



**STRATEGY AND POLICY
REVIEW COMMITTEE**

AGENDA

2 MARCH, 2009

Welcome

Welcome to this Strategy and Policy Review Committee Meeting of the Port Phillip City Council.

Committee Meetings are a useful way for Councillors to be presented with, and consider, a large amount of information, from which a recommendation to the full Council can be made. 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.

Each item has a report written by a Council officer outlining the purpose of the report, all relevant information and a recommendation. The Committee will consider the report and either accept the recommendation or make amendments to it.

As this Committee does not have delegated authority, all decisions of the Committee are not final and will be presented to the next Ordinary Meeting of Council for further refinement and adoption.

A recommendation is carried if it receives majority support of the Councillors in attendance at the Committee 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 pursuant to section 223 of the Local Government Act and requested that she or he be heard in support of that written submission will be entitled to address the Committee.

If you would like to address the Committee 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 Chairperson's discretion, noting that time available may be limited.



PORT PHILLIP CITY COUNCIL
STRATEGY AND POLICY REVIEW COMMITTEE

To Councillors

Notice is hereby given that a meeting of the **Strategy and Policy Review Committee** of the **Port Phillip City Council** will be held in the **Council Chamber, St Kilda Town Hall** on **Monday, 2 March 2009 commencing at 6.00pm.**

AGENDA

- 1. APOLOGIES**
- 2. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
Minutes of the Strategy and Policy Review Committee held on 2 February 2009.
- 3. CORRESPONDENCE**
- 4. PUBLIC QUESTION TIME**
- 5. COUNCILLOR QUESTION TIME**
- 6. PRESENTATION OF REPORTS**
 - 6.1 Policy and Planning**
 - 6.2 Governance and Compliance**
- 7. CHIEF EXECUTIVE OFFICER'S REPORT**
- 8. REPORTS BY DELEGATES (COUNCILLOR) APPOINTED TO OTHER BODIES**
- 9. URGENT BUSINESS**
- 10. PRESENTATION OF CONFIDENTIAL REPORTS**
 - 10.1 Policy and Planning**
 - 10.2 Governance and Compliance**

Darrell Treloar
Chief Executive Officer (Interim)
25 February 2009

STRATEGY AND POLICY REVIEW COMMITTEE

REPORT INDEX

6. PRESENTATION OF REPORTS

6.1 Policy and Planning

A1 – City Of Port Phillip Network Operation Plan

Responsible Executive Director: Geoff Oulton, Executive Director
Community Development & Planning

A2 – Luna Park Interchange Renewal

Responsible Executive Director: Geoff Oulton, Executive Director
Community Development & Planning

6.2 Governance and Compliance

A3 – Emergency Management/Pandemic Planning Report

Responsible Executive Director: David Yeouart, Executive Director Community
Assets and Services

A4 - Proposed Discontinuance and Sale Of Right Of Way – Rear of 132 & 134 Heath Street, Port Melbourne

Responsible Executive Director: Sally Calder, Executive Director Organisation
Systems and Support

A5 – Construction of a Café at South Melbourne Market

Responsible Executive Director: David Yeouart, Executive Director Community
Assets and Services

10. PRESENTATION OF CONFIDENTIAL REPORTS

10.1 POLICY AND PLANNING

Nil

10.2 GOVERNANCE AND COMPLIANCE

Nil.

STRATEGY AND POLICY REVIEW COMMITTEE
2 MARCH 2009

POLICY AND PLANNING

A1	CITY OF PORT PHILLIP NETWORK OPERATION PLAN
EXECUTIVE DIRECTOR:	GEOFF OULTON, EXECUTIVE DIRECTOR COMMUNITY DEVELOPMENT AND PLANNING
PREPARED BY:	STEFAN MITRIK, COORDINATOR TRAFFIC, TRANSPORT AND PARKING
FILE NO.:	78/23/12
ATTACHMENTS:	1. COPP DECLARED ROAD NETWORK 2. NETWORK OPERATION PLANNING FRAMEWORK 3. PORT PHILLIP ROAD USER HIERARCHY COUNCIL OFFICER DISCUSSION 11/10/2007 4. SUSTAINABLE TRANSPORT FRAMEWORK 2002

1. PURPOSE

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

2. RECOMMENDATION

That the Strategy and Policy Review Committee resolve to:

- 2.1 Endorse the Road Use Hierarchy Map for the City of Port Phillip shown as ATTACHMENT 3 in this report.
- 2.2 Note the development of the Network Operation Plan for the City of Port Phillip.

3. BACKGROUND AND CONTEXT

- 1.1. The Victorian Government's Metropolitan Transport Plan sets out 4 strategies for managing congestion:
 - Improving the reliability and flow of road-based public transport;
 - Making existing roads operate better;
 - Improving service coordination, integration and customer interface;

- Promoting sustainable travel through better demand management.
- 3.2 Network Operation Planning is a process that has been developed by the Victorian Government under the Metropolitan Transport Plan to guide work on making existing roads within Victoria operate better.
- 3.3 Network Operation Planning is being undertaken in all Victorian Councils.
- 3.4 VicRoads advises this process will:
- Apply to the Declared Road Network only (black and red coloured roads shown in ATTACHMENT 1), i.e. those roads under the control, care and maintenance of VicRoads;
 - Describe how the arterial road network is intended to operate for each transport mode for each part of the day, at both a regional and local level transport;
 - Identify where the road network does not operate as intended;
 - Define the changes in road operation required to develop the Network Operating Plan.

