



**ORDINARY
MEETING OF
COUNCIL**

AGENDA

23 JUNE 2008

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 'Do You Wish to ask a Question' 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 make a Public Comment' form located outside the Chamber and give to the Administrative Officer.

When your item is being discussed the Chairperson will call your name and ask you to address the Council. You will have 3 minutes to speak. If somebody has already raised an issue you agree with, there is no need to repeat it.



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 June, 2008 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 26 May 2008.
 - Minutes of the Special Meeting of the Port Phillip City Council held on 26 May 2008.
 - Minutes of the Special Meeting of the Port Phillip City Council held on 16 June 2008.
 - Minutes of the Statutory Planning Committee Meeting of the Port Phillip City Council held on 10 June 2008 for noting by Council (previously circulated to Councillors).
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 June 2008.
 - Reports of the Statutory Planning Committee - 10 June 2008.
9. **CHIEF EXECUTIVE OFFICER'S REPORT**
10. **ORDERS OF THE DAY**
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.

David Spokes
Chief Executive Officer
18 JUNE 2008

3. PETITIONS AND JOINT LETTERS

4. SEALING SCHEDULE

The following documents are submitted for signature and sealing:

SECTION 163 AGREEMENT between PORT PHILLIP CITY COUNCIL and JOHNSTON SONI PTY LTD, regarding 462 St Kilda Road, Melbourne, to endorse the determination of the Building Appeals Board similar to recent application relating to 46 Boundary Road, South Melbourne.

Item not previously considered by Council.

Responsible Manager: George Borg, City Development

RECOMMENDATION

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

5. CORRESPONDENCE

Item 1

A copy of the Confidential List of Registered Correspondence for the Mayor and Councillors between the month of 18 May 2008 and 17 June 2008 is attached for information.

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 JUNE 2008

A1 DISABILITY ACTION PLAN

Purpose

To inform Council and seek endorsement of the new Disability Action Plan 2008-2012 and to highlight actions from the previous 5 years' plan.

COMMITTEE'S RECOMMENDATION

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

1. Endorse the Disability Action Plan 2008 -2012 as a commitment to improving access for people with disabilities and their carers to services, information and to the built environment.
2. Lodge the Disability Action Plan 2008 -2012 with the Human Rights and Equal Opportunity Commission (HREOC).
3. Nominates the Disability Action Group to monitor the action plan and report back to Council annually on achievements for that previous year.
4. Notes the progress made on actions listed in the existing Disability Action Plan 2003 – 2008.

**A2 BETTY DAY COMMUNITY CENTRE REDEVELOPMENT
(See Confidential Supplementary Report)**

Purpose

To inform Council on the status of the Betty Day Community Centre redevelopment project, and the tender process to select a preferred builder

COMMITTEE'S RECOMMENDATION

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve:

1. That the Council receives the report and notes the progress made on the redevelopment of the Betty Day Community Centre.
2. That a confidential supplementary report outlining the tender evaluation assessment and process and recommendation of a preferred contractor will be presented to the Ordinary Council Meeting on 26 June 2008.

A3 DOMESTIC ANIMAL MANAGEMENT PLAN AND OFF LEASH REVIEW

Purpose

To update Council on the Draft Domestic Animal Management Plan.

COMMITTEE'S RECOMMENDATION

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

1. Adopt the draft domestic animal management plan and release it for public comment;
2. Consider the results of any feedback as a result of the consultation process during the September cycle of Council meetings

A4 REDEVELOPMENT OF BOB JANE STADIUM

Purpose

To outline the outcomes that Council wishes to see from the redevelopment that underpin Council's in-principle support for redevelopment of Bob Jane Stadium.

