



# MEETING OF THE PORT PHILLIP CITY COUNCIL

## MINUTES

17 NOVEMBER 2021



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 17 NOVEMBER 2021 IN ST KILDA TOWN HALL**

The meeting opened at 7:00pm.

**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, Brian Tee, Acting General Manager Development Transport and City Amenity, Tony Keenan, General Manager Community Wellbeing and Inclusion, Chris Carroll, General Manager Customer Operations and Infrastructure, Kylie Bennetts, General Manager City Growth and Organisational Capability, Kirsty Pearce, Head of Governance, Rebecca Purvis, Senior Governance Officer, Emily Williams, Council Meetings Officer, Anthony Traill, Manager Open Space and Community Resilience, Renae Walton, Senior Sustainability Policy & Strategy Advisor, Strategy, Zoe O'Mahoney, Coordinator Sustainable Policy.

*The City of Port Phillip respectfully acknowledges the Traditional Owners of this land. 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 Martin/Bond**

That the minutes of the Meeting of the Port Phillip City Council held on 3 November 2021 be confirmed.

**A vote was taken and the MOTION was CARRIED unanimously.**

**3. DECLARATIONS OF CONFLICTS OF INTEREST**

Councillor Martin advised of an interest in Confidential item 17.1 Northport Oval due to an association with a sporting club, and noted that he did not believe it to be a conflict of interest.



#### 4. PUBLIC QUESTION TIME AND SUBMISSIONS

The following submissions were read out in summary by an officer:

##### Public Question Time:

- **Adrian Jackson:** The recent storm saw a number of large trees in Port Phillip streets crash to the ground narrowly missing houses, cars and pedestrians in Middle Park and environs. Is council aware these dangerous native trees are not suitable for nature strips or in an urban area? Australian native trees are more likely to being blown over in strong winds, not only are they dangerous, it costs ratepayers money to clean up the mess. What is councils' solution to this issue?

*Anthony Traill, Manager Open Space and Community Resilience advised that we currently have an even split of native and exotic tree species within the municipality. In big storm events like the one recently experienced across Melbourne, all trees can fail or shed limbs. Native trees are no more likely to fail and shed limbs than exotic tree species. The City of Port Phillip carries out yearly tree inspections of all trees as part of the general tree maintenance program. When benchmarked, this is more frequently than the biannual inspections at our local neighbouring Councils. Council in 2022 will be consulting on our Greening Port Phillip Strategy and I encourage Mr Jackson and our community to contribute to that process.*

- **Adrian Jackson:** Are indoor council staff and contractors who will meet face to face with customers required to be double vaccinated? How are medical exemptions, both staff and customers, managed?

*Peter Smith, Chief Executive Officer advised that under the Chief Health Officer directions for Local Government all employees (and contractors) working outside their home/ usual place of residence must be fully vaccinated - this includes working at any City of Port Phillip site, or working in the community. Where an employee has a valid medical exemption alternative arrangements would be dealt with on a case by case basis, and may include provision of alternative duties (e.g. work that can be undertaken from home). Under the COVID-19 Service Delivery Vaccination Policy customers are considered to be fully vaccinated against COVID-19 for the purposes of attending a Council service or activity if the customer has a valid medical exemption to COVID-19 vaccination issued by an authorised medical practitioner. As they would be able to access services in the same way as fully vaccinated customers.*

- **Adrian Jackson:** Why has the St Kilda centric council spent \$75,000 of ratepayer's funds on a street mural in Fitzroy St that the local business association proposed and also contributed too financially? Can we expect more of this "art" in other parts of Port Phillip at ratepayers' expense? Is there an ongoing maintenance cost for the mural (as a result of weather damage or vandalism Is council aware of the damage done to the mosaic round seat at the base of St Kilda Pier?

*Kylie Bennetts, General Manager City Growth and Organisational Capability advised that Council has not spent or committed \$75,000 of ratepayer's money on a street mural in Fitzroy Street. Council has provided \$75,000 for the renew Fitzroy Street project each year for the past two years, that project was to activate vacant properties on Fitzroy Street and that's been occurring through a wide variety of start-ups and emerging businesses establishing their business on Fitzroy Street. With respect to murals in the area, the St Kilda*



*junction mural project scheduled for this weekend aims to mitigate against ongoing graffiti in the area. This project will bring together 52 artists from the Melbourne area inviting them to complete new works in situ. The largest walls will be set aside for dedicated works under the theme “Welcome to St Kilda” – defining the site as a positive and creative entry to St Kilda. Whilst Council Officers are supporting the delivery of this project, it has been funded via the State Government. Another public art initiative in the area is the Mirka Mora Mural initiated by the Fitzroy Street Business Association, this was funded under a Council grant, however the amount was \$15,000 instead of \$75,000.*

## 5. COUNCILLOR QUESTION TIME

- **Councillor Crawford:** Can I seek an update in regards to the ongoing discussions regarding the CEO’s employment?

