



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

17 MARCH 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 MARCH 2021 IN ST KILDA TOWN HALL**

The meeting opened at 6:30pm.

PRESENT

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

IN ATTENDANCE

Peter Smith, Chief Executive Officer, Lili Rosic, 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. Rachel Russell, Manager Governance and Organisational Performance, Kirsty Pearce, Head of Governance, Rebecca Purvis, Governance Officer, Emily Williams, Council Meetings Officer. Lachlan Johnson, Executive Manager Construction Contracts and Operations, Donna D'Alessandro, Manager Maintenance & Operations, Darren Brownscombe, Coordinator Street and Beach Cleaning, Anthony Traill, Open Space, Recreation and Community Resilience.

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/Bond

That the minutes of the Meeting of the Port Phillip City Council held on 3 March 2021 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

The following submissions were made verbally during the council meeting and can be listened to in full on our website: <http://webcast.portphillip.vic.gov.au/archive.php>

Council Report submissions:

Item 11.1 Clean Streets Service Review Progress Update & Pressure Washing Service:

- Jenelle McKenzie

The Mayor adjourned the meeting at 6:38pm, to address technical difficulties.

The meeting resumed at 6:42pm.

Item 12.2 Extension to Albert Park College trial use of Gasworks Arts Park and Lemnos Square:

- Natalie Bekis
- Steven Cook
- Timothy Nolan
- Oona Nicholson
- Melisand Box
- Pia Martyn
- Peter Hickey
- Judith Klepner
- Krystyna Kynst
- David Gleeson-Payne
- Anita Eglitis
- James McCaughey

The following submissions were submitted prior to the meeting and were read out in summary by the Head of Governance and can be listened to on our website:

<http://webcast.portphillip.vic.gov.au/archive.php>

Public Question Time

- **Adrian Jackson:** Council states online that 64% of parklets business retained staff and 71% employed new staff. What is the actual number of retained and new staff as percentages are vague? What is the financial and customer loss to retail and other businesses, with car parking space removed for parklets? Has council given consideration to these businesses? How successful will these parklets be in the upcoming winter with wind and rain?-Why is council "cherry picking" a few positive points concerning parklets to put online?

Kylie Bennetts, General Manager City Growth and Organisational Capability advised that we are incredibly proud that traders have been able to retain and engage new staff as part of the parklets program. In the survey that was conducted we did not ask businesses to provide specific numbers of staff, whether they were able to retain or employ new staff, but not the numbers. The intent of Live Love Local is to support all traders and businesses in the municipality. We don't believe there has been customer and financial losses to other businesses, in fact by ensuring our cafes, bars and restaurants are full, we are providing a customer base for neighbouring traders and indeed our local shopping strips. We're currently

MINUTES - MEETING OF THE PORT PHILLIP CITY COUNCIL - 17 MARCH 2021



working with traders to plan for the colder months with covering and heating options being considered.

- **Adrian Jackson:** While Port Phillip City Council is maintaining our plane trees, other councils are removing them and elm trees too. While diseased trees have to be replaced Is council aware that shady foreign trees are good for combating global warming? Is council aware that plane trees with their broad leaves absorb carbon, provide shade in summer and allow sunlight in in winter? The leaves can be used as mulch. Will Council delegates to the MAV lobby other councils to maintain or plant these climate change friendly trees? Will the Council delegate tell other councils to address their tree cover inaction?

Lachlan Johnson, Executive Manager Construction Contracts and Operations advised that the City of Port Phillip has 46,000 trees with an even split between native and exotic species. About twelve percent of the City of Port Phillips trees are identified as plane trees, all tree species contribute towards reducing the effects of global warming. The diversity of species is one of the methods used to safeguard our tree population against the change in climate. Although some Council's may consider and maybe are considering reducing the number of plane and elm trees, most metropolitan Councils, including the City of Port Phillip have set themselves targets to increase their tree populations and or canopy coverage measures and Councils strategy supports those efforts. Councils tree policy and strategy 'Greening Port Phillip and 'Urban Forest Approach' is due for renewal, the community will be encouraged to participate and have their say to shape the future of our urban forest when this strategy is put to the community for engagement and input.

- **Adrian Jackson:** Port Phillip has banned smoking in outdoor dining areas. However, some council benches are next to cafe outdoor dining areas and used by smokers. Council, will you place permanent "No Smoking" sign on the back rest of all council benches in all shopping strips?

Lili Rosic, General Manager Development, Transport and City Amenity advised that Council currently conducts surveillance and enforces certain laws described within the Victorian State Government Tobacco Act 1987. These laws effectively prevent people from smoking while dining outside as part of kerbside dining experience. State legislation nor Councils current local laws do not prevent smoking more broadly in shopping strips, including from public benches adjacent to kerbside dining. Therefore, we are not proposing or recommending to erect signage as per the request. There may be an opportunity to review this subject as part of Councils comprehensive local law review that is due to commence later this year.

