



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

18 MAY 2022



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**MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL
HELD 18 MAY 2022 IN ST KILDA TOWN HALL**

The meeting opened at 6:30pm.

PRESENT

Cr Pearl (Chairperson), Cr Baxter, Cr Bond, Cr Clark, Cr Copsey, Cr Crawford, Cr Cunsolo, Cr Martin, Cr Sirakoff.

IN ATTENDANCE

Peter Smith, Chief Executive Officer, Tony Keenan, General Manager Community Wellbeing and Inclusion, Kylie Bennetts, General Manager City Growth and Development, Claire Stevens General Manager Governance and Organisational Capability, Chris Carroll, General Manager Customer Operations and Infrastructure, Kirsty Pearce Head of Governance, Merryn Shaw, Council Meetings Officer, Emily Williams, Council Business Officer, Lachlan Johnson, Executive Manager Construction Contracts and Operations, Dana Pritchard, Manager Open Space, Recreation and Community Resilience, Anthony Savenkov, Head of Real Estate Portfolio (Development & Transactions).

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.

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

MOVED Crs Bond/Copsey

That the minutes of the Meeting of the Port Phillip City Council held on 4 May 2022 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Cunsolo declared an interest in item 7.1 Petition Against BMX Pump Track in Garden City Reserve

Councillor Martin declared an interest in item 7.1 Petition Against BMX Pump Track in Garden City Reserve

Councillor Clark declared a conflict of interest in item 17.1 Interim Kerbside Waste Collection & Recycling Processing Arrangements.



PRESENTATION OF AWARDS

The Mayor advised the meeting that the City of Port Phillip had received two Keep Victoria Beautiful Sustainable Cities Awards, one in 2020 in the category of waste, and one in 2021 in the category of litter. The Mayor then referred to Lachlan Johnson, Executive Manager Construction Contracts and Operations, who outlined the achievements of the team:

In 2020, Council's waste team launched the Glass Recycling Trial to test the viability of a kerbside and communal glass recycling option across the municipality. The trial ran for eight months, collected more than 300,000 litres of glass, and confirmed communal recycling as the community's preferred glass recycling option. The project also introduced flip-top auditing to Port Phillip, which continued through the FOGO and COFO trials. In November 2020, the project won the 2020 Keep Victoria Beautiful sustainable cities award for the category of waste.

In 2021, Council's service transformation team launched the Ops system initiative – a project designed to digitise our operational fleet, integrate with OneCouncil, and provide end-to-end visibility across the waste and street & beach services for the first time in Council's history. The project involved the installation of cameras and GPS across operational vehicles, and the uptake of more than 120+ users, ranging from drivers and labourers, to office workers. In December, the Ops system took home the 2021 Keep Victoria Beautiful sustainable cities award for the category of litter.

4. PUBLIC QUESTION TIME AND SUBMISSIONS

Public questions are summarised below. The submissions were made verbally and can be listened to in full on our website: <http://webcast.portphillip.vic.gov.au/archive.php>

Public Question Time:

- **Amanda Ross:** My husband is disabled and uses a mobility scooter or wheelchair. We're moving to Middle Park and part of the footpath isn't wide enough for a wheelchair. In March I lodged a request with ASSIST and council officers that a ramp be installed at the point the footpath widens by the pedestrian lane near McGregor Street. The council officer subsequently advised that a DDA compliant ramp could not be installed at that intersection due to infrastructure. The officer also said installation might not be achieved until FY2024. It was later advised adjustments could be made to the cobbled lane five houses from our property and inaccessible on Wednesdays and Thursdays when bins are put out for collection. The Australian Human Rights Commission states on its website that there is no mandatory minimum compliance standard in the DDA that can be referred to in relation to footpaths. There is therefore no such thing as a DDA compliant footpath. We strongly object to terminology that suggests accessible footpaths cannot be provided or will take years to provide because of the Disability Discrimination Act. I've also raised concerns about the pedestrian crossing over Canterbury Road near Middle Park Station being a wheelchair trap on several occasions since October 2016. That matter was referred to a council officer in March 2021. I still have no date on when that crossing will be made wheelchair safe. Can Council please prioritise accessibility to this part of Neville Street so my husband can access his own home when we move there next month?

