



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

5 JULY 2023



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MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL HELD 5 JULY 2023 IN ST KILDA MELBOURNE TOWN HALL AND VIRTUAL VIA WEBEX

The meeting opened at 6:32pm.

IN ATTENDANCE

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

Chris Carroll, Chief Executive Officer, Brian Tee, General Manager City Growth and Development, Allison Kenwood, General Manager Community Wellbeing and Inclusion, Lachlan Johnson, General Manager, Operations and Infrastructure, Joanne McNeill, General Manager Governance, Capability and Experience, Darryn Hartnett, Executive Manager Governance and Organisational Capability, John Bartels, Manager City Planning and Sustainability, Beth McLachlan, Head of Sustainability and Climate Change, Andrew Sargeant, Senior Sustainability Strategy Officer, Lauren Bialkower, Executive Manager - Advocacy and Stakeholder Engagement, Marc Jay, Acting Manager Safety and Amenity, Xavier Smerdon, Head of Governance, Emily Williams Council Business Advisor, Charmaine Mackrodt, 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.

REQUESTS TO ATTEND BY ELECTRONIC MEANS

MOVED Crs Martin/Sirakoff

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

A vote was taken and the MOTION was CARRIED.

1. APOLOGIES

Nil.

Councillor Nyaguy joined the meeting virtually at 7:43pm.



CHANGE TO ORDER OF BUSINESS

The Mayor advised that due to large public attendance the order of business would be amended.

MOVED Crs Pearl/Martin

That Council approves the change to the order of business to consider item 14.1 Notice of Motion Councillor Rhonda Clark – Fitzroy Street Public Toilet first.

A vote was taken and the MOTION was CARRIED.

2. CONFIRMATION OF MINUTES

MOVED Crs Pearl/Sirakoff

That the Minutes of the Special Meeting of the Port Phillip City Council 20 June 2023 and Meeting of the Port Phillip City Council 21 June 2023 be confirmed.

A vote was taken and the MOTION was CARRIED.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Pearl declared an interest in item 12.1 2023 Grand Prix Post Event Debrief and Recommendations, details of this interest were provided at consideration of the item.

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:

- **Ken Phillips:** In relation to the review of City of Port Phillip Dog Off-leash guidelines. As an on-leash only dog walker, it appears to me that the focus of this review relates to off-leash dogs only to address the multiple complaints I am told have been raised for those operators. I am seeking some understanding of Council's intention towards on-leash dog walkers? How can we engage effectively with Council to ensure an understanding of how on-leash dog walkers, like us, are part of the solution to the growing number of dogs and the genuine concerns of the community regarding dog behaviour.

Allison Kenwood, General Manager Community Wellbeing and Inclusion advised that during community engagement on 'Places for People: Public Space Strategy 2022 – 2032' Council heard from the community that there was both a lack of, and too many, dog off-leash areas across our City. There was strong community support to ensure that there are adequate numbers of dog off-leash areas available across our public space network for our residents.

Conversely, the community requested that some of our public open spaces be kept free of dog off-leash areas, or allocate hours when dogs are required to be on-leash to ensure safe, uninhibited access to our public open spaces. This led us to including the preparation of a Dog Off-Leash Guideline as a priority action in our Places for People: Public Space Strategy 2022 - 2032.

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We currently have no clear guidelines for planning for dog off-leash areas, and Dog Off-Leash Guidelines will help us plan for dog off-leash areas into the future, guiding how Council will provide, distribute, design and manage areas where dogs are allowed off-leash across our City.

To inform the development of the guideline, a community panel has been established to work together with the support of professional and independent facilitators. Much care has been taken to ensure that the community panel represents our community as much as possible, The panel represents a diversity of views and experiences, including people who work with dogs for a living. The community will have the opportunity to provide your feedback on the draft guideline when it is released for community comment later this year.

Allison Kenwood noted that action 2.3 in Council's Adopted 'Domestic Animal Management Plan 2022-25' relates to the introduction of permit requirements for individuals or businesses wishing to walk more than 6 dogs at a time. Council officers are currently developing the permit conditions and further detail will be available in the coming months.

