



**STRATEGY AND POLICY  
REVIEW COMMITTEE**

**MINUTES**

**2 FEBRUARY 2009**

**MINUTES OF THE STRATEGY AND POLICY REVIEW COMMITTEE  
OF THE PORT PHILLIP CITY COUNCIL HELD ON 2 FEBRUARY  
2009, IN THE COUNCIL CHAMBER, ST KILDA TOWN HALL**

The meeting opened at 6.05pm.

**PRESENT**

Cr. O'Connor (Chairperson), Cr. Bolitho, Cr. Klepner, Cr. Middleton, Cr. Powning, Cr. Thomann, Cr. Touzeau.

**IN ATTENDANCE**

Sally Calder Acting Chief Executive Officer, Cathy Henderson Acting Executive Director Organisation Systems & Support, Geoff Oulton Executive Director Community Development & Planning, David Yeouart Executive Director Community Assets & Services, David Filmalter Chief Financial Officer, Norm McClelland Acting Manager Governance & Risk Management, Sam Hewett Manager Asset Services, Paul Smith Manager Environment & Renewal, Greg Wood Manager Community Services, Steve Scott Place Manager Port Melbourne, Dave Graffen Property Coordinator, Carmel Shute Council Media Officer.

*Council pays its respects to the people and elders, past and present, of Yalukit Wilam and the Kulin Nation. We acknowledge and uphold their relationship to this land.*

*Cr Frank O'Connor welcomed members of the official Delegation from the City of Obu, Japan.*

**1. ELECTION OF CHAIRPERSON**

*No formal discussion ensued on this item and the Mayor took the Chair.*

**2. APOLOGIES**

Nil.

### **3. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**MOVED** Crs Bolitho/Klepner

That the Minutes of the Strategy and Police Review Committee held on 3 November 2008 be confirmed.

**A vote was taken and the MOTION was CARRIED.**

### **4. CORRESPONDENCE**

Nil.

## 5. PUBLIC QUESTION TIME

### Item 1

Mr Adrian Jackson asked the following question:

*Is Council going to review the drinking problem on our beaches and in our parks and move drinking back to licensed premises? Further, will outside dining (outside cafes, restaurants and pubs) be policed so that it does not develop outside drinking without dining? Is Council also aware that in a recent newspaper report the Esplanade Hotel, Prince of Wales Hotel and the Albert Park Hotel were listed from our municipality as some of the worst offenders for people being picked up for drink driving after they have been to these venues?*

***The Chairperson advised that the question will be taken on Notice and a response will be provided to Mr Jackson via the office of the Executive Director Community Development and Planning. A copy of the response will also be posted on Council's website.***

### Item 2

Ms Julianne Bell asked the following questions:

- 1. Given previous assurances about the St Kilda Festival Funfair will Council guarantee that the Funfair NOT be located in the Catani Gardens or any other park/gardens in the municipality either this year or in future?*
- 2. Will Council immediately proceed to relocate future sporting/commercial events from the Catani Gardens and arrange to have these events held in purpose built sports venues thus avoiding damage to the Gardens and allowing public access 24/7 as was intended when the Gardens were established?*

***The Chairperson advised that the questions will be taken on Notice and a response will be provided to Ms Bell via the office of the Executive Director Community Assets and Services. A copy of the response will also be posted on Council's website.***

**Item 3**

Mr Rod Quantock asked the following questions:

1. *How when the Council has a duty of care to manage State heritage listed Gardens can Council defend running commercial/ sporting events which tie up the Gardens for 3 to 4 days at a time over weekends in summer when the local community plus visitors want to access them for passive recreation?*
2. *Will Council undertake to draw up a management plan for the gardens with public consultation and with the input of Heritage Victoria with a view to restoring the Gardens to their former glory and immediately halt the extermination of the colony of tame protected ringtail and brushtail possums?*

***The Chairperson advised that the questions will be taken on Notice and a response will be provided to Mr Quantock via the office of the Executive Director Community Assets and Services. A copy of the response will also be posted on Council's website.***

**6. COUNCILLOR QUESTION TIME**

Nil.

