



ORDINARY MEETING OF COUNCIL

MINUTES

19 AUGUST 2020



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**MINUTES OF THE ORDINARY MEETING OF COUNCIL OF THE PORT
PHILLIP CITY COUNCIL HELD VIRTUALLY ON 19 AUGUST 2020**

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 Development, Transport and City Amenity; Tony Keenan, General Manager Community Wellbeing and Inclusion; Chris Carroll, General Manager Customer, Operations and Infrastructure; Kylie Bennetts, General Manager City Growth and Organisational Capability; Dennis O'Keeffe, Chief Financial Officer, Peter Liu, Coordinator Management Accounting and Financial Analysis, Steven Ross, Head of Organisational Performance, Kirsty Pearce, Coordinator Governance, Rebecca Purvis, Governance Officer, Emily Williams, Council Meetings Officer, Joanne McNeill, Executive Manager Property and Assets, Emma Murdoch, Head of Property and Workplace Operations, Donna D'Alessandro, Manager Safety and Amenity, Anthony Traill, Manager Open Space, Recreation and Community Resilience, Lachlan Johnson, Executive Manager Construction, Contracts 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 Bond/Baxter

That the minutes of the Ordinary Meeting of the Port Phillip City Council held on 5 August 2020 be confirmed.

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross, Pearl and Simic

AGAINST: Nil

The MOTION was CARRIED unanimously.



3. DECLARATIONS OF CONFLICTS OF INTEREST

Cr Louise Crawford declared an indirect interest by way of conflicting duty, in Item 14.9: Council Plan and Budget 2020/21, Adoption - recommendation Part 5.

4. PUBLIC QUESTION TIME AND SUBMISSIONS

The following submissions were made verbally during the virtual council meeting and can be listened to in full on our website <http://webcast.portphillip.vic.gov.au/archive.php>.

A copy of written submissions has also been made available on the website.

Council Report Submissions

- 7.1 Petition - Request to retain the temporary play equipment erected in Murchison Street, St Kilda East
- Tiffany Zenn
- 14.9 Council Plan and Budget 2020/21: Adoption
- Rhonda Clark

Public Question Time

Steve Walker: The Boating Industry Association of Victoria (BIAV) is the peak body for the marine industry in Victoria. As well as servicing and supporting direct members of the association, BIAV is the voice for the state's 200,000 registered boat owners and 420,000 marine licence holders.

BIAV has some grave concerns about this redevelopment and are as follows –

- There is planned to be a **halving of the wet berths** from the current number. Whilst revised Aus Standards, and the resulting space requirements have been outlined as the reason for this, BIAV remains unsure as to whether enough has been done to expand the wet-berth space and provide more opportunity.
- **All outdoor hardstand space appears to have been removed.** This is a major step backward in terms of a boating specific facility. This seems to have been the result of the desire to have an expansive open space and walk path on the beach side of the entire site. St Kilda and the remaining CoPP coastline has many thousands of square metres of such space. This space could and should be preserved for boating facilities, storage and water access as the number one priority. Not a walk path. We understand that this will eliminate some current users such as the Melbourne Trailable Yacht Club after decades of occupation.
- Reference has been made to the **car/trailer park being adjusted to cater for multi-use** and basketball was outlined as a good example. This really does not auger well for boating and for this site being preserved as a premier boating facility and destination. Whether this be proposed at this stage only for boating 'down-time' is still unacceptable as once an activity such as basketball sets in, chances are it will increase its demands and usage to the detriment of boating.
- Whilst the **bridge concept** is not yet finalised and only provisions for CoPP to include it later have been advised, this is also of concern. Similar to the loss of outdoor hardstand space, in favour of an elaborate walk path, this could be severely to the

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detriment of boating. Mast up yachts and motor boats with tall fly-bridges may become precluded from the site.

In summary, it seems that this premier boating facility is being diminished as a boating facility. All for amenity and walk paths. The CoPP foreshore space has tens of thousands of square metres of walking and coastal amenity space and this does not have to be added to, to the detriment of a boating specific premier boating facility.

Joanne McNeill, Executive Manager Property and Assets, stated that Council has asked the community to provide feedback on the proposed lease. The next step is to consider those submissions prior to making a decision. We can take the points raised today as another submission and will respond to these points accordingly. A report is coming to Council on 2 September which will hear a summary of all submissions made. A report will then follow on 16 September where Council will make a decision on this matter.

The following submissions were submitted prior to the meeting and were read out in summary by the Head of Governance. The full submissions can be found on the website <http://www.portphillip.vic.gov.au/june-2020-meetingagendas.htm>

Public Question Time

- Adrian Jackson: Is Council pleased with the auction result for 8 York St, St Kilda West (a surplus and vacant former kindergarten), sold on 18 July 20 above the reserve price of \$3,500,000 with the sale price being \$3,675,000 with 4 bidders?

Joanne McNeill, Executive Manager Property and Assets, stated that the property was successfully sold above reserve and that has unlocked the value of that property to be spent on other property as needed by Council. It also unlocks the property to be utilised fully by the person who has purchased it which creates benefit for the community and that neighbourhood.

- Adrian Jackson: What sponsorship does Council provide to cultural smoking ceremonies?

Tony Keenan, General Manager Community Wellbeing and Inclusion, advised that City of Port Phillip make a yearly payment to the Boon Wurrung Foundation of \$15,766.70. This payment supports a number of activities including Cultural ceremony and advice. Smoking Ceremonies funded under this agreement include the Yalukut Weelam Ngargee and St Kilda Festival, Reconciliation Week, Mabo Day and NAIDOC Week.