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Lachlan Johnson, Executive Manager Construction Contracts and Operations advised that Council officers have been working with Ms Ross to try and resolve these issues. Council takes very seriously its obligation to ensure that the City is a welcoming and accessible place for all members of the community. As such, Council has allocated funding from its capital works program to provide an accessible ramp in the street. Unfortunately, due to the very tight street, existing carparking and underground utilities, it is not possible to install a ramp directly outside of the property in question without significant civil works. This process would likely take a protracted period of time. As officers have outlined, the most suitable location is at the threshold of the laneway approximately 30m from the property. Given the urgency associated with providing access, subject to favourable weather conditions, the accessible ramp will be installed in this location next week. In regard to concerns that this location is often utilised for residents to place their bins out for collection, officers will write to all nearby residents and request that they refrain from doing so to ensure access for all members of the community. Mr Johnson undertook to contact Ms Ross directly to discuss the issues raised about Middle Park Station.

- **Alex Darton:** Would the Council be willing to facilitate local residents to plant, water and maintain trees that are missing from our streets? This would be an opportunity for people to get involved, it would be mutually beneficial to Council and the community

Dana Pritchard, Manager Open Space, Recreation and Community Resilience: Council plants all street trees to ensure the suitability of species selected, quality of nursery stock, best practice planting techniques and formative and ongoing pruning is managed in accordance with best practice and legislation. For these reasons, it is not appropriate for residents to plant and carry out maintenance of street trees themselves. Residents can request a tree to be planted via the Snap Send Solve app or by using online services and then adopt the tree to water. Council fully supports residents watering trees in their streets to help establish them. If residents are looking for additional trees they can contact Council.

- **Jack Halliday:** I understand the table I submitted has been provided to you. It shows the level of disadvantage of residents of St Kilda East/Balaclava compared to other neighbourhoods including the number of open spaces and expenditure per head of population. It shows that per head of population Council spent \$248- less than 20% of Port Melbourne and just over a third of Albert Park -Middle Park. Council at its meeting of 8 December 2021 recognised that provision of additional Open Space in St Kilda East/Balaclava was a priority especially considering the very high level of apartment living in this area. In Vol 1 of the Public Space Strategy Council states Equity is its most important criteria in determining Open Space provisions, however the Strategy clearly shows that the earliest acquisition of additional open space Council contemplates is within the period 2026 to 2032. How can Council delay the provision of additional Open Space in St Kilda East/ Balaclava given its commitment to Equity in its provision across the municipality?

Tony Keenan, General Manager Community Wellbeing and Inclusion advised that Council endorsed the Places for People: Public Space Strategy at its meeting of 8 December 2021. This strategy set allocation for public space in Balaclava as occurring in the medium term, between 2026 to 2029.

- **Justin Halliday:** On December 8 2021, Council directed officers to prioritise the poorly-serviced areas of St Kilda East/Balaclava and South Melbourne in implementing the Public Space Strategy. Council also directed officers to expand existing public spaces and explore opportunities to acquire land and close roads to deliver permanent new public space. However, the draft council plan proposes only 4 temporary public spaces over the



next 4 years in St Kilda East and Balaclava, and moves the first land acquisition to 2026. This is at odds with the direction from council to prioritise addressing the entrenched lack of access to public space in St Kilda East, Balaclava, and South Melbourne. Why is there no funding in the budget to expand existing public spaces and for land acquisition, and why has the first acquisition been delayed until 2026?

Tony Keenan, General Manager Community Wellbeing and Inclusion advised that Council endorsed the Places for People: Public Space Strategy at its meeting of 8 December 2021. This strategy set allocation for public space in Balaclava as occurring in the medium term, between 2026 to 2029 and the draft Council Plan and Budget reflects this as it is the approved Council Strategy. Residents are able to make submissions requesting changes to the draft budget. Officers are already commencing work to identify and look for sights within its business as usual budget. If suitable land is identified before 2026 Council is able to bring the purchase of this land forward.

Chris Carroll, General Manager Customer Operations and Infrastructure, added that officers continue to look at opportunities and have investigated several sites. Current staff vacancies have meant the approach to acquisition has been reactive rather than planned. If opportunities come up and implementation can occur sooner a recommendation will be made to Council. Currently preparation is underway to conduct consultations about some street closures.

