



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

15 JUNE 2022



Please consider
the environment
before printing



Consider carefully how
the information in this
document is transmitted



**MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL
HELD 15 JUNE 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, Kylie Bennetts, General Manager City Growth and Development, Tony Keenan, General Manager Community Wellbeing and Inclusion, Chris Carroll, General Manager Customer Operations and Infrastructure, Claire Stevens, General Manager Governance and Organisational Capability, Lachlan Johnson, Executive Manager Construction Contracts, Joanne McNeill Executive Manager, Governance and Organisational Performance. Lauren Bialkower, Manager City Growth and Culture, Kirsty Pearce, Head of Governance, Naomi Phillips, Council Business Officer, Merryn Shaw, Governance and Council Meetings Officer

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/Martin

That the minutes of the Meeting of the Port Phillip City Council of the Port Phillip City Council held on 18 May 2022 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Copsey declared an interest in item 7.1.Petition to purchase a Duke Street, St Kilda site for public open space, as she owns property in the general area.



CONDOLENCE MOTION – PERCY (PERCE) WHITE

Council paid tribute to Perce White, who served on the former City of Port Melbourne Council for 22 years, including six terms as Mayor.

MOVED Crs Pearl/Martin

That Council

- Expresses its deep regret on the passing of Perce White.
- Offers its sincere condolences to his family and places on record its appreciation for his service to the community.
- Notes that in recognition of Perce's distinguished service, all flags will be flown at half-mast at the St Kilda, South Melbourne and Port Melbourne Town Halls on 1 July 2022.

A vote was taken and the MOTION was CARRIED unanimously.

4 PUBLIC QUESTION TIME AND SUBMISSIONS

The following 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

- **Alex Darton:** My question is regarding renters. Can the council create a space for renters to have a dialogue with you? Renters seem to make up the majority of residents in the city. Renters are going to be the hardest hit by climate change adaptation. Is there a space for renters to engage with you?

Tony Keenan, General Manager Community Wellbeing and Inclusion offered to meet with Mr Darton to understand the scope of the question and report back to Council. He noted that there was no provision in the budget so any initiative would need to be funded from business as usual.

- **Adrian Jackson:** Well done Council for the cat ban from 9pm to 6am which is a good start. However as native animals and birds feed at first light, can the outdoor ban be extended to 9am.

Kylie Bennetts, General Manager City Growth and Development advised that community consultation and benchmarking with other councils resulted in the cat curfew with 70 per cent of residents who completed the survey supporting these hours. This is the time when most residents are home and able to bring their cats inside. Extending the curfew to 9am would disadvantage residents who had to leave home before this time. While a dusk to dawn curfew was considered many owners would not have been home at this time and it would have been impractical from a community point of view. These times are in line with neighbouring Bayside Council.



Council Report Submissions

Item 7.1 Petition to purchase a Duke Street, St Kilda site for public open space

- Catherine Wilson
- Jack Halliday
- Helen Halliday

Item 7.2 Petition to reconsider the plan to build public toilets next to St Kilda Park Primary School

- Hannah Lawson
- Alex McCall
- Harry Goldberg
- Rebecca Benson
- Fredrick Techow
- Darren Fowler
- Peter Moraitis
- Gary Smith
- James Lawson
- Jack Halliday

Item 11.1 Elevating Environmentally Sustainable Development (ESD) Targets Project: Planning Scheme Amendment

- Jack Halliday

Item 13.3 City of Port Phillip Strategic Membership Review

- Clive Dwyer
- Daniel Plieter
- Steve Cooper
- Grace La Vella

5 COUNCILLOR QUESTION TIME

- **Councillor Sirakoff:** Could officers give an update on the trial of the crossover of Kerferd Road where it intersects with Herbert Street and Montague Street.

Brian Tee Executive Manager City Planning and Sustainability advised that on 1 December 2021 Council decided to request that DOT as part of its pop up lane program reinstate the right hand turn movements from Kerferd Road between Montague and Herbert and install traffic calming measures such as speed limits. Subsequently, the State decided not to proceed with the pop up lane proposal for Kerferd Road. Council's resolution on 1 December 2021 requested that if the pop up lane did not go ahead, officers return to Council for further direction. Officers are preparing a briefing for Council consideration in August. Council agreed to continue with the closure until a solution was found.