- Adrian Jackson: What support does local government provide to religions and religious groups?

Tony Keenan, General Manager Community Wellbeing and Inclusion, advised that in relation to religious organisations Council provides administrative support bi-monthly to the multi-faith network. This network relies on applications for external funding for any project that they might do. Council also supports faith-based organisations via the Community Meals Subsidy, Community Grant and Diversity and Ageing Support Grants. Funds are awarded on a competitive nature and services provided to the community are welfare based and non-denominational. The Community Meals Subsidy 2020/21 \$280,000.00 and that is commonwealth money.

- Adrian Jackson: Why are ratepayers' funds being wasted on a green bin trial in Elwood when we already have a free hard and green waste collection on demand 4 times a year and house blocks can also have a compost bin, like I have? The PPCC media release said Elwood was selected for the trial because they were many larger house blocks to



store the now three bins in (Recycle, Tip and now Greens). Does this mean the smaller house blocks and flats will not have the greens bin because of space problems? Does this mean the houses with no rear access will have 3 bins on the front veranda and the table and chairs usually there will have to be moved in some cases? Also having a third bin will not stop contamination and may make it worse. As the saying goes "you can take a horse to water but you can't make it drink" Please explain

Lachlan Johnson, Executive Manager Construction, Contracts and Operations, advised that Council's 'Don't Waste It! Waste Management Strategy 2018-2028' was developed in close consultation with the community. Through this consultation, our community told us that food and garden waste recycling was very important to them. As such, several actions were included in the Strategy to trial food and garden waste recycling options that could best work for our diverse community.

Council's hard and green waste collection service does not include food waste recycling, and not all households, especially those in apartments, have an appropriate area to compost. As such, Council adopted the trial of a 'green bin' trial in December 2019 to test whether this type of service would suit householders, and those living in low-rise apartments, in Port Phillip. For those in mid- and high-rise apartments, Council are trialing different food waste recycling collections, including a food only service and an on-site composter.

People are invited to store their bins in an area of their property which is most suitable for them to use and access.

The food and garden waste recycling trials Council are currently undertaking will contribute to a body of information which will inform our future transition all residents having access to food and garden waste recycling, as per the Victorian Government's recent mandate in circular economy policy, 'Recycling Victoria, a new economy'.

- Olga Rudyk: I refer to the floodlights at Lagoon Reserve that were activated in April 2019. Correspondence stated these floodlights were for a "trial period" and were temporary. This ongoing matter has not been addressed with residents that have been impacted by these floodlights operating every night of the week for several hours. There was never any consultation. The changes made are not achieving a positive result or outcome.

Was the installation of these floodlights compliant with Australian Standards (AS 4282-1997/control of the obtrusive effects of outdoor lighting)? The direct glare and intensity of the floodlights is having an impact on the adjoining residents and visitors. Bright lights shining into apartments/residents is a nuisance. Is there a Compliance Report? I would also like to know if the lighting experts undertaking the modifications provided a report as to how they have calculated the changes will help?

The intended purpose of the initial installation of the floodlights was for facilitating sports activities. So, why are these floodlights now being used for passive reserve use when the sports lighting would have been designed to meet the guidelines for sport active use? This is far exceeding the requirements for passive use. It is a waste of energy and causes light pollution. The obvious solution is to install lights that are suitable for normal park use, similar to street lighting. The positioning of the lights is paramount and adjustments need to be made to the hours of operation and duration. David Nankervis has suggested removing the weekend schedule/reducing the number of nights that the lights are activated. That would be a good start and I support such a move.

Anthony Traill, Manager Open Space, Recreation and Community Resilience, advised that in 2019 a petition requesting the ability for sports ground lighting for the purpose of passive recreation including dog walking was endorsed. In reference to the Australian Standards, the 97 Australian Standards have now been updated to a 2019 version that better supports the

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amenity lights bill when we are constructing new lighting assets. An engineer has advised that this is compliant when these old lights (at least 20 years old) are pointed correctly. The recent works we've done to elevate the lighting was an attempt to improve the current state for the remaining 6-8 weeks before daylight savings and the lights no longer operate for the summer period. Under delegation, and in accordance with the resolution, we are proposing and working with the community on this feedback to not activate the lighting over the weekends to respond to this community feedback. In summer we will bring back an assessment for ongoing use of this space as a dog walking option until we get the newly constructed specific sports lighting.

- Jayne Webster: As a ratepayer, already amongst the most expensive in Victoria, I pay \$234.00 annually for a combined permit. This allows me to park at my house, have 1 visitor and drive my paddleboard to the beach for recreation. I am disgusted that this council continues to bleed residents and restrict activities that we moved here for. Originally, the permits cost a nominal amount, now they are just gouging in the most disgraceful manner. It has also been introduced by stealth - I only found out by accident, needing to have a sticker reprinted. I am requesting you urgently reconsider & reverse this decision.

Lili Rosic, General Manager Development, Transport and City Amenity, advised that parking is a limited and shared resource and Council in February endorsed the new parking management policy to ensure that we have fair and equitable access for residents to our off street parking and prioritised residential use in residential areas. The parking permit types come into effect from the 1st of July 2021 for new applicants and 1st of July 2025 for existing permit holders. In regards to Ms Webster's particular concerns, I will ensure that Officers discuss this with her at a later date.