Council Report submissions:

Item 12.2 Extension to Albert Park College trial use of Gasworks Arts Park and Lemnos Square:

- Adrian Jackson
- Tamara Jungwirth
- Pam Smith

5. COUNCILLOR QUESTION TIME

Nil.



6. SEALING SCHEDULE

Nil.

7. PETITIONS AND JOINT LETTERS

Nil.

8. PRESENTATION OF CEO REPORT

Nil.

9. PEOPLE AND COMMUNITY

Nil.

10. TRANSPORT AND PARKING

Nil.

The Mayor advised that due to the number of community members in attendance for item 12.2, Council would consider this report first.

12. PLANNING

12.2 Extension to Albert Park College trial use of Gasworks Arts Park and Lemnos Square

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

Councillor Pearl: If Children were playing on or walking across exposed toxic soil, what is the risk of anyone being harmed by lead poisoning because that soil was exposed?

Tony Keenan, General Manager Community Wellbeing and inclusion took the question on notice.

Purpose

- 1.1 To request an extension of time for the trial use of Gasworks Arts Park and Lemnos Square by Albert Park College during school hours.

MOVED Crs Martin/Copsey

That Council:

- 3.1 Notes that Albert Park College students were unable to use Gasworks Arts Park and Lemnos Square for an extended period of the trial due to the COVID-19 pandemic restrictions.
- 3.2 Notes that Council officers have not been able to complete a fair and effective review of the trial due to the COVID-19 pandemic restrictions.



- 3.3 Notes community feedback has been received requesting better teacher supervision and compliance to the agreement by the school.
- 3.4 Endorses the extension of the trial use of Gasworks Arts Park and Lemnos Square by Albert Park College for the 2021 school year.
- 3.5 Endorses the defined area of use in Gasworks Arts Park (Attachment 4) and Lemnos square unchanged from the 2020 agreement.
- 3.6 Endorses a new Licence for Albert Park College to use Gasworks Arts Park and Lemnos Square during school hours. With the following conditions:
 - 3.6.1 The licence does not provide for exclusive use to the school
 - 3.6.2 The licence covers the defined area in Gasworks Arts Park as per the Victorian Government Gazettal, maintaining the majority of the park for other park uses
 - 3.6.3 The licence restricts access to lunchtime and recess periods only
 - 3.6.4 The licence requires a fifty percent increase of teachers supervising Gasworks Arts Park at all times and clearly be identified to the community
 - 3.6.5 The licence prohibits sporting games or the use of sporting equipment specifically no ball games against the Gasworks walls as this disturbs rehearsals and performances.
 - 3.6.6 The licence requires students and teachers to use the path network within Gasworks Arts Park
 - 3.6.7 The licence requires appropriate public liability insurance to be in place
 - 3.6.8 The licence includes requirements for the school to reimburse Council for any maintenance works required due to school use
 - 3.6.9 The licence stipulates that the public amenities within the Gasworks Theatre and Café complex are not to be utilised by the school
 - 3.6.10 The licence has an end date of 31 December 2021.
 - 3.6.11 The preparation of a policy for school access and use of Council managed public space
 - 3.6.12 The licence requires members of the school leadership team to visit the park on a regular basis during rostered hours of usage to monitor all licence requirements.
 - 3.6.13 The licence area excludes any land leased to Gasworks Arts Inc.
 - 3.6.14 The licence stipulates students do not climb on the building roofs as it disturbs the resident artists, tenants and performances.
- 3.7 Note that a review is to be undertaken before the end date of the licence, that considers community feedback, and takes into account views of community members, in its assessment of the effectiveness of the trial, adherence by the school to the conditions of the licence and consideration future licences in-line with the school use policy.

A vote was taken and the MOTION was CARRIED unanimously.



The Mayor adjourned the meeting at 8:12pm.

The meeting resumed at 8:18pm.

11. SUSTAINABILITY

11.1 Clean Streets Service Review Progress Update & Pressure Washing Service

Purpose

- 1.1 To provide an update on the implementation of the *Clean Streets Service Review* into the provision of public amenity cleansing services, endorsed by Council in July 2019; and
- 1.2 To present options to increase service provision for the cleansing of activity centres through pressure washing and seek Council endorsement of the recommended approach for consideration as part of the 2021/22 Council Plan & Budget.

MOVED Crs Crawford/Bond

That Council:

- 3.1 Notes the update to the implementation of the actions arising from the Clean Street Service Review 2019.
- 3.2 Endorses the consideration of option 4a) for the pressure washing of activity centres, subject to the 2021/22 Council Plan & Budget process, at an additional rates impact of \$400,000PA. Including the provision of:
 - 3.2.1 The procurement of a specialised contractor to undertake hygienic night-time programmed pressure washing of dedicated high streets and street furniture across the City.
 - 3.2.2 An allocation of one deep pressure wash to Acland and Fitzroy Street programmed in November.
 - 3.2.3 The establishment of a new year-round dedicated rapid response crew (two officers) to undertake daily sweeps of activity centres from 7am to spot clean stains and areas as required
 - 3.2.4 The trial of a specialised pavement 'scrubbing' cleansing unit that will enable activity centres to be cleaned throughout the day once business commence operating and foot traffic increases.
- 3.3 Delegates to the CEO the ability to determine a program of equitable distribution of hygienic programmed pressure washing across the City within the approved budget

A vote was taken and the MOTION was CARRIED unanimously.