***Councillor Pearl** followed up to ask if the community panel referred to had a member that owned a dog walking business.*

Alison Kenwood, General Manager Community Wellbeing and Inclusion confirmed that was correct.

Council Report Submissions:

Item 11.1 Act and Adapt Review & Climate Emergency Action Plan

- Rhonda Small
- Jack Halliday

Item 12.1 2023 Grand Prix Post Event Debrief and Recommendations

- Michael Sabada
- Hugo Armstrong

Item 14.1 Notice of Motion Councillor Rhonda Clark – Fitzroy Street Public Toilet

- James Newbury
- Gary Smith
- Jennifer Roper
- Alex McCall
- Caroline Thornton
- Greg Sheddon
- Lynda Tully
- Nina Taylor
- Rebecca Benson
- Paul Yates
- Hannah Lawson
- Brendan Moore
- Elisa Webb
- Claire O'Boyle
- Claire Mear
- Neil Scott
- Kane Parlby
- Lune Muna
- James Jarvis
- Belinda Cotter
- David Williams



5. COUNCILLOR QUESTION TIME

- **Councillor Pearl:** Can Officers provide an update on the tenure of the Fishermans Bend Taskforce. Is the committee still in place, has it changed its name, who are the members and has Council been advised of any recent changes?

John Bartels, Manager City Planning and Sustainability General Manager City Growth and Development advised that the Fishermans Bend Development Board was established in 2018 and reappointed in October 2020. It is responsible for guiding the planning and development of the Fishermans Bend urban renewal. Council Officers are not privy to the deliberations of the Board nor its engagement back into Government but do understand that the board is led by Ms Meredith Sussex AM as the Chair and has three other members. There were six members, this has reduced to four members, Mr Gary Liddle AO, sadly passed away and Mr Martyn Myer AO took up a position at a different board so removed themselves from the board at that point.

The tenure of the current board was recently extended, from 30 June to 31 December 2023. Beyond this timeframe it is up to the Victorian Government to consider how to proceed in terms of a board, whether that be its future appointment or an alternative Governance arrangement for the Victorian Government.

***Councillor Pearl** followed up to clarify if the taskforce was distinguished in 2020 or when did it start being referred to as the 'Fishermans Bend Development Board'?*

John Bartels, Manager City Planning and Sustainability clarified that the 'Fishermans Bend Development Board' sits above the taskforce, and provides the required governance to progress decision making and reporting back into Government. The taskforce is a sub group within the Department of Transport and Planning and it reports back into Government via the 'Fishermans Bend Development Board'.

- **Councillor Pearl:** What is the progress of the Montague Precinct Plan and how long have Council been waiting for the document to be released and when is it going to be released?

John Bartels, Manager City Planning and Sustainability advised that the preparation of Precinct Plans were committed to in the endorsed Fishermans Bend Framework in late 2018. The Montague Precinct Implementation Plan is the responsibility of the Fishermans Bend Taskforce to prepare. Council Officers have been advised that the plan will soon be released by the Victorian Government for community consultation. Council has been awaiting the release of the Montague Precinct Plan for the last three years.

- **Councillor Pearl:** Can Officers provide details of the measures to improve the noise issues associated with the Dog Park at the Eastern Road Reserve, South Melbourne? What has council done to improve the situation. Residents have suggested if Council could extinguish the lighting in the middle of the park to track and reduce the use of the park between the hours of 11pm and 6am?

Marc Jay, Acting Manager Safety and Amenity advised that Since 2013, the Eastern Road Reserve Park in South Melbourne has been off leash to dogs between 7am and 7.30pm. Complaints were received that dogs are off leash outside of these hours and this is leading to increased barking dog noise coming from this reserve.

Council's Animal Management Officers recently increased their patrols of this reserve for ten consecutive days, between the 2 and 12 June, between the hours of 6am and 7am. However, we are unable to patrol outside the off-leash hours on-going due to officers'



availability. Council is currently recruiting an additional Animal Management officer, this position is anticipated to be filled by the end of August. This will help Council's ability to carry out further patrols of this reserve outside of the Off leash hours.