COMMITTEE'S RECOMMENDATION

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

1. That the Council resolve to support 'in-principle' the redevelopment of Bob Jane Stadium based on the following assumptions that the redevelopment will:
 - Enhance the partnership between South Melbourne 'Mens' and 'Womens' Soccer Club by incorporating appropriate arrangements for the use of Bob Jane Stadium by both clubs and provide for a more 'purpose built' facility to secure the long-term future of South Melbourne Women's Soccer Club within Albert Park Reserve.
 - Maximise local access and active local use of the facility, including providing a venue for a local little athletics club.
 - Achieve the principles of the Port Phillip Open Space Strategy 2006, in regard to offsetting any impact of loss of open space by gaining a better space within the precinct and demonstrating a clear net community benefit.
 - Include the viable restoration and a compatible use of the heritage grandstand.
 - Apply Environmental Sustainability Design standards that minimize energy use and maximize water retention and re-use.
 - Be considered as part of an integrated planning approach led by the State Government, that would include consideration of MSAC, Bob Jane car park and stadium as one precinct.
 - Provide for CoPP to be represented at a senior level on any steering / working party;
 - Not require any financial commitment from Council in the context of Bob Jane Stadium being a non council owned asset.
2. That the Mayor write to the minister for sport and recreation requesting a meeting to discuss Council's policy position on this matter and seek assurances that the redevelopment of Bob Jane Stadium will achieve the assumptions that underpin Council's 'in-principle' support.

A5 CULTURAL DEVELOPMENT FUND 2008/09: RECOMMENDATION OF SUCCESSFUL APPLICANTS

Purpose

This report provides the list of the successful 2008/9 Cultural Development Fund projects as recommended by the Cultural Development Fund Committee. The projects are listed in an attachment which remains confidential until unsuccessful applicants have been informed.

COMMITTEE'S RECOMMENDATION

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

1. Endorse the recommendations of the Cultural Development Fund Committee for 2008/9 and provide funding for the successful applicants as detailed in Attachment1;
2. That in response to issues identified by the Cultural Development Fund Committee, Council directs officers to consider options for increasing funding to the Cultural Development Fund as part of the development of the 'Creative Futures Strategy' to be considered by Council in July 2008;
3. Thank the members of the Cultural Development Fund Committee for their voluntary work and consider the suggestions made by the Committee for the future.

A6 LIFESAVING CLUB STRATEGY UPDATE

Purpose

This report provides Council with an update on the implementation of the Lifesaving Club Strategy.

COMMITTEE'S RECOMMENDATION

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

1. That the Council notes the report providing an update on the implementation of the *Lifesaving Club Strategy 2003* and requests officers to continue with the implementation of the remainder of the strategy
2. In relation to the South Port Lifesaving Club feasibility Study, Council resolve that;
 - the option of one clubhouse to service the South Melbourne / Port Melbourne Beach areas be further investigated as the preferred option;
 - \$150K be committed in the 2008/2009 budget to undertake further detailed investigation of this option, development of a funding strategy that investigates funding from key stakeholders / agencies and a cost and community benefit analysis;
 - further detailed design of the 'one clubhouse' option be undertaken in a manner consistent with the principles of Council's Life Saving Club Strategy, Community Hubs Policy, City of Port Phillip Financial Principles and the Life Saving Victoria Future Clubhouse Guidelines;
 - any further detailed investigation requires consideration of a LSV 'summer weekend' service to be provided from the newly renourished Middle Park Beach.
3. In relation to the St Kilda Life Saving Club, Council resolve that;
 - an investigation be undertaken into options for housing of the St Kilda Life Saving Club in a manner consistent with the principles of Council's Life Saving Club Strategy, St Kilda Urban Design Framework, Community Hubs Policy, City of Port Phillip Financial Principles and the Life Saving Victoria Future Clubhouse Guidelines;
 - \$30K be committed in the 2008/2009 budget to undertake this investigation of options, including development of a funding strategy that investigates funding from key stakeholders / agencies and a cost and community benefit analysis.
4. In relation to the Sandridge Lifesaving Club, Council resolve that it will work with the Club to undertake more detailed planning for the facility in accordance with the *Lifesaving Club Strategy 2003*.

A7 FRIENDS OF SUAI REVIEW 2004-07

Purpose

To consider a review of the Friends of Suai program commissioned by the Friends of Suai Community Steering Group.

COMMITTEE'S RECOMMENDATION

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

1. Note the findings and recommendations in the FoS Review.
2. Note the significant progress to date of the COPP and Suai Friendship Agreement and extends its friendship and respect to the staff and committee of the Suai Community Centre.
3. Extend its appreciation for the work of the Friends of Suai, Community Steering Group and in particular the considerable work undertaken for the Review which highlights how the resources from the CoPP and the relationship with Suai have made a significant contribution to building capacity in Suai.
4. Endorse the need to strengthen CoPP and Suai joint planning processes to promote a greater exchange of ideas and mutual understanding.
5. Recommend to the 2008 -2012 incoming Council that the Friends of Suai program be extended beyond the Friendship Agreement of 2010, including continuing financial and administrative support for the program.
6. Recommends to the incoming Port Phillip Council the hosting of a significant community event to celebrate the 10-year anniversary of the FoS partnership through the invitation of key Timor dignitaries to the COPP.