## **7. PRESENTATION OF REPORTS**

The order of business was as follows:

### **7.1 POLICY AND PLANNING**

A1 CITY OF PORT PHILLIP RECREATIONAL BOATING ZONES

### **7.2 GOVERNANCE AND COMPLIANCE**

A2 CAPITAL WORKS PROJECT BOARD QUARTERLY REPORT

A3 PROPOSED DISCONTINUANCE AND SALE OF RIGHT OF WAY NO. R3993 AT THE REAR OF 27 PHILIPSON STREET, ALBERT PARK

A4 PROPOSED DISCONTINUANCE AND SALE OF A SECTION OF RIGHT OF WAY NO. R3197 (205) REAR 133 MARKET STREET, SOUTH MELBOURNE

A5 2010 GENERAL VALUATION

A6 PROPOSED LEASE EXTENSION – TEIFAL PTY LTD (TRADING AS DECANTERS BY THE BAY), 174 NOTT STREET, PORT MELBOURNE

A7 PROPOSED LEASE AGREEMENT TO BREWSTERS & CO. PTY LTD – 147 LIARDET STREET, PORT MELBOURNE

A8 MAYORAL & COUNCILLOR ALLOWANCES

A9 MID YEAR BUDGET REVIEW 2008/2009

A10 QUARTERLY MANAGEMENT REPORT'

A11 BUILDING MAINTENANCE CONTRACTS 1251 TO 1255 SUMMARY REPORT

**A1 CITY OF PORT PHILLIP RECREATIONAL BOATING ZONES**

**Purpose**

To respond to a request from Parks Victoria to support the proposed boating zone changes along the City of Port Phillip foreshore.

The following speaker made a verbal submission in relation to this item:

- Adrian Jackson – Happy that Parks Victoria is undertaking a review. There seems to be some discrepancies between local Councils and Park Victoria in regards to the management of personal watercrafts. Concerns regarding the noise emanating from personal watercrafts at Brooks Jetty. The need to have the crafts near a loading point.

**MOVED Crs Klepner/Thomann**

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

1. Receive and note Parks Victoria proposed Recreational Boating Zone changes.
2. Defer consideration of Parks Victoria proposed Recreational Boating Zone changes pending targeted community engagement within the City of Port Phillip and an assessment of the environmental and social impacts of these proposed changes.
3. Request a Supplementary Report to its Ordinary Meeting of Council to be held on Monday, 23 February 2009, outlining the outcomes of the community engagement process.

**A vote was taken and the MOTION was CARRIED.**

**A2 CAPITAL WORKS PROJECT BOARD QUARTERLY REPORT**

**Purpose**

To advise Council on the progress of the delivery of the Capital Works program for 2008/2009.

**MOVED Crs Klepner/Middleton**

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

1. Receive and note the report made by the Executive Director Community Assets and Services, including variations to projects made under Delegation.
2. Endorse the recommendations for budget variations made by the Executive Director Community Assets and Services to the Luna Park Interchange project and the Beach Road Bike Lane.
3. Note the next detailed report from the Capital Works Project Board will be in April 2009.

**A vote was taken and the MOTION was CARRIED.**

**A3 PROPOSED DISCONTINUANCE AND SALE OF RIGHT OF WAY NO. R3993 AT THE REAR OF 27 PHILIPSON STREET, ALBERT PARK**

**Purpose**

This report is to commence the process for the discontinuance and sale of Right of Way No. R3993 at the rear of 27 Philipson St, Albert Park in accordance with statutory procedures set out in the Local Government Act 1989.