Council Report Submissions:

Item 7.1 Petition Against BMX Pump Track in Garden City Reserve

- Adrian Jackson

Item 13.1 Childcare Centre Portfolio Improvement - Consultation on Proposal to Sell Three Properties - Reporting of Submissions

- Claire Byrne, President of Elwood Children's Centre
- Caroline Thornton, President of Eildon Road Childcare and Kindergarten
- Louise Hird, President of the Avenue Children's Centre and Kindergarten
- Josh Burns, MP
- Steph Hodgins-May
- Nisha Doshi
- Pennie Brown
- Belinda Seixas
- Dave Witty
- Rebecca Sanders
- Tara Winslow
- Aimee Smith
- Ciaran Wilcox
- Roger Byrne
- Simon Rashleigh
- Simon James
- Ximema Farfan
- Mark Leslie
- Katie Wood
- Verena Juebner
- Sara Roth
- Jessie Belcher
- Georgie Leslie
- Louis Bell
- Bede Stallard
- Leigh Neil McCann
- Helene Kammoun

Item 14.1 Notice of Motion Councillor Marcus Pearl Pedestrian Access at Port Melbourne Secondary College

- Tim Norman

The Mayor adjourned the meeting for a break at 8:22pm

The meeting resumed at 8:30pm.

5. COUNCILLOR QUESTION TIME

Nil.

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6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

7.1 Petition Against BMX Pump Track in Garden City Reserve

Councillor Cunsolo declared an interest due to the proximity of her property to the matter and, out of an abundance of caution, left the meeting at 8:41pm.

Councillor Martin declared that he has previously taught students who use Garden City Reserve, noting this may be a perceived interest.

A Petition containing 723 signatures was received from local residents: 254 signatures were received via change.org and 469 were received in hardcopy.

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

Has or could a small section of the Sandridge foreshore be considered as a location for the pump track?

Tony Keenan, General Manager Community Wellbeing and Inclusion, took the question on notice to investigate it further, noting that it may require coastal consent.

MOVED Crs Bond/Martin

That Council:

1. Receives and notes the Petition.
2. Thanks the petitioners for their Petition.
3. Notes Council's previous decision which acknowledged the community benefits and social connectiveness a BMX track would provide.
4. Notes that the 2021/22 Budget allocated an amount to investigate and construct a BMX track.
5. Notes that Council undertook engagement around a proposal to locate a BMX track at Garden City Reserve.
6. Notes that the Covenant at Garden City Reserve restricts the ability to locate the BMX Pump Track at this site, and therefore the project will not progress at this site.
7. Notes that the beach side of Fred Jackson Reserve was the next highest ranked site for a BMX track.
8. Requests the CEO to commence engagement on locating the BMX track at the beach side of Fred Jackson Reserve and bring a report back to Council.
9. Encourages the petitioners to register their interest in any future consultation on this topic on the Have Your Say page of the website.

A vote was taken and the MOTION was CARRIED unanimously.

Councillor Cunsolo returned to the meeting at 8:45pm.



8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report – Issue 85

Purpose

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

MOVED Crs Copsey/Clark

That Council:

- 3.1 Notes the CEO Report Issue 85 (provided as Attachment 1) including changes to budget forecasts and project portfolio identified in April 2022

A vote was taken and the MOTION was CARRIED unanimously.

9. INCLUSIVE PORT PHILLIP

Nil.

10. LIVEABLE PORT PHILLIP

Nil.

11. SUSTAINABLE PORT PHILLIP

Nil.

12. VIBRANT PORT PHILLIP

Nil.

13. WELL GOVERNED PORT PHILLIP

13.1 Childcare Centre Portfolio Improvement - Consultation on Proposal to Sell Three Properties - Reporting of Submissions

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

Councillor Sirakoff: Will the report coming to Council in June include a cost benefit analysis in the different scenarios of being gifted or leased to own, taking into account such costs as council liabilities, ongoing maintenance, council staff overheads, childcare subsidies through levies and the levies themselves?

Chris Carroll, General Manager Customer Operations and Infrastructure advised that the analysis underway was based on criteria Council agreed to, which are a range of non-financial considerations but include some financial considerations. Officers will make a recommendation based on an overall value for money assessment. The question was taken on notice to provide specific detail.