12. PLANNING

12.1 Extension to Interim Heritage Controls - Extension to Heritage Overlay 7 (St Kilda, Elwood, Balaclava, Ripponlea)

Purpose



- 1.1 To determine whether to request the Minister for Planning exercise his powers under Section 20(4) of the Planning and Environment Act 1987 to extend the interim Heritage Overlay to 41-57 Dickens Street, 1-3 Ruskin Street, 1 Addison Street, 49-51 and 59-61 Mitford Street, Elwood (Proposed HO7 Precinct Extension).

MOVED Crs Copsey/Baxter

That Council:

- 3.1 Requests the Minister for Planning to prepare and approve an amendment to the Port Phillip Planning Scheme, pursuant to Section 20(4) of the Planning and Environment Act 1987, to extend the interim Heritage Overlay 7 (HO7) and associated controls to land proposed for inclusion in the 'HO7 Precinct extension' as identified in Port Phillip Heritage Review Update (David Helms Heritage Planning, 2019). The amendment will include the following specific changes to the Port Phillip Planning Scheme, on an interim basis (six months):
 - 3.1.1 Amend Port Phillip Planning Scheme Map 8HO and the schedule to Clause 41.03 – Heritage Overlay to apply interim Heritage Overlay 7 (HO7) to:
 1. 41 and 43 Dickens Street, 1 Addison Street, 1-3 Ruskin Street and 45-57 Dickens Street, Elwood.
 2. 49-51 and 59-61 Mitford Street, Elwood.
 - 3.1.2 Apply a 'Significant Heritage Place' grading to each of the above properties on the Port Phillip Heritage Policy Map (Incorporated Document) except for 49 Dickens Street which is proposed as a 'Contributory Heritage Place'.
 - 3.1.3 Remove 'Contributory outside of the Heritage Overlay' gradings for 49, 59 and 61 Mitford Street, 1 Addison Street and 1-3 Ruskin Street, Elwood on the City of Port Phillip Neighbourhood Character Map (Incorporated Document).
 - 3.1.4 List the Port Phillip Heritage Review Update (David Helms Heritage Planning, 2019) as a reference document in Clause 22.04 (Heritage Policy).
 - 3.1.5 Make consequential changes to Clauses 21.07 (Incorporated Documents), Clause 22.04 (Heritage Policy) and the schedule to Clause 72.04 (Documents incorporated in this scheme) to update the version number and date of the Incorporated Documents listed above.
- 3.2 Authorises the Chief Executive Officer (CEO) or delegate to prepare and finalise the amendment documentation for the above planning scheme amendment.

A vote was taken and the MOTION was CARRIED unanimously.

13. ARTS CULTURE & ECONOMIC DEVELOPMENT

Nil.



14. ORGANISATIONAL PERFORMANCE

14.1 Informal Meetings (Assemblies) 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 Local Government Act.

MOVED Crs Copsey/Bond

That Council receives and notes the written records of Informal Meetings of Councillors (attached) as required by the Local Government Act.

A vote was taken and the MOTION was CARRIED unanimously.

14.2 Audit and Risk Committee Biannual Report

Purpose

- 1.1 To present the Audit and Risk Committee Biannual Report as at 31 December 2021.

MOVED Crs Pearl/Bond

That Council:

- 3.1 Notes the Audit and Risk Committee Biannual Report as at 31 December 2021, which details activities of the Committee covering the meetings held on 8 September 2020 and 17 December 2020.

A vote was taken and the MOTION was CARRIED unanimously.

15. NOTICES OF MOTION

Nil.

16. REPORTS BY COUNCILLOR DELEGATES

Councillor Pearl gave an update to Council on the work the South Melbourne Market Advisory Committee has been undertaking including administering changes that the team at the Market have been putting in place and also completing the strategic plan and budget submission. Cr Pearl noted the consultation regarding the trial of Cecil street closure, which will conclude at the end of March, and has been a huge success for many traders. The Market is in an improving position but still very delicate. Attendance is still down indicating the high prevalence of reliance of many traders on the tourism industry. The Committee is working hard to come up with a future vision and strategy for Council to consider. Cr Pearl advised that the Market is still in a rebuild process, recovering from COVID, and assured Councillors that the majority of traders deeply appreciate the Council's support.



17. URGENT BUSINESS

Nil.

18. CONFIDENTIAL MATTERS

MOVED Crs Bond/Pearl

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
18.1	Report on Habitat Pop Up Common Ground	(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.

The meeting was closed to the public at 8:35pm.

The meeting reopened to the public at 8:47pm

As there was no further business the meeting closed at 8:47pm.

Confirmed: 7 April 2021

Chairperson _____