



ORDINARY MEETING OF COUNCIL

MINUTES

15 AUGUST 2018



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**MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP
CITY COUNCIL HELD 15 AUGUST 2018 IN ST KILDA TOWN HALL**

The meeting opened at 6:30pm.

PRESENT

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

IN ATTENDANCE

Peter Smith, Chief Executive Officer; Lili Rosic, Acting General Manager Place Strategy and Development; Carol Jeffs, 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, Anthony Savenkov, Senior Property Project Manager, Joanne McNeill, Manager Asset Management and Property, Katrina Terjung, Manager Strategy and Growth, Adele Denison, Coordinator Festivals, Sally Jones, Manager Cultural and Economic Development, Janelle Bryce, Manager Family, Youth and Children, Entsar Hamid, Program Director Service Transformation.

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

MOVED Crs Simic/Baxter

That apologies be received and a leave of absence granted to Councillors Voss and Brand.

A vote was taken and the MOTION was CARRIED.

2. CONFIRMATION OF MINUTES

MOVED Crs Bond/Baxter

That the minutes of the Ordinary Meeting of the Port Phillip City Council held on 1 August 2018 be confirmed.

A vote was taken and the MOTION was CARRIED.



3. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

4. PETITIONS AND JOINT LETTERS

Item 4.1 – Response to Gasworks Park Fence Petition

A Petition/Joint Letter containing 53 signatures was received from Mr Ian Adair and presented to a Council Meeting on 4 July 2018.

Cr Gross asked whether there was any evidence on how many dogs have been killed or injured escaping from the park.

Fiona Blair, General Manager Infrastructure and Amenity advised that this question would be taken on notice.

MOVED Crs Bond/Copsey

That Council:

1. Notes the petition
2. Advises the petitioner, Mr Ian Adair, that:
 - 2.1 Council will not be installing fencing in Gasworks Arts Park for the purpose of a dog off-leash area at this time.
 - 2.2 The petition will be considered as part of community consultation scheduled to occur in 2019 on the draft Park Plan that Council is currently developing for Gasworks Arts Park.
 - 2.3 There will be future opportunities for broad community consultation on fencing in public open spaces as part of Council's consultation on the new Public Space Strategy.
 - 2.4 The nearest fenced dog off-leash area is Eastern Reserve North in South Melbourne, approximately 1.7 kilometres from Gasworks Arts Park, which is a designated dog off-leash area between 7am and 3pm.

A vote was taken and the MOTION was CARRIED.



5. SEALING SCHEDULE

Nil.

6. PUBLIC QUESTION TIME

Nil.

7. COUNCILLOR QUESTION TIME

Nil.

8. PRESENTATION OF CEO REPORT

Nil.



9. PEOPLE AND COMMUNITY

9.1 46-58 Marlborough Street, Balaclava - intention to sell - consideration of submissions

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

Amanda Gilbert

Ms Gilbert stated that she supported the proposal but has concern on the size and scope of the proposed future development at the site and asked whether there would be consideration given to the development prior to sale of the site.

Cr Gross stated that the planning aspects of this development are an independent process to the proposed sale. The planning process will be discussed at a later date, and planning considerations are not relevant to the decision before Councillors in this agenda item.

Paul Delany

Mr Delany raised concern with the various stages of the process, including the current stage of the proposal. Mr Delany then presented a conceptual design of what he believes the development will look like once completed.

Nigel Hurd

Mr Hurd spoke of his support of social housing and the work of HousingFirst, but expressed concerns on the potential size and scale of the development and the negative impact on surrounding neighbours. Mr Hurd asked why Council has not considered resident submissions.

Geoffrey Love

Mr Love spoke in support of the proposed development and described his positive experiences as a tenant of a HousingFirst property. Mr Love urged Council to adopt the officer's recommendation.

Brad McCormick

Mr McCormick spoke of his support of social housing and the work of HousingFirst, but expressed concerns around the planning aspects of the proposed development. Mr McCormick asked how a decision can be made on the sale if Council does not know what the outcome is going to be, and how can Council determine that this is the best outcome for the community housing if it doesn't know what it is going to look like?

Melanie O'Farrell

Ms O'Farrell stated her support for social housing, and raised concern around Council selling the land without responding to the feedback from the neighbourhood. Ms O'Farrell raised issues around the transparency of the process, loss of amenity in the street for residents, impacts on parking and a lack of consideration from Council.