4. RECOMMENDED OPTION

- 4.1 ATTACHMENT 2 illustrates the Network Operation Planning framework. This report seeks Council endorsement of the 'Road Use Priority Map' element of the Network Operation Planning framework (top yellow-coloured box).
- 4.2 The 'Road Use Priority Map' essentially favours the allocation of road space and / or time to a particular road user/s (transport mode) on particular roads or sections of roads. In instances where there are competing needs of different road users (such as buses and cars), the Road Use Priority Map would assist, by providing another input, to progress to a better outcome.
- 4.3 The map is intended to be a strategic management tool to assist the decision-making processes of VicRoads (and Council) within agreed parameters. The map would also manage expectations of Council and its constituency.
- 4.4 In order to adequately consider local issues, VicRoads in consultation with Council's Traffic and Transport officers have developed road use priority maps for parts of the network, which were then used to provide a whole network map (ATTACHMENT 3). Council officer advice has been guided by Council policy. Local government areas (LGAs) have been adopted as the base for the localised development of maps.
- 4.5 The first stage of Network Operation Planning was to describe how the arterial road network is intended to operate for each transport mode for each part of the day. The modes considered included:
- Trams;
 - Buses;
 - Pedestrians;

- Bicycles;
 - General traffic including freight.
- 4.6 The priorities assigned to the road network were based on the principles set out in the Victorian Government's Metropolitan Transport Plan, which include:
- Public transport has first priority on designated routes on the Principle Public Transport Network (PPTN);
 - Freight (not the higher capacity vehicles currently being debated) has unrestricted access across the arterial network;
 - Preferred traffic routes will be developed to avoid significant conflicts with abutting land use;
 - Improving traffic flow in and around activity centres;
 - Promoting non-motorised forms of transport.
- 4.7 The application of the Metropolitan Transport Plan principles involves the consideration of a large array of data including travel demand, freight movement, activity centres, abutting land use and public transport service.
- 4.8 The next stage of this process will be to prepare the 'Time-of-day Priority Maps' (ATTACHMENT 2, second yellow-coloured box). Another key variable in the management of congestion is time of the day. While a base modal priority can be assigned to each road (the subject of this report), this can change for different periods of the day depending on travel demand and abutting land use. In addition, priority is often directional (particularly for morning and evening peak periods) and as such road use priority maps are developed separately for each AM (6:30 – 9:30am), PM (4 – 7pm) peak and High off-peak (10am – 3pm) and Off-peak (7pm – 6am) periods.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 VicRoads are conducting Network Operation Planning for the whole of Victoria adhering to their standard consultation procedures that recognise that the development of these plans need to be done in consultation with major stakeholders.
- 5.2 In October 2007 VicRoads conducted a workshop to develop Local government areas map for the City of Port Phillip. The workshop was attended by VicRoads regional traffic and planning officers, Department of Infrastructure public transport officers and Council officers from the Environment and Renewal Department, namely Paul Smith, Manager of Environment and Renewal, Stefan Mitrik, Coordinator Traffic, Transport and Parking, Dave McCaffrey, former Transport Planner, Meg Selman, Sustainable Transport Officer and Tanja Heil, Place Manager Activity Centres.
- 5.3 Given the strong alignment of the draft Road Use Hierarchy for Port Phillip with Council's existing Sustainable Transport policy base (which included

significant community consultation), it is not proposed to conduct any additional community consultation for this topic specifically.

6. OPTIONS

- 6.1 Recommended option is for Council to adopt the Road Use Hierarchy for the City of Port Phillip as shown in ATTACHMENT 3. The Road Use Hierarchy is entirely consistent with Council's adopted Sustainable Transport Framework (ATTACHMENT 4)
- 6.2 Council could also suggest changes to the Road Use Hierarchy for the City of Port Phillip.
- 6.3 Seek community input on the Road Use Hierarchy for the City of Port Phillip. Considering the consistency of the proposal with current Council policy, further consultation is not considered appropriate nor necessary.

7. POLICY IMPLICATIONS

- 7.1 The Road Use Hierarchy was developed taking account of the following Council strategic documents/policies:
 - Parking Plan: Towards 2010
 - Sustainable Transport Framework 2002 (Attachment 4)
 - Public Transport Study 2002
 - Road User Safety Strategy 2002 – 2007
 - Cycle Plan 2005 – 2010
 - Walk Plan 2005 – 2010
 - Activity Centres Review: Future Directions Strategy Paper 2006

8. FINANCE / RESOURCE IMPLICATIONS

- 8.1 As the development of Network Operation Plans is conducted by VicRoads there are no financial implications for Council, other than officers' time to liaise with VicRoads.

9. LEGAL & RISK IMPLICATIONS

- 9.1 The development of the Network Operation Plan for the City of Port Phillip applies to the Declared Road Network only which is under the care, management and maintenance of VicRoads. There are thus no additional legal or risk implications for Council associated with this proposal.

10. SUSTAINABILITY ASSESSMENT

Social Pillar – The adoption and implementation of the Network Operation Plan for the City of Port Phillip will provide for safer road network and will also cater more equitably for road users other than private vehicles.

Economic Pillar – The Network Operation Plan for the City of Port Phillip is expected to increase economic activity by encouraging more people walking, cycling and using public transport (as a result of additional allocations of road space and time) while not impacting adversely on the freight.

Environmental Pillar – The Network Operation Plan for the City of Port Phillip recognises the importance of road-based public transport, promotes non-motorised forms of transport (walking and cycling) and is trying to deal with congestion. All these endeavors are seen to provide for a more liveable and attractive urban environment and are environmentally responsible.

Cultural Pillar – The Network Operation Plan for the City of Port Phillip can only assist diversity – in the form of greater diversity of transport mode use.

11. IMPLEMENTATION

- 11.1 An endorsed Road Use Priority Map will formalise current VicRoads and City of Port Phillip traffic and transport management decision-making
- 11.2 Upon endorsement, Council officers will continue to work with VicRoads on the other elements of the Network Operation Planning process

STRATEGY AND POLICY REVIEW COMMITTEE
2 MARCH 2009

POLICY AND PLANNING

A2	LUNA PARK INTERCHANGE RENEWAL
LOCATION/ADDRESS:	INTERSECTION OF CARLISLE STREET, ACLAND STREET, ESPLANADE AND CAVELL STREET, ST KILDA
EXECUTIVE DIRECTOR:	GEOFF OULTON, EXECUTIVE DIRECTOR COMMUNITY DEVELOPMENT AND PLANNING
PREPARED BY:	RORY O'LOGHLEN, ST KILDA'S EDGE PROJECT MANAGER
FILE NO.:	78/06/21
ATTACHMENTS:	ATTACHMENT 1 – CONSULTATION SUMMARY TABLE ATTACHMENT 2 – PLAN LD-04 (PARTIAL PLAN) ATTACHMENT 3 – PLAN LD-02 (LANDSCAPE PLAN COMPLETE)

1. PURPOSE

- 1.1 The Luna Park Interchange Renewal report is being presented to Council to:-
- 1.1 Update the Council on progress on the Luna Park Interchange renewal, namely the community engagement process.
 - 1.2 Seek in-principle support for the functional and urban design direction.