- **Councillor Copsey:** I wanted to take up the question that was asked at last night's budget hearing about operational sustainability funding in years two and three of the four years of this budget. Can officers give some clarity about the items this covers and whether there has been a reduction in sustainability funding? Will beloved programs such as the Environmental Leaders Course be included in operational funding?

Kylie Bennetts, General Manager City Growth and Development, advised that the Council Plan and Budget outlined the actions being taken to address climate. The expenditure on sustainability for the next four years is around \$32.8 million across operational and capital works initiatives. There has been no change to the base budget however project funding does vary from year to year depending on key capital and operating projects such as the new EcoCentre and the energy efficient street light upgrade.

If endorsed by Council at its meeting this month, in 2022-23 Council will commence a review of its Act and Adapt sustainability strategy as it reaches its mid point, in parallel, if endorsed by Council when it considers the final Council Plan and Budget, it's envisaged that a climate emergency plan will be developed and there is money in the draft budget for its development. It's intended that this work will measure Council's progress towards its targets and identify actions and timeframes using an evidence based approach. This will also help inform discussions with Council regarding future sustainability funding. Kylie confirmed that existing programs would continue.

- **Councillor Martin:** Given it is World Elder Abuse Awareness Day can Council officers summarise what Council is doing to assist in addressing elder abuse?

Tony Keenan, General Manager Community Wellbeing and Inclusion observed that rates of elder abuse are under reported but the Institute of Family Studies estimate up to 14 per cent of older people in Australia are affected. Last year the City of Port Phillip passed a notice of motion in support of the Every Age Counts campaign to end ageism and elder abuse. Council provides a range of services to older residents including direct home care, community transport, social inclusion programs, and staff are well trained to look for signs of abuse. Today the Older Person's Advisory Committee organised a community awareness event with members of staff and the Committee.

ACKNOWLEDGMENT

Councillor Pearl acknowledged the resignation of Kirsty Pearce, Head of Governance. On behalf of Council and Councillors, the Mayor thanked Kirsty for her service to the City of Port Phillip. He expressed sincere appreciation for the advice and guidance she provided.



6. SEALING SCHEDULE

Nil

7. PETITIONS AND JOINT LETTERS

Councillor Copsey declared a potential interest in item 7.1 due to the proximity of her property to the matter and, out of an abundance of caution, left the meeting at 7:51pm.

Item 7.1 Petition to purchase a Duke Street, St Kilda site for public open space

A Petition/Joint Letter containing 93 signatures, was received from local residents.

MOVED Crs Baxter/Crawford

That Council:

- Receives and notes the Petition.
- Acknowledges that there are gaps in the public space network in Balaclava and St Kilda East.
- Notes that the *Places for People: Public Space Strategy 2022 – 2032* has actions to address gaps in open space provision across the municipality.
- Does not proceed with the purchase of 12 - 14 Duke Street as the POA on 43 Pakington Street is only 200 metres away and provides a better open space outcome, by extending a current public open space.

A vote was taken and the MOTION was CARRIED unanimously.

Councillor Copsey returned to the meeting at 8:09pm.

The meeting adjourned at 8:09pm.

The meeting resumed at 8:20pm.

Item 7.2 Petition to reconsider the plan to build public toilets next to St Kilda Park Primary School

A Petition containing 1319 signatures collected on change.org, was received from local residents

MOVED Crs Bond/Copsey

That Council:

- 16.1 Receives and notes the Petition.
- 16.2 Thanks the petitioners for their submission and all others who have shared their concerns



with Council.

- 16.3 Notes that the current location for the new public toilet facility at the northern end of Fitzroy Street within Albert Park is the result of many years of assessment of options and engagement with the community on various locations.
- 16.4 Notes that while public toilets are required to support access for all to public facilities at both ends of Fitzroy Street, significant opposition has been raised to this and various other locations proposed over the past 14 years.
- 16.5 Notes the following three options available to Council to consider at this stage of the project:
- 16.5.1 OPTION 1: proceed with construction of a new public toilet within Albert Park in the currently selected location and to seek relevant approvals, including any required planning approvals for underground service connections and development of land management options, with delegation to the CEO of up to \$300k additional expenditure on the project to account for likely additional costs that will be incurred for underground services connections to be funded from savings in the public toilet program. In the event that those permissions are not forthcoming, the CEO is to bring the matter back to Council for further consideration. Whilst the approvals are being sought, the CEO or delegate is to undertake further discussions with Parks Victoria within the next 2-3 months to see if the toilet block can be moved slightly further north including in the nature strip along Fitzroy Street.
- 16.5.2 OPTION 2: cancel the public toilet project for Fitzroy Street and stop any further pursuit of public toilet provision along the street given the extensive investigation into alternative options that has previously been undertaken and the opposition to each option. Seek to work with the contractor to redirect the purchased toilet to another location requiring a new or upgraded toilet.
- 16.5.3 OPTION 3: pause commencement of construction of a new public toilet for six months while Officers concurrently undertake further work on the site connections and approvals, including planning approvals, for the current location and review any reasonably practical alternative sites, with a report back to Council by December 2022.
- 16.6 Resolves to pursue Option 1 and delegates to the Chief Executive Officer implementation of this option.

