



ORDINARY MEETING OF COUNCIL

MINUTES

3 JUNE 2020



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**MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP
CITY COUNCIL HELD 3 JUNE 2020 VIRTUALLY**

The meeting opened at 7:30pm.

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 City Strategy and Sustainable Development; Tony Keenan, General Manager Community and Economic Development; Lachlan Johnson, General Manager Infrastructure and Amenity; Chris Carroll, General Manager Customer and Corporate Services; Kylie Bennetts, Director Office of the CEO, Kirsty Pearce, Coordinator Governance, Rebecca Purvis, Governance Officer, Emily Williams, Council Meetings Officer, Joanne McNeill, Manager Asset Management and Property, Anthony Savenkov, Head of Property Projects, Atilio Numa, Coordinator Civil Infrastructure, Elena San Roman, Senior Infrastructure Project Manager, Suzane Becker, Manager Transport Choices, Stefan Mitrik, Coordinator Transport.

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 Baxter/Voss

That the minutes of the Ordinary Meeting of the Port Phillip City Council held on 20 May 2020 be confirmed.

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.



3. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

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 the written submission has also been made available on the website.

Lyndon Gasking in relation to item 15.1 *Notice of Motion Bernadene Voss – Sale of 8 York Street, St Kilda West.*

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

David Keane in relation to item 15.1 *Notice of Motion Bernadene Voss – Sale of 8 York Street, St Kilda West.*

Adrian Jackson – Public Question Time

Why is a further \$180,000 being loaned or given to the Port Phillip art community when council already offers generous art grants annually and has pork barreled some local arts institutions for decades. Why is this grant including art acquisitions when the council has too much art in storage. Is some of this art items no one else wants. Is council aware that artists can apply for commonwealth government financial assistance if out of work.

Tony Keenan, General Manager Community and Economic Development, advised that the grants this year in the Arts Rescue Package are being given instead of (not in addition to) our other arts grants and they were funded from savings we took this year and there were more savings made to that program than the cost of the grants. We are aware that additional grant programs are available for artists, but none that specifically support those within our own community. One of the criteria is people can't be applying for one grant with Government and then this grant with Port Phillip. The Arts Rescue Package, including the acquisition budget, is intended to support those artists and cultural practitioners within the City of Port Phillip who have struggled greatly to stay afloat in this pandemic and whose creative output greatly enhances our City. We are looking forward to sharing more of our art collection with the community over the next year as we work to make the collection available to the public. We choose works based on their merits and relevance to the City of Port Phillip. The art collection has a high market value and would therefore not be characterized at work that no one wants.

Jon Webster – Public Question Time

Council is under financial stress with the current Climate, will Council institute a wage freeze for 2 or 3 years?



Chris Carroll, General Manager Customer and Corporate Services, advised that Executive team takes very seriously the economic impacts of COVID-19 and have been going through the budgets line by line to find savings to help balance the budget whilst also ensuring support is available for those who need it the most. In relation to this, the executive team has made a decision that wages will be frozen for Managers, Senior Officers and Senior Executive Officers for the next financial year. However we do intend to honour the legal contractual requirements under our Enterprise Agreement for wage indexation requirements.

Jenni Roper – Public Question Time

With regards to the Petition 'A Social Amenity Crisis in St Kilda' which was received by Council on 18 November 2019 and presented to Council on 4 December 2019 with over 900 signatures. I am enquiring in relation to Recommendations C and D of the petition as to whether the CEO has written to Minister Lisa Neville, Outreach Services and the Alfred Hospital as yet? Now speaking as a victim from an incident in Fitzroy Street, St Kilda. I am advocating for the letters to be sent without delay or debate if this request has not already been actioned. The current decline in Fitzroy, Acland and surrounding streets is now out of control. As a local Community in Port Phillip including Council, Victoria Police and services we all need to work together to secure a better outcome so no more people can get hurt.

