



**ORDINARY
MEETING OF
COUNCIL**

AGENDA

23 MARCH 2009

Ordinary Meeting of Council

Welcome

Welcome to this Meeting of the Port Phillip City Council.

Council Meetings are an important way to ensure that your democratically elected representatives are working for you in a fair and transparent way. They also allow the public to be involved in the decision making process of Council.

About this meeting

There are a few things to know about tonight's meeting. The first page of tonight's Agenda itemises all the different parts to the meeting. Some of the items are administrative and are required by law. In the agenda you will also find a list of all the items to be discussed this evening.

The agenda may include new items that have not previously been considered before at a Committee Meeting, these items are known as Orders of the Day. The agenda may also include supplementary reports which provide additional information requested by Council. Recommendations from Council's Strategy and Policy Review Committee and at times the Statutory Planning Committee (which both have met during the month) will also be presented.

Each Order of the Day and supplementary information will have reports written by a Council officer outlining the purpose of the report, all relevant information and a recommendation. Council will consider the report and either accept the recommendation or make amendments to it. All decisions of Council are adopted if they receive a majority vote from the Councillors present at the meeting.

Public Question Time

Provision is made at the beginning of the meeting for question time from members of the public. Question time is limited to 20 minutes unless the meeting resolves to extend this time.

If you would like to ask a question tonight, please fill in the blue 'Do You Wish to ask a Question or make a Public Comment' form located outside the chamber and give it to the Administrative Officer.

Public Comment

Any person who has made a written submission on an item and requested that she or he be heard in support of that written submission pursuant to section 223 of the Local Government Act will be entitled to address Council. Any other public comment at this meeting is at the discretion of the Chairperson.

If you would like to address the Council on any of the items being discussed tonight, please fill in the blue 'Do You Wish to ask a Question or make a Public Comment' form located outside the chamber and give it to the Administrative Officer.

When your item is being discussed the Chairperson will call your name and ask you to address the Council. The length of time available to each speaker will be at the Chairpersons discretion, noting that time available may be limited.



CITY OF PORT PHILLIP

PORT PHILLIP CITY COUNCIL BUSINESS PAPER

To Councillors

Notice is hereby given that an **Ordinary Meeting** of the **Port Phillip City Council** will be held in the **Council Chamber, St Kilda Town Hall** on **Monday, 23 March 2009** at **6.00pm**.

AGENDA

1. **APOLOGIES**
2. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
 - Minutes of the Ordinary Meeting of the Port Phillip City Council held on 23 February 2009.
 - Minutes of the Special Meeting of the Port Phillip City Council held on 16 March 2009.
3. **PETITIONS AND JOINT LETTERS**
4. **SEALING SCHEDULE**
5. **CORRESPONDENCE**
6. **PUBLIC QUESTION TIME**
7. **COUNCILLOR QUESTION TIME**
8. **PRESENTATION OF REPORTS AND RECOMMENDATIONS FROM S86 SPECIAL COMMITTEE MEETINGS**
 - Reports of the Strategy and Policy Review Committee - 2 March 2009.
 - *A1 – City of Port Phillip Network Operation Plan.*
 - *A2 – Luna Park Interchange Renewal.*
 - *A3 – Emergency Management/Pandemic Planning Report.*
 - *A4 – Proposed Discontinuance and Sale of Right of Way – Rear of 132 & 134 Heath Street, Port Melbourne.*
 - *A5 – Construction of a Café at South Melbourne Market.*
 - Reports of the Statutory Planning Committee - 10 March 2009 (MEETING CANCELLED).
9. **CHIEF EXECUTIVE OFFICER'S REPORT**
10. **ORDERS OF THE DAY**
 - *Order 1 – Appointment of Acting Mayor*
 - *Order 2 – Audit Committee*
 - *Order 3 – Council Governance Program*
 - *Order 4 – West Beach Pavilion Lease*
11. **REPORTS BY COUNCILLOR DELEGATES APPOINTED TO OTHER BODIES**
12. **URGENT BUSINESS**
13. **CONFIDENTIAL MATTERS**

Including reports considered at the Strategy and Policy Review Committee and the Statutory Planning Committee (*Nil*).

Darrell Treloar

Chief Executive Officer (Interim)

18 MARCH 2009

3. PETITIONS AND JOINT LETTERS

Item 1

A Petition was received (via email) from 30 residents in regards to the St Kilda Market. The Petition states the following:

'We the undersigned, urge the City of Port Phillip to temporarily take over the running of the St Kilda Arts & Crafts Market and to do so immediately, to ensure that the potential for conflict of interest does not continue. During this temporary period we ask the City of Port Phillip to conduct an independent assessment of the best way to run the market in order to secure its long lasting future.'

***Copy of Petition has been forwarded to Geoff Oulton, Executive Director Community Development and Planning.**

Item 2

A Petition was received (via email) from 26 residents regarding the Albert Park VRI Bowling Club.

'We the undersigned residents of St Vincent Place, Albert Park, petition the City of Port Phillip to take immediate action to cause the Albert Park VRI Bowling Club ('the Club') located in St Vincent Gardens, to cease hosting commercial functions and to immediately comply with all aspects of its restricted club liquor licence and local planning regulations. We further petition the Council to subsequently seek cancellation of the Club's liquor licence and appose any future application for a liquor licence.'

***Copy of Petition has been forwarded to Geoff Oulton, Executive Director Community Development and Planning.**

4. SEALING SCHEDULE

The following documents are submitted for signature and sealing:

SECTION 173 AGREEMENT between PORT PHILLIP CITY COUNCIL and SALVATION ARMY (VIC) PROPERTY TRUST, to ensure that a portion of the land owned by the Salvation Army is retained for landscape amenity purposes with on-going public access. Item dealt with by Council in June 2006.