- Trevor White: I'm speaking on behalf of the community group, unChain Inc. What was the Council staff thinking and decision making process behind deliberately withdrawing easy access to past Council minutes and papers on the new improved and more user-friendly website? All community groups and individuals rely on easy unfettered access to the past Council minutes and papers, annual reports etc. to assist them in preparing submissions and keeping councillors and staff accountable for their decisions and actions or lack of action. Community engagement is a requirement under the new Act. Community Groups and individuals prepare submissions on the council issues. To do this we would need the minutes and papers for the current council and the last 3 terms of council. If it's a space issue on the new website, another database website could be easily established and maintained. Having to go through the Governance office for information would have created a bottleneck, slowed down the process to gain information, may require multiple requests and probably lead to a request for more staff to handle the workload. Let's get this basic information back on the new website and review the culture that led to the decision. It's not often that many community groups agree on an issue, but I can assure Councillors and staff that many groups are taking up this issue. I am aware that the system is being changed to repost these documents and thank the Mayor for her intervention. My point is that this withdrawal of easy and unfettered access to information should have never happened in the first place, it's not a good look.

Kylie Bennetts, General Manager City Growth and Organisational Capability, thanked Mr White for his question and advised that as part of the launch of Council's new website last week officers considered a range of factors including legislative requirements, accessibility



considerations and functionality of the website. Officers undertook a comprehensive review of visitation data in January 2020. That review found in 2019 that the total amount of page views on the meetings and agendas section was around 72,000. Of those, around 61% related to 2019 content, 17% related to visits to the landing page and around 22% were for information that was more than 12 months old. Officers are currently in the process of adding the previous four years' worth of records to the new website over the next fortnight. Officers are also looking at how we can make available to the community the remaining years of the important civic history through Council's library service and we are hopeful to be able to provide further information on this in due course. Kylie Bennetts apologised for this inconvenience to the community as we transition to the new website. While we are working through this, if the community does need to access documents that are older than what is currently available, please contact the governance unit for assistance.

Council Report Submissions

- 7.1 Petition - Request to retain the temporary play equipment erected in Murchison Street, St Kilda East
 - Adrian Jackson

- 14.9 Council Plan and Budget 2020/21: Adoption
 - Adrian Jackson

5. COUNCILLOR QUESTION TIME

Councillor Pearl - A bus stop has been installed rather strategically in the middle of the bike path down near the Sandridge Lifesaving Club in Port Melbourne. There is conflict with public transport users vs cycle path users but as per the photos I don't think anyone would support that piece of infrastructure being put there. Is Council advocating for a more equitable outcome for cyclists in this area?

Lili Rosic, General Manager Development, Transport and City Amenity advised that if there is a bus stop that's causing any safety issues we will report that to the Department of Transport. In terms of improving the bicycle infrastructure for the community and visitors, Council is currently exploring opportunities to enhance bicycle infrastructure in accordance with our Move Connect Live Strategy. Also, to respond to COVID-19 and the need for additional bicycle infrastructure as people move into other modes of active transport, some of these opportunities are also included in Council's proposed Budget this evening.

Councillor Pearl – as a follow up question regarding the withdrawal of Spirit of Tasmania from Port Melbourne; do officers now have an estimation of the cost to our local economy in terms of the gross local product etc., that our area will lose as a result of Spirit of Tasmania moving from Port Melbourne to Geelong?

Lili Rosic, General Manager Development, Transport and City Amenity advised that a number of local residents were concerned about traffic issues, so there are some benefits to the Spirit of Tasmania moving from Port Melbourne to Geelong. In terms of economic impacts, I will take that on notice.



Councillor Pearl - In relation to the lighting at Lagoon Reserve, Port Melbourne: is the Australian standard being met, even with the 20-year-old lights being tilted down, with the amount of light that is being reflected off the roof into the apartments across from the park? If this was meant to be a trial, and clearly the amount of light pollution that is being given off by the lights is not fit for purpose and we obviously need to come to a more long term solution; do officers have a clear timeline to get us to a more workable solution for both dog owners and park users and also for the residents that live adjacent to the park?

Anthony Traill, Manager Open Space, Recreation and Community Resilience advised that engineers have carried out an onsite inspection and visually think that the lights are within compliance. To fully test the 2019 version to standards you need to have lux levels from a window position but I remind you that these infrastructures were installed many years ago, prior to Australian Standards. We can test the current state in accordance with the current regulations once we can have contractors go out on site under COVID-19 restrictions.

Modern sports ground lighting would resolve a lot of these issues. We are delivering them at multiple other site locations within the municipality and they are planned within the Capital program. We've got within the capital program upgrades to Lagoon Reserve, that is planned through the Budget papers but in terms of timelines that is to be resolved with the current design, soil contamination and geo technical studies being undertaken at that particular site.

Councillor Voss - With more and more 100% electrical vehicles on the road, what is the City of Port Phillip doing about Policy in relation to charging these vehicles (cords over footpaths, tripping hazards, poor systems that are not weather proof etc.) Given most properties do not have garages and many will need on street charging.

Lili Rosic, General Manager Development, Transport and City Amenity advised that ensuring our community benefits from these new transport options, and establishing a policy position is included as an outcome in Council's Move Connect Live Strategy. Council recently installed two electric vehicle chargers at South Melbourne Market rooftop carpark for use by the community. The chargers need to be tested and certified by an electrician before they can be made available for use. Once COVID restrictions ease, we will be able to complete this work and promote the chargers to the Community. The proposed budget this evening also includes approximately \$300,000 over 4 years for the community and electrical vehicle charging program to support uptake of electric vehicles and this will be discussed with Councillors over the coming months. In terms of policy we are looking at possible mechanisms such as engaging with companies that can install chargers on our public streets and in Car Parks. Also, engaging with electricity distributors and car share companies to discuss options for installing on street charging facilities using the planning scheme to enforce charging facilities on private land, advocacy and of course with Council's endorsement of any of these policy positions we will continue to provide information and support to our community.