Purpose

To report the submissions in response to Council's community engagement under section 114 of the *Local Government Act 2020* on its intention to sell three Council owned properties, namely: 17 Eildon Road, St Kilda; 46 Tennyson Street, Elwood; and 39 The Avenue, Balaclava, being Council owned properties currently leased as early childhood education and care centres.

MOVED Crs Bond/Martin

That Council:

- 3.1 Notes that it has formally sought and received feedback in relation to its intention to sell 17 Eildon Road, St Kilda, 46 Tennyson Street, Elwood and 39 The Avenue, Balaclava, properties leased as early childhood education and care centres.
- 3.2 Notes the submissions of response received by the end of the notice period (of 28 February 2022).
- 3.3 Thanks the submitters for their submissions.
- 3.4 Further notes that targeted consultation has been undertaken with the committees of the three incorporated associations respectively leasing the properties.
- 3.5 Thanks the committees for their participation in that consultation.
- 3.6 Formally considers the submissions received at a subsequent meeting of Council, once the feedback has been considered.

A vote was taken and the MOTION was CARRIED unanimously.

13.2 Councillor Expenses Monthly Reporting - December 2021 to March 2022

Purpose

- 1.1 To report on the expenses incurred by Councillors, in accordance with the Councillor Expenses and Support Policy for the months of December 2021 to March 2022.

MOVED Crs Pearl/Copsey

That Council:

- 3.1 Notes the monthly Councillor expenses report for December 2021 (**Attachment 1**) and that this will be made available on Council's website.
- 3.2 Notes the monthly Councillor expenses report for January 2022 (**Attachment 2**) and that this will be made available on Council's website.
- 3.3 Notes the monthly Councillor expenses report for February 2022 (**Attachment 3**) and that this will be made available on Council's website.
- 3.4 Notes the monthly Councillor expenses report for March 2022 (**Attachment 4**) and that this will be made available on Council's website

A vote was taken and the MOTION was CARRIED unanimously.



13.3 Integrated Security Services Contract Extension

Purpose

- 1.1 The purpose of this report is to seek Council's approval for a one-year extension of Integrated Security Services Contract 000296.

MOVED Crs Copsey/Sirakoff

That Council:

- 3.1 Awards the extension of Contract 000296 to National Protective Services P/L for one year commencing 1 July 2022 and notes that it is the intention of Council to approach the market for a new security contract prior to the end date of this extension.
- 3.2 Notes that the estimated contract expenditure for this one-year extension is \$1,200,324.00 (GST inclusive) and this would take the estimated contract expenditure from 1 July 2017 to 30 June 2023 to \$7,767,276.17 (GST inclusive). This is above the total contract expenditure estimated at the start of the contract of \$7,090,209 (GST inclusive) due to the inclusion of additional services over the last five years as outlined in this report.
- 3.3 Notes that the contract value will increase by the All Groups Consumer Price Index (CPI) Melbourne on the contract anniversary 1 July 2022.

A vote was taken and the MOTION was CARRIED unanimously.

13.4 Financial Update: Third Quarter 2021-22 Financial Review

Purpose

- 1.1 To provide Council with an overview of the results of the third quarter 2021/22 performance to budget.

MOVED Crs Martin/Crawford

That Council:

- 3.1 Notes that following the third quarter 2021/22 budget review the organisation is projecting a full year cumulative cash surplus of \$3.91 million which is \$0.91 million favourable compared to budget of \$3.0 million.
- 3.2 Notes the full year cumulative cash surplus of \$3.91 million includes \$0.6 million capital portfolio savings that will be transferred to the Asset Renewal reserve and the full year cumulative cash surplus forecast will be revised to \$3.31 million.
- 3.3 Notes the third quarter 2021/22 budget review includes \$10.56 million of project portfolio deferrals to 2022/23 financial year.
- 3.4 In accordance with Section 97(3) of the Act the Chief Executive Officer supported by the Chief Financial Officer concludes that a revised budget for 2021/22 is not required.
- 3.5 Notes Attachment 1 – Financial Statements with accompanying explanatory notes and Economic and Social Recovery Spend.

A vote was taken and the MOTION was CARRIED unanimously.



13.5 Status of Council Decisions and Questions Taken on Notice recorded by Council: 1 January 2022 - 31 March 2022

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 January 2022 and 31 March 2022 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 January 2022 and 31 March 2022.

MOVED Crs Copsey/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.