Cr Pearl called for the vote under a DIVISION.

FOR: Crs Baxter, Bond, Copsey, Martin and Pearl

AGAINST: Crs Cunsolo, Sirakoff and Clark

ABSTAIN: Cr Crawford

The MOTION was CARRIED.



8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report – Issue 86

Purpose

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

MOVED Crs Pearl/Copsey

That Council:

- 3.1 Notes the CEO Report Issue 86 (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

9.1 Soap Dispensers in Public Toilets - update.

Purpose

- 1.1 To respond to Council resolution item 10.4 on 20th October 2021, to provide a report to Council on the reintroduction of soap dispensers in foreshore toilet facilities

MOVED Crs Cunsolo/Copsey

That Council:

- 3.1 Supports the rollout of soap dispenses in all public toilet facilities and note this project and ongoing costs will be funded through costs efficiency savings.

A vote was taken and the MOTION was CARRIED unanimously.

10. LIVEABLE PORT PHILLIP

Nil.

11. SUSTAINABLE PORT PHILLIP

11.1 Elevating Environmentally Sustainable Development (ESD) Targets Project: Planning Scheme Amendment

PURPOSE

- 1.1 To seek Council endorsement for the City of Port Phillip to participate in Stage 2 of the Elevating Environmentally Sustainable Development (ESD) Targets Project, including progressing an amendment to the Port Phillip Planning Scheme.



MOVED Crs Copsey/Baxter

That Council:

- 3.1 Notes the outcomes of Stage 1 of the Elevating Environmentally Sustainable Development Targets Project (ESD Project) and recognises these as the strategic basis for Stage 2 of the project.
- 3.2 Endorses the City of Port Phillip participating in Stage 2 of the ESD Project.
- 3.3 Endorses the three consultant reports as shown in Attachments 1, 2 and 3 to this report, as supporting documents to an Amendment that introduces a new Particular Provision and associated changes to the Port Phillip Planning Scheme.
- 3.4 Authorises the Chief Executive Officer (or delegate) to:
 - 3.4.1 Enter into the Memorandum of Understanding for Stage 2 of the ESD Project on behalf of the City of Port Phillip.
 - 3.4.2 Seek authorisation from the Minister for Planning to prepare and exhibit an Amendment as shown in Attachment 4 to this report, pursuant to Sections 8A and 8B of the *Planning and Environment Act 1987*.
 - 3.4.3 Requests that the Minister for Planning establish an advisory committee to advise on the ESD Project in accordance with Section 151 of the *Planning and Environment Act 1987*.
 - 3.4.4 Finalise the documentation for the Amendment (including making minor changes to the proposed planning control that do not change its intent) and provide guidance to any Advisory Committee established by the Minister for Planning.
 - 3.4.5 Place the Amendment to the Port Phillip Planning Scheme on exhibition, in accordance with Section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.
- 3.5 Writes, through the Mayor, to the Minister for Planning and Housing, Minister for Energy, Environment and Climate Change, and Minister for Local Government and Suburban Development outlining the benefits to the community of introducing an elevated Environmentally Sustainable Development planning policy into the Port Phillip Planning Scheme, and requesting that this policy be adopted as a part of the State Government's Environmentally Sustainable Development planning reforms.

A vote was taken and the MOTION was CARRIED.

Cr Copsey called for a DIVISION.

FOR: Crs Baxter, Crawford, Cunsolo, Copsey and Martin

AGAINST: Crs Bond, Sirakoff, Pearl and Clark

A vote was taken and the MOTION was CARRIED.



12. VIBRANT PORT PHILLIP

12.1 Draft Events Strategy and Outdoor Events Policy 2023 - 26

PURPOSE

- 1.1 To present the draft Events Strategy and Outdoor Events Policy 2023 – 26 and seek approval to commence community consultation.

