for Council to consider bringing that project forward, to commence the planning next year with the extensive works taking place over 2 to 3 years.



11.2 Elster Creek Catchment 2018 Action Plan - Q4 Update

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

Isaac Hermann

Mr Hermann made statements and asked questions in relation to flooding in Elwood:

1. Can this Council now inform the broader community when it may have an opportunity to voice its concerns?
2. The following has not been addressed:
“no mention of our Third World silt pit – Elwood Swamp Canal, the CRC Canal Mouth Flood Gates & Spillway Plan, no action plan for sea-level rise, flooding in the half of Elwood affected by the Byron Street Main Drains, where is the Integrated Water Management Plan for the Byron Street Main Drains Catchment? There appears to be a very certain disposition to protect private property through planning schemes, though less regard for life and limb: getting home through hazardous flooded roadways and contaminated water.
3. Melbourne Water is actually examining the Foam Street Diversion Drain Proposal which was estimated in the vicinity of \$30M, which ignores best stormwater practice, and is not working co-operatively with the catchment municipalities.
4. Melbourne Urban Stormwater Institutional Arrangement Review of 2017 and Improving Stormwater Management Advisory Committee Report of 2018, both of these reports address shortfalls of current policy/process.

The Mayor, Cr Gross, deferred to Mr Brett Walters, Manager Environmental Sustainability, who responded:

1. *The Development of a Municipal Flood Management Plan (FMP) is a non-compulsory plan and that Melbourne Water (MW) develops with each local government across its area of management, as part of the implementation of its Flood Strategy. Whilst not a legal requirement to have or consult on the document, the City of Port Phillip (CoPP) is committed to incorporate community input into it where practicable. Our last correspondence with MW was in late January 2019. CoPP is currently in the process of aggregating officer responses across the organisation to provide back to MW to progress this plan. Our next touch point with MW is March 2019. MW will lead community consultation on the Flood Management Plan, once officer feedback is considered.*
2. *The Elster Creek Catchment Partnership is about to embark upon the development of a new action plan given that many of the actions contained within the current plan are completed or nearing completion, many of these issues can be incorporated into that process and will be assessed on their merit against other proposed initiatives for inclusion into the future Elster Creek Catchment Flooding Management Plan. Upcoming community consultation will provide the opportunity to raise these issues for consideration.*
3. *The re-investigation of the proposed Foam Street diversion is being undertaken by MW after repeated insistence from the community. While large scale piped solutions are not as integrated as other detention and open space based methods, they do have the ability to reduce localised flooding by a significant amount.*



4. *CoPP remains an active member of the Melbourne Urban Stormwater Institutional Arrangement (MUSIA) process and continues to advocate for better stormwater management policies and legislation. Council would recall endorsing officer submissions into both the MAC and SEPP reviews in August 2018. Some of the recommendations relating to amending the VPP's have already commenced and MW have advised they are in the process of working through what effects these changes will have upon their business processes. We will continue to work with DELWP and others to implement other recommendations.*

Geoffrey Love

Asked what progress has been made toward developing an integrated water management plan for Elsternwick Park?

The Mayor, Cr Gross, deferred to Mr Brett Walters, Manager Environmental Sustainability, who responded that the principles that are guiding Bayside City Council's actions in Elsternwick Park North represent an Integrated Water Management approach. Bayside Council endorsed four principles which are guiding their community consultation on the Park development. The other aspects of integrated water management that are not flooding are being considered in the consultation process.

With respect to integrated water management in the City of Port Phillip, bearing in mind Elsternwick Park is in the City of Bayside, our upcoming Water Sensitive City Plan will guide how we undertake integrated water management for the Municipality as a whole, which is in turn guided by the CRC for Water Sensitive Cities framework. Council is also a partner in the DEWLP-led Dandenong Water Forum which is developing a catchment wide IWM plan of which Elster Creek is a part so we are involved in Integrated Water Management at the broad catchment level.

Council Officers feel confident the interventions that Bayside are leading in Elsternwick Park North will have good water outcomes for the entire basin that makes up Elsternwick Park and Melbourne Water's modelling around some of the planned interventions does look at the broader park itself.