6. SEALING SCHEDULE

Nil.



7. PETITIONS AND JOINT LETTERS

Item 7.1 - Petition – Request to retain the temporary play equipment erected in Murchison Street, St Kilda East

A Petition containing 120 signatures was received from a resident of St Kilda East.

MOVED Crs Copsey/Baxter

That Council receives and notes the petition and that officers provide a response at the next available Council Meeting.

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross, Pearl and Simic

AGAINST: Nil

The MOTION was CARRIED unanimously.

Item 7.2 - Petition - Requesting action on lack of drainage causing water pooling and ongoing rising damp on properties on Clyde Street

A Petition containing 7 signatures was received from residents of Clyde Street, St Kilda.

MOVED Crs Crawford/Copsey

That Council receives and notes the petition and that officers provide a response at the next available Council Meeting.

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross, Pearl and Simic

AGAINST: Nil

The MOTION was CARRIED unanimously.

8. PRESENTATION OF CEO REPORT

Nil.

9. PEOPLE AND COMMUNITY

Nil.

10. TRANSPORT AND PARKING

Nil.



11. SUSTAINABILITY

Nil.

12. PLANNING

Nil.

13. ARTS CULTURE & ECONOMIC DEVELOPMENT

Nil.

14. ORGANISATIONAL PERFORMANCE

14.1 Notice of Intention to Lease (Finalise) - Lease with South Melbourne Life Saving Club

Purpose

- 1.1 To seek Council's approval to complete the statutory procedures for the proposed lease (**proposed tenancy agreement**) to South Melbourne Life Saving Club Inc (**Tenant**) at 72B Beaconsfield Parade, Albert Park.

MOVED Crs Crawford/Gross

That Council:

- 3.1 Not having received any submissions in response to a Notice of Intention to Lease the Premises identified below, resolves to conclude the statutory procedures under sections 190 and 223 of the *Local Government Act 1989* (Vic) (Act) and approves the following proposed tenancy agreement with key terms summarised as follows:

Tenant	South Melbourne Life Saving Club Inc
Premises	72B Beaconsfield Parade, Albert Park
Permitted Use	Lifesaving and ancillary activities
Commencement Date	1 August 2020
Term	Five (5) years
Rent	\$145,000 per annum plus GST discounted to \$104 per annum plus GST to help support the continuous provision of lifesaving services and water safety programs to the community
- 3.2 Notes that the Tenant has raised concerns regarding the lease terms, but given these terms were previously agreed and consulted on, Council authorises the Chief Executive or delegate to execute the tenancy agreement on the proposed terms above;
- 3.3 Notes that the tenancy agreement will be subject to defined club and facility specific community benefits, including an agreed level of non-club related activities and maximum use by Albert Park College of up to 5 days per week;



- 3.4 Notes that the Tenant will be responsible for the payment of all outgoings including reimbursement of the building insurance premium and any on-going general maintenance costs.

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross, Pearl and Simic

AGAINST: Nil

The MOTION was CARRIED unanimously.

14.2 Presentation of Annual Report - Palais Theatre Year 3

Purpose

- 1.1 To present the Annual Report as required by the Lease for the activities undertaken by Live Nation at Palais Theatre for the period ended 31 March 2020.

MOVED Crs Crawford/Bond

That Council:

- 3.1 Accepts and notes the Palais Theatre Annual Report and declares it is satisfied with the activities undertaken by Live Nation for the period ended 31 March 2020.

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross, Pearl and Simic

AGAINST: Nil

A vote was taken and the MOTION was CARRIED unanimously.

14.3 Adoption of Governance Rules and Election Period Policy

Purpose

- 1.1 To present to Council for adoption the proposed:
- 1.1.1 Governance Rules, required under section 60 of the Local Government Act 2020; and
 - 1.1.2 Election Period Policy, required under section 69 of the Local Government Act 2020.

MOVED Crs Gross/Copsey

That Council:

- 3.1 Adopts the Governance Rules, required under section 60 of the Local Government Act 2020 (Attachment 1);
- 3.2 Adopts the Election Period Policy, required under section 69 of the Local Government Act 2020 (Attachment 2);



- 3.3 Delegates authority to the Chief Executive Officer to make minor amendments to the documents to correct drafting errors that do not materially alter the intent of the policy.
- 3.4 Revokes on 1 September 2020 the Meeting Procedure Local Law No. 2/2019 made by Council on 18 September 2019.

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross, Pearl and Simic

AGAINST: Nil

The MOTION was CARRIED unanimously.

14.4 Adoption of Public Transparency Policy

Purpose

- 1.1 This report presents to Council a summary of feedback received through community consultation on the draft Public Transparency Policy and recommends adoption of the Policy required under section 57 of the Local Government Act 2020.

MOVED Crs Baxter/Pearl

That Council:

- 3.1 Adopts the proposed Public Transparency Policy required under section 57 of the Local Government Act 2020 (Attachment 1).
- 3.2 Thanks those who gave feedback for their contribution.
- 3.3 Delegates authority to the Chief Executive Officer to make minor amendments to the documents to correct drafting errors that do not materially alter the intent of the policy.