MOVED Crs Bond/Crawford

That Council:

- 3.1 Notes the results of the initial community and industry consultation on events in the municipality as presented in this Report and as Attachment Three.
- 3.2 Releases the draft Events Strategy and Outdoor Events Policy for community consultation and delegates to the CEO the ability to make changes that do not alter the substantive content of both documents to enable this release to occur.
- 3.3 Notes that community consultation will be opened on 17 June 2022, for a three-week period.

A vote was taken and the MOTION was CARRIED unanimously.

12.2 Cultural Development Fund - Festivals and Events Grants: updated Terms of Reference

PURPOSE

To present Councillors with updated terms of reference for the Cultural Development Fund – Festivals and Events grants.

MOVED Crs Crawford/Copsey

That Council:

- 3.1 Endorses the updated Terms of Reference for the Cultural Development Fund – Festivals and Events Grants 2022/2023.
- 3.2 Notes that the updated Terms of Reference include increasing the grant threshold from \$10,000 to \$20,000.

A vote was taken and the MOTION was CARRIED unanimously.



13. WELL GOVERNED PORT PHILLIP

13.1 Records of Informal Meetings of Council

Purpose

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/Copsey

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.

13.2 Councillor Expenses Monthly Reporting - April 2022

PURPOSE

To report on the expenses incurred by Councillors during April 2022, in accordance with the Councillor Expenses and Support Policy.

MOVED Crs Pearl/Sirakoff

That Council:

- 3.1 Notes the monthly Councillor expenses report for April 2022 (**Attachment 1**) and that this will be made available on Council's website.

A vote was taken and the MOTION was CARRIED unanimously.

13.3 City of Port Phillip Strategic Membership Review 2022

PURPOSE

To consider the outcome of the review of Council's 13 strategic memberships.

MOVED Crs Crawford/Baxter

That Council:

- 3.1 Notes the findings of the 2022 Strategic Membership review as outlined in Attachment 1.
- 3.2 Endorses Council maintaining its membership of the following organisations:
 - 3.2.1 Australian Network on Disability
 - 3.2.2 Association of Bayside Municipalities
 - 3.2.3 Australian Library and Information Association
 - 3.2.4 Committee for Melbourne
 - 3.2.5 Green Building Council of Australia



- 3.2.6 Inner Metro Partnership
- 3.2.7 LG Pro
- 3.2.8 M9
- 3.2.9 Metro Transport Forum
- 3.2.10 Municipal Association of Victoria
- 3.2.11 Council Alliance for a Sustainable Built Environment
- 3.2.12 South East Councils Climate Change Alliance
- 3.2.13 Victorian Local Governance Association

for the 2022/23 and 2023/24 financial years, subject to funding and resources being allocated through the annual Council Plan and Budget process.

- 3.3 Requests that officers undertake a full Strategic Membership Review every two years (as opposed to annually), noting that the next full review will inform strategic memberships for the 2024/25 financial year.

A vote was taken and the MOTION was CARRIED.

Cr Copsey called for a DIVISION.

FOR: Crs Baxter, Crawford, Cunsolo, Bond, Copsey and Martin

AGAINST: Crs Sirakoff, Pearl and Clark

The MOTION was CARRIED.

14. NOTICES OF MOTION

Nil.

15. REPORTS BY COUNCILLOR DELEGATES

Councillor Cunsolo reported on her attendance at the conference of the Victorian branch of the Australian Women's Local Government Association, held in Shepparton. She emphasised the networking value for Councillors attending such conferences, noting that men were also welcome at the event. Councillor Cunsolo highlighted that the 2023 national conference of the Association would be held on the Mornington Peninsula.

Councillor Baxter reported that he would be attending the Australian Local Government Association National General Assembly in Canberra to be held from 19 to 22 June 2022 on behalf the Mayor who is unable to attend.

16. URGENT BUSINESS

Nil.



17. CONFIDENTIAL MATTERS

MOVED Crs Cunsolo/Bond

That the meeting be closed to members of the public to consider the confidential items.

17.1 Procurement Of Parking Infringement Management Services	3(1)(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.
--	--

A vote was taken and the MOTION was CARRIED unanimously.

As there was no further business the meeting closed at 9:30pm.

Confirmed: 6 July 2022

Chairperson _____