13.6 Motion of Municipal Association of Victoria State Council Meeting 2022

Purpose

- 1.1 To seek Council's formal ratification of submission of motions for consideration at the Municipal Association of Victoria

MOVED Crs Crawford/Pearl

That Council:

- 3.1 Submit the following motions for consideration at the MAV State Council Meeting on 24 June 2022
 - 3.1.1 That the MAV advocate to the State Government to invest additional resources for the maintenance of State Government transport assets including VicTrack, Yarra Trams and other Department of Transport (DoT) assets
 - 3.1.2 that the MAV advocate to the State Government that they provide adequate open space for Government schools, or work with councils to ensure an agreement is in place regarding the use of council-managed public open space prior to the delivery of Government schools.

A vote was taken and the MOTION was CARRIED unanimously.



14. NOTICES OF MOTION

14.1 Notice of Motion Councillor Marcus Pearl – Pedestrian Access to Port Melbourne Secondary College and Murphy Reserve

MOVED Crs Pearl/Martin

That Council:-

1. Acknowledges the transport safety concerns for pedestrian access to Port Melbourne Secondary College (PMSC) and Murphy Reserve raised by the community.
2. Notes that council officers have been working with the Department of Transport on transport safety concerns and liaising with the Fishermans Bend Taskforce on longer-term planning for connections across the wider area.
3. Includes the management of transport safety concerns at PMSC and Murphy Reserve within Council's election commitments
4. Writes to the Minister for Roads and Road Safety, Ben Carrol and the MP for Albert Park, Martin Foley to communicate Council's transport safety concerns for pedestrian and bike rider access to PMSC and Murphy Reserve, and request the Department investigate, fund and deliver the following interventions as soon as possible:
 - a. Changes to the phasing of signals at Williamstown Road and Graham Street to improve pedestrian crossing priority and safety
 - b. Funding for school crossing supervisors for the intersection of Williamstown Road and Graham Street
 - c. Construction of new pedestrian and bike rider signals at Beacon Road on Williamstown Road
 - d. Construction of a raised wombat crossing across the slip lane at Graham Street and Plummer Street intersection.
 - e. Safety improvements for the Plummer Street entrance to Woolworths car park
5. Notes that PMSC is one of a number of schools proposed for the Fishermans Bend area, and requests council officers advocate for the State Government departments to develop and implement a strategy to ensure safe active travel access to future schools before they open.
6. Notes that officers will seek a meeting with the Port Melbourne Secondary School Council to provide a summary of transport data and Council's advocacy for proposed safety works.

A vote was taken and the MOTION was CARRIED unanimously.

15. REPORTS BY COUNCILLOR DELEGATES

Councillor Martin reported that he had been on a tour of some Housing First properties, and encouraged Councillors to also visit social housing programs in the area.

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Councillor Copsey acknowledged IDAHOBIT Day community flag raising organised by the LGBTIQ+ Advisory Committee. She noted the support of council members and the community for the day celebrating the diversity of the community and standing against all forms of discrimination.

Councillor Crawford advised that the CEO of Linden New Art, Melinda Martin, had been appointed as CEO of the Shepparton Art Gallery. Councillor Crawford paid tribute to Melinda's exceptional work for the City of Port Phillip over the last decade, stating Linden has gone from strength to strength under her lead and guidance, and that the reputation Linden brought to the City as an arts hub could not be measured.

16. URGENT BUSINESS

The Mayor advised that two confidential items of urgent business were provided to Councillors. The items are confidential Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released and would therefore be considered in the confidential section of the agenda.

17. CONFIDENTIAL MATTERS

MOVED Crs Bond/Sirakoff

That in accordance with the Local Government Act 2020, 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 3 of the Act, for the reasons indicated:

Report No.	Report Title	Confidential reasons
17.1	Interim Kerbside Waste Collection & Recycling Processing Arrangements	(a) <i>Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released.</i>
17.2	Urgent Business: South Melbourne Market Courtyard Project Update	(a) <i>Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released.</i>
17.3	Urgent Business: Engage event delivery contractor for Southside Live	(a) <i>Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released.</i>

A vote was taken and the MOTION was CARRIED unanimously

The meeting closed to members of the public at 9:27pm.

The meeting reopened to members of the public at 9:32pm.

As there was no further business the meeting closed at 9:32pm.

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Confirmed: 1 June 2022

Chairperson _____