*Mayor Pearl advised that on behalf of Councillors I would like to disclose that through a number of confidential items in the past few meetings of Council, we are pleased to announce that our current CEO, Peter Smith has accepted a new contract commencing May 2022 for a period of two years. That contract has now been signed and that information is now being released to the public from confidential. Thank you Mr Smith, we wish you all the best in your duties as CEO.*

## 6. SEALING SCHEDULE

Nil.

## 7. PETITIONS AND JOINT LETTERS

Nil.

## 8. PRESENTATION OF CEO REPORT

### 8.1 Presentation of CEO Report – Issue 80

#### Purpose

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

#### MOVED Crs Martin/Bond

That Council:

- 3.1 Notes the CEO Report Issue 80 (provided as Attachment 1) including changes to budget forecasts and project portfolio identified in September 2021.

**A vote was taken and the MOTION was CARRIED unanimously.**



## 9. INCLUSIVE PORT PHILLIP

### 9.1 Community Grants Program 2021-22 Recommendations for funding

#### Purpose

- 1.1 To seek Council endorsement of the allocation of grants funding for the Community Grants 2021-2022 Program, as recommended by the Community Grants Assessment Panel.

#### MOVED Crs Crawford/Bond

That Council:

- 3.1 Endorses the Community Grants Assessment Panel's funding allocation recommendations for the Community Grants 2021-22 Program, as detailed in Attachment 1.
- 3.2 Makes public the list of successful applicants for the Community Grants 2021-22 Program on Council's website.
- 3.3 Advises all grant applicants of the outcome of the assessment process and Council's decision.
- 3.4 Formally thanks the voluntary members of the Community Grants Assessment Panel for their valuable contribution to the City of Port Phillip community.

**A vote was taken and the MOTION was CARRIED unanimously.**

## 10. LIVEABLE PORT PHILLIP

### 10.1 Adopt Reviewed Site Contamination Management Policy 2020-2024

#### Purpose

- 1.1 To present to Councillors for adoption, the revised Site Contamination Management Policy 2020-2024 (**SCMP**) (**Attachment 1**), in line with the annual desktop review schedule.

#### MOVED Crs Clark/Bond

That Council:

- 3.1 Adopts the revised Site Contamination Management Policy 2020-2024 and notes the updates to align with the requirements of the Environmental Protection Act 2017 which came into effect on 1 July 2021.
- 3.2 Authorises the CEO to make any minor editorial amendments required that do not alter the substantive intent of the policy.

**A vote was taken and the MOTION was CARRIED unanimously.**



## 11. SUSTAINABLE PORT PHILLIP

### 11.1 Endorsement of Flood Management Strategy Port Phillip and Westernport 2021-2031

#### Purpose

- 1.1 To present Melbourne Water's Flood Management Strategy Port Phillip and Westernport 2021-2031 and associated Action Plan for 2021-2026 for endorsement.

#### **MOVED Crs Martin/Bond**

That Council:

- 3.1 Endorses the Flood Management Strategy Port Phillip and Westernport 2021-2031 and associated Action Plan for 2021-2026.
- 3.2 Requests that the CEO write to Melbourne Water to inform them of Council's endorsement.

**A vote was taken and the MOTION was CARRIED unanimously.**

## 12. VIBRANT PORT PHILLIP

### 12.1 Timeline for Implementation of the Library Action Plan

#### Purpose

- 1.1 This report is to provide Council with anticipated timelines for implementation of the Library Action Plan (2021-26).

#### **MOVED Crs Crawford/Baxter**

That Council:

- 3.1 Endorses the draft Implementation Plan that has been developed to support delivery of the Library Action Plan (2021-26)
- 3.2 Receives an annual report on progress and proposed deliverables for each year of the plan in time to inform budget considerations for the preceding year.
- 3.3 Acknowledge that the Implementation Plan will be reviewed annually, and deliverables updated so it can continue to be responsive to community need and address any relevant shifts in operational or service settings.