Jason Rouda – Public Question Time

I write to Council in regards to the Petition 'A Social Amenity Crisis in St Kilda' which was received by Council on 18 November 2019 and presented to Council on 4 December 2019 with over 920 signatures. As a lead petitioner, (due to an administrative error, we have not yet received a formal response from council). I wish to enquire in relation to the recommendations.

- A) Does CoPP council intend to declare A Social Amenity Crisis YES/NO, noting that the amenity situation has worsened, during COVID- 19?
- B) Is considering increasing resources in relation to social amenity (by laws officers) in the Fitzroy St, Acland St and Carlisle St precinct, noting that PSO's have been deployed to these precincts during COVID-19. YES/NO?
- C) I request the CEO write to the Hon. Lisa Neville Minister for Police and Emergency Services requesting extra resources.
- D) I request CEO to contact Alfred Health and Outreach Services including Launch Housing, noting that Launch housing has recently located homeless from St Kilda into the St Kilda Hostel, which is currently a crime hotspot and Rydges Hotel on Fitzroy St, which is also a precinct frequented by local drug dealers and a crime hot spot.
- E) I request social and community housing associations (namely Housing First and Prahran Housing) that are completely ignoring problem tenants, be held accountable. If this is a state issue and cannot be controlled by council, then funding from Council must cease.

5. COUNCILLOR QUESTION TIME

Councillor Voss – Communities have expressed some interest in events such as drive in music gigs that are able to manage physical distancing. Do we have a process for applications for communities wanting to do this at the moment?

Lachlan Johnson, General Manager Infrastructure and Amenity, advised that there is a process outlined on Councils website for people wanting to run events which can be found here <http://www.portphillip.vic.gov.au/community-event-resources.htm>



Councillor Voss – Now that there is no local newspaper to print advertising requirements as per the Local Government Act, what are we doing to comply with our legal requirements?

Kylie Bennetts, Director Office of the CEO, stated that officers are of the view that publishing in the Age or Herald Sun will satisfy those statutory requirements which are that advertising must be printed in a newspaper generally circulating in the municipality. Officers are also insuring that important notices are advertised through a range of other mechanisms.

Councillor Voss – Recent feedback from the community has been that waiting times at the Depot have been excessive. Is there a way to triage the process to make this faster?

Lachlan Johnson, General Manager Infrastructure and Amenity, advised that at Councils resource and recovery center in South Melbourne there have been restrictions in place to encourage social distancing. With the relaxing of State Government restrictions there are some changes that are being made this week to enable six cars to enter the site at any one time. We are still maintaining some control over how many cars we can have accessing the site at any time to ensure that social distancing is in place for those utilising the facility and also for staff. The site is also used by some of Councils other amenity services so staff numbers can be high at any given time. Visitation is more than double the pre-COVID -19 pandemic levels so some queuing will remain at particularly busy times such as weekends. There is a traffic management plan in place that provides queuing space for people waiting to enter the site. We do hope that with the six car limit in place we should be able to avoid long delays.

Councillor Crawford – Given there is a significant increase of people working from home in our municipality, how has our recycling been going and what are our contamination rates? Have we been doing the right thing as a community?

Lachlan Johnson, General Manager Infrastructure and Amenity, advised that unfortunately as a proportion of the total material in Councils residential recycling stream, the contamination rate has increased significantly since the pandemic began. The contamination rate usually hovers around 10%, that has increased to around 25-30% which is based on a audit that was undertaken in April. Unfortunately, a further smaller audit was done last week looking at St Kilda and that had contamination rates of over 40%. Contamination is a really difficult issue to manage in our curbside recycling stream. When curbside recycling is heavily contaminated it is extremely expensive to separate the contamination from the materials that can be recovered, and in many cases contamination can result in the entire contents of the bin being diverted to landfill which is a undesirable outcome. The Mayor has recently written to all residents in all properties in the municipality encouraging residents to be mindful of what they place in their recycling bin and also provided some advice on some 'usual suspects' that are causes of contamination such as plastic bags. Over the coming weeks, Officers are working on a proposal that will come back to Council looking at options for further decreasing that contamination rate. This is an issue across all metropolitan councils and many are experiencing higher rates of contamination during this time.