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 October to December 2018 period (Quarter four).

MOVED Crs Copsey/Crawford

That Council:

- 3.1 Notes the information contained within this report on water related actions to reduce flooding and the Elster Creek Action Plan progress report for October to December 2018 (Quarter four).



- 3.2 Notes that most of actions in the Elster Creek Catchment Action Plan 2018 are nearing completion and a new Action Plan will be developed by 30 June 2019 following a period of community consultation and engagement.
- 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.

A vote was taken and the MOTION was CARRIED unanimously.



13. ARTS CULTURE & ECONOMIC DEVELOPMENT

13.1 Acland Street Village Special Rate and Charge Scheme 2019-2024. Consideration of Submissions and Objections and Declaration of Scheme

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

Janet Rosenberg

Ms Rosenberg is the President of the Acland Street Village Business Association, she spoke in support of the recommendation and highlighted some of the past campaigns and activities the Association had undertaken as a result of previous special rate and charge schemes.

Purpose

- 1.1 To consider the submissions received by Council under section 163A and 223 of the *Local Government Act 1989* (ACT) and take account of the objections lodged with Council under section 163B of the Act in relation to the proposed renewal of the Acland Street Village Special Rate and Charge Scheme 2019-2024 and to make a decision in relation to declaring the Scheme.

MOVED Crs Bond/Simic

That Council:

- 3.1 Having considered all submissions received and taken account of all objections lodged and having complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* (Act), and otherwise according to law, hereby declare the Acland Street Village Special Rate and Charge Scheme under section 163(1) of the Act for the purposes of defraying expenses associated with marketing, advertising, promotion and business development of the Acland Street Village as detailed in the attached Declaration of Special Rate and Charge (refer **Attachment 5**).
- 3.2 Authorises the Acland Street Village Business Association (Association) to administer the proceeds of the Special Rate and Charge on the express condition that the Association enters into a funding agreement with Council for the period of the Special Rate and Charge.
- 3.3 Authorises Council officers with the appropriate authority, or the purposes of paragraph 3.2 of this resolution to prepare the funding agreement between Council and the Association by which administrative arrangements in relation to the Special Rate and Charge are confirmed, such agreement being to ensure that at all times, and as a precondition to the payment of any funds by Council to the Association, Council is, and remains legally responsible for approving, directing and controlling the expenditure of the proceeds of the Special Rate and Charge in accordance with its obligations under the Act to do so, and such funding agreement to be submitted to Council for executing.



- 3.4 Gives notice to all owners and occupiers of properties included in the Scheme and all persons who have lodged a submission and/or objection in writing of the decision of Council to declare and levy the Special Rate and Charge commencing on 1 July 2019, and the reasons for the decision.
- 3.5 For the purposes of paragraph 3.4, the reasons for the decision of Council to declare the Special Rate and Charge are that:
- 3.5.1 There is minimal objection to the Scheme (comprising only 3.58%) and it is otherwise considered that there is a broad level of support for the Special Rate and Charge from all property owners and occupiers
- 3.5.2 Council considers that it is acting in accordance with the functions and powers conferred on it under the Act, having regard to its role, purposes and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the Scheme area;
- 3.5.3 All persons who are liable or required to pay the Special Rate and Charge and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties; and
- 3.5.4 The basis of the distribution of the Special Rate and Charge amongst those persons who are liable or required to pay the Special Rate and Charge is considered to be fair and reasonable.
- 3.6 Advises the Association of the matters relevant to it and set out in paragraph 3.1 3.2 and 3.3 of this resolution 11 of this report.
- 3.7 Notes the properties that are included in the Special Rate and Charge Scheme area will be subject to general re-valuations and supplementary valuations on the same cycle as the City of Port Phillip general rates and charges.

A vote was taken and the MOTION was CARRIED unanimously.



13.2 Fitzroy Street and Environs Business Precinct Special Rate and Charge Scheme 2019-2024. Consideration of Submissions and Objections and Declaration of Scheme Report

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

David Blakeley

Mr Blakeley is the President of the Fitzroy Street Traders Association and spoke in support of the Special Rate and highlighted some of the events enabled by previous Special Rate Charges.