2. RECOMMENDATION

- 2.1 That Council notes the progress of the Luna Park Interchange Renewal project.
- 2.2 That Council provides in-principle support for the functional and urban design direction for the Luna Park Interchange space.
- 2.3 That Council 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).

3. BACKGROUND AND CONTEXT

- 1.1. The Luna Park Interchange project was reported to the Ordinary Council on 18 December 2008. Council's resolution was:

- 3.2 That Council notes the progress of the Luna Park Interchange Renewal project.
- 3.3 That Council request further advice from Council officers and Yarra trams staff prior to formalising support for the design of the Luna Park Interchange Renewal.
- 3.4 That Council commence a community engagement process seeking public comment on the Luna Park Interchange design ideas, consistent with the program and timelines detailed in this report.
- 3.5 That Council progresses the further development and implementation of Option 2 (Partial Project) for the Luna Park Interchange space as part of the 2009/10 capital works budget process.

4. DISCUSSION

- 4.1 Council was briefed further on the project on Monday 23 February 2009 by Council officers and representatives of Yarra Trams.
- 4.2 A community engagement and consultation process has also been conducted since Council's 18 December 2008 resolution as outlined in section 6 of this report. A summary of feedback in the form of issues, officer comments and next steps is shown as ATTACHMENT 1. All issues identified require further investigation prior to any final resolutions being made.
- 4.3 Council officers are also in discussions with Bicycle Victoria to understand the impact of the proposal on cycling safety and level of service. Changes will be made if and as required.
- 4.4 Yarra Trams have confirmed that the current tram tracks within the Luna Park Interchange area are at the end of their useful life, running repairs to tram tracks have been necessary, and replacement of the tram tracks is necessary. A like-for-like replacement is scheduled within the next 12 months. Yarra Trams confirmed it is committed to working in partnership with Council to achieve the best solution for the intersection that may vary from a like-for-like replacement.
- 4.5 Further design detail (materials, finishes, etc) of the platform tram stop and other elements would form part of any planning permit application, eg shelter location and detail.

5. IMPLEMENTATION OPTIONS

- 5.1 Three (3) implementation options to progress this project have previously been presented to Council. A recommendation to stage implementation was made whereby tram infrastructure works by Yarra Trams would be complimented by other civil and landscaping works necessary to achieve a functioning intersection. These key works are shown on the plan in ATTACHMENT 2.
- 5.2 The consultation process elicited a response from the community, amongst other things, that all pedestrian crossing points (in addition to those to and from the tram stop, included in the previous recommendation) should be implemented as part of Stage 1 (all pedestrian crossings shown in ATTACHMENT 3 – includes the addition of two pedestrian crossings over

Acland Street – McDonalds to Greasy Joes, and Subway to O'Donnell Gardens.

- 5.3 The inclusion of all pedestrian crossings in the first stage is further endorsed by one of the primary objectives for this project identified in the St Kilda Foreshore Urban Design Framework to “improve pedestrian crossings across Upper Esplanade at Fitzroy Street, the Acland and Carlisle Street intersections and at all tram stops.”
- 5.4 The inclusion of all pedestrian crossing points in Stage 1 is considered to have significant merit in terms of the project objectives. It is therefore recommended that Council consider this addition as part of the 2009/2010 capital works budget process.
- 5.5 It is noted that these additional works could cost in the order of \$150,000 - \$200,000.
- 5.6 Other outcomes of the consultation process are outlined below. The feasibility of the comments and suggestions received require further investigation. For this reason, the outcomes of these investigations, including any amendment to the concept plan, are not being presented to Council now. However, works forming part of Stage 1 would form part of any subsequent town planning application required. This application will be advertised and affected persons invited to provide comment.
- 5.7 The project will also come before Council in relation to the capital works budget process.

6. CONSULTATION AND STAKEHOLDERS

- 6.1 The consultation process has included:
 - Permanent on-site information boards;
 - Manned on-site information booths eliciting feedback on two occasions for a 2 hour period each (Friday 13 and Sunday 15 February 2009), estimated to have attended by 100-150 residents and other users. The ward Councilor attended both sessions;
 - Letter drop to nearby residents (450 letters);
 - Resident meeting, attended by six residents and the ward councilor;
 - Website information and feedback form, including link from front page (832 ‘hits’ to 23 February);
 - Information and web site link in “Diversity” newsletter (Council wide distribution);
 - Information and web site link in “St Kilda Village News” (Acland Street traders’ newsletter);
 - Media release and coverage in local press;
 - Meetings with various key stakeholders including Luna Park, McDonald’s and the President of the Acland Street Traders’ Association;
 - Various meetings, and email and telephone queries and responses with various individuals.

- 6.2 On the whole, the vast majority of feedback received has been positive, an example of which was:

"I agree this will create better organisation for traffic and especially pedestrians. The junction is quite dangerous as it is now. Plus this development will look nicer."

- 6.3 Some residents and users were generally satisfied with the proposal, but had concerns and suggested improvements in relation to particular elements of the design. A summary of these are provided at ATTACHMENT 1.

- 6.4 One resident questioned the need for the project as proposed, including whether the existing intersection could be modified in a less comprehensive manner to achieve the project objectives. Further detailed and technical discussions with this and other stakeholders are proposed.

7. POLICY IMPLICATIONS

- 7.1 The Luna Park Interchange Renewal project strongly aligns with the Council Plan, St.Kilda Foreshore Urban Design Framework, City of Port Phillip Tram Stop Refurbishment Strategy, and Sustainable Transport Framework.