Christine Walker

Ms Walker spoke in objection to the proposed sale of land. Ms Walker spoke to the history of the site and proposed use, together with the development of other social housing developments in the surrounding area. Ms Walker raised concern that Marlborough Street is being used to provide a significant amount of social housing in the area.

Jonathan Guttman

Mr Guttman spoke in support of the officer's recommendation and noted the importance of Council's support of social housing and inclusiveness. Mr Guttman highlighted the value of the site for residents who rely on public transport. Mr Guttman commended the inclusion of point 3.3 of the recommendation regarding the plan for social enterprise as a community benefit.

Purpose

- 1.1 To consider the submissions received in response to a notice published in accordance with section 189 of *the Local Government Act 1989* advising of City of Port Phillip's intention to sell land at 46-58 Marlborough Street, Balaclava, and to determine whether to proceed with the conditional sale of that land.

MOVED Crs Copsey/Baxter

That Council:

- 3.1 Approves and adopts the proposal to sell land at 46-58 Marlborough Street, Balaclava, excluding any part of that land to be vested in Council ("Land"), to HousingFirst (formerly Port Phillip Housing Association) in its capacity as Trustee of the Port Phillip Housing Trust ("Housing First"), on the following terms:
 - 3.1.1 the consideration is HousingFirst entering into the contact of sale (Contract) and the agreement pursuant to section 173 of the Planning & Environment Act 1987 (173 Agreement);
 - 3.1.2 settlement of the Contract will occur on the later of:
 - (a) 14 days of the date of practical completion of the development of the Land; and
 - (b) registration of a plan of subdivision in respect of the Land;
 - 3.1.3 the Contract is conditional upon HousingFirst;
 - (a) obtaining a planning permit for the development of the Land; and
 - (b) achieving practical completion of the development
 - 3.1.4 as a condition of the sale, HousingFirst must enter into the 173 Agreement which requires:
 - (a) the owner of the Land to be a registered housing agency; and
 - (b) the provision of affordable housing on the Land.
- 3.2 Provide direct responses to all submitters, advising of the decision to sell the land, and the reason(s) for the decision.

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- 3.3 Notes the intention of HousingFirst is to use the area shown as “Commercial” in the concept plan for social enterprise for the benefit of the community.

Cr Pearl called for the vote to be taken as a DIVISION.

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

AGAINST: Crs Bond and Pearl

A vote was taken and the MOTION was CARRIED.



9.2 Children's Services Policy - Draft Policy Objectives

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

Leonie Miller

Ms Miller spoke on behalf of the Committee of Management at The Avenue Childrens Centre and Kindergarten, and as the Grandmother of a childcare attendee. Ms Miller spoke to the social benefits of community child care centres, the requirement of funding for necessary upgrades and the willingness of the Centre to work with Council to develop a co-funding arrangement to finance the required upgrades.

Purpose

- 1.1 To provide Council and the community with the outcomes of Stage 1 consultation and proposed key policy objectives for the Children's Services Policy.

MOVED Crs Crawford/Pearl

That Council:

- 3.1 hears and considers submissions from the community on the draft policy objectives.

A vote was taken and the MOTION was CARRIED.

10. TRANSPORT AND PARKING

Nil.

11. SUSTAINABILITY

Nil.

12. PLANNING

Nil.



13. ARTS CULTURE & ECONOMIC DEVELOPMENT

13.1 Itinerant Trading Outdoor Cooking Station Trial - Mid Year Update

Purpose

- 1.1 To update Councillors on the temporary outdoor cooking station trial and propose a 12-month extension to its expiry, from 30 September 2018 to 30 September 2019.

MOVED Crs Copsey/Simic

That Council:

- 3.1 Supports a 12-month extension of the outdoor cooking station trial until 30 September 2019.
- 3.2 Continues to advertise for Expressions of Interest for the outdoor cooking station trial, throughout the trial period, until ten (10) temporary outdoor cooking station permits have been issued.

A vote was taken and the MOTION was CARRIED.

13.2 St Kilda Festival Operational Plan and Sponsorship Policy

Purpose

- 1.1 To present the draft St Kilda Festival Operational Plan and draft St Kilda Festival Sponsorship Policy for adoption.

MOVED Crs Simic/Copsey

That Council:

- 3.1 Endorses the St Kilda Festival Operational Plan 2019 – 2021
- 3.2 Endorses the St Kilda Festival Sponsorship Policy 2018
- 3.3 Thanks the community for participating in the survey regarding St Kilda Festival and acknowledges the results
- 3.4 Authorises the General Manager Community and Economic Development to make minor amendments to finalise and make the document available.