Purpose

- 1.1 To Consider the submissions received by Council under 163A and 223 of the *Local Government Act 1989* (Act) and to take account of the objections lodged with Council under section 163B of the Act in relation to the proposed renewal to of the Fitzroy Street and Environs Business Precinct Special Rate and Charge Scheme 2019-2024 and make a decision in relation to declare the scheme.

MOVED Crs Pearl/Copsey

That Council:

- 3.1 Having considered all submissions received and taken account of all objections lodged and having complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* (Act), and otherwise according to law, hereby declares the Fitzroy Street and Environs Business Precinct Special Rate and Charge Scheme under section 163(1) of the Act for the purposes of defraying expenses associated with marketing, advertising, promotion and business development of the Fitzroy Street and Environs Business Precinct as detailed in the attached Declaration of Special Rate and Charge (refer to **Attachment 5**).
- 3.2 Authorises the Fitzroy Street Business Association (Association) to administer the proceeds of the Special Rate and Charge on the express condition that the Association enters into a funding agreement with Council for the period of the Special Rate and Charge.
- 3.3 Authorises Council officers with the appropriate authority, for the purposes of paragraph 3.2 of this resolution, to prepare the funding agreement between Council and the Association by which administrative arrangements in relation to the Special Rate and Charge are confirmed, such agreement being to ensure that at all times, and as a precondition to the payment of any funds by Council to the Association, Council is, and remains legally responsible for approving, directing and controlling the expenditure of the proceeds of the Special Rate and Charge in accordance with its obligations under the Act to do so, and such funding agreement to be submitted to Council for executing.
- 3.4 Gives notice to all owners and occupiers of properties included in the Scheme, and all persons who have lodged a submission and/or objection in writing of the decision of Council to declare and levy the Special Rate and Charge commencing on 1 July 2019, and the reasons for the decision.



- 3.5 For the purposes of paragraph 3.4, the reasons for the decision of Council to declare the Special Rate and Charge are that:
- 3.5.1 There is minimal objection to the Scheme (comprising only 5.9%) and it is otherwise considered that there is a broad level of support for the Special Rate and Charge from all property owners and occupiers;
 - 3.5.2 Council considers that it is acting in accordance with the functions and powers conferred on it under the Act, having regard to its role, purposes and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the Scheme area;
 - 3.5.3 All persons who are liable or required to pay the Special Rate and Charge and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties; and
 - 3.5.4 The basis of the distribution of the Special Rate and Charge amongst those persons who are liable or required to pay the Special Rate and Charge is considered to be fair and reasonable.
- 3.6 Advises the Association of the matters relevant to it and set out in paragraphs 3.1 3.2 and 3.3 of this resolution.
- 3.7 Notes the properties that are included in the Special Rate and Charge Scheme area will be subject to general revaluations and supplementary valuations on the same cycle as the City of Port Phillip general rates and charges.

A vote was taken and the MOTION was CARRIED unanimously.



14.3 Proposed Discontinuance and Sale of Road abutting 119 Market Street, South Melbourne

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

Christopher McSteen

Mr McSteen is an architect acting for his client who owns the property at 78 Cecil Street, South Melbourne and is here to object to the sale of the lane. His clients wish to redevelop the site and in order to accomplish this require access to the road to access parking for the site.

Purpose

1.1 This report seeks Council's approval to:

- Consider removing part of the road R3199 abutting 119 Market Street, South Melbourne, being part of the general law land remaining in Crown Grant 3490/1852, and shown as lot 1 on Title Plan 965714M, attached as Attachment 1 to this report (**Road**) from Council's Register of Public Roads; and
- Commence the statutory procedures pursuant to the *Local Government Act 1989* (Vic) (**Act**) to consider discontinuing the road. If the Road is subsequently discontinued, the Road is proposed to be sold to the adjoining owner for market value.

MOVED Crs Simic/Voss

That Council:

Defers the matter to the next Ordinary Council meeting to be held on 6 March 2019.