**MOVED Crs Klepner/Thomann**

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

1. That Council being of the opinion that –
  - a) The road at the rear of 27 Philipson Street, Albert Park as shown on the plan attached to this report is not reasonably required as a road for public use.
  - b) The road should be discontinued and the land from the road be sold to abutting owners.

now directs that under Section 206 and Schedule 10 Clause 3 of the Local Government Act 1989, statutory procedures be commenced to discontinue the road and that under Section 207A (a) and Section 223 of that Act, public notice of the proposed discontinuance be given in the Port Phillip Leader and that Council's Strategy and Policy Review Committee be appointed to hear and consider any submissions received in response to the public notice at an appropriate time and date.

**A vote was taken and the MOTION was CARRIED.**

**A4 PROPOSED DISCONTINUANCE AND SALE OF A SECTION OF RIGHT OF WAY  
NO. R3197 (205) REAR 133 MARKET STREET, SOUTH MELBOURNE**

**Purpose**

This report is to finalise the discontinuance and sale of a section of Right of Way No. 3197 rear 133 Market St, South Melbourne in accordance with statutory procedures set out in the Local Government Act 1989.

**MOVED Crs Middleton/Touzeau**

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

1. That Council, being of the opinion that the road at the rear of 133 Market Street, South Melbourne as shown on the plan attached to this report is not reasonably required as a road for public use -
  - a) Discontinues the road.
  - b) Directs that a notice be published in the Government Gazette.
  - c) Directs that the land from the road be sold to the abutting owner of 129 Market Street, South Melbourne.
  - d) 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.
  - e) Directs that an easement for light and air be created in favour of the owner of the abutting property at 133 Market Street, South Melbourne.
  - f) Authorises the use of the Common Seal of the Port Phillip City Council to be affixed to the Transfer of Land.

**A vote was taken and the MOTION was CARRIED.**

**A5 2010 GENERAL VALUATION**

**Purpose**

To provide Council with an update on the 2010 General Valuations.

**MOVED Crs Powning/Thomann**

That the Strategy and Policy Review Committee recommend that Council resolves to:

1. Cause a General Valuation of all rateable properties within the municipal boundaries of the City of Port Phillip to be undertaken pursuant to Section 6(1) of the Valuation of Land Act 1960, as at 1 January 2010 being the relevant date prescribed by the Valuer-General Victoria and to be returned no later than 30 June 2010.
2. Appoint Westlink Corporation Pty Ltd (trading as Westlink Consulting) to make and return the 2010 General Valuation pursuant to Section 13DA of the Valuation of Land Act 1960, and in particular to appoint Paul Farrelly, Monique Lopes, Katrina Williamson, Brendan Sheales, Frank Carbone, Angela Passaro, Florianna Khait and David Graffen to serve this purpose.
3. Authorise officers to advise the Valuer-General and other relevant rating authorities of the resolution to “cause” the 2010 General Valuation to be undertaken pursuant to Section 6(1) of the Valuation of Land Act 1960.
4. Note the Declarations of Impartiality (copies attached) made by Paul Farrelly, Monique Lopes, Katrina Williamson, Brendan Sheales, Frank Carbone, Angela Passaro, Florianna Khait and David Graffen in compliance with Section 13DH of the Valuation of Land Act 1960.

**A vote was taken and the MOTION was CARRIED.**

**A6 PROPOSED LEASE EXTENSION – TEIFAL PTY LTD (TRADING AS DECANTERS BY THE BAY), 174 NOTT STREET, PORT MELBOURNE**

**Purpose**

To provide information to Council on Teifal Pty Ltd's request for an extension to its current lease at 174 Nott Street, Port Melbourne and to commence the necessary statutory procedures for the lease extension.

**MOVED Crs Middleton/Klepner**

That this item be deferred for further consideration and that a Supplementary Report be presented to the Ordinary Meeting of Council to be held on Monday, 23 February 2009.

**A vote was taken and the MOTION was CARRIED.**

**A7 PROPOSED LEASE AGREEMENT TO BREWSTERS & CO. PTY LTD – 147 LIARDET STREET, PORT MELBOURNE**

**Purpose**

To advise Council of the outcome of the advertising and submission process for the lease of 147 Liardet Street, Port Melbourne to Brewsters & Co Pty Ltd.

