



**ORDINARY
MEETING OF
COUNCIL**

AGENDA

28 JULY 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 blue 'Do You Wish to ask a Question or make a Public Comment' form located outside the chamber and give it to the Administrative Officer.

Public Comment

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

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

When your item is being discussed the Chairperson will call your name and ask you to address the Council. 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, 28 July, 2008 at 6.00pm.**

AGENDA

1. **APOLOGIES**
2. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
 - Minutes of the Special Meeting of the Port Phillip City Council held on 23 June 2008.
 - Minutes of the Ordinary Meeting of the Port Phillip City Council held on 23 June 2008.
 - Minutes of the Statutory Planning Committee Meeting of the Port Phillip City Council held on 14 July 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 - 7 July 2008.
 - Reports of the Statutory Planning Committee - 14 July 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
23 JULY 2008

3. PETITIONS AND JOINT LETTERS

Item 1

A Petition was received from 29 residents in regards to the replacing of trees along Alma Road.

The Petition states the following:

'We the undersigned understand that the Council intends to replace many existing street trees along Alma Road with Magnolia Grandiflora St Mary.

We request that the Chinese Elm (Ulmus parvifolia) be planted instead of the proposed Magnolia along the street for the following reasons:

1. Size: Council's proposed Magnolia grows to about 6m. This is grossly inadequate for the scale of Alma Rd, which used to be a grand avenue with mature plane trees. A grander tree is warranted to reclaim the street's historical presence. The Chinese elm grows to 10-12m (still smaller than the 20m mature plane trees that were removed).

2. Spread/Crown shape: The Magnolia has a busy compact pyramidal form of 3m (a narrow 'blob'). This provides little amenity with its 10m wide dense, rounded crown of spreading branches.

3. Drought Resistance: The Magnolia has only a moderate drought tolerance. The Chinese elm has a high drought tolerance: 'The Chinese elm thrives under drought conditions.

4 Growth Rate: The Magnolia is slow growing; the Chinese elm is medium growing. Since mature trees are being pulled out in the street, a faster growing species should be chosen.

5. Context: Council has successfully planted Chinese elms in residential streets around Alma Rd. This species is ideally situated as street tree; it tolerates compacted, infertile soils and the general environment found in cities and along streets, Not only is the Chinese elm a very attractive tree, but it also requires little maintenance and is very durable'.

****Copy of Petition has been forward to David Yeouart, Executive Director Community Assets & Services and Kathy Dillon, Manager Building and Green Spaces for information.***

Item 2

A Petition was tabled from 202 residents in regards to a local laws infringement in relation to the balloons on display in the centre nature strip of Canterbury Road, Middle Park – Facing the Penny Farthing Cycle Shops.

The Petition states the following:

'The Council has been harassing the bike shop and has fined it for having the balloons on display in order to force the owner to remove the balloons displayed on the weekend'.

****Copy of Petition has been forward to Geoff Oulton, Executive Director Community Development & Planning and Stephen Cooper, Manager Health & Amenity for information.***

4. SEALING SCHEDULE

The following documents are submitted for signature and sealing:

SECTION 173 AGREEMENT between PORT PHILLIP CITY COUNCIL and SARAH JOY HOWSON, to ensure that Condition 3 of planning Permit for land at 367 Danks Street, Middle Park is satisfied.

Planning Permit No. 1124/2007 was issued under delegation on the 16th April 2008.

Condition 3 of the permit required:

'Prior to commencement of the use/development permitted the applicant must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. The Agreement must be in a form to the satisfaction of the Responsible Authority, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:

- a) The land shall not be subdivided.*
- b) The two storey structure at the rear shall not be altered to create self-contained accommodation.*
- c) This agreement will be registered on Title in accordance with Section 181 of the Planning and Environment Act 1987.*

This agreement will be registered on Title in accordance with Section 181 of the Planning and Environment Act 1987.

Responsible Manager: George Borg, Manager City Development

CONTRACT NO. 0992 between PORT PHILLIP CITY COUNCIL and NATIONWIDE TOWNG SERVICES PTY LTD, to set up a service to remove vehicles via towing.

Item not previously considered by Council.