A vote was taken and the MOTION was CARRIED.

Cr Pearl left the chamber at 7.55pm.

Cr Pearl returned to the chamber at 7.56pm.



8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report - Issue 51

Purpose

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

MOVED Crs Voss/Copsey

That Council:

- 3.1 Notes the CEO Report Issue 51 (provided as Attachment 1) including changes to budget forecasts and project portfolio identified in December 2018.

A vote was taken and the MOTION was CARRIED unanimously.

9. PEOPLE AND COMMUNITY

9.1 NDIS Status Update

Purpose

- 1.1 To provide councillors with a status 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 Voss/Copsey

That Council:

- 3.1 Notes this report.
- 3.2 Will receive a further and final report after the close out period of the NDIS transition, ending on 30 September 2019.

A vote was taken and the MOTION was CARRIED unanimously.



10. TRANSPORT AND PARKING

10.1 Move, Connect, Live Strategy 2018-2028 - Mid-Term Review of Council's Car Share Policy 2016-2021

Purpose

- 1.1 To seek Council endorsement of the outcomes from the mid-policy review of Council's Car Share Policy 2016-2021 and its targets.

MOVED Crs Copsey/Gross

That Council:

- 3.1 Notes the findings of the mid-policy review and the progress made to date in implementing the Car Share Policy 2016-2021 and its targets.
- 3.2 Notes that the car share target (including on and off-street vehicles) from 2016 to 2018/19 are being met and are likely to be exceeded in the 2018/19 financial year, resulting in approximately 225 car share bays available within the municipality.
- 3.3 Supports retaining the target of 330 car share vehicles by 2021, included in the Car Share Policy 2016-2021.

A vote was taken and the MOTION was CARRIED.



10.2 Recommended Updates to Fishermans Bend Parking Controls

Purpose

- 1.1 To provide Council with an update on the Fishermans Bend and Port Melbourne Parking Controls Project and seek endorsement for changes to encourage parking occupancy within the 75 to 85 percent target range to optimise parking availability.

MOVED Crs Copsey/Gross

That Council:

- 3.1 Endorses adjusting the on-street paid parking rate from \$1.90 to \$1 per hour within the area bounded by Woodgate Street, Westgate Freeway and Boundary Street (Area 1) to encourage parking occupancy within the 75-85% target range.
- 3.2 Delegates the authority to the CEO to adjust on-street paid parking rates and parking controls as required between March and 30 November 2019, with community notification and public information, to generate parking occupancy within the 75-85% target range to optimise the level of parking availability.
- 3.3 Notes that Council officers will continue to monitor parking occupancy as part of the 12-month evaluation of the Fishermans Bend and Port Melbourne parking controls concluding in November 2019 and will present an evaluation report for Council's consideration in early 2020.

A vote was taken and the MOTION was CARRIED unanimously.



11. SUSTAINABILITY

11.1 The Toward Zero Sustainable Environment Strategy and Toward Zero Community Forum Closure

Purpose

- 1.1 To formally confirm that the Toward Zero Sustainable Environment Strategy has been retired and that the Toward Zero Community Forum has completed its purpose and term.

MOVED Crs Voss/Copsey

That Council:

- 3.1 Notes that the *Toward Zero Sustainable Environment Strategy 2007* is superseded by the *Act and Adapt Sustainable Environment Strategy 2018*.
- 3.2 Rescinds the *Toward Zero Sustainable Environment Strategy 2007* and associated *Water Plan 2010*, *Greenhouse Plan 2011*, *Climate Adaptation Plan 2010* and *Open Space Water Management Plan 2010*.
- 3.3 Notes that the Toward Zero Community Forum has completed its purpose and term, and therefore endorses dissolution of the Forum.
- 3.4 Sends a letter to the members of the *Toward Zero Community Forum*, signed by the Mayor, thanking them for volunteering their time and for providing valuable input into the development and delivery of sustainable environmental programs for the community.

A vote was taken and the MOTION was CARRIED unanimously.

12. PLANNING

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 Voss/Copsey

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 unanimously.

