



**ORDINARY
MEETING OF
COUNCIL**

AGENDA

25 FEBRUARY 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 you to be involved in the process and work with Council towards making Port Phillip a great place to live and work.

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 a Committee Meeting, these items are known as an Order of the Day. Recommendations from Council's two special committees of Councillors (which have met during the month) will also be presented.

Each item has a report 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.

Speaking at this meeting

Provision is made at the beginning of the meeting for a question time from members of the public.

Public comment at this meeting is at the discretion of the Chairperson. If you would like to request to address the Council on any Order of the Day, that is discussed tonight, please fill in the blue 'Do You Wish to Speak' form located outside the chamber and give it to the Administrative Officer or any Council officer present.

When your item is being discussed the Chairperson (at their discretion) will call your name and ask you to address the Council. You will have 3 minutes to speak. Council welcomes all contributions, however if somebody has already raised an issue you agree with, there is no need to repeat it. Rest assured we take everything on board!

It may seem intimidating to address the Council but we assure you, you're in a very relaxed environment! By attending this meeting you are playing a very important part in the democratic process. We hope it proves to be a rewarding experience.



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, 25 February 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 29 January 2008.
 - Minutes of the Statutory Planning Committee Meeting of the Port Phillip City Council held on 7 February 2008 for noting by Council (previously circulated to Councillors).
 - Minutes of the Statutory Planning Committee Meeting of the Port Phillip City Council held on 11 February 2008 - MEETING CANCELLED.
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 - 4 February 2008.
 - Reports of the Statutory Planning Committee - 11 February 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
20 FEBRUARY 2008

3. PETITIONS AND JOINT LETTERS

Item 1

A Petition was received from 33 residents in relation to the resurfacing of Malakoff Street, East St Kilda.

The Petition states the following:

'We, the undersigned residents and ratepayers of Malakoff Street, St Kilda East, wish to express our dismay at the state of our newly resurfaced road, Less than two months old, by any measure this is an appalling piece of road making. Apparently laid down over the existing 'lumps and bumps', it is now a patchy, sticky, stony mess through which tar seeps sticking to car tyres and footwear alike'.

*****A copy of this Petition is attached for your information.***

*****A copy of this Petition has been forwarded to the Executive Director Community Assets and Services for appropriate actioning.***

*****A copy of Council's response is attached for information.***

4. SEALING SCHEDULE

The following documents are submitted for signature and sealing:

TRANSFER OF LAND between PORT PHILLIP CITY COUNCIL and JOHN DOUGLAS SALLOWS, for the sale & transfer of land (right of way) abutting 28 Alfred Street, South Melbourne.

Item previously considered by Council in August 2007.

<i>Councillor Note</i>	<i>14 February 2007</i>
<i>Advertising</i>	<i>5 June 2007</i>

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

TRANSFER OF LAND between PORT PHILLIP CITY COUNCIL and CHARLES RICHARD PALFREY and CHRISTOPHER ROBERT PALFREY, for the sale & transfer of land (right of way) abutting 49 Vale Street, St Kilda.

Item previously considered by Council in March 2007.

<i>Councillor Note</i>	<i>6 September 2006</i>
<i>Advertising</i>	<i>23 January 2007</i>

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

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 24 January 2008 and 19 February 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 4 FEBRUARY 2008

A1 AMENDMENT C57 (PART 2) - CONSIDERATION OF SUBMISSIONS

Purpose

That Council consider all submissions received to Amendment C57 (Part 2) to the Port Phillip Planning Scheme, and resolve a position on each.

COMMITTEE'S RECOMMENDATION

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

1. Council, having considered the submissions received to Amendment C57 (Part 2), resolve to:
 - a) Request that the Minister for Planning appoint an independent Panel to review submissions to the amendment in accordance with Part 8 of the *Planning and Environment Act 1987*.
 - b) Refer all submissions, and any late submissions received, to the Panel to be appointed by the Minister for Planning.
 - c) Inform all submitters of Council's decision.

A2 AMENDMENT C69 – UPDATE OF PROVISIONS

Purpose

Council resolve to seek a Section 20(4) Exemption from the Minister for Planning.

COMMITTEE'S RECOMMENDATION

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

1. Council resolves:
 - a) To endorse the changes to the Port Phillip Planning Scheme proposed as part of Amendment C69 (as outlined in Attachment 1).
 - b) To request the Minister for Planning to process Amendment C69 to the Port Phillip Planning Scheme, pursuant to section 20(4) of the Planning and Environment Act 1987.
 - c) To authorise the Executive Director, City Development and Planning to finalise the amendment documentation for submission to the Minister in association with the amendment request.

A3 CITY OF PORT PHILLIP PROPERTY STRATEGY

Purpose

To update Council on the property strategy.

COMMITTEE'S RECOMMENDATION

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

1. The Property Strategy lay on the table for an additional cycle to enable further conversation with Council and any community input.

A4 PROPOSED DISCONTINUANCE AND SALE OF SECTIONS OF THE RIGHT OF WAY AT THE REAR OF 180 & 184 CARLISLE ST, ST KILDA

Purpose

This report is finalise the discontinuance and sale of sections of Right of Way at the rear 180 & 184 Carlisle St, St Kilda.

COMMITTEE'S RECOMMENDATION

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

1. The statutory procedures to discontinue the section of Right of Way at the rear of 180 & 184 Carlisle St, St Kilda, be completed. That the land from the road be sold to the owners of 180 & 184 Carlisle St, St Kilda, subject to the land being consolidated to the property

A5 PROPOSED DISCONTINUANCE AND SALE OF A SECTION OF RIGHT OF WAY AT THE REAR OF 120 PRINCES ST, PORT MELBOURNE

Purpose

This report is to finalise the discontinuance and sale of a section of Right of Way rear 120 Princes St, Port Melbourne.