8. FINANCE / RESOURCE IMPLICATIONS

- 8.1 \$50,000 has been allocated within the current 2008/09 financial year to progress concept plans. An additional \$50,000 was approved, in October 2008, through the 2008/09 capital works program for detailed design and documentation.
- 8.2 Council investment for Stage 1, as referred to in the report to Council of 18 December 2008, would be in the order of \$500,000. In addition, it is estimated that the provision of all pedestrian crossings (as recommended) would increase Council's investment by approximately \$150,000 – \$200,000 (in total \$650,000 - \$700,000 09/10 capital works bid).
- 8.3 Additional external investment in the order of \$2.2 million and \$50,000 by Yarra Trams / State Government and Melbourne Water respectively, could also be expected for Stage 1.
- 8.4 Full implementation of what has been called the "possible future idea," as depicted in plan LD-02 (Attachment 3), would require a further Council investment of the order of \$2.1 million as described in an indicative cost plan. This would be a matter for consideration in future capital works programs, and could also be expected to include further external funding sources.

9. LEGAL & RISK IMPLICATIONS

- 9.1 A loss of momentum in implementing the project may result in Yarra Trams not proceeding with the project as proposed in the concept plans. A like-for-like track renewal may result which is considered a lost opportunity. Otherwise, a significant time gap in construction between the Yarra Trams and Council components may result. This is not considered optimal and would require implementation of a long-term traffic and pedestrian management plan.

10. SUSTAINABILITY ASSESSMENT

SOCIAL EQUITY

Social Pillar – The provision of a Disability Discrimination Act (DDA) compliant tram stop in this location would further the ability of disabled persons to access services and facilities in the immediate area. Improvements to open space furthers social interaction and cohesion.

ECONOMIC VIABILITY

Economic Pillar - The space requires a special response worthy of its iconic location. Capital works expenditure for this project will be significant to realise the full scope of the project. The partnership of Yarra Trams provides a significant opportunity for cost sharing and saving for Council.

ENVIRONMENTAL RESPONSIBILITY

Environmental Pillar – Improved public transport and pedestrian infrastructure further environmental objectives by reducing reliance on private vehicles.

CULTURAL VITALITY

Cultural Pillar – The project will revitalise this iconic and culturally significant location.

11. IMPLEMENTATION STRATEGY

- 11.1 At the meeting of 18 December, 2008, Council resolved to pursue Stage 1 through the capital works process for 2009/2010. This report recommends that additional pedestrian crossing works be included in Stage 1.
- 11.2 As discussed, the feedback from community consultation requires further investigation prior to the finalisation of the Stage 1 concept plan. The works forming part of Stage 1 will form the basis of any subsequent town planning application.
- 11.3 Detailed design and documentation is currently funded and thus proposed to occur this financial year.

12. COMMUNICATION

- 12.1 In accordance with the resolution of Council of 18 December 2008, a community consultation process has been conducted.
- 12.2 As discussed, feedback has been generally positive. Particular aspects of the project have been queried. These require further investigation, the outcomes of which would form part of any subsequent approval or consultation process as they relate to Stage 1.

13. CONCLUSION

- 13.1 The Luna Park Interchange space is an important location. Its renewal is supported in the Council Plan and St Kilda Foreshore Urban Design Framework, and strongly aligns with Council's sustainable transport framework.
- 13.2 Council officers and representatives of Yarra Trams have provided further advice to Council in relation to the project.
- 13.3 The community consultation process undertaken has shown a high level of support for the project. This has resulted in a change in the scope of works forming part of Stage 1 of the project. Particular elements of the project have been queried. However, none of these are considered to be a project 'stopper.' Subject to further investigation, these investigations may result in amendments to the concept plan.
- 13.4 When finalised, the concept plan will form the basis of any subsequent approval or consultation.

STRATEGY AND POLICY REVIEW COMMITTEE
2 MARCH 2009 **GOVERNANCE AND COMPLIANCE**

A3	EMERGENCY MANAGEMENT/PANDEMIC PLANNING UPDATE
LOCATION/ADDRESS:	N/A
EXECUTIVE DIRECTOR:	DAVID YEOUART, EXECUTIVE DIRECTOR COMMUNITY ASSETS AND SERVICES
PREPARED BY:	SAM HEWETT, MANAGER ASSET SERVICES
FILE NO.:	28/02/01-05
ATTACHMENTS:	ATTACHMENT #1 – EMERGENCY MANAGEMENT ACTIVITIES 2008

1. PURPOSE

- 1.1. The Emergency Management Act 1986 and the Local Government Act 1989 states each of the municipal councils is separately responsible for discharging the responsibilities imposed on a municipal council for Emergency Management.
- 1.2. Councils have Emergency Management (EM) responsibilities because they are the closest level of government to their communities and have access to specialised local knowledge about their environment and demographic features of their districts. People also naturally seek help from the local council and emergency management agencies during emergencies and the recovery process.¹
- 1.3. Council's Municipal Emergency Management Plan (MEMP) was audited by the Victorian State Emergency Services in 2008 and was found to comply adequately with the Guidelines and will again be audited in 2010.
- 1.4. Included as part of Council's Emergency Management responsibilities, is the responsibility for Influenza Pandemic Planning.
- 1.5. 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.

2. RECOMMENDATION

- 2.1. That the Strategy and Policy Review Committee recommend that Council resolve to receive the report and note the Emergency Management activities undertaken in 2008.

¹ Emergency Management Manual Victoria (Part 6)

- 2.2. That Council notes that the Influenza Pandemic Plan will be reported to Council when fully developed and fully operational.

3. BACKGROUND AND CONTEXT

- 3.1. The Emergency Management Act 1986 and the Local Government Act 1989 clearly outline local government's responsibilities for Emergency Management.
- 3.2. Included is the responsibility for Pandemic Planning which has been identified as a risk through Council's Municipal Emergency Management Plan (MEMP)

Emergency Management

- 3.3. An emergency in this context is described as any event which in any way threatens to endanger the safety or health of any person, threatens to destroy or damage any property, or threatens to endanger the environment within the City of Port Phillip's municipal boundary. An emergency may include;
- A fire or explosion
 - A flood, earthquake, windstorm, or other natural event
 - A road accident or other accident
 - A plague, epidemic or influenza pandemic
 - A disruption to an essential service
 - A siege, hi-jack, riot, or warlike act.
- 3.4. The broad objectives of Council's responsibilities are to ensure that the following components of emergency management are organised within a structure which facilitates planning, preparedness, operational co-ordination and community participation;
- Prevention, reduction and mitigation - the elimination or reduction of the incidence or severity of emergencies and the mitigation of their effects;
 - Response - the combating of emergencies and the provision of rescue and immediate relief services;
 - Recovery - the assisting of persons and communities affected by emergencies to achieve a proper and effective level of functioning.
- 3.5. Examples of roles and activities of Council for each of the above objectives includes;