14.2 Financial Report 2018-19 - Mid Year Review

Purpose

- 1.1 To provide Council with an overview of the results of the Mid-Year Budget review for 2018/19.

MOVED Crs Gross/Simic

That Council:

- 3.1 Notes that following the mid-year financial review the organisation is projecting a full year net cash surplus \$0.62 million which is marginally unfavourable compared to budgeted cash surplus of \$0.68 million.
- 3.2 Notes attachment 1 - Financial Statements with accompanying explanatory notes and the Aged Debtor Balance Report.

A vote was taken and the MOTION was CARRIED unanimously.



14.4 Council delegations to staff

Purpose

- 1.1 For Council to consider updating its Instrument of Delegation to members of Council staff of its powers, duties and functions under various Acts and Regulations to account for recent changes to the Planning and Environment Act 1987 and Council officer job titles.

MOVED Crs Voss/Crawford

That Council:

- 3.1 Delegates to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the Instrument of Delegation from Council to Members of Council Staff (at Attachment 1) the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that instrument.
- 3.2 Affixes the common seal of Council to Attachment 1 – Instrument of Delegation from Council to Members of Council Staff.
- 3.3 Notes that this Instrument of Delegation from Council to Members of Council Staff (at Attachment 1) comes into force immediately the common seal of Council is affixed to that Instrument.
- 3.4 Revokes the current Instrument of Delegation from Council to Members of Council Staff dated 9 September 2017 upon the coming into force of the Instrument (at Attachment 1).

A vote was taken and the MOTION was CARRIED unanimously.



Cr Baxter declared an indirect conflict of interest by way of applicable gift in item 14.5 Proposed Lease Port Melbourne Yacht Club – Completion of Statutory Procedures and left the chamber at 8.35pm.

Cr Copsey declared an indirect conflict of interest by way of applicable gift in item 14.5 Proposed Lease Port Melbourne Yacht Club – Completion of Statutory Procedures and left the chamber at 8.35pm.

Cr Simic declared an indirect conflict of interest by way of applicable gift in item 14.5 Proposed Lease Port Melbourne Yacht Club – Completion of Statutory Procedures and left the chamber at 8.35pm.

14.5 Proposed Lease with Port Melbourne Yacht Club - Completion of Statutory Procedures

Purpose

- 1.1 To seek Council's approval to complete the statutory procedures under the *Local Government Act 1989 (Vic) (Act)* and to finalise the proposed lease with the Port Melbourne Yacht Club (PMYC) for the premises at 38 Beach Street, Port Melbourne.

MOVED Crs Voss/Crawford

That Council:

- 3.1 Not having received any submissions in response to the Notice of Intension to Lease 38 Beach Street, Port Melbourne to PMYC, resolves to conclude the statutory procedures under Section 190 and 223 of the *Local Government Act 1989*.
- 3.2 Resolves to authorise the Chief Executive Officer or delegate to execute a new lease agreement including but not limited to the following terms below:
 - 3.2.1 Proposed Tenant: Port Melbourne Yacht Club (PMYC).
 - 3.2.2 Demised Premises: 38 Beach Street, Port Melbourne.
 - 3.2.3 Permitted Use: Sail club and associated activities including the operation of a function room.
 - 3.2.4 Commencement Date: 1 February 2019.
 - 3.2.5 Term: 10 Years.
 - 3.2.6 Rent \$8K per annum plus GST at commencement of the lease, representing a significant subsidy of the market rental valuation of \$90K.
 - 3.2.7 Community benefits:
 - Delivering an annual active learn to sail program for adults and children.
 - Training of volunteers in power boat handling and rescue work – as required.



- Running “Discover Sailing” days each year to introduce sailing to the public.
 - Provide access for community groups to the clubrooms.
- 3.2.8 Maintenance: All maintenance, repairs and asset renewal to be undertaken by PMYC.
- 3.2.9 PMYC Capital investment \$1.625M within the first 5 years, with this amount contingent on a funding contribution from Council and State Government.

A vote was taken and the MOTION was CARRIED unanimously.

The Mayor called for a break in the meeting at 8.36pm.

The meeting resumed at 8.42pm.