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross, Pearl and Simic

AGAINST: Nil

The MOTION was CARRIED unanimously.

14.5 Adoption of interim Councillor Expenses and Support Policy

Purpose

- 1.1 To present the interim Councillor Expenses and Support Policy for endorsement which is required to be adopted by 1 September 2020 under the Local Government Act 2020 (the Act).
- 1.2 To recommend a community engagement process be undertaken prior to commencement of the Caretaker period, and feedback received through this process be presented to the new Council for consideration before reviewing and adopting the Councillor Expense Policy as one of its priority items of business.

MOVED Crs Copsey/Simic

That Council:

- 3.1 Adopts interim Councillor Expenses and Support Policy, required under Section 41 of the Local Government Act 2020 (Attachment 1).



- 3.2 Endorses a community engagement process on the interim Councillor Expenses and Support Policy be undertaken prior to commencement of the Caretaker period.
- 3.3 Endorses the presentation of feedback received through the community engagement process to the new Council elected at the 2020 general election, for consideration before reviewing and adopting the Councillor Expense Policy as one of its priority items of business.
- 3.4 Delegates authority to the Chief Executive Officer to make minor amendments to the document to correct drafting errors that do not materially alter the intent of the policy.

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross, Pearl and Simic

AGAINST: Nil

The MOTION was CARRIED unanimously.

14.6 Delegation to the CEO under the Local Government Act 2020

Purpose

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

MOVED Crs Crawford/Voss

That Council:

- 3.1 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.
- 3.2 Affixes the common seal of Council to the Instrument of Delegation to the Chief Executive Officer.
- 3.3 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.
- 3.4 Revokes the current Instrument of Delegation to the Chief Executive Officer dated 6 September 2017 upon the coming into force of the Instrument.
- 3.5 Notes that the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any policies of Council that it may from time to time adopt.

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross, Pearl and Simic

AGAINST: Nil

The MOTION was CARRIED unanimously.



14.7 Establish the Planning Delegated Committee under the Local Government Act 2020

Purpose

- 1.1 To re-establish the Statutory Planning Committee (the Committee) as a Delegated Committee from 1 September 2020, to bring its governance structure in line with the requirements of section 63 of the *Local Government Act 2020* (the Act).

MOVED Crs Gross/Pearl

That Council:

- 3.1 Approves the establishment of the City of Port Phillip Statutory Planning Committee (the Planning Committee) as a Delegated Committee pursuant to section 63 of the Local Government Act 2020.
- 3.2 Delegates to the members of the Planning Committee the powers, duties and functions set out in the Instrument of Delegation (Attachment 1).
- 3.3 Affixes the Common Seal of the Port Phillip City Council to the Instrument of Delegation, which:
 - 3.3.1 comes into force on 1 September 2020; and
 - 3.3.2 remains in force until Council determines to vary or revoke it.

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross, Pearl and Simic

AGAINST: Nil

The MOTION was CARRIED unanimously.

14.8 Establish the IMAP Joint Delegated Committee under the Local Government Act 2020

Purpose

- 1.1 To re-establish the Inner Melbourne Action Plan (IMAP) Implementation Committee (the Committee) as a Joint Delegated Committee from 1 September 2020, to bring its governance structure in line with the requirements of section 64 of the *Local Government Act 2020* (LGA 2020); and to update the membership of the Committee, with immediate effect.

MOVED Crs Crawford/Brand

That Council:

- 3.1 Approves the establishment of a Joint Delegated Committee called the Inner Melbourne Action Plan Implementation Committee (the Committee) pursuant to section 64 of the Local Government Act 2020 (LGA 2020) jointly with the City of Port Phillip, and the City of Melbourne, the City of Yarra, the City of Stonnington and the Maribyrnong City Council.
- 3.2 By Instrument of Delegation pursuant to section 11(1) of the LGA 2020, delegates to the members of the Joint Delegated Committee the powers, duties and functions



relevant to the Committee's governance arrangements in accordance with the Instrument of Delegation, Schedule and Terms of Reference in Attachment 1.

3.3 Affixes the Common Seal of the Port Phillip City Council to the Instrument of Delegation, and notes that the Delegation:

3.3.1 comes into force on 1 September 2020; and

3.3.2 remains in force until Council determines to vary or revoke it.

3.4 Appoints as voting members of the Committee, effective immediately, the persons from time to time holding the positions of:

Chair, City of Melbourne Future Melbourne (Planning) Committee

Mayor, City of Port Phillip

Mayor, City of Stonnington

Mayor, City of Yarra

Mayor, Maribyrnong City Council

Chief Executive Officer, City of Melbourne

Chief Executive Officer, City of Port Phillip

Chief Executive Officer, City of Stonnington

Chief Executive Officer, City of Yarra

Chief Executive Officer, Maribyrnong City Council

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Crawford, Gross and Simic

AGAINST: Cr Pearl

The MOTION was CARRIED.

14.9 Council Plan and Budget 2020/21: Adoption

Purpose

1.1 For Council to formally consider and respond to public submissions and adopt the updated Council Plan 2017-27, including the Budget 2020/21.

PART 1

MOVED Crs Gross/Brand

That Council:

3.1 Notes that the financial changes identified and incorporated into the Budget 2020/21 in Attachment 1 of this report.

3.2 Notes that the community engagement findings summarised in Section 5 and detailed in Attachment 2 of this report.

The vote was taken under DIVISION.