**MOVED Crs Powning/Klepner**

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

- 1 To finalise the statutory procedures under Section 190 and 223 of the Local Government Act 1989 (“the Act”) and enter into a commercial lease agreement with Brewsters & Co Pty Ltd for use of 147 Liardet Street, Port Melbourne on the following terms:

Area: Ground Floor, approximately 560 square metres.

Permitted use: Gourmet supermarket – fresh and dry food retail.

Term: 10 years.

Options: Three further terms of 10 years each.

Rental: \$175,000 per annum plus GST.

Rental Reviews: Annual percentage increases ranging from 2% to 4% and market rent reviews every 5 years.

2. To authorise the Chief Executive Officer to execute the lease on behalf of Council.

**A vote was taken and the MOTION was CARRIED.**

**A8 MAYORAL & COUNCILLOR ALLOWANCES**

**Purpose**

Council to commence the process to determine the Mayoral and Councillor Allowances for the period 2009 to 2013.

**MOVED Crs Bolitho/Thomann**

The Strategy and Policy Review Committee recommends that Council resolve the following:

1. That Council commence the process to determine the mayoral and councillor allowances for the period 2009 to 2013, and that Council authorise the Chief Executive Officer and the Manager Governance and Risk to undertake the administrative process to enable the Council to determine the level of the allowances.
2. The proposed mayoral allowance be the maximum allowed for Category 3 Councils.
3. The proposed councillor allowance be the maximum allowed for Category 3 Councils.
4. That Council authorise the calling for public submissions and that at the Ordinary Meeting of Council dated 27 April 2009 submissions be reviewed and Council determine the level of the mayoral and councillor allowances.

**A vote was taken and the MOTION was CARRIED.**

**A9 MID YEAR BUDGET 2008/2009**

**Purpose**

To provide a report to Council on the proposed mid year budget changes highlighted from a review of Council's performance to end of December 2008.

**MOVED Crs Klepner/Powning**

That this item be deferred for further consideration at the Ordinary Meeting of Council to be held on Monday, 23 February 2009 pending further briefings on the Elwood Pavilion and other matters, including criteria used to develop the short list of projects requiring additional funding.

**A vote was taken and the MOTION was CARRIED.**

**A10 QUARTERLY MANAGEMENT REPORT**

**Purpose**

To provide information on the financial, service and internal performance of Council.

**MOVED Crs Touzeau/Thomann**

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

1. Receive and note the 2nd Quarter 2008/09 Quarterly Management Report.

**A vote was taken and the MOTION was CARRIED.**

**A11 BUILDING MAINTENANCE CONTRACTS 1251 TO 1255 SUMMARY REPORT**

**Purpose**

The report presents the process to date in the tendering of a selection of building maintenance services.

**MOVED Crs Powning/Middleton**

That the Strategy and Policy Review Committee recommend that Council resolve to:-

1. Note the report on the tender process, to date, for the new building maintenance service contracts, covering plumbing and gas services; specialist cleaning services; painting services; carpentry/handyman services and floor covering services.
2. Note that a confidential evaluation report and final recommendations of the Tender Evaluation Panel (TEP), regarding contracts #1251; #1252; #1253; #1254 and #1255 will be provided to the Ordinary Council Meeting, 23 February 2009.

**A vote was taken and the MOTION was CARRIED.**

**8. CHIEF EXECUTIVE OFFICER'S REPORT**

Nil.

**9. REPORTS BY DELEGATES (COUNCILLOR) APPOINTED TO OTHER BODIES**

Nil.

**10. URGENT BUSINESS**

Nil.

## **11. PRESENTATION OF CONFIDENTIAL REPORTS**

### **11.1 POLICY AND PLANNING**

Nil.

### **11.2 GOVERNANCE AND COMPLIANCE**

Nil.

As there was no further business the meeting closed at 7.55pm.

Confirmed: 2 March 2009

Chairperson: \_\_\_\_\_