**A8 2008/2009 ANNUAL REPORT OF THE COMMUNITY GRANTS ASSESSMENT
PANEL AND PROGRAM RECOMMENDATIONS**

Purpose

This reports presents the 2008 Annual Report of the Community Grants Program Assessment Panel and seeks Council's endorsement of the recommendations of the 2008/09 Community Grants Program.

COMMITTEE'S RECOMMENDATION

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

1. To endorse the recommendations made by the Community Grants assessment panel to fund 87 of the 113 applications, to a total of \$232,106 from the 2008/09 budget as outlined in Confidential Attachment 2 - 2008/09 Assessment panel recommendations for funding.
2. That the details of funded programs be made public once all applicants have been advised of the outcome of their grant applications.
3. Formally thanks Community Grants Assessment Panel community representatives Bruce Thorn, Russell White, Sally Cunningham and Jan Robins for their contribution in the first year of their two year term.

A9 IMPLEMENTATION OF COMMUNITY PLAN – PROGRESS REPORT

Purpose

Report discussing first year of implementation of the 2007-2017 Community Plan and progress to date.

COMMITTEE'S RECOMMENDATION

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

1. Note the significant progress to date in implementing the Community Plan since its launch in November 2007.
2. Note the intention to host a forum for stakeholders in September 2008 for the purpose of discussing and reporting progress on implementation of the Community Plan.

- A10 PROPOSED TRANSFER OF 121 LIARDET STREET, PORT MELBOURNE TO PORT PHILLIP HOUSING ASSOCIATION, SALE OF 1 & 2 / 144 NOTT STREET, PORT MELBOURNE AND SALE OF 2 / 63 CARLISLE STREET ST KILDA
(See Supplementary Report)**

Purpose

Council has commenced the statutory processes under the Local Government Act for the sale of land and road discontinuance. Council should now consider all submissions received; the recommendation is to defer decision pending the statutory planning process.

COMMITTEE'S RECOMMENDATION

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

1. That having commenced the statutory procedures for the sale of land and road discontinuance in respect of land at 121 Liardet Street and Kyme Place, Port Melbourne, 144 Nott Street, Port Melbourne, and 2/63 Carlisle Street, St Kilda, in accordance with the requirements of the Local Government Act and having received and considered submissions and heard from persons speaking in support of their submissions, to defer its decision.
2. To advise all persons who made a submission and the local community of its decision and the reasons for it.
3. To encourage the Port Phillip Housing Association to engage with the local community to explain its programs and plans and devise a revised plan for the proposed community housing project before making an application for a statutory planning permit.
4. To consider a supplementary report from officers on 23 June 2008 setting out a proposal to appoint a committee under section 86 of the Local Government Act to decide on any planning application made by Port Phillip Housing Association in respect of the Kyme Place car park in Port Melbourne, with the membership to include appropriate councillor and community representation and planning expertise.

**A11 RESPONSE TO COUNCILLOR QUESTION REGARDING RECENT WORKS IN
MALAKOFF AND SEBASTOPOL STREETS, EAST ST KILDA**

Purpose

To respond to Cr Ray's question in regard to recent road resurfacing works in Malakoff and Sebastopol Streets, East St Kilda and advise of any further proposed rectification works.

COMMITTEE'S RECOMMENDATION

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

1. To receive and note the report regarding recent works in Malakoff and Sebastopol Streets, East St Kilda, subsequent rectification works, resident consultation, future site monitoring and rectification works if required.

A12 NAMING OF RESERVE BOUNDED BY CNRS VICTORIA AVENUE, O'GRADY & MOUBRAY STREETS, ALBERT PARK

Purpose

The purpose of this report is to consider a proposal and commence statutory procedures to name a reserve on the corner of Victoria Avenue, O'Grady & Moubray Streets, Albert Park 'Rats of Tobruk Reserve'.