15. NOTICES OF MOTION

Item 15.1 Seating in Fitzroy Street

MOVED Crs Bond/Pearl

That Council:-

1. Temporarily remove the seats outside the 7 Eleven on Fitzroy St at the Jackson St corner.

A vote was taken and the MOTION was CARRIED.

Cr Copsey called for a DIVISION.

FOR: Crs Bond, Voss, Brand, Crawford, Gross and Pearl

AGAINST: Crs Baxter, Copsey and Simic

A vote was taken and the MOTION was CARRIED.

Item 15.2 Domain Precinct Masterplan

MOVED Crs Voss/Pearl

That Council:-

1. Acknowledges that a Masterplan is currently being prepared and developed for the Domain Precinct public realm.
2. Requests that the Masterplan is brought back to Council for review and community consultation as soon as practicable.
3. Requests that Council investigates the introduction of funding mechanisms such as Development Contributions Plans or Infrastructure Contributions Plans to contribute towards the cost of public realm.
4. Requests that Council officers consider other areas in the Port Phillip municipality to ascertain whether a Development Contributions Plan or Infrastructure Contributions Plan type structure may be necessary within Council's approved budget.
5. Requests that officers bring back to a Councillor briefing, analysis of the Development Contributions Plans implemented in the City previously, to understand the strengths and the weaknesses of past Developer Contribution Plans, and provides an update on the process for an updated St Kilda Road North Amendment.

A vote was taken and the MOTION was CARRIED unanimously.



16. REPORTS BY COUNCILLOR DELEGATES

Cr Copsey commented about the deepening crisis around the issue of recycling collections and advised that the Metropolitan Waste Forum were meeting tomorrow night and that she would be attending on Council's behalf.

17. URGENT BUSINESS

MOVED Crs Copsey/Baxter

That Council considers an item of urgent business in relation to the Victorian Social Housing Fund.

A vote was taken and the MOTION was CARRIED unanimously.

17.1 In our Backyard - Victorian Social Housing Fund

MOVED Crs Copsey/Baxter

That Council:

1. Notes that the Victorian Government is undertaking a tender process to provide funding to registered Housing Associations and Providers under the Build and Operate program of the Victorian Social Housing Fund;
2. Notes that this presents the first significant opportunity to increase social housing in the City of Port Phillip and to realise the goals established under In Our Backyard of increasing the number of community housing units in the City.
3. Resolves to:
 - 3.1 Make available up to \$1.5 million from the City of Port Phillip Community Housing Fund to be provided as grants to any Registered Housing Agency that is applying in the current round of Victorian Government funding to build and operate social housing within the municipality of Port Phillip;
 - 3.2 Provides those eligible Registered Housing Agencies a one off payment not exceeding \$15,000 (excluding GST) per dwelling unit to help fund their application project; and
 - 3.3 Delegates to the CEO the authority to implement the necessary means to implement this resolution in a transparent and efficient manner, including determining payment arrangements to ensure that grants result in the delivery of dwellings within the City of Port Phillip in line with the objectives of the In Our Backyard strategy.

MINUTES - ORDINARY MEETING OF COUNCIL - 20
FEBRUARY 2019



A vote was taken and the MOTION was CARRIED.

Cr Bond called for a DIVISION.

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

AGAINST: Crs Bond, Voss, Gross and Pearl

A vote was taken and the MOTION was CARRIED.

Cr Voss left the chamber at 10.19pm

Cr Voss returned to the chamber at 10.21pm



18. CONFIDENTIAL MATTERS

MOVED Crs Gross/Crawford

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 South Melbourne Market Committee Membership

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.

18.2 46-58 Marlborough Street, Balaclava – affordable housing – Social Housing Growth Fund

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)(d) (e) (f) A contractual matter, a proposed development and legal advice.

18.3 Parking Administration

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)(d) (f) A contractual matter and legal advice.

A vote was taken and the MOTION was CARRIED unanimously.

The meeting was closed to the public at 10.19pm

The meeting reopened to the public at 10.35pm.

As there was no further business the meeting closed at 10.35pm.

Confirmed: 6 March 2019

Chairperson _____