Prevention, Reduction and Mitigation

- Traffic and road management planning
- Health inspections and surveillance
- Immunizations programs
- Planning for major identified risks (e.g. Station Pier, St. Kilda Festival etc)
- Flood and drainage management systems
- Warning systems for particular emergencies (wind storms)

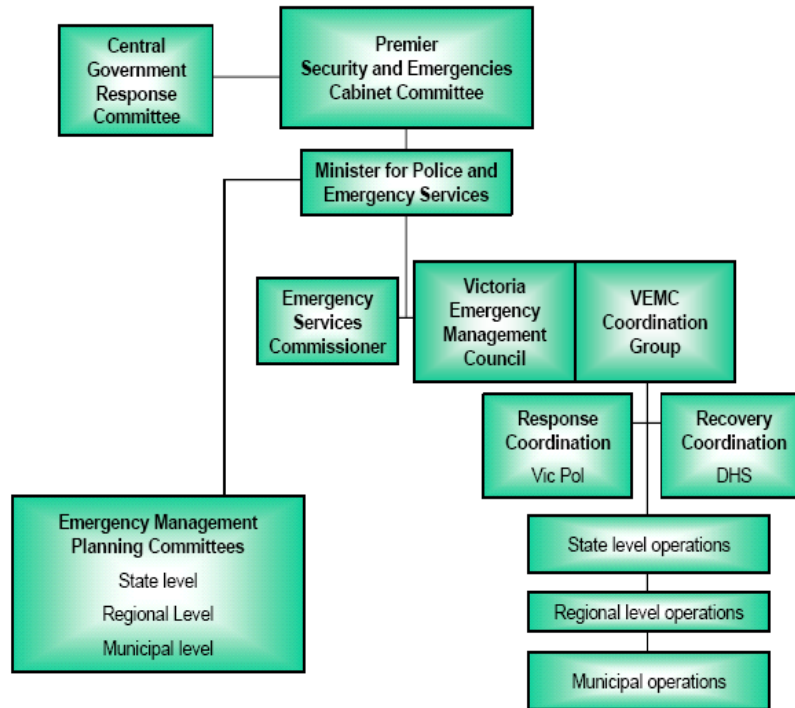
Response

- Provision of staff resources (Municipal Emergency Resource Officer {MERO} etc.)
- Provision of physical resources need by the community and response agencies
- Provision and establishment of the Municipal Emergency Co-ordination Centre (MECC)
- Provision of facilities for emergency services staging areas
- Provision of information to the community and to the public.
- Co-ordination of the provision of emergency relief (catering, material needs)
- Clearance of blocked drains, roads and tree removal.

Recovery

- Provision of information to affected communities
- Provision of recovery and relief centres
- Provision of leadership (staff and expertise)
- Environmental health management (food, sanitation, pest control)
- Provision of temporary accommodation
- Repair and restoration of community infrastructure

- 3.6. Council's responsibility sits within a broader state wide Emergency Management responsibility as shown below.²



- 3.7. The City of Port Phillip has a well developed and functioning internal emergency management group with defined roles for EM planning, response and recovery. Membership includes;

² Emergency Management Manual Victoria (Part 1)

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Name	Emergency Management Role	Title
David Yeouart	Chairperson	Executive Director Community Assets and Services
Sam Hewett	Municipal Emergency Resources Officer (MERO)	Manager Asset Services
Kathy Dillon	1 st Deputy MERO	Manager Building Services
Robert Reid	2 nd Deputy MERO	Service Co-ordinator Operations
Vacant	Municipal Recovery Manager (MRM)	Manager Community Development
Roderick Mclvor	1 st Deputy MRM	Coordinator of Ageing Diversity Policy & Partnerships
Noel Kiernan	2 nd Deputy MRM	Co-ordinator Meetings and Events
Michael Smith	Municipal Emergency Co- ordination Centre (MECC) Manager	System Development and Support Officer
Steven Baxas	Municipal Building Surveyor	Municipal Building Surveyor
Damien Burgess	Municipal Operations Centre (MOC) Manager	Manager Infrastructure Services
Robert Mellis	Deputy MOC Manager	Waste Management Operations Works Officer
Doug Martin	Coordinator Health Services	Coordinator Health Services
Colin Langham	Manager People and Culture	Manager People and Culture
Liddy Clark	Communications Consultant	Acting Manager Communications and Stakeholder Relations
Jack Crawford	Manager Customer Service	Manager Customer Service

- 3.8. The role of the internal emergency management group includes;
- Development and maintenance of a Municipal Emergency Management Plan (MEMP).
 - Identification and provision of the required municipal resources available for emergency prevention, response and recovery
 - 24-hour on call service to respond in the event of an emergency.
- 3.9. In addition, the City of Port Phillip has a well developed and functioning external Municipal Emergency Management Planning Committee (MEMPC). This committee, chaired by the Executive Director Community Assets and Services consists of Council's MEROs and MRMs as well as representatives from;
- Victoria Police
 - Department of Human Services
 - Metropolitan Ambulance Service
 - Metropolitan Fire Brigade
 - Parks Victoria
 - Victorian State Emergency Services
 - Australian Red Cross
- 3.10. The role of the MEMPC is to prepare, review and amend the operational components of Council's Municipal Emergency Management Plan.
- 3.11. In 2008, a number of activities or actions were undertaken as part of Council's obligations for Emergency Management and Pandemic Planning. These are outlined in Attachment #1.