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

AGAINST: Crs Bond and Pearl

The MOTION was CARRIED.



PART 2

MOVED Crs Copsey/Crawford

That Council:

- 3.3 Agrees to suspend the 2021 St Kilda Festival and quarantines the \$1.7 million savings in reserve for a one-off spend on economic and cultural recovery activities – to be determined by Council at later date when impacts are better known and restrictions ease.

The vote was taken under DIVISION.

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

AGAINST: Crs Bond and Pearl

The MOTION was CARRIED.

PART 3

Moved Crs Gross/Voss

That Council:

- 3.4 Having considered all the submissions received and heard at the Ordinary Meeting of Council on 5 August 2020, and having completed its budget deliberations, Council agrees to include in the Budget 2020/21 the following:
- 3.4.1 Reactivate Fitzroy Street – match \$75,000 funding by the Fitzroy Street Trading Association to reactivate Fitzroy Street in the post-COVID-19 recovery period by filling vacant stores on Fitzroy Street.
 - 3.4.2 Mechanisms that support and promote businesses within the City of Port Phillip and encourage visitation particularly – establish a Business Advisory Group, consisting of representatives from across the Municipality and Councillors (\$0).
 - 3.4.3 St Kilda Junction accessibility improvements - allocate \$100,000 (to be funded from the Sustainable Transport Reserve) to address the highest priority DDA and accessibility issues in and around the Junction.
 - 3.4.4 St Kilda Road Temporary Protected Bike Lanes – advocate to Victorian Government to fund and deliver temporary bike lanes. Impact to Council would be \$93,000 in reduced parking revenue due to temporary removal of parking spaces.
 - 3.4.5 Shimmy Bike Routes – allocate \$150,000 (to be funded from the Sustainable Transport Reserve) to develop informal bike riding routes to connect to local shopping strips.

Amendment

Moved Crs Copsey/Crawford

Amends 3.4.5 to read:

- 3.4.5 Shimmy Bike Routes – allocate \$150,000 (to be funded from the Sustainable Transport Reserve) to develop informal bike riding routes to connect to local shopping strips, being
- a. Elwood to St Kilda East and Prahran (Dickens Street, Westbury Street, Carlisle Street, Williams Street and Nightingale Street).



- b. Elwood to St Kilda (Beach Street, Broadway, Mitford Street, Blessington Street, Shakespeare Grove and Acland Street).
- c. St Kilda to Albert Park and South Melbourne (Richardson Street, Longmore Street, Cowderoy Street, York Street and Loch Street).

Adds a new 3.4.6:

3.4.6 Provides additional funding for bike infrastructure delivery, as follows:

- 3.4.6.1 Installation of a temporary protected bike lane on Park Street between Moray Street and Kings Way (through line marking and flexi bollards) being Stage One of the Park Street Bike Link to extend to St Kilda Road (\$150,000).
- 3.4.6.2 A Council contribution to the development of temporary central safety improvements for bike riders along St Kilda Road, from St Kilda Junction toward the CBD, subject to State Government funding the balance (\$280,000)
- 3.4.6.3 A Council contribution to the development of temporary safety improvements for bike riders along Jacka Boulevard and Beaconsfield Parade, subject to State Government funding the balance (\$250,000)

The vote was taken under DIVISION.

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

AGAINST: Cr Bond

ABSTAINED: Cr Pearl

The AMENDMENT was CARRIED.

Amendment

Moved Crs Voss/Brand

3.4.6.4 Notes that the additional Bike projects will be funded from the Sustainable Transport Reserve

The vote was taken under DIVISION.

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

AGAINST: Cr Bond

ABSTAINED: Cr Pearl

The AMENDMENT was CARRIED.

PART 3 - Substantive Motion

That Council:

3.4 Having considered all the submissions received and heard at the Ordinary Meeting of Council on 5 August 2020, agrees to include in the Budget 2020/21 the following:

- 3.4.1 Reactivate Fitzroy Street – match \$75,000 funding by the Fitzroy Street Trading Association to reactivate Fitzroy Street in the post-COVID-19 recovery period by filling vacant stores on Fitzroy Street.
- 3.4.2 Mechanisms that support and promote businesses within the City of Port Phillip and encourage visitation particularly – establish a Business Advisory



Group, consisting of representatives from across the Municipality and Councillors (\$0).

- 3.4.3 St Kilda Junction accessibility improvements - allocate \$100,000 (to be funded from the Sustainable Transport Reserve) to address the highest priority DDA and accessibility issues in and around the Junction.
- 3.4.4 St Kilda Road Temporary Protected Bike Lanes – advocate to Victorian Government to fund and deliver temporary bike lanes. Impact to Council would be \$93,000 in reduced parking revenue due to temporary removal of parking spaces.
- 3.4.5 Shimmy Bike Routes – allocate \$150,000 (to be funded from the Sustainable Transport Reserve) to develop informal bike riding routes to connect to local shopping strips, being
 - a. Elwood to St Kilda East and Prahran (Dickens Street, Westbury Street, Carlisle Street, Williams Street and Nightingale Street).
 - b. Elwood to St Kilda (Beach Street, Broadway, Mitford Street, Blessington Street, Shakespeare Grove and Acland Street).
 - c. St Kilda to Albert Park and South Melbourne (Richardson Street, Longmore Street Cowderoy Street, York Street and Loch Street).
- 3.4.6 Provides additional funding for bike infrastructure delivery, as follows:
 - 3.4.6.1 Installation of a temporary protected bike lane on Park Street between Moray Street and Kings Way (through line marking and flexi bollards) being Stage One of the Park Street Bike Link to extend to St Kilda Road (\$150,000).
 - 3.4.6.2 A Council contribution to the development of temporary *central* safety improvements for bike riders along St Kilda Road, from *St Kilda Junction* toward the CBD, subject to State Government funding the balance (\$280,000)
 - 3.4.6.3 A Council contribution to the development of temporary safety improvements for bike riders along *Jacka Boulevard and Beaconsfield Parade*, subject to State Government funding the balance (\$250,000)
 - 3.4.6.4 Notes that the additional Bike projects will be funded from the Sustainable Transport Reserve

The vote was taken under DIVISION.

