



MEETING OF THE PORT PHILLIP CITY COUNCIL

MINUTES

6 JULY 2022



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**MINUTES OF THE MEETING OF THE PORT PHILLIP CITY COUNCIL
HELD 6 JULY 2022 IN PORT MELBOURNE 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, Joanne McNeill, Executive Manager Governance and Organisational Performance, 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 Pearl/Baxter

That the minutes of the Meeting of the Port Phillip City Council held on 15 June 2022 and the Special Meeting of the Port Phillip City Council held on 29 June 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 Confidential Item 17.1 – Potential Property Acquisition



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/archive.php>

Public Question Time

The following question from a community member was read on his behalf by an officer:

1. **Michael Knight:** Why aren't the planning officers and heritage advisors adhering to the revised and published guidelines issued by the City? Do these officers have the authority to override published guidelines?

Kylie Bennetts, General Manager City Growth and Development observed that the question followed from March Planning Committee meeting and further responses from Council Planners and Manager City Development.

Planning Officers and Heritage advisors use a range of policies, VCAT decisions, Acts and guidelines together with Port Phillip Planning Scheme to make informed decisions relating to planning applications. The advice that has been provided is consistent with the draft Heritage Design Guidelines Rev Feb 2021 (Guidelines are under review as part of Amendment C203 the panel hearing was recently concluded). The draft guidelines complement the specific heritage policies contained within the Port Phillip Planning Scheme, but the policies contained within the planning scheme are not replaced by the draft guidelines. The policies contained in the Planning Scheme remain the primary decision-making documents in relation to heritage and not the guidelines. Officers are not overriding the published guidelines, they are simply using the Planning Scheme, which is the main planning document used to regulate use and development when assessing all planning applications.

She noted that there had been a number of planning decisions the relevant site and given one of the applications was determined by VCAT, that decision together with the heritage, heritage overlay, design and development overlay, urban design, and zoning provisions contained within the Port Phillip Planning Scheme would always contribute to the decisions made in any planning permit application.

A further discussion could be arranged with the Manager of City Development if the member of community wishes.

Council report submissions

Item 7.1 Petition Victorian Youth Arts Precinct Adjacent to Gasworks Park

- Jane Gray
- Ruth Heazlewood
- Sue Dockerill
- Christine Fetterplace

5. COUNCILLOR QUESTION TIME

- **Cr Bond:** What steps have been taken since 2018 by the Minister and VSBA to inform the Council about the Youth Arts Precinct proposal?

The Chief Executive Officer advised that there was an initially an announcement by the State Government without funding initially. There was a series of investigations about possible



sites, There was a briefing with Councillors on potential sites as part of these investigations. The State Government purchased a site that was privately owned: Council was not informed of the purchase but subsequently advised it would be the site of the secondary art college. In terms of timing, the CEO noted he would need to check the records but he recalled it was only within the last two years that the site was purchased.

Tony Keenan, General Manager Community Wellbeing and Inclusion, confirmed that the VSBA and the schools sought meetings with Council, seeking to find land at Gasworks Park. Council could not locate or offer any land that was appropriate. There have been no meetings about the development of the site purchased by Government. This week Council has received an offer of a meeting with the architect. Council has not seen plans in relation to the wall adjoining the school site.

- **Cr Martin:** Are Council officers aware of the pop up bike lanes program that there are a number of concerns from the public particularly with areas where riders are forced to move from one side of the road to the middle and back again, such as around the corner in Bridge St? If so, what actions will Council do to investigate if these lanes are safe or not, and if members of the public are concerned, what advice will Council give to them?

Kylie Bennetts, General Manager City Growth and Development thanked members of the community and Councillors who provided feedback on the DOT pop-up bike lanes, both in terms of safety and impact on amenity. Council has regular dialogue with DOT officers about the bike lanes and is continually working with them as the lanes are a trial so continually testing and learning. Feedback is invaluable. Council officers are working with DOT to make adjustments where possible and necessary. We encourage Councillors and members of the community to continue to provide feedback.

7. PETITIONS AND JOINT LETTERS

Item 7.1 Petition re Victorian Youth Arts Precinct at Gasworks Park

A Petition/Joint Letter containing 63 signatures, was received from Christine Fetterplace, and presented to a Council Meeting on 6 July 2022.

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

Councillor Pearl: What do we know about what heritage protection pertains to the wall?

Tony Keenan, General Manager Community Wellbeing and Inclusion, advised he would take the specific heritage overlay question on notice.