Pandemic Planning

- 3.12. *"An Influenza Pandemic occurs when a highly infectious new strain of the virus emerges that humans have no immunity to. During a pandemic, the virus spreads rapidly around the world causing high rates of illness and death – resulting in severe social and economic disruption."*³
- 3.13. There have been three pandemics in the 20th Century – 1918, 1957 and 1968 – the pandemic of 1918 resulted in 50 millions deaths world wide.
- 3.14. Assumptions for Port Phillip City Council regarding the consequences of a pandemic include;

³ Human Influenza Pandemic (Victorian Government)

- Staff absences of 30 – 50%,
- Increased levels of uncertainty and fear,
- Increased demand for services such as health, aged care, family and children etc.
- Demand for local leadership from local government
- Enhanced communication from all levels of government

3.15. An Influenza Pandemic is a risk identified in Council's MEMP.

3.16. The Department of Human Services (DHS) finalized the Victorian Human Influenza Pandemic Plan in March 2008. It states that;

“All levels of government will work together to support communities, to ensure needs are recognized and addressed in pandemic influenza plans. Plans will need to cover roles and responsibilities, planning considerations and preparedness activities”

3.17. Council's risk mitigation responsibilities includes;

- The appointment of a Pandemic Co-ordinator (appointed in November 2008). This position has developed some preliminary documents for the consideration of a Pandemic Working Group and has a timeline of developing a fully operational plan by the second half of 2009.
- Reviewing business continuity plans (currently being reviewed by auditors Arnold Risk Consulting)
- Pandemic risk mitigation – protect the health of staff, contractors, volunteers and residents through policies that can prevent influenza spreading.
- Development of a pandemic communications plan

3.18. Council's Response and Recovery (should an influenza pandemic occur) includes;

- Provide information to affected communities
- Vaccinate Port Phillip's population
- Establish and staffing a community support service
- Conduct a post impact assessment
- Provide and co-ordinate volunteer helpers
- Provide support services such as Counselling and advocacy
- Provide material aid and in home support
- Assisting with public appeals

3.19. Once fully developed, the Pandemic Plan will be managed under the auspices of the internal EM group.

4. CONSULTATION AND STAKEHOLDERS

The people who have been engaged with in relation to this issue are:

- All Emergency Management personnel
- Influenza Pandemic Co-ordinator
- New Year's Eve Planning Group.
- Acting Manager Community and Stakeholder Relations.

All Emergency Management personnel are clear about their role in mitigating risks, and planning for a response and recovery process in the event of an emergency.

The external people and/or organisations who have been engaged with in relation to this issue are:

- The Municipal Emergency Management Planning Committee
- Key stakeholders from the Port of Melbourne Authority on risks associated with Station Pier.
- St. Kilda Festival organizers
- Grand Prix Corporation
- Department of Planning and Community Development
- City of Melbourne
- Council contractor representatives from Fulton Hogan and CitiWide.

Council conducted a number of exercises and responded to a number of emergencies during 2008. This collaborative approach is the only possible way to effectively manage emergencies.

Council still has a role in drawing up a specific 'Station Pier Risk Plan and Response' document as a result of the Station Pier major exercise conducted late in 2008.

5. DISCUSSION

5.1 OPTIONS

Council's legal obligations are clear so no alternative options exist.

5.2 POLICY IMPLICATIONS

Council has obligations under the Emergency Management Act 1986 and the Local Government Act 1989 and is meeting these obligations through;

- The Municipal Emergency Management Plan (MEMP),
- The appointment of a Municipal Emergency Resources Officer (MERO),
- The regular meeting of the Municipal Emergency Management Planning Committee (MEMPC)
- Council's MEMP is regularly audited by the Victorian State Emergency Service, and
- Developing an Influenza Pandemic Plan.

5.3 FINANCE / RESOURCE IMPLICATIONS

Council meets the cost of a 24-hour response service to its community through the provision of 6 on-call staff.

In addition, Council supports the operations of the local State Emergency Service through the lease of 2 vehicles.

5.4 LEGAL & RISK IMPLICATIONS

There are significant risks associated with Emergencies and Pandemics. Council spends a great deal of energy trying to mitigate these risks and plan response and recovery scenarios to prepare staff and contractors in the event of an incident.

The MEMP includes a Community Emergency Risk Management Model – Risk Register, Treatments and Action Plans which is regularly updated by the MEMPC.

5.5 SUSTAINABILITY ASSESSMENT

SOCIAL EQUITY

Risk planning and preparedness are responsible processes to ensure the effects of any emergency or a pandemic are mitigated should they occur. Council is in a strong position to assist communities by responding and recovering should an emergency occur.

ECONOMIC VIABILITY

Effective planning for emergencies and pandemics are likely to reduce the costs of emergencies if they arise. This includes Council's investment in communication strategies, infrastructure upgrades, staff training, and resources available to respond to any emergency that might arise.

ENVIRONMENTAL RESPONSIBILITY

The risk to the environment from some emergencies can be catastrophic as evidenced by Victoria's recent bushfires. In Port Phillip, the emergencies most likely to occur are flooding, storm surges, significant traffic accidents, building fires, and extreme weather conditions. Council has an obligation to prepare the municipality to be able to withstand emergency conditions like ones listed above.

CULTURAL VITALITY

In the event of an emergency, it is important that Council is able to help all communities recover and return to some sense of normality. The responsibility includes ensuring an effective communication strategy with all Port Phillip communities, particularly those who speak a language other than English.

6. IMPLEMENTATION STRATEGY

6.1 TIMELINE

Council's Municipal Emergency Management Plan (MEMP) is well managed by Council's internal EM group. The next audit for the MEMP will be conducted in 2010.

Council's Influenza Pandemic Plan is being developed. To date, some preliminary documents have been prepared which will require significant review by the key internal stakeholders.

It is anticipated that the Influenza Pandemic Plan will be fully operational by the second half of 2009. At that time a report will be presented to Council on the final Influenza Pandemic Plan.

6.2 COMMUNICATION

The Pandemic Co-ordinator will continue to work on the Pandemic Plan and begin to draw together the key stakeholders in order to finalise the action plan. These key stakeholders will include responsibilities for Executive Management and Control, Immunisation, Community Recovery and Support and Communications.

A Pandemic Communications Strategy is critical to an effective plan. Council's Acting Manager Communication and Stakeholder Relations has already been briefed on this matter and will work together with Council's MERO to formulate the communications strategy.