Responsible Manager: George Borg, Manager City Development.

RECOMMENDATION

That the Common Seal of the Port Phillip City Council be affixed to the above documents.

5. CORRESPONDENCE

6. PUBLIC QUESTION TIME

7. COUNCILLOR QUESTION TIME

8. PRESENTATION OF REPORTS AND RECOMMENDATIONS FROM S86 SPECIAL COMMITTEE MEETINGS

8(A) REPORTS OF THE STRATEGY AND POLICY REVIEW COMMITTEE HELD AT THE ST KILDA TOWN HALL ON 2 MARCH 2009

A1 CITY OF PORT PHILLIP NETWORK OPERATION PLAN

Purpose

To update Council on the progress to date on the development of the City of Port Phillip Network Operating Plan. To seek consideration of the draft City of Port Phillip Road Use Hierarchy Map.

COMMITTEE'S RECOMMENDATION

That Council:

1. Reaffirm its support for the Sustainable Transport Framework, as shown in Attachment 4, and has applied this framework in considering the proposed "Road Use Hierarchy" and will continue to apply that framework to its decision making on all roads within the municipality
2. Subject to point 1, endorse the Road Use Hierarchy Map for the City of Port Phillip shown as Attachment 3 in this report.
3. Note the development of the Network Operation Plan for the City of Port Phillip.
4. Seek greater on-road space allocation for cyclists on the Beach Road in the Network Operating Plan.

A2 LUNA PARK INTERCHANGE RENEWAL

Purpose

Update the council on progress on the Luna Park Interchange Renewal, namely the community engagement process. Seek in-principle support for the functional and urban design direction.

COMMITTEE'S RECOMMENDATION

That Council:

1. Note the progress of the Luna Park Interchange Renewal project.
2. Provide in-principle support for the functional and urban design direction for the Luna Park Interchange space.
3. Consider the further development and implementation for the Luna Park Interchange space as part of the 2009/10 capital works budget process, generally in accordance with plan LD-04 (Partial Plan), and also including all pedestrian crossing points provided for in the plan LD-02 (Landscape Plan Complete).
4. Ensure the design of the platform stops adjacent to Luna Park meet the same standard and finish as those recently constructed in Fitzroy Street and that the stop and any advertising are sited to minimise any impact on view lines to the "Mr Moon" facade of Luna Park.
5. Ensuring the design adequately caters for cyclists, investigate the potential for a right hand turn for cyclists from Carlisle Street into Acland Street and that Bicycle Victoria be consulted.
6. A detailed design of the interchange be provided to council for consideration prior to its finalisation for construction.

A3 EMERGENCY MANAGEMENT/PANDEMIC PLANNING UPDATE

Purpose

This report seeks to update Council on the progress of Emergency Management and Pandemic Planning as well as outlining Emergency Management activities undertaken in 2008.

COMMITTEE'S RECOMMENDATION

That Council:

1. Receive the report and note the Emergency Management activities undertaken in 2008.
2. Note that the Influenza Pandemic Plan will be reported to Council when fully developed and fully operational.

A4 PROPOSED DISCONTINUANCE AND SALE OF RIGHT OF WAY NO. R2421 AT THE REAR OF 132 & 134 HEATH ST, PORT MELBOURNE

Purpose

This report is to finalise the discontinuance and sale of a section of Right of Way No. R2421 at the rear of 132 & 134 Heath St, Port Melbourne in accordance with statutory procedures set out in the Local Government Act 1989. As a result of a public notice, one submission has been received. Council can now consider the submission and hear any supporting material before making a decision complete the procedures and finalise the matter.

COMMITTEE'S RECOMMENDATION

That Council:

1. Being of the opinion that the road at the rear of 132 & 134 Heath St, Port Melbourne as shown on the plan attached to this report is not reasonably required as a road for public use -
 - Discontinues the road;
 - Directs that a notice be published in the Government Gazette;
 - Directs that the land from the road be sold to the abutting owner of 134 Heath St, Port Melbourne;
 - Directs that the discontinuance and sale will not affect any right, power or interest held by service authorities in connection with assets under the control of the authority in or near the road;
 - Authorises the use of the Common Seal of the Port Phillip City Council to be affixed to the Transfer of Land.

A5 CONSTRUCTION OF A CAFÉ AT SOUTH MELBOURNE MARKET

Purpose

The Cecil Street precinct of South Melbourne Market (SMM) requires funding for the construction of a café that will effectively become the strip's flagship and the Market's major frontage on its busiest corner.

COMMITTEE'S RECOMMENDATION

That Council:

1. Proceed with the evaluation of tenders for the construction of a café in stalls 101-103 of South Melbourne Market (located on the corner of York and Cecil Streets, South Melbourne) and that Council refers the project for consideration to the 2009-2010 Capital Program.

**8(B) REPORTS OF THE STATUTORY PLANNING COMMITTEE HELD AT THE ST
KILDA TOWN HALL ON 10 MARCH 2009**

MEETING CANCELLED.

9. CHIEF EXECUTIVE OFFICER'S REPORT

10. ORDERS OF THE DAY

ORDER OF THE DAY 1 APPOINTMENT OF ACTING MAYOR

(Refer to attached report)

ORDER OF THE DAY 2 AUDIT COMMITTEE

(Refer to attached report)

ORDER OF THE DAY 3 COUNCIL GOVERNANCE PROGRAM

(Refer to attached report)

ORDER OF THE DAY 4 WEST BEACH PAVILION LEASE

(Refer to attached report)

**11. REPORTS BY COUNCILLOR DELEGATES APPOINTED TO
OTHER BODIES**

12. URGENT BUSINESS

13. CONFIDENTIAL MATTERS