COMMITTEE'S RECOMMENDATION

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

1. The statutory procedures to discontinue the section of Right of Way at the rear of 120 Princes St, Port Melbourne, be completed. That the land from the road be sold to the owners of 120 Princes St, Port Melbourne, subject to the land being consolidated to the property

A6 SOUTH MELBOURNE MARKET - ACTIVITIES REPORT

Purpose

Periodic report on the activities of the South Melbourne Market.

COMMITTEE'S RECOMMENDATION

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

1. Council notes this report on the business of the South Melbourne Market Management Committee for the year ended 30 June 2007.
2. Council notes the Market's operational performance with regard to permanent Stallholder occupancy levels (Attachment 1) and visitor counts (Attachment 2) for the past five years.
3. Council notes the credit management and financial performance of the Market (Attachment 3 – Confidential) with regard to debtor levels and operating performance.

A7 QUARTERLY FINANCIAL REPORT & KEY PERFORMANCE INDICATOR REPORT

Purpose

Update Council on the Quarterly Financial Report and the Key Performance Indicator Report from the CEO.

COMMITTEE'S RECOMMENDATION

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

1. The Quarterly Financial Report from the CEO detailing Council's financial performance for the six months ended 31 December 2007 be adopted.
2. The Key Performance Indicator Report from the CEO detailing Council's performance for the three months ended 31 December 2007 be adopted.

A8 MID YEAR BUDGET 2007/2008

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 2007.

COMMITTEE'S RECOMMENDATION

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

1. Council adopt the 2007/08 mid year budget forecast as outlined in the body of this report and Attachments 1 and 2, and approve the favourable and unfavourable variances as outlined in these Attachments.
2. Council adopt the changes recommended to the Capital Works program as outlined in Attachment 3.

**8(B) REPORTS OF THE STATUTORY PLANNING COMMITTEE HELD AT THE ST
KILDA TOWN HALL ON 7 FEBRUARY 2008**

Note: Business items B1 was resolved by the Statutory Planning Committee held on 10 December 2007 in accordance with Section 86 of the Local Government Act 1989.

**8(B) REPORTS OF THE STATUTORY PLANNING COMMITTEE HELD AT THE ST
KILDA TOWN HALL ON 11 FEBRUARY 2008**

MEETING CANCELLED

9. CHIEF EXECUTIVE OFFICER'S REPORT

10. ORDERS OF THE DAY

ORDER OF THE DAY 1 17 ROBE STREET, ST KILDA

(Please refer to attached report)

ORDER OF THE DAY 2 INTEGRATED PLANNING FOR THE ST KILDA ACTIVITY CENTRE

(Please refer to attached report)

ORDER OF THE DAY 3 ST KILDA TRIANGLE DEVELOPEMENT (COMMERCIAL ISSUES) – CONFIDENTIAL ITEM

(Confidential Item in accordance with Section 89 2 (d) of the Local Government Act 1989)

(Please refer to attached report)

11. REPORTS BY COUNCILLOR DELEGATES APPOINTED TO OTHER BODIES

Item 1

The Mayor, Cr Cribbes is to present the following Delegate Report on Essential Mayors Weekend:

'I provide here a report on my attendance at the "Essential Mayors Weekend 2008" a training event convened by the VLGA.

The event was held on the weekend of 1st February to 3rd February at The Country Place, Kalorama and was attended by 33 mayors of Victoria representation approximately 40% of Victorian local governments. The cost of the training event was \$1,540 paid from Councils training budget.

The program covered:

- The role of the Mayor*
- Issues for State Government – Minister Richard Wynne and Opposition Spokesperson Ken Smith*
- Local sustainability accord*
- Effective Mayor/CEO relationships*
- Conflict management and resolution*
- Major issues management*
- Council meetings procedures and effective chairing*
- Getting government funding*

The program was delivered through a combination of lectures, interactive workshops and exercises.

Of particular interest and benefit to me in any first term as a mayor were the following opportunities:

- The essential challenges of a focus on outcomes for local government – this was forcefully advocated by the experienced CEO Phillip Shanahan (Corangamite, Broadmeadows, Darebin)*
- Approaches to defining the intersecting roles of CEO and mayor*
- The worthiness of developing a mayoral job description*
- The necessity to better define the delegation of the CEO's appraisal committee*
- Approaches to the options by a chair of a casting vote*
- 5 generic approaches for handling conflict*

I will continue to explore these opportunities as they apply to City of Port Phillip council and with officers.

Another beneficial aspect of the training was the opportunity afforded to compare Port Phillip with other local government areas, to network and to explore ideas. Working with the Mayor of Bayside we have opportunities to fix the Head Street hoons issue – problem with a car park on the border of Bayside and Port Phillip.

Discussion with the Mayor of Boroondara on asset renewals by major category provides me with greater perspective on our infrastructure challenges.

Discussion with various mayors on business management reveals opportunities for this council to streamline its approach.

Finally I have established a number of relationships with Mayors (Yarra, Bayside, Boroondara, Wellington and Horsham) which provide a value network for the future.

In conclusion I found the training valuable and rewarding and I recommend that anyone preparing themselves for mayoral duties consider this service'.

12. URGENT BUSINESS

13. CONFIDENTIAL MATTERS

ORDER OF THE DAY 3

ST KILDA TRIANGLE DEVELOPEMENT (COMMERCIAL ISSUES) – CONFIDENTIAL ITEM

(Confidential Item in accordance with Section 89 2 (d) of the Local Government Act 1989)

(Please refer to attached report)