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

AGAINST: Crs Bond and Cr Pearl

The MOTION was CARRIED.

PART 4

MOVED Crs Baxter/Copsey

- 3.5 Having considered all the submissions received and heard at the Ordinary Meeting of Council on 5 August 2020, and considered the online survey and focus group findings, agrees to:



- 3.5.1 Reinstate the Afternoon Litter Bin Service (\$32,000)
- 3.5.2 Proceed with the other service level changes identified in the draft Budget 2020/21 noting this is a strategic response in continuing to be financially sustainable while maintaining assets and services, responding to growth, and delivering on priorities.

The vote was taken under DIVISION.

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

AGAINST: Crs Bond and Pearl

The MOTION was CARRIED.

The Mayor advised that the meeting would be adjourned for a short break to allow officers to address a process issue. The meeting adjourned at 9.12pm.

The meeting resumed at 9.26pm.

PART 5

Councillor Crawford declared an indirect interest by way of conflicting duties due to being on the Board of Napier St Aged Care, listed as one of several initiatives within the Business Safety and Accessibility Program, and left the meeting at 9.27pm.

MOVED Crs Pearl/Copsey

- 3.6 Endorses the Building Safety and Accessibility Program expenditure detailed in the Council Plan and Budget 2020/21

The vote was taken under DIVISION.

FOR: Crs Bond, Voss, Baxter, Brand, Copsey, Gross, Pearl and Simic

AGAINST: Nil

The MOTION was CARRIED.

The Mayor asked that the meeting be addressed regarding the process issue identified by officers.

Kirsty Pearce, Coordinator Governance, advised that officers had identified an error in the consideration of an amendment to part 3 of the motion which was inconsistent with the requirements of the Meeting Procedure. Officers apologised that the error was not identified at the time, and requested Councillors consider an officer recommendation that corrects the error and reconfirms the wording of the amendment moved.

PART 6

Moved Gross/Copsey

That Council:

- Notes that the vote on item 3.4.6.4 does not comply with the Meeting Procedure Local Law
- Confirms amendment item 3.4.6.4: Notes that the additional Bike projects will be funded from the Sustainable Transport Reserve

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The vote was taken under DIVISION.

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

AGAINST: Cr Bond

ABSTAIN: Cr Pearl

The MOTION was CARRIED.

PART 7

Moved Crs Gross/Voss

That Council:

3.7 Adopts the updated Council Plan 2017-27, which includes the Strategic Resource Plan and Budget 2020/21, pursuant to ss125-127 of the Local Government Act 1989, as set out in Attachment 4, parts 1-3, with the following amendment:

3.7.1 changes to the income statement and the income statement converted to cash on pages 200 and 201, to correct omissions to figures that occurred in the conversion of the budget document to its final design format.

3.8 Delegates authority to the CEO to reflect any changes made by Council at tonight's meeting, which are not reflected in Attachment 4, and to make minor typographical corrections or changes to images before final publication.

3.9 Responds in writing to those that have made formal written submissions, to advise them of the outcome of Council's decision as set out in Attachment 3.

3.10 Notes that the adopted Council Plan 2017-27 including Budget 2020/21 will be sent to the Minister for Local Government before 17 September 2020.

Cr Crawford returned to the meeting at 9.53pm.

Amendment

Moved Crs Pearl/Baxter

3.11 Requests Officers to develop a response to the Commonwealth Government's invitation for "2020-21 Pre-Budget Submissions" that:

- a) advocates for initiatives aligned with Port Phillip's Council Plan that are the responsibility of the Commonwealth or relating funding commitments made by the Commonwealth relevant to Port Phillip City Council, such as the South Melbourne Town Hall
- b) is submitted by the CEO under delegated authority by the 24th of August 2020

The vote was taken under DIVISION.

FOR: Crs Voss, Baxter, Brand, Copsey, Gross, Bond and Pearl

ABSTAIN: Crs Simic and Crawford

The AMENDMENT was CARRIED.



PART 7 - Substantive Motion

That Council:

- 3.7 Adopts the updated Council Plan 2017-27, which includes the Strategic Resource Plan and Budget 2020/21, pursuant to ss125-127 of the Local Government Act 1989, as set out in Attachment 4, parts 1-3, with the following amendment:
 - 3.7.1 changes to the income statement and the income statement converted to cash on pages 200 and 201, to correct omissions to figures that occurred in the conversion of the budget document to its final design format.
- 3.8 Delegates authority to the CEO to reflect any changes made by Council at tonight's meeting, which are not reflected in Attachment 4, and to make minor typographical corrections or changes to images before final publication.
- 3.9 Responds in writing to those that have made formal written submissions, to advise them of the outcome of Council's decision as set out in Attachment 3.
- 3.10 Notes that the adopted Council Plan 2017-27 including Budget 2020/21 will be sent to the Minister for Local Government before 17 September 2020.
- 3.11 Requests Officers to develop a response to the Commonwealth Government's invitation for "2020-21 Pre-Budget Submissions" that:
 - a) advocates for initiatives aligned with Port Phillip's Council Plan that are the responsibility of the Commonwealth or relating funding commitments made by the Commonwealth relevant to Port Phillip City Council, such as the South Melbourne Town Hall
 - b) is submitted by the CEO under delegated authority by the 24th of August 2020

The vote was taken under DIVISION.

