



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

2 NOVEMBER 2022



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**MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL
HELD 2 NOVEMBER 2022 IN PORT MELBOURNE TOWN HALL AND
VIRTUAL VIA WEBEX**

The meeting opened at 6:30pm.

IN ATTENDANCE

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

Chris Carroll, Interim Chief Executive Officer, Kylie Bennetts, General Manager City Growth and Development, Allison Kenwood, General Manager Community Wellbeing and Inclusion, Brian Tee, Acting General Manager Customer Operations and Infrastructure, Claire Stevens, General Manager Governance and Organisational Capability, Joanne McNeill, Executive Manager Governance and Organisational Performance, Xavier Smerdon, Head of Governance, Peter Liu, Chief Financial Officer, Carlene Harlock, Coordinator Friends of Suai/Covalima, Samuel Yeo, Council Business Officer, Mitch Gillett, Workplace Experience Lead.

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.

REQUESTS TO ATTEND BY ELECTRONIC MEANS

MOVED Crs Pearl/Cunsolo

That Council approves the request to attend the meeting electronically received from Councillor Crawford.

A vote was taken and the MOTION was CARRIED unanimously.

1. APOLOGIES

An apology was received from Councillor Bond.

MOVED Crs Pearl/Cunsolo

That Council accepts the apology received from Councillor Bond.

A vote was taken and the MOTION was CARRIED unanimously.

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Leave of Absence – Councillor Copsey

The Chief Executive Officer advised that a request for a leave of absence has been received from Cr Katherine Copsey from 10 November 2022 to 28 November 2022 inclusive.

MOVED Crs Pearl/Martin

That Council grant a leave of absence from all official duties to Cr Katherine Copsey for the period 10 November 2022 to 28 November 2022 inclusive.

A vote was taken and the MOTION was CARRIED unanimously.

2. CONFIRMATION OF MINUTES

MOVED Crs Pearl/Martin

That the minutes of the Meeting of the Port Phillip City Council held on 19 October 2022 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

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/archivephp>

Public Question Time:

- **Alex McCall:** With regard to the planned accessible toilet on Fitzroy Street, St Kilda, what action has Council taken in regard to security concerns raised by residents, traders, and parents of the nearby schoolchildren? What is the total budget of the project relating to all elements and all tasks associated with the project? How much money has been spent to date? With regard to correspondence received from Parks Victoria and the Minister's office regarding these concerns from some sections of the community, how has Council responded to this correspondence and what actions have been taken as a result?

Brian Tee, Acting General Manager Customer, Operations, and Infrastructure, advised that Council has completed an independent Crime Prevention Through Environmental Design Principles report, which is public and contained a number of recommendations and suggestions. Discussions on those recommendations are underway. The report noted that, as the only toilet on Fitzroy Street, increased cleaning protocols be put in place. Additionally, the report recommended discussions with Victorian Police to strengthen patrols to monitor and assess criminal behaviour in the area. In regard to the budget for the toilet, Council has approved a budget cost of \$305,000 for the toilet construction with further delegation to the CEO of up to \$300,000 for costs such as the underground service connections required.

The Chief Executive Officer advised that Council has responded to the letters from Parks Victoria and the Minister, confirming that Council is proceeding with the project, and advising

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that we will continue working with the community where possible to further address safety concerns, including the aforementioned report, and making adjustments to cleaning, maintenance, and inspection schedules as required.

With regard to the money that has been spent thus far, Brian Tee took the question on notice.

- **Beti J:** I am experiencing issues with receiving parking tickets in the vicinity of my home, despite having a parking permit, because of the changed circumstances with the number of construction sites. What can be done about this?

The Mayor advised that a senior officer will contact the resident to follow up this matter privately.

- Mathews Lane, South Melbourne is collapsing and the local construction site has covered the drain. The water and garbage pools daily with nowhere to flow breeding mosquitos and stench. Who is responsible for scheduling street cleaning?
- The building in Mathews Lane is very close to my building. What are the rules and regulations around this? How far can a building be built from a footpath or existing building?

Kylie Bennetts, General Manager City Growth and Development, advised that the site in question is 8 Palmerston Crescent, South Melbourne. Officers have advised that the site is zoned Mixed Use (MU) and is affected by Design and Development Overlay Schedule 26 (DDO26) and Special Building Overlay, Schedule 1 (SBO1). Under the relevant planning controls, a planning permit is required for development on this site. Any development needs to respond to the zoning of the site, the design guidelines and relevant planning policy contained in the planning scheme. There is a current approval (planning permit 606/2017/C) for the development of an 18 storey mixed use building for office, food and drinks premises and dwellings on this site. The planning permit was approved at the direction of VCAT in 2018. The planning permit application was advertised to surrounding properties and it is noted that several objections were received to the application. The application was ultimately determined by VCAT at a compulsory conference that was held between the applicant, Council and all parties. All parties (including all the objectors who were party to the appeal) agreed to settle the matter and were satisfied that the building would provide an appropriate setback from Matthews Lane, where a podium would be built directly to the boundary and a tower that would be setback approximately 4.5 metres from the centreline of Matthews Lane. Matthews Lane provides a buffer between properties.. A relevant planner will contact the resident to discuss further the process that led to this decision.