STRATEGY AND POLICY REVIEW COMMITTEE
2 FEBRUARY 2009 **GOVERNANCE AND COMPLIANCE**

A4	PROPOSED DISCONTINUANCE AND SALE OF RIGHT OF WAY NO. R2421 AT THE REAR OF 132 & 134 HEATH ST, PORT MELBOURNE.
LOCATION/ADDRESS:	REAR 132 & 134 HEATH ST, PORT MELBOURNE.
EXECUTIVE DIRECTOR:	SALLY CALDER, EXECUTIVE DIRECTOR, ORGANISATION, SYSTEMS & SUPPORT
PREPARED BY:	TOULA KOTSABOUIKIS, PROPERTY & VALUATIONS
FILE NO.:	2540/134-01 & 2540/132-01
ATTACHMENTS:	SITE PLAN & PHOTOGRAPHS SUBMISSION

1. PURPOSE

The owner of 134 Heath St, Port Melbourne, has requested that Council discontinue the road at the rear of 132 & 134 Heath St, Port Melbourne, and sell the land to her. In these circumstances, Council is required to consider whether the road is reasonably required as a road for public use.

The procedures for formal public consultation as set out in the Local Government Act 1989 have been initiated. 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.

2. RECOMMENDATION

That the Strategy and Policy Review Committee recommend that Council resolve as follows:

That Council 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.

3. BACKGROUND AND CONTEXT

3.1 GENERAL

It is common for Council to consider a discontinuance and sale proposal for roads or laneways which are no longer required for access by the public or abutting property owners. By removing small public spaces the following benefits may result;

- Improved amenity – where the space becomes a haven for anti-social behaviour or is used to dump rubbish
- Improved security and safety – as access to properties is reduced
- Cost savings – as Council's maintenance responsibility is transferred with the land

In other situations it may become apparent that abutting owners are occupying the road or have encroached into the air space. In these circumstances Council can take action to either, discontinue the road and sell the land to maintain the status quo, or to remove obstructions to maintain access. However, if there has been exclusive and uninterrupted use of the land in excess of 15 years, an abutting owner may have evidence to establish rights to the land through adverse possession unless the road is considered to be a "public highway".

3.2 RIGHT OF WAY NO R2421

An application has been received from the owner of 134 Heath St, Port Melbourne to purchase the road (Right of Way No. R2421) at the rear of 132 & 134 Heath St, Port Melbourne. The road comprises approximately 9 square metres approximately.

The road is occupied as if it was part of the property at 134 Heath St. A gate is located at the entrance behind 132 Heath St and the area is tiled. Another gate is located on the boundary of 132 & 134 Heath St further preventing public access.

The road was created on title as a result of a subdivision in 1956 creating the properties at 132 – 136 Heath Street. It appears that the road was created for "night cart" purposes and that it was not intended to benefit other property owners eg 405 Bay Street.

Council Officers have communicated with previous owners of 132 & 134 Heath St, Port Melbourne and it has been confirmed that the road has been enclosed and occupied since at least 1985.

It is not viable to assert that the road is a "public highway" as it has not been constructed by Council, it does not appear on Council's road register and there is a lack of other evidence.

In accordance with the procedures set out in the Local Government Act 1989, a notice was published in the Caulfield/Port Phillip Leader newspaper on 7th October 2008. The notice invites submissions from interested persons. Rennick & Gaynor Solicitors on behalf of the owner of 405 Bay St, Port Melbourne (an abutting property) objects to the proposal on the grounds that the road will be required for access to a

proposed shop. The shop is shown on a plan which is subject to a VCAT appeal for planning permit after an application was refused on 17th June 2008.

It is considered that the land is not reasonably required for public use as it has not provided access for at least 23 years. The discontinuance and sale of the road provides a monetary benefit derived by the community through sale and problems associated with title and access rights can be averted.

The purchase price has been determined in accordance with the discontinuance and sale policy. The applicant has accepted the sale price (\$10,000 plus an administration cost of \$2,500). Associated costs are to be borne by the applicant.

4. CONSULTATION AND STAKEHOLDERS

There is formal public consultation through the statutory procedures set out in Section 223 of the Local Government Act.

Abutting property owners were notified of the proposal by letter on the 18th September 2008. A public notice advising of the proposal was published in the Port Phillip Leader newspaper on the 7th October 2008. In response to the mandatory consultation, one submission was received.

Rennick & Gaynor Solicitors on behalf of the owner of 405 Bay St, Port Melbourne (an abutting property) objects to the proposal on the grounds that the road will be required for access to a proposed shop.

The submitter has been invited to be heard by the Strategy and Policy Review Committee.

The proposal has been referred internally. No objections were received from the relevant Council departments.

Service Authorities have been consulted. While there is no objection to the proposal, service assets (sewer) are located within the land and therefore an easement is required.

5. DISCUSSION

5.1 OPTIONS

An unnecessary road may be removed by Council using its powers for road discontinuance and sale for the benefit of abutting property owners and the community at large.

If Council decides to refuse the proposal, it should be noted that the road has been enclosed for a long period of time. The applicant may then choose to lodge an adverse possession claim with Land Registry.

5.2 POLICY IMPLICATIONS

The proposal for the discontinuance and sale of the section of road has been undertaken in accordance with the Council powers and functions and the statutory procedures set out in the Local Government Act 1989.

The administrative procedures and sale negotiations were undertaken in accordance with Council policy for the discontinuance and sale of roads.

5.3 FINANCE / RESOURCE IMPLICATIONS

Council's costs are to be borne by the applicant.

Income derived from the sale will be transferred to Council's general reserves.

5.4 LEGAL & RISK IMPLICATIONS

By complying with legislation and policy and making reasonable conditions for service authorities, there are no legal or risk implications.

5.5 SUSTAINABILITY ASSESSMENT

SOCIAL EQUITY

Council can use its powers for road discontinuance and sale for the benefit of the parties and the community at large.

ECONOMIC VIABILITY

Income derived from the sale is considered to be due compensation to the community for the loss of public land.

ENVIRONMENTAL RESPONSIBILITY

Amenity and security/safety benefits associated with the land being closed to the public will be retained by the owners of the properties at 132-136 Heath Street, Port Melbourne

CULTURAL VITALITY

It is considered that the road is not reasonably required to be used as a road for public use.

6. IMPLEMENTATION STRATEGY

6.1 TIMELINE

The following is the sequence of actions if the proposal is ultimately approved.

If approved, a surveyor will prepare plans for the creation of easements, title plan, consolidation plan and gazettal plan.