Council as an additional measure are installing additional, larger signs requesting dog owners to be respectful of residents and noise. While these signs are on order, temporary signs were installed earlier today. Importantly, there are no restrictions that relate to barking dog noise from public land within the Domestic Animals Act 1994, the Environmental Protection Act 2017, and Council's Local Law.

In terms of the lighting at the park, the question was taken on notice to provide a response.

- **Councillor Clark:** Can Council officers confirm if we recently repainted the Rainbow Road. What was the cost of this, and the reason why the road needed to be repainted since it was originally completed?

Lachlan Johnson, General Manager Operations and Infrastructure advised that the rainbow road was recently repainted and was fully rectified by the contractor at their cost and no cost to Council. There was a defect in how the road was painted originally. Laboratory tests showed that the purple colour was painted at an incorrect rate. Council has a 12-month warranty period on such work and the expected use of life is roughly four to five years. Recently the mural on the road was vandalised, which has been cleaned by Council officers. Unfortunately vandalism does occur but is rectified by Council as soon as practicable. In terms of the cost of the original painting, the question was taken on notice to provide a response.

6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

Nil.

14. NOTICES OF MOTION

As previously advised the order of business was amended to consider item 14.1 Notice of Motion Councillor Rhonda Clark Fitzroy Street Public Toilet

14.1 Notice of Motion Councillor Rhonda Clark – Fitzroy Street Public Toilet

MOVED Crs Clark/Nyaguy

That Council:-

1. Directs that work on the Fitzroy Street toilet block be immediately discontinued,
2. Directs the CEO, or their delegate, to focus Council resources on the delivery of other important public toilet projects detailed in the Draft Public Toilet Plan 2023-33, pending the results of the community engagement process, with an alternative Fitzroy Street location to be revaluated no sooner than 2025.



3. Consults with the relevant stakeholders, including nearby residents, community organisations and St Kilda Park Primary School as part of any future revaluation process to ensure transparency and gather input.

A vote was taken and the MOTION was CARRIED.

Cr Bond called for a DIVISION.

FOR: Crs Crawford, Sirakoff, Clark, Nyaguy and Cunsolo

AGAINST: Crs Baxter, Bond, Martin and Pearl

The MOTION was CARRIED.

The Mayor adjourned the meeting for a break at 8:48pm.

The meeting resumed at 8:57pm.

8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report - Issue 97

Purpose

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

MOVED Crs Martin/Crawford

That Council:

- 3.1 Notes the CEO Report Issue 97 (provided as Attachment 1) including changes to budget forecasts and project portfolio identified in May 2023.

A vote was taken and the MOTION was CARRIED unanimously.

9. INCLUSIVE PORT PHILLIP

Nil.

10. LIVEABLE PORT PHILLIP

10.1 Council Parks & Open Space Maintenance-Herbicide Approach for treatment of weeds

Purpose

- 1.1 To inform Council of the outcome of community consultation on the proposed reintroduction of the selective use of the herbicide, Glyphosate for the treatment of weeds at low-risk locations when deemed necessary.
- 1.2 The report recommends that Council endorse the reintroduction of the use of Glyphosate in select, low-risk locations.



MOVED Crs Pearl/Crawford

That Council:

- 1.1 Thanks the community for their submissions on the proposal to change Council's approach to weed control.
- 1.2 Considering the feedback provided, and the academic and industry advice, resolves to reintroduce the use of Glyphosate in low-risk locations across the City to assist in managing weed growth.

A vote was taken and the MOTION was CARRIED.

11. SUSTAINABLE PORT PHILLIP

11.1 Act and Adapt Review & Climate Emergency Action Plan

Purpose

- 1.1 To seek Council endorsement of the release of the *Draft Climate Emergency Plan (Attachment 1)* and the *Draft Act and Adapt Sustainable Environment Strategy 2023-2028 (Attachment 2)* for community consultation.