With regard to street cleaning, Kylie Bennetts advised that a local laws officer visited the site on Monday 31 October. Some minor damage to assets was observed but we can confirm that no drain is blocked. The minor asset damage will be monitored by the Assets Protection Team and our Local Laws team will continue to monitor the construction company for compliance with their permits. The laneway was last cleaned on 20 October, and the Street and Beach Team will list the laneway for additional cleaning. The Mayor advised that officers will contact the resident to confirm the frequency of street cleaning.

- **Chris Zeiher:** In regard to the Eastern Road Reserve North Off leash Dog Park, how much has been spent to date on the Offleash Fenced Dog Park at Eastern Road Reserve North in South Melbourne since it was fenced and widened in 2014? A petition that was heard on Oct 19 recommended that an additional \$140,000 be spent on this small park that is used exclusively by dog-owners. The extraordinary spend proposes to remove a green space from the municipality (by replacing it with granatic



sand) and fails to address the issue the park has had since its inception - it is too small for the volume of animals using the park and badly-located causing significant issues for those residents that face on to or live nearby. Given the extraordinary amount of money set aside for this tiny park I want to know how much money has been dumped into this project and how turning the park from grass to sand (and putting in play equipment for the animals) addresses the concerns of residents regarding noise and over-use. By pursuing this action council is promoting further use of the park, a space which is already at capacity which counters the issues of residents.

Allison Kenwood, General Manager Community Wellbeing and Inclusion, advised that there is currently a yearly maintenance fee of \$7,000, which will reduce to \$5,000 if granitic sand is used. The proposed project cost is \$140,000. With regard to the original cost of the project since 2014, Allison Kenwood took the question on notice.

- **Christina Manonian:** Do recent media comments from Councillors re: crime, antisocial behaviour, etc. on Fitzroy St need to be factored in to the risk assessment for the new public toilet? How relevant is the pre-covid feasibility study, given the changes on Fitzroy St since then? What is the current timeline for construction? Have water/transport permits to dig under Fitzroy St been received? Is there an update on anticipated costs? What is a reasonable amount of ratepayer \$\$ to spend on a public toilet?

Brian Tee, Acting General Manager Customer, Operations, and Infrastructure, advised that the report is of a more recent nature, and Council is responding to those recommendations including further discussions with the police and the proposed increased cleaning regime. In terms of the timeline for construction, Council is anticipating completion in 2023 but the exact timing of this will be dependent on . Water/transport permits have not been received yet, as Council is in the process of engaging a land development consultant to design the connection services required, and the permits will be obtained as part of that process. The budget, as mentioned earlier, Council has approved a budget cost of \$305,000 for the toilet construction with further delegation to the CEO of up to \$300,000 for costs such as the underground service connections required.

- **Hannah Lawson:** The community is increasingly concerned about the proposed toilet block on Fitzroy Street. How can you ensure that the report you are relying on is up to date, and is factoring in the various social changes that have taken place in the last few years?

Brian Tee, Acting General Manager Customer, Operations, and Infrastructure, advised that the report was conducted recently and independently of Council, and has now been made public for scrutiny. Council is working through the core recommendations of the report, and will report on the outcome of that publicly as well.

Council Report Submissions:

7.1 Petition – Port Melbourne Shared Bike Path Area

- Dennis Jones

9.1 and 9.2 Friends of Suai/Covalima Annual Report and Strategic Review

- Megs Alston

14.1 Notice of Motion – Councillor Crawford – Elwood Reserve

- Matt Dever
- Jane Pound



5. COUNCILLOR QUESTION TIME

Councillor Sirakoff asked about the Fitzroy Street public toilet. In what capacity have police indicated they will be able to support the safety of the area?

Brian Tee, Acting General Manager Customer, Operations, and Infrastructure, advised that the report recommended engagement with police on patrols. In the months leading up to the opening of the toilets, Council will have further high-level conversations with police. However this will be depended on a contemporary risk assessment and police resourcing requirement, so this will be dealt with closer to the opening of the toilet block.

6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

7.1 Petition – Port Melbourne Shared Bike Path Area

A Petition containing 8 signatures was received from local residents.

MOVED Crs Cunsolo/Copsey

That Council:

1. Receives and notes the petition.
2. Notes that a full response to the petition will be provided to a future Council meeting.