Councillor Cunsolo:

1. If the proposal was subject to Council planning process, how many carparks would be required for this type of development?
2. Does Council have data on the number of non-permit spaces adjacent to the site after 6pm? if not, what is the process for acquiring that information to better inform community concerns?
3. Would a bus loading zone be considered as part of Council's response to the development given potential school groups which could be rehearsing from various schools, similar to what happens at Elwood College?
4. If there are openings in the heritage wall, such as to 3-5 small openings shown on the site plan on the VSBA website, near the external courtyard on the Gasworks



side, would these openings and similar access/egress points require an extended lease agreement with Gasworks Park?

AMENDMENT

MOVED Crs Bond/Sirakoff

That the following addition be made to the recommendation

7. Requests the Mayor to write to the Minister for Education to request the VSBA to undertake formal consultation with Council on the design of the Youth Arts Precinct and also requests that the process be established by the VSBA or relevant State government departments or agencies for addressing local residents' concerns during planning and construction and following the opening of the Youth Arts Precinct

A vote was taken and the MOTION was CARRIED unanimously.

The **AMENDMENT** became the **SUBSTANTIVE MOTION**

MOVED Crs Pearl/Martin

That Council:

1. Receives and notes the Petition.
2. Thanks the petitioners for their Petition.
3. Notes that the project is being built by the VSBA and therefore is exempt from any Council Planning Permits.
4. Notes that the wall in question has some heritage overlays and that the VSBA project team should consult Heritage Victoria if alterations are planned.
5. Asks Officers to enter into discussions with the VSBA to further understand the intention for the design and confirm ownership of the brick wall.
6. Encourages the petitioners to contact the representatives found on the [VYAP website](#) and [VSBA website](#).
7. Requests the Mayor to write to the Minister for Education to request the VSBA to undertake formal consultation with Council on the design of the Youth Arts Precinct and also requests that the process be established by the VSBA or relevant State government departments or agencies for addressing local residents' concerns during planning and construction and following the opening of the Youth Arts Precinct

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

Item 7.2 Petition to save adventure playgrounds

A Petition/Joint Letter containing 1397 signatures, was received from Katrina Findlay, and presented to a Council Meeting on 06 July 2022

MOVED Crs Bond/Crawford



That Council:

1. Receives and notes the Petition.
2. Commits to engagement over 2022/23 on the planned upgrades informed by approved vision and principles, with a particular focus on hearing from children and young people, as per the Council Resolution of 4 May 2022
3. Will continue to inform the community of the outcomes of the upgrade engagements so they are informed of the planned changes, timelines and any service disruptions caused by the upgrade construction.

A vote was taken and the MOTION was CARRIED unanimously.

8. PRESENTATION OF CEO REPORT

8.1 Presentation of CEO Report – Issue 87

Purpose

- 1.1 To provide Council with a regular update from the Chief Executive Officer regarding Council's activities and performance.**2.**

MOVED Crs Pearl/Copsey

That Council:

- 3.1 Notes the CEO Report Issue 87 (provided as Attachment 1) including changes to budget forecasts identified in May 2022.

A vote was taken and the MOTION was CARRIED unanimously.

9. INCLUSIVE PORT PHILLIP

Nil.

10. LIVEABLE PORT PHILLIP

Nil.

11. SUSTAINABLE PORT PHILLIP

Nil.

12. VIBRANT PORT PHILLIP



Nil.

13. WELL GOVERNED PORT PHILLIP

13.1 Investment and Treasury Management Policy

Purpose

- 1.1 To obtain Council approval of the updated Investment & Treasury Management Policy, which sets out the principles to be followed by Council officers when investing funds with financial institutions.

MOVED Crs Copsey/Baxter

That Council:

- 3.1 Adopts the revised Investment & Treasury Management Policy as set out in Attachment 1 to this report.
- 3.2 Formally rescinds the current Investment & Treasury Management Policy.

A vote was taken and the MOTION was CARRIED unanimously.

14. NOTICES OF MOTION

Nil.

15. REPORTS BY COUNCILLOR DELEGATES

Nil.

16. URGENT BUSINESS

The Mayor advised that one item of urgent business was provided to Councillors. The item was considered to be confidential information in accordance with Section 3 of the Local Government Act 2020 and would therefore be considered in the confidential section of the agenda.

17. CONFIDENTIAL MATTERS

MOVED Crs Martin/Crawford

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

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17.1	Public Open Space – Potential acquisition	(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (c). land use planning information, being information that if prematurely released is likely to encourage speculation in land values (f). personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs 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.
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A vote was taken and the MOTION was CARRIED unanimously.

The meeting closed to members of the public at 7:40pm

The meeting reopened to members of the public at 7:45 pm
As there was no further business the meeting closed at 7:45pm.

Confirmed: 20 July 2022

Chairperson _____