6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

Nil.



8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report - Issue 66

The following questions were taken on notice during the discussion of the item:

Councillor Pearl - In relation to a loan provided to JL Murphy Reserve pavilion, it is disappointing that only 5 months into the loan the Club is unable to pay as their revenue has been decimated. What support is Council providing to the Club given that they can no longer pay this loan that Council has lent them?

Lachlan Johnson, General Manager Infrastructure and Amenity, took the question on notice.

Purpose

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

MOVED Crs Simic/Pearl

That Council:

- 3.1 Notes the CEO Report Issue 66 (provided as Attachment 1) including changes to budget forecasts and project portfolio identified in April 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.

9. PEOPLE AND COMMUNITY

Nil.



10. TRANSPORT AND PARKING

10.1 Fishermans Bend Parking Controls Findings

Purpose

- 1.1 To present an evaluation report to Councillors on the Fishermans Bend and Port Melbourne parking controls implemented following Council endorsement on 28 June 2018 and revised on 20 February 2019.
- 1.2 This report is at the execution and evaluation phase of the PACE framework.

MOVED Crs Voss/Copsey

That Council:

- 3.1 Notes that the parking occupancy results and utilisation rates support replacing the existing 2P paid parking areas in Area 1 with all-day paid parking.
- 3.2 Consult with residents and business owners in Area 1 and adjacent streets regarding changing the 2-hour paid parking restrictions in Area 1 to all-day paid parking (refer to Attachment 2).
- 3.3 Delegates the authority to the CEO to adjust on-street paid parking rates and parking controls in Area 1 as required with community notification and public information, to generate parking occupancy within the 75-85% target range to optimise the level of parking availability.
- 3.4 Retain the parking rate of \$1.00 per hour in Area 1 and retain the parking controls in Area 2, 3 and 4
- 3.5 Notes that any further parking changes by Council officers will be identified through evidence-based assessment, considering parking availability data from surveys and sensors, land use, demographics and community feedback. Parking changes will also be undertaken in accordance with Council's Parking Management Policy (refer to Section 4.18 regarding parking availability targets).

The vote was taken under DIVISION.

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

AGAINST: Nil

ABSTAINED Cr Simic

A vote was taken and the MOTION WAS carried.



11. SUSTAINABILITY

11.1 Contract - Middle Park Beach Renourishment Works

Purpose

- 1.1 To seek Council's approval to enter into contract number 2228 between the City of Port Phillip and MC Dredging & Port Development Pty Ltd for the renourishment works at Middle Park Beach.

MOVED Crs Copsey/Gross

That Council:

- 3.1 Enter into Contract 2228 with MC Dredging & Port Development Pty Ltd for the renourishment works at Middle Park Beach.
- 3.2 Notes that the contract value is \$1,065,218 inclusive of GST (\$968,380 excluding GST) and is a fixed lump sum.
- 3.3 Notes that the works are estimated to take approximately eight (8) weeks but that the unpredictability of weather and wave conditions may impact the overall timeline.
- 3.4 Affixes the Common Seal of the Port Phillip City Council to Contract 2228 between the Council and MC Dredging & Port Development Pty Ltd.

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.

12. PLANNING

Nil.

13. ARTS CULTURE & ECONOMIC DEVELOPMENT

Nil.

14. ORGANISATIONAL PERFORMANCE



14.1 Notice of Intention to Lease (Commence) - Think OTS - Resolution Independent Pty Ltd

Purpose

- 1.1 To seek Council's approval to commence the statutory procedures for the proposed tenancy agreement with Think OTS – Resolution Independent Pty Ltd ("**Tenant**") at Level 1, 200-202 Bank Street, South Melbourne along with ground floor storage and one car park.