A vote was taken and the MOTION was CARRIED unanimously.

CHANGE TO ORDER OF BUSINESS

The Mayor advised the order of business within “Presentation of Reports” would be altered to consider items where there is public interest.

EN BLOC MOTION

MOVED Crs Baxter/Clark

That Council moves the following items en bloc:

- 9.1 Friends of Suai/Covalima Annual Report 2021/22
- 9.2 Friends of Suai/Covalima 2020-25 Strategic Plan Review and Update

A vote was taken and the MOTION was CARRIED unanimously.

9. INCLUSIVE PORT PHILLIP

9.1 Friends of Suai/Covalima Annual Report 2021/22



Purpose

- 1.1 To present the Friends of Suai/Covalima (FoSC) 2021/22 Annual Report (Attachment 1) and inform Council of the achievements over the last financial year.

MOVED Crs Baxter/Clark

That Council:

- 3.1 Endorse the 2021/22 Friends of Suai/Covalima (FoSC) Annual Report (Attachment 1).
- 3.2 Acknowledge the on-going work of the FoSC Community Reference Committee and thank the Committee for its efforts.
- 3.3 Acknowledge the work of the Covalima Community Centre throughout 2021/22 and the role it has played in enhancing the lives of the Suai/Covalima community.

A vote was taken and the MOTION was CARRIED unanimously.

9.2 Friends of Suai/Covalima 2020-25 Strategic Plan Review and Update

Purpose

- 1.1 To present an update to the Friend of Suai/Covalima (FoSC) 2020-25 Strategic Plan (Attachment 1) which has been revised to reflect Council's decision in December 2021 to reduce funding for the FoSC program, and with insights from a review of the plan conducted by FoSC (Attachment 2).

MOVED Crs Baxter/Clark

That Council:

- 3.1 Endorse the updated Friends of Suai/Covalima 2020-25 Strategic Plan (Attachment 1).
- 3.2 Note the FoSC Strategic Plan Review Report 2022 (Attachment 2) prepared by FoSC and acknowledge the work of the FoSC Community Reference Committee to revise and implement Strategic Plan

A vote was taken and the MOTION was CARRIED unanimously.

14. NOTICES OF MOTION

14.1 Notice of Motion – Councillor Louise Crawford – Elwood Reserve

MOVED Crs Crawford/Baxter

That Council:

1. Requests officers to investigate options to expeditiously and cost effectively provide additional change and umpire room infrastructure at Elwood Reserve to cater for growth and better support participation by women and girls in sport while longer-term



infrastructure requirements are addressed through the Elwood Foreshore Masterplan (currently under development).

AMENDMENT

MOVED Crs Cunsolo/Martin

Addition of:

2. Requests officers audit and report back where sporting facilities should be enhanced for fair gender access in our municipality.

A vote was taken and the AMENDMENT was CARRIED.

The AMENDMENT became the SUBSTANTIVE MOTION.

The SUBSTANTIVE MOTION was CARRIED unanimously.

8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report - Issue 90

Purpose

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

MOVED Crs Clark/Copsey

That Council:

- 3.1 Notes the CEO Report Issue 90 (provided as Attachment 1) including changes to budget forecasts and project portfolio identified in September 2022.

A vote was taken and the MOTION was CARRIED unanimously.

10. LIVEABLE PORT PHILLIP

10.1 Cobden Place Pocket Park - Feedback on Road Closure and Construction timeline.

Purpose

- 1.1 To update Councillors on the conflicts between the construction timing for Cobden Place Pocket Park and the surrounding major developments and recommend that the project be delayed to 2024/25 to manage the conflicts.
- 1.2 To present feedback from written submissions made on the proposed closure of Cobden Street and Kings Place, South Melbourne.
- 1.3 Note the transfer of the \$1.3m Department of Environment Land Water and Planning (DELWP) has agreed to transfer the funding from Cobden Pocket Park to Moubray Street Community Park.



MOVED Crs Martin/Copsey

That Council:

- 3.1 Note that the construction timing for Cobden Place Pocket Park will conflict with that of major surrounding developments.
- 3.2 Agrees to delay delivery of the Cobden Place Pocket Park until 2024/2025.
- 3.3 Notes the written submissions received on the proposed closure of Cobden Street and Kings Place, South Melbourne.
- 3.4 Notes that the Department of Environment Land Water and Planning supports the transfer of the \$1.3m funding from Cobden Pocket Park to Moubray Street Community Park.

A vote was taken and the MOTION was CARRIED unanimously.

11. SUSTAINABLE PORT PHILLIP

Nil.

12. VIBRANT PORT PHILLIP

12.1 Funding Recommendations Cultural Development Fund- Festivals and Events grant recipients for 2022/23

Purpose

- 1.1 To present the recommended Cultural Development Fund- Festivals and Events grant recipients for 2022/23 Round One for Council's approval.