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

AGAINST: Crs Bond and Pearl

The MOTION was CARRIED.

14.10 Declaration of Rates and Charges - 1 July 2020 to 30 June 2021

Purpose

- 1.1 To seek Council's declaration of the rates and charges of the City of Port Phillip for 2020/21 in accordance with the provisions of *Section 158 of the Local Government Act 1989*.

MOVED Crs Crawford/Gross

That Council:

- 3.1 Declares an amount of \$131,806,760 to be raised by general rates and service charges for the period 1 July 2020 to 30 June 2021, as required by *Section 158 of the Local Government Act 1989*.
- 3.2 Declares a uniform general rate in the dollar of 3.7282 cents in the dollar on the 2020 Net Annual Value of all rateable properties within the municipality.

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- 3.3 Declares an annual garbage charge of \$338 per tenement on all non-rateable properties that receive waste management services from the City of Port Phillip.
- 3.4 Declares an annual garbage bin surcharge of \$188 for tenements that are provided with a 240-litre bin for the collection of non-recyclable waste.
- 3.5 Declares the properties on Attachment 1 to be "Recreational Lands" and that the level of charges for these properties be set in accordance with percentages of the general rate also shown on Attachment 1.
- 3.6 Grants a rebate equivalent to half the general rate for the elderly persons flats as outlined in Attachment 2, in accordance with the agreement between Council and the Ministry of Housing.
- 3.7 Subject to the consent of the Minister for Local Government, treats any person(s) who has been excused the prescribed amount of the general rate for the year ending 30 June 2020 in accordance with the *State Concessions Act 2004* as being similarly eligible for 2020/21.
- 3.8 Grants a Council rebate of \$175 (maximum) to those persons who satisfy eligibility requirements noting that the total value of the combined State Government rebate of approximately \$241 (maximum) and Council rebate will not exceed 50% of the general rate payable for the financial year.
- 3.9 Adopts the penalty interest rate in accordance with the *Penalty Interest Rates Act 1983* at the prescribed rate (10%) as at 1 July 2020 fixed by the Governor in Council for general rates and charges that remain unpaid after the payment dates prescribed by the Governor in Council.
- 3.10 Notes ratepayers who have been assessed as being in financial hardship, due to the COVID19 Pandemic, will be eligible for interest free payment plans and deferment, in conjunction with Council's revised Rates and Charges Hardship Policy.
- 3.11 Confirms the previously declared special rate schemes for 2020/21:

Special Rate Scheme	Annual Amount
Port Melbourne Business Precinct Marketing, Management and Business Development	Maximum \$260,000
Fitzroy Street and Environs Business Precinct Marketing, Management and Business Development	Maximum \$216,700
Acland Street Village Business Precinct Marketing, Management and Business Development	Maximum \$195,000

- 3.12 Takes into consideration the impacts of COVID-19 on our community with a later date declaration of rates and charges than prior financial years, and adopts the following payment dates and due dates:

Payment Type Description	Due Date	Interest from
Full payment	15 Feb, 2021	Same as instalments

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1 st Instalment	30 Sept, 2020	16 October, 2020
2 nd Instalment	30 Nov, 2020	1 December 2020
3 rd Instalment	28 Feb, 2021	1 March, 2021
4 th Instalment	31 May, 2021	1 June, 2021

3.13 Authorises the Coordinator Revenue and Valuations to collect all rates and charges and the Fire Services Property Levy.

The vote was taken under DIVISION.

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

AGAINST: Crs Bond and Pearl

The MOTION was CARRIED.

15. NOTICES OF MOTION

Nil.

16. REPORTS BY COUNCILLOR DELEGATES

Councillor Pearl reported on the South Melbourne Market: I serve at the Council's privilege and behest on the Markets Committee. It's a very difficult time at the market at the moment for our general merchandise traders who are not open at all, although they are very privileged to be receiving rate relief from the Council's Budget. There's a significant draw on Council this year in terms of resources this year for the Market with a deficit being subsidised by ratepayers of over \$2 million, that's not something that is held lightly by the traders, or committee at all.

What has been interesting to see, is the decrease in visitation as we've gone into stage four restrictions. On one hand it's devastating the reduction in people flowing through the market, of about 55% on normal trading. But it is also quite remarkable to see that 45% of people live within 5K of that market, and it really has shown what an important asset the market is and how we need to continue to invest in the market for future generations.

I just thought it was worthwhile updating you on the financial situation which you're all aware of. But also an update on visitation situation which is concerning, but I think we will get out of stage four restrictions hopefully very soon, and we will welcome our friends and family back to the market. The visitation will go back up to a more sustainable level and hopefully that will start to spur on our local economy. At the moment, the numbers are down substantially, today was a very quiet day for example but the market numbers are reasonably resilient considering only people within a 5K radius are able to attend.

17. URGENT BUSINESS

Nil.

18. CONFIDENTIAL MATTERS

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Nil.

As there was no further business the meeting closed at 10.50pm.

Confirmed: 2 September 2020

Chairperson _____