MOVED Crs Martin/Baxter

That Council:

- 3.1 Endorses the release of the *Draft Act and Adapt Sustainable Environment Strategy 2023-2028* for community consultation
- 3.2 Endorses the release of the *Draft Climate Emergency Plan* for community consultation
- 3.3 Authorises the CEO (or delegate) to make editorial changes, corrections and formatting to the documents prior to the release for community engagement.

A vote was taken and the MOTION was CARRIED.

11.2 Urban Forest Strategy Draft Vision and Principles for Community Consultation

Purpose

- 1.1 To endorse community engagement on the draft Urban Forest Strategy.

MOVED Crs Martin/Baxter

That Council:

- 3.1 Notes the draft Urban Forest Strategy 2040 Strategic Directions.
- 3.2 Notes the Urban Forest Strategy Stage 1 Engagement Findings Report.



- 3.3 Notes supporting documents including the Port Phillip Urban Forest Strategy 2040 Background and Benchmarking Report, City of Port Phillip Tree Ledger Report 2012-2022, and Protecting Vegetation in the Private Realm Report
- 3.4 Endorses the release of the draft Urban Forest Strategy Vision community engagement on the draft Urban Forest Strategy Vision and Principles for Community Engagement to commence in July 2023.

A vote was taken and the MOTION was CARRIED unanimously.

12. VIBRANT PORT PHILLIP

12.1 2023 Grand Prix Post Event Debrief and Recommendations

Purpose

- 1.1 To present Councillors with a report and recommendations following the 2023 Formula 1 Australian Grand Prix.

Councillor Pearl noted an interest in this matter as they were invited and attended the 2022 Grand Prix representing the City of Port Phillip as Mayor, which included a site tour of the installation, bump in and bump out of the event. Acceptance of these two tickets provided by the Australian Grand Prix corporation have been formally declared and reported on Council's Gift and Hospitality Register. Cr Pearl has also attended 3 GP F1 receptions at Government House representing Council, and was also invited to the 2022 Moto GP which they did not attend.

MOVED Crs Pearl/Cunsolo

That Council:

- 3.1 Asks Officers to implement recommendations as follows for the 2024 Australian Formula One Grand Prix:
 - 3.1.1 Extend the temporarily restricted local parking zone for 2024 as per Figure 9 in Attachment 1.
 - 3.1.2 Work to further streamline the installation of temporary signage
 - 3.1.3 Work with the AGPC over a 12-month period to maximise tourism and promotional opportunities including the creation of a Port Phillip specific 'hub' on the Grand Prix website
 - 3.1.4 Advocate for improved public transport opportunities and communication for community members and visitors
 - 3.1.5 Continue to work with local traders and the AGPC to ensure opportunities are created for local businesses to capitalise on the increased visitation. This will include support and promotion of trader-led events in key precincts
- 3.2 Acknowledges the opportunities that the holding of the Australian Formula One Grand Prix in Albert Park presents for the City of Port Phillip's local economy and encourages Officers to work with the relevant stakeholders to capitalise on these opportunities.



3.3 Overturns the City of Port Phillip's formal opposition of the Australian Formula One Grand Prix as previously endorsed at the 14 June 2011 Council meeting.

A vote was taken and the MOTION was CARRIED.

Cr Nyaguy called for a DIVISION.

FOR: Crs Bond, Sirakoff, Pearl, Clark and Cunsolo

AGAINST: Crs Baxter, Crawford, Martin and Nyaguy

The MOTION was CARRIED.

13. WELL GOVERNED PORT PHILLIP

Nil.

14. NOTICES OF MOTION

Item 14.1 Notice of Motion Councillor Rhonda Clark – Fitzroy Street Public Toilet was considered earlier in the meeting.

15. REPORTS BY COUNCILLOR DELEGATES

Mayor Cunsolo acknowledged outgoing Officer John Bartels, Manager City Planning and Sustainability who has resigned from the City of Port Phillip after 13 years of service to relocate to New Zealand. The Mayor thanked John for their service and wished their family all the best for the future.

16. URGENT BUSINESS

Nil.

17. CONFIDENTIAL MATTERS

Nil.

As there was no further business the meeting closed at 10.00pm.

Confirmed: 19 July 2023

Chairperson _____