



**CONFIDENTIAL
MEETING OF THE
PORT PHILLIP CITY
COUNCIL**

**CONFIDENTIAL
MINUTES**

6 OCTOBER 2021



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CONFIDENTIAL MINUTES - CONFIDENTIAL MEETING
OF THE PORT PHILLIP CITY COUNCIL - 6 OCTOBER
2021



**MINUTES OF THE CONFIDENTIAL MEETING OF THE PORT PHILLIP
CITY COUNCIL HELD VIRTUALLY ON 6 OCTOBER 2021**

PRESENT

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

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, Governance Officer, Emily Williams, Council Meetings Officer, Joanne McNeill, Executive Manager, Property and Assets, Mike Coultas, Senior Project Manager Fishermans Bend, Claire Stevens Executive Manager People, Safety and Culture.

17. CONFIDENTIAL BUSINESS

- 17.1 Reappointment of External Member to the Audit & Risk Committee
- 17.2 Panel recommendation: 39-47 Camden Street, Balaclava
- 17.3 Fishermans Bend - Montague Precinct Implementation Plan
- 17.4 CEO Employment Matters

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17.1 Reappointment of External Member to the Audit & Risk Committee

Purpose

- 1.1 To seek the Council's approval to appoint an external member to the City of Port Phillip Audit and Risk Committee.

MOVED Crs Martin/Pearl

That Council:

- 3.1 Extends Ms Kylie Maher's tenure as an external member of the City of Port Phillip Audit & Risk Committee for an additional three years, commencing 01 November 2021.
- 3.2 Makes public this report following acceptance of the appointment by Ms Kylie Maher.

The Vote was taken under DIVISION.

FOR: Crs Baxter, Crawford, Cunsolo, Bond, Sirakoff, Copsey, Martin, Pearl and Clark

AGAINST: Nil

The MOTION was CARRIED unanimously.

17.2 Panel recommendation: 39-47 Camden Street, Balaclava

Cr Bond advised that he has an interest in this matter, but does not deem it to be a conflict due to the insignificance of the interest in the matter.

Purpose

To:

- nominate a preferred respondent pursuant to Council's request for expressions of interest to purchase 39-47 Camden Street, Balaclava; and
- recommend whether to proceed with a sale of the land to that respondent, or alternatively to exercise a put option that Council has secured to sell the land to a neighbour.

MOVED Crs Pearl/Copsey

That Council:

- 3.1 Notes that it has carried out a competitive market process for the sale of 39-47 Camden Street, Balaclava.
- 3.2 Determines to exercise the put option, thereby requiring Fabcot Pty Ltd (a fully owned subsidiary of Woolworths Group Ltd) to purchase 39-47 Camden Street.
- 3.3 Authorises and delegates the Chief Executive Officer to exercise the put option, and to do all things necessary to enter into and sign all relevant contractual agreements, and to complete the transaction, and further provides the CEO the authority to on-delegate this power to another Officer if required.

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- 3.4 Authorises the affixing of the Common Seal of Port Phillip Council to the relevant documents, should that be required.
- 3.5 Notes that the sale advances renewal of the Balaclava Retail Renewal Precinct, requiring the purchaser to develop the site, and for that development to include replacement parking available to the public and a supermarket.
- 3.6 Notes that the purchase price is \$6,000,000 plus GST, with settlement in 90 days.
- 3.7 Notes that the purchaser also required to pay City of Port Phillip \$100,000 for up to five years, until the development is substantially commenced.

The Vote was taken under DIVISION.

FOR: Crs Baxter, Crawford, Cunsolo, Bond, Sirakoff, Copsey, Martin, Pearl and Clark

AGAINST: Nil

The MOTION was CARRIED unanimously.

17.3 Fishermans Bend - Montague Precinct Implementation Plan

Purpose

- 1.1 The purpose of this confidential report is to:
 - (a) Determine Council's response to the draft Montague Precinct Implementation Plan (MPIP) in PART 1;
 - (b) Approve communication of Council's response to the MPIP to the State Government,
 - (c) When required, incorporate Council's response to the MPIP into a formal public submission to the State Government.
 - (d) Approve engagement with any State Government appointed Advisory Panel, noting that funding for Council's engagement will be progressed through the Council budgetary process (PART 2); and
 - (e) Approve Council's approach to community engagement in PART 3.

MOVED Crs Pearl/Copsey

That Council:

- 2.1 Notes the contents of the (draft) Montague Precinct Implementation Plan (MPIP) and acknowledges the effort of Council and DJPR officers to develop this document;
- 2.2 In-principle supports the content of the MPIP subject to the State Government addressing to Council's satisfaction the matters identified in **Part 1** of this report including a satisfactory resolution the funding and finance arrangements and the need for further detail to provide clarity and certainty of issues as identified in **Part 1** of this report.
- 2.3 Authorises the Mayor to write to the Minister for Precincts, thanking him for the opportunity to participate in the development of the MPIP and detailing Council's position as per **recommendation 2.2**.

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- 2.4 Authorises the public release of a formal submission including Council's response to the MPIP as per **recommendation 2.2** as part of any State Government consultation on the MPIP noting that there may be changes to **Part 1** to elaborate Council's position and to provide editing and formatting changes.
- 2.5 Authorises Council to be represented at any Planning Panel appointed by the State Government to support Council's position as set out in **recommendation 2.2**, to seek to resolve matters detailed in **Part 1** of this Report, to respond to matters raised at the Panel and to otherwise represent the interests of Council. Further, Council notes that funding for Council's representation will be sought through the Council Budget process.
- 2.6 Authorises Council participation in any State Government community engagement process on the MPIP as per **Option 2** so that the State Government leads engagement and Council provides support to maximise opportunities for community engagement including through the use of Council social media and other platforms.

The Vote was taken under DIVISION.

FOR: Crs Baxter, Crawford, Cunsolo, Bond, Sirakoff, Copsey, Martin, Pearl and Clark

AGAINST: Nil

The MOTION was CARRIED unanimously.

The CEO, having declared a conflict of interest in Item 17.4, left the meeting and Claire Stevens, Executive Manager People, Safety and Culture assumed his chair.

17.4 CEO Employment Matter

This report is highly confidential.

The details of this resolution have been shared with Councillors, and will be formally included in these Minutes at the conclusion of the current CEO Employment Matter.

The meeting closed at 8.43pm

Confirmed: 20 October 2021

Chairperson _____