MOVED Crs Copsey/Crawford

That Council:

- 3.1 Resolves that the statutory procedures be commenced under section 190 of the *Local Government Act 1989* (Vic) (**Act**) by publishing a notice in *The Age* inviting interested persons to make a submission under Section 223 of the Act, on the proposed tenancy agreement with key terms outlined below:

Tenant	Think OTS – Resolution Independent Pty Ltd
Guarantor	All company directors to guarantee the proposed tenancy agreement
Premises	Approximately 205 square metres at level 1, 200-202 Bank Street, South Melbourne with approximately 26 square metres of ground floor storage and one car space to the rear parking area
Permitted Use	Office for administration and design services
Commencement Date	22 November 2020
Expiry Date	21 November 2023
Rent	Commencement annual rent of \$52,997 plus GST with a 3% fixed increase on each anniversary of the Commencement Date
Bank Guarantee/ Security Deposit	Three months' rental inclusive of GST

- 3.2 Authorises the Chief Executive Officer or delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act; and
- 3.3 Resolves to hear and consider any submissions received pursuant to section 223 of the Act at a future Council meeting.

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.



14.2 Assemblies of Council

Purpose

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/Simic

That Council 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.

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 Status of Council Decisions and Questions Taken on Notice recorded by Council: 1 January - 31 March 2020

Purpose

- 1.1 To provide Councillors with an update on the status of all Resolutions passed by Council at Council and Planning Committee Meetings between 1 January and 31 March 2020, and the status of actions that were previously reported as outstanding in the last quarterly status report.
- 1.2 To provide Council with an update on the status of Questions Taken on Notice during Council Meetings from 1 January to 31 March 2020.

MOVED Crs Copsey/Baxter

That Council:

- 3.1 Notes the implementation status of Council and Planning Committee Resolutions as contained in Attachments 1 - 3.
- 3.2 Notes the response status of questions taken on notice during Council Meetings as contained in Attachment 4.

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.

15. NOTICES OF MOTION



Item Notice of Motion – Cr Bernadene Voss – Sale of 8 York Street, St Kilda West

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

Councillor Crawford - .Given the amount of research that has occurred with children’s services, can Officers confirm that there are already enough facilities around the area that can provide for Children?

Tony Keenan, General Manager Community and Economic Development, advised that he understood the future demand for services in that area to be low but took the question on notice for further response.

MOVED Crs Voss/Bond

That Council: -

1. Notes that it has received, heard and considered the submissions in response to its Notice of Intention to Sell 8 York Street, St Kilda West.
2. Resolves to sell 8 York Street, St Kilda West, by public auction.
3. Resolves to set the reserve price prior to the auction.
4. Authorises relevant Officers to execute all the necessary processes required to enable the sale and transfer of land, including negotiating with the highest bidder if the property is passed in at auction, affixing the Common Seal of Port Phillip City Council to the relevant documents, and if the property remains unsold following the auction, leaving it on the market for private sale at not less than the reserve price for an appropriate or reasonable period of time.
5. Notes that the submitter is to be advised of the decision to sell the land and the reason(s) for the decision.

The vote was taken under DIVISION.

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

AGAINST: Crs Copsey, Pearl and Simic

A vote was taken and the MOTION WAS carried.

16. REPORTS BY COUNCILLOR DELEGATES

Councillor Pearl reported that this week the South Melbourne Market celebrated the opening of more stalls in the wake of the relaxing of COVID-19 restrictions. The Market committee is very aware of the significant contribution that ratepayers are making towards the operations of the market and this is not taken lightly. The market is very committed to the future of the market whilst also ensuring the market achieves a financially sustainable position. On behalf of traders, thank you to Councillors and Officers for all of their efforts.

17. URGENT BUSINESS

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Nil.

18. CONFIDENTIAL MATTERS

Nil.

As there was no further business the meeting closed at 9.03pm.

Confirmed: 17 June 2020

Chairperson _____