MOVED Crs Crawford/Copsey

That Council:

- 3.1 Endorses the recommended successful applicants as proposed by the Cultural Development Fund Reference Committee for the Cultural Development Fund – Festivals and Events Grant 2022/23 Round One as outlined in Confidential Attachment 1
- 3.2 Releases details on the successful recipients of the Cultural Development Fund – Festivals and Events Grant 2022/23 Round One from confidence, once all applicants have been advised of the outcome of their application and those successful have confirmed their ability to proceed with their application.
- 3.3 Approves any funding allocated to applicants that need to withdraw or that do not have the ability to proceed with their application, be re-distributed to the available funds for the Cultural Development Fund – Festivals and Events Grant 2022/23 Round Two funding.
- 3.4 Thanks, the Cultural Development Fund Reference Committee for their work in assessing applications and making recommendations to Council.



- 3.5 Thanks, all applicants who participated in the 2022/23 fund Round One for the Cultural Development Fund – Festivals and Events.

A vote was taken and the MOTION was CARRIED unanimously.

13. WELL GOVERNED PORT PHILLIP

13.1 Update to Governance Rules - Final Approval of updates post consultation

Purpose

- 1.1 To present to Council the results of the community consultation on the Governance Rules adopted by Council on 7 September 2022 and seek adoption of the final version of the Governance Rules.

MOVED Crs Copsey/Pearl

That Council:

- 3.1 Notes that Council adopted the updated Governance Rules on 7 September 2022.
- 3.2 Notes that community consultation on the changes to the Governance Rules was undertaken from 9 September through to 3 October 2022.
- 3.3 Adopt the updated Governance Rules (Attachment 1), noting that minor editorial updates have been made to the version adopted on 7 September 2022 to address formatting and typographical errors.
- 3.4 Notes that the updated Governance Rules address the requirement in the Local Government Act 2020 to make express provision for requesting and approval of attendance at Council and Delegated Committee meetings by electronic means of communication.

A vote was taken and the MOTION was CARRIED unanimously.

13.2 Records of Informal Meetings of Council

Purpose

- 1.1 The purpose of this item is to report to Council written records of Informal Meetings of Councillors at the City of Port Phillip as required by the Governance rules.

MOVED Crs Pearl/Martin

That Council

- 2.1 Receives and notes the written records of Informal Meetings of Council (attached) as required by the Governance Rules.

A vote was taken and the MOTION was CARRIED unanimously.

13.3 Financial Update - First Quarter 2022-23 Financial Review

Purpose

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- 1.1 To provide Council with an overview of the results of the first quarter 2022/23 performance to budget and seek approval for several unbudgeted items to be funded from the surplus.

MOVED Crs Copsey/Baxter

That Council:

PART 1

- 3.1 Notes that following the first quarter 2022/23 budget review the organisation is projecting a full year cumulative cash surplus of \$1.69 million which is \$0.14 million favourable compared to budget of \$1.55 million.
- 3.2 Notes attachment 1 – Financial Statements with accompanying explanatory notes.
- 3.3 Notes attachment 2 – material portfolio deferrals and achievements including key reasons identified as part of the first quarter 2022/23 budget review.
- 3.4 Approves up to \$0.15 million of additional funding requests (see attachment 3 – September 2022 Budget Requests for more details).

A vote was taken and the MOTION was CARRIED.

PART 2

including:

- 3.4.1 \$45,000 Program Lead – Safety Compliance for 1.5 years with a gross annual value of \$159,000.

A vote was taken and the MOTION was CARRIED unanimously.

PART 3

- 3.4.2 \$42,000 Sports and Recreation Equity Officer as an ongoing position with a gross annual value of \$110,000

The Mayor took the vote under DIVISION.

FOR: Crs Baxter, Crawford, Copsey and Martin

AGAINST: Crs Cunsolo, Sirakoff, Pearl and Clark

A vote was taken and as there was an equal division of votes, in accordance with sub-rule 55.1 of the Governance Rules, the Mayor exercised a casting vote and took the vote under division:

FOR: Crs Baxter, Crawford, Copsey and Martin (Pearl)

AGAINST: Crs Cunsolo, Sirakoff, Pearl and Clark

The MOTION was CARRIED.

PART 4

- 3.4.3 \$63,000 Senior Sports Club Liaison Officer as an ongoing position with a gross annual value of \$126,000

A vote was taken and the MOTION was CARRIED.



15. REPORTS BY COUNCILLOR DELEGATES

Nil.

16. URGENT BUSINESS

Nil.

17. CONFIDENTIAL MATTERS

Nil.

As there was no further business the meeting closed at 8.17pm.

Confirmed: 16 November 2022

Chairperson _____