**A vote was taken and the MOTION was CARRIED unanimously.**



## 13. WELL GOVERNED PORT PHILLIP

### 13.1 Council and Planning Committee meeting timetable for 2022

#### Purpose

- 1.1 To present to Council a proposed timetable for Council and Planning Committee meetings for 2022.
- 1.2 To amend the current Council timetable to add a meeting on 8 December 2021.

#### **MOVED Crs Pearl/Cunsolo**

That Council:

- 3.1 Adopts the Council and Planning Committee meeting timetable for 2022 as contained in Attachment 1.
- 3.2 Notes that under the Governance Rules the Chief Executive Officer, after consultation with the Mayor, in the case of an administrative matter or an emergency situation, may alter the date, time or location of or cancel a Council meeting by giving such notice to the Councillors and the public as is practicable.
- 3.3 Adds a Council Meeting to the current schedule for 8 December 2021 to provide additional meeting time for decisions required by Council before the end of the year.

**A vote was taken and the MOTION was CARRIED unanimously.**

### 13.2 Status of Council Decisions and Questions Taken on Notice recorded by Council: 1 July 2021 - 30 September 2021

#### 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 July 2021 and 30 September 2021 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 July 2021 and 30 September 2021.

#### **MOVED Crs Baxter/Martin**

That Council:

- 3.1 Notes the implementation status of Council and Planning Committee Resolutions as contained in Attachments 1 and 2.
- 3.2 Notes the response status of questions taken on notice during Council Meetings as contained in Attachment 3.

**A vote was taken and the MOTION was CARRIED unanimously.**



## 13.3 Councillor Expenses Monthly Reporting - September 2021

### Purpose

- 1.1 To report on the expenses incurred by Councillors, in accordance with the Councillor Expenses and Support Policy for the month of September 2021.

### MOVED Crs Pearl/Crawford

That Council:

- 3.1 Notes the monthly Councillor expenses report for September 2021 (Attachment 1) and that this will be made available on Council's website.

**A vote was taken and the MOTION was CARRIED unanimously.**

## 14. NOTICES OF MOTION

### Item 14.1 Notice of Motion – Councillor Louise Crawford – Flagpoles, Alfred Square, St Kilda

### MOVED Crs Crawford/Cunsolo

That Council:

1. Notes that there is one flagpole currently located at Alfred Square, St Kilda. The flagpole is utilised for flying the Australian flag during ceremonies such as ANZAC Day.
2. Notes that two additional flag poles would provide the opportunity for Council to fly the Aboriginal and the Torres Strait flags in addition to the Australian flag that is currently displayed. These flags would be particularly relevant for times when the space is used for ANZAC Day ceremonies, which occurs annually.
3. Notes that the installation of two additional flagpoles would enable an increase to Council's usage of the space for ceremonies during events such as National Reconciliation Week and NAIDOC.
4. Instructs the CEO to undertake works to install two additional flagpoles in Alfred Square, with appropriate planning and consultation, noting that it is likely that the existing flagpole will need to be replaced as part of the works to achieve a consistent outcome.
5. Notes that the works are estimated to cost \$5,500 and that they would be funded through the existing Park Furniture Renewal Program.

**A vote was taken and the MOTION was CARRIED unanimously.**





## 15. REPORTS BY COUNCILLOR DELEGATES

**Councillor Martin** - Reported as Council's delegate to the Bubup Womindjeka Family and Children's Centre Board. Our Board and staff have dealt really well with some complex issues during the COVID19 pandemic. I would like to commend all of those staff involved in childcare in the City of Port Phillip particularly those staff at the Bubup Womindjeka Family Centre for their amazing job in keeping their centers open and running smoothly during these very difficult COVID times.

## 16. URGENT BUSINESS

Nil.

## 17. CONFIDENTIAL MATTERS

### MOVED Crs Pearl/Cunsolo

That in accordance with the Local Government Act 2020, the meeting be closed to members of the public in order to deal with the following matters, that are considered to be confidential in accordance with Section 3 of the Act, for the reasons indicated:

Report No.	Report Title	Confidential reasons
17.1	Northport Oval	(g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

**A vote was taken and the MOTION was CARRIED unanimously.**

The meeting was closed to the public at 7:27pm.

The meeting reopened to the public at 7:47pm.

As there was no further business the meeting closed at 7:47pm.

Confirmed: 1 December 2021

Chairperson \_\_\_\_\_