A vote was taken and the MOTION was CARRIED.



13.3 Cultural Development Fund 2018-19 Supplementary Grant Recommendations

Purpose

- 1.1 To present a list of recommended Cultural Development Fund grant recipients for 2018-19 (round two) for Council's consideration and approval

MOVED Crs Copsey/Simic

That Council:

- 3.1 Endorses the Cultural Development Fund Committee supplementary round recommendations, for awarding the Cultural Development Fund grants for 2018-19.
- 3.2 Adds the list of recipients to the publicly available list for the Cultural Development Fund grants 2018-19.

A vote was taken and the MOTION was CARRIED unanimously.



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 Pearl/Baxter

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.

LATE REPORT – Extension of term for independent members of South Melbourne Market Committee

MOVED Crs Simic/Pearl

That Council:

- 3.1 Extends the term of the South Melbourne Market Committee independent members, Violetta Hartley and Andrew Brough up to 28 February 2019.
- 3.2 Notifies the independent committee members that their term will be extended up to 28 February 2019, and formally records their acceptance of the extended appointment.
- 3.3 Notes that South Melbourne Market Committee Charter and governance structure is being reviewed and the terms of Committee members may be reviewed at a future Council meeting.

A vote was taken and the MOTION was CARRIED.

15. NOTICES OF MOTION

Nil.



16. REPORTS BY COUNCILLOR DELEGATES

Councillor Gross reported the passing of Mr Graham Bride, foundation member and past president of the Port Melbourne Historical and Preservation Society and expressed condolences to Margaret Bride and her family. Cr Gross stated that Mr Brides contribution to Port Melbourne and the City of Port Phillip will be felt for many years to come.

Councillor Baxter reported to Council in his capacity of delegate to the Friends of Suai/Covalima group who will be hosting a film night fundraiser on the 30th of August to raise funds for providing scholarships and renewable energy for people in rural East Timor. Cr Baxter encouraged people to attend this event.

17. URGENT BUSINESS

The Mayor asked for any matters of Urgent Business. Cr Simic raised an item on the new governance structure to coordinate delivery of the Fishermans Bend urban renewal area announced Friday 10 August 2018.

MOVED Crs Simic/Baxter

That Council consider the matter as urgent business.

A vote was taken and the MOTION was CARRIED.

MOVED Crs Simic/Baxter

That Council:

1. Gratefully acknowledges the inclusion of Council in the State Government interdepartmental committees, commits to contributing cooperatively and respectfully within these structures, and acknowledges the potential for efficient joined-up government that this unprecedented structure may allow if Council will be able to meaningfully contribute through its representatives;
2. Notes the new 'Fishermans Bend Development Board' and 'Mayor's Panel' structure which, while it is not the governance structure previously advocated for by Council, may also have the potential to coordinate Fishermans Bend development well, but only if the 'Mayor's Panel' meets in the lead up to the 'Development Board' meetings and is a genuinely representative mechanism that imparts the full expertise and opinion of Council, facilitated by robust and significant two-way information flows with appropriate controls in place;
3. Continues to emphasise that genuine and open community consultation on the future of Fishermans Bend is essential, and trusts that all participants in the new governance structure, which is overwhelmingly made up of non-elected representatives and so must earn its democratic legitimacy, will be committed to the same; and

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4. Regrettably acknowledges that funding and finance details have not been released alongside the governance framework and this is of key concern of Council. A plan is essential to convey confidence that infrastructure is affordable, and that financing arrangements will provide the 'cash flow' to deliver catalyst infrastructure in a timely manner.
5. Requests the CEO write to Ministers Jennings, Wynne and Foley, and the Development Board Chair Meredith Sussex AM, with a copy of this resolution and a message of commitment to working cooperatively with the State Government on Fishermans Bend urban renewal.

A vote was taken and the MOTION was CARRIED.

Cr Bond called for a DIVISION.

FOR: Crs Baxter, Copsey, Gross and Simic

AGAINST: Crs Bond, Crawford and Pearl

A vote was taken and the MOTION was CARRIED.

18. CONFIDENTIAL MATTERS

Nil.

As there was no further business the meeting closed at 8.30pm.

Confirmed: 5 September 2018

Chairperson _____