A notice will be published in the Government Gazette to formally discontinue the road.

Lawyers will be engaged to carry out conveyancing, collect the settlement costs and ensure that consolidation is completed.

The above can be accomplished within 4 months.

6.2 COMMUNICATION

In accordance with the statutory procedures, the submitter will be advised of Council's decision and the reason for it.

produce). The street had a range of cuisines that indicated a diversity of cultures. This mix was achieved through a tender process which helped ensure that Cecil Street became known for its key characteristics – fresh, prepared from market, produce, take-home and finish at home food. The cafes were awarded licences through a process under Tender No 0889.

- Stall 101-103 – the subject of this report – was outside the immediate raft of cafes to be awarded a licence and be constructed in 2006-2007.

However, the same tender process identified Claypots as a suitable licensee for stall 101-103.

Although there were, no funds available to provide a suitable shell, a letter was sent to Claypots (25 August 2006) offering a licence for the stall. The process, since then, has been protracted because; the Market has had no funds in the capital budget to complete a stall shell, to the same quality provided for all other stallholders in Cecil St.

4. CONSULTATION AND STAKEHOLDERS

- The SMM Management Committee is the primary stakeholder in the process. As a Section 86 Committee of Council, it has extensive powers to address a wide range of issues at the Market. The SMM Management Committee has addressed the issues around the development of stall 101-103 (which is located directly on the corner of York and Cecil Sts) on an almost running basis.

5. DISCUSSION

5.1 OPTIONS

- The Council has two main options:
 1. Proceed with the recommendation with a cost of \$300,000 but with the outcome of largely completing the vision set for Cecil St by the SMM Management Committee, thereby giving the precinct its best opportunity for success. (The completion of a display centre would be the only outstanding element.)

OR

2. Reject the recommendation, thereby leaving the SMM Management Committee in the situation of managing the site for an alternative use, leaving the most prominent corner of the Market (since the construction of the Spotlight centre) a relative eye-sore and leaving the Cecil St cafes below critical mass.

5.2 POLICY IMPLICATIONS

- There are understood to be no policy implications. Correct process has been followed in the identification of a licensee and in the specification and tendering of works.

5.3 FINANCE / RESOURCE IMPLICATIONS

- Tenders for the construction of the café have closed. Once they have been evaluated, a recommendation will be made to Council regarding the awarding of the contract.
- Council's financial contribution will be capped at \$300,000. The total project is expected to cost in excess of \$400,000 with the first \$100,000 and any sum beyond \$400,000 being paid by the licensee.
- Council's contribution is justified on three principle grounds:
 1. Without this café, Cecil St is likely to struggle to gain a critical mass sufficient to deliver on the vision for the precinct. The particular licensee is seen as being a perfect match for the Market's demographic and cultural objectives.
 2. Each of the other cafes had a shell provided. The exact value of the shell is difficult to quantify but the level of service (gas, water, power, exhaust, floor, walls etc) is similar. Without this shell, it is unlikely the Market could obtain a suitable licensee. It would also be inequitable compared with the other cafes that already enjoy the benefit of a shell.
 3. Each of the other café stallholders was offered a degree of licence relief, i.e. reduced fees. The proposed licensee for the new café does not seek fee relief.
- The contract should be awarded with a construction start date in June with construction due for completion inside four months. Council will need to allow for the project in the 2009-2010 Capital Works budget.

5.4 LEGAL & RISK IMPLICATIONS

- Claypots has been consulted, at various stages, throughout the process with respect of the licence (scope, menu and offer), a deed requiring financial contribution and specification of works.

It has also been necessary to consult with Claypots, in general terms, since the tender for construction closed, in order to ascertain whether or not Claypots remains in a position to pay for the works given the likely cost of construction. (This consultation has occurred in only general terms and only after the Council secured a confidentiality agreement signed by the Claypots proprietor, Renan Goksin.)

- Because it is proposed to conduct the works as a single construction contract, it is necessary to obtain a deed of agreement to ensure that the licensee pays the initial contribution before works commence and for there to be an agreement around further payments (in default of which all contributions are non-refundable). Such an agreement has been drafted by Council lawyers. Should the licensee default on his intention to commence operation, Council retains his initial contribution (\$100,000) and the asset which could then be licensed to an alternative operator.

5.6 SUSTAINABILITY ASSESSMENT

SOCIAL EQUITY

- The completion of the Cecil St café strip, which the recommendation would see occur, responds to market research identifying the need to provide a range of eating options for a broad demographic. In doing so, the cafes would contribute to offering services that go beyond food to cultural outcomes (with the proposed licensee intent on running regular music evenings for local artists). The Market seeks to define itself as a place where the residents can feel at home and not just attend when they have the need to shop. This café would add to the sense of inclusiveness. It would make a quiet part of York Street active seven days a week, making it a safer place for the wider community.

ECONOMIC VIABILITY

- The proposal will cost the Council \$300,000 but without this expenditure there is a concern that, the entire strip may not acquire the critical mass necessary for success.

Further, this strip aims to extend the Market's relevance to the community beyond the current four days it trades. The café would be licensed for seven days trade. Jobs will be created – many more than for a clothing or general merchandise shop, operating for four days.

ENVIRONMENTAL RESPONSIBILITY

- The proposal has only minor impact on environmental outcomes (which are being addressed elsewhere) beyond those that are fundamentally issues of ambience, making a 'dead' strip active and hospitable for seven days a week.

CULTURAL VITALITY

- The proposed café would have a significant contribution to the life of people in the area. Its menu is aimed to deliver both low price and high price options of healthy food. The food would be sourced, in the main, locally. Importantly, the licensee has a record of cultural contribution (see Claypots in Barkly Street St Kilda) which he aims to replicate at SMM.

6. IMPLEMENTATION STRATEGY

6.1 TIMELINE

- The tenders for the construction of the café closed on Friday 6 February 2009. They will be evaluated and presented to Council in April as a Confidential, Supplementary Report.

6.2 COMMUNICATION

- A decision by Council to continue with the project will be a major fillip to the stallholders at the Market. It will be broadcast through a Market newsletter, using the Market's new e-news (to residents and shoppers) and through DiverCity. This is big news for the Market.