COMMITTEE'S RECOMMENDATION

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

1. Authorise the commencement of the statutory procedures required, in accordance with the Geographic Names Act 1998, to name a reserve on the corner of Victoria Avenue, O'Grady & Moubray Streets, Albert Park 'Rats of Tobruk Reserve'.

A13 PROPOSED DISCONTINUANCE AND SALE OF A SECTION OF RIGHT OF WAY NO. R1229 REAR 3 LITTLE FINLAY ST, ALBERT PARK

Purpose

This report is to finalise the discontinuance and sale of section of Right of Way No. R1229 rear 3 Little Finlay St, Albert Park.

COMMITTEES RECOMMENDATION

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

1. That the statutory procedures to discontinue the section of Right of Way at the rear of 3 Lt Finlay St, Albert Park, be completed. That the land from the Road be sold to the owners of 3 Lt Finlay St, Albert Park, subject to the land being consolidated to the property.

**A14 PROPOSED SALE OF A SECTION OF A PREVIOUSLY DISCONTINUED
RIGHT OF WAY AT THE REAR OF 7 RAINSFORD ST, ELWOOD**

Purpose

This report is to finalise the transfer of a section of previously discontinued Right of Way at the rear of 7 Rainsford St, Elwood.

COMMITTEES RECOMMENDATION

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

1. That the statutory procedures be completed. That the land be sold to the owners of 7 Rainsford St, Elwood, subject to the land being consolidated to the property.

- A15 PROPOSED DISCONTINUANCE AND SALE OF A SECTION OF RIGHT OF WAY NO. R2419 ABUTTING AND REAR 124 HEATH ST, PORT MELBOURNE
(See Supplementary Report)**

Purpose

This report is to finalise the discontinuance and sale of a section of Right of Way No.R2419 abutting and rear 124 Heath St, Port Melbourne.

COMMITTEE'S RECOMMENDATION

That this item be deferred to the Ordinary Meeting of Council to be held on Monday, 23 June 2008.

**A16 PROPOSED LEASE AGREEMENT TO MELBOURNE WATER CORPORATION – USE OF FENNELLS RESERVE, MELBOURNE MAIN SEWER REPLACEMENT PROJECT
(See Supplementary Report)**

Purpose

To grant a lease under Section 17D of the Crown Land (Reserves) Act 1978 to Melbourne Water Corporation for use of Fennell Reserve.

COMMITTEE'S RECOMMENDATION

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

1. to commence the statutory procedures under Section 190 of the Local Government Act 1989 (the "Act") and publish a notice in local newspapers inviting interested persons to make a submission under Section 223 of the Act for the proposed lease of the land described as Fennell Reserve to Melbourne Water Corporation.
2. to appoint its Strategy and Policy Review Committee to hear and consider any submissions made under Section 223 of the Act at its meeting to be held on 4 August 2008.

**8(B) REPORTS OF THE STATUTORY PLANNING COMMITTEE HELD AT THE ST
KILDA TOWN HALL ON 10 JUNE 2008.**

Note: Business items B1, B2, and B3 were resolved by the Statutory Planning Committee held on 10 June 2008 in accordance with Section 86 of the Local Government Act 1989.

B4 DELEGATE REPORT MAY 2008

Purpose

This report presents Council with a summary of all Planning Permits issued in accordance with the Schedule of Delegation made under Section 98 of the Local Government Act 1989 and Section 188 of the Planning & Environment Act 1987.

COMMITTEE'S RECOMMENDATION

That the Council receive and note the report regarding the summary of all Planning Decisions issued in accordance with the Schedule of Delegation made under Section 98 of the Local Government Act 1989 and Section 188 of the Planning & Environment Act 1987 adopted by Council on 24 July 1996 and as amended, for the Port Phillip Planning Scheme.

9. CHIEF EXECUTIVE OFFICER'S REPORT

10. ORDERS OF THE DAY

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

12. URGENT BUSINESS

13. CONFIDENTIAL MATTERS

A2 BETTY DAY COMMUNITY CENTRE REDEVELOPMENT (CONFIDENTIAL)
(See Confidential Supplementary Report)

(Note: Item classified as confidential item in accordance with Section 89 2 (d) of the Local Government Act 1989)