Responsible Manager: Stephen Cooper, Manager Health and Amenity

COMMITTEE'S 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 19 June 2008 and 22 July 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 7 JULY 2008

A1 GREEN ENERGY SUPPLY FOR PUBLIC LIGHTING AND COUNCIL FACILITIES

Purpose

To increase understanding of the renewable energy industry and to outline the optimal role the purchasing of green energy should play in reducing the City of Port Phillip's reliance on coal-fired electricity.

COMMITTEE'S RECOMMENDATION

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

1. Commence a tender process for 25% renewable energy purchase for its un-metered (public lighting) sites immediately.
2. Maintain its existing 25% renewable energy purchase for its metered (buildings) sites.
3. Review the 25% green power purchase for its metered and un-metered sites, and review this level on an annual basis.
4. Council purchase green power in accordance with the criteria outlined in Attachment 3 of this report.
5. Continue to monitor, and engage as necessary, in the street lighting debate, with a view to understanding the most cost effective and green house gas abatement effective management strategy.

A2 EDDINGTON STUDY – INVESTING IN TRANSPORT

Purpose

To consider Council's response to the Eddington Study.

COMMITTEE'S RECOMMENDATION

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

1. Consider the '*Eddington Study – Investing in Transport*':-
 - 1.1 Strongly support the proposals which increase the capacity of the greater Melbourne public transport system
 - 1.2 Not support the East West Road Tunnel
 - 1.3 Strongly support the proposals which increase rail freight mode share
 - 1.4 Strongly support the statement within the '*Eddington Study – Investing in Transport*' document '*Should Webb Dock be developed in the future as an international container port, it must be configured from the outset to provide rail connections that maximise rail efficiency*'
 - 1.5 Note the opportunity of urban renewal for the St.Kilda Junction site as a component of the metro-rail tunnel proposal.
 - 1.6 Strongly support the proposals seeking to increase the efficiency of motor vehicles
 - 1.7 Seek assurances from the State Government that funding for EWLNA projects will be in-addition to funding previously committed to the '*Meeting our Transport Challenges*' strategy
 - 1.8 Support the early implementation of the suggested improvements to the bicycle network, funded by State Government.
 - 1.9 Oppose East-West Link Needs Assessment (EWLNA) recommendation 18 to recoup costs of the road tunnel from beneficiaries via local government rates and amend Attachment 2 appropriately
 - 1.10 Request the Executive Director Community Development and Planning to finalise Council's formal response consistent with the dialogue and recommendations contained in this report and attachments and submit before the 15 July 2008.

A3 FORESHORE BINS SERVICE STRATEGY

Purpose

To outline a service strategy for foreshore bins.

COMMITTEE'S RECOMMENDATION

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

1. Receive and note the Foreshore Bins Service Strategy.
2. Note the purpose of the Foreshore Bins Service Strategy is to:
 - 1.1 Improve the customer experience by providing greater alignment with community expectations (e.g. provision of recycling bins, consistent bin locations, sufficient supply).
 - 1.2 Strengthen the urban design response for the foreshore.
 - 1.3 Improve Council's operational and maintenance management for this service.
3. Adopt and implement the Foreshore Bins Service Strategy as shown in Attachment 1 to this report.

**A4 CITY OF PORT PHILLIP BUSINESS SPONSORSHIP GUIDELINES
(SEE SUPPLEMENTARY REPORT)**

Purpose

To provide a set of guidelines to frame efforts on developing and managing sponsorship and partnership opportunities across the organisation.

COMMITTEE'S RECOMMENDATION

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

1. That a supplementary report be prepared, revising the proposed guidelines to show how they support and implement council's policy.

A5 DRAFT CARLISLE STREET ACTIVITY CENTRE STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK

Purpose

To present the draft Carlisle Street Activity Centre Structure Plan and Urban Design Framework to Council for the purpose of public consultation.

COMMITTEE'S RECOMMENDATION

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

1. Endorse the draft Carlisle Street Activity Centre Structure Plan and Urban Design Framework for the purpose of undertaking public consultation.
2. Undertake public consultation on the draft Carlisle Street Structure Plan and Urban Design Framework for a period of 6 weeks during August and September 2008.
3. Require that the draft Carlisle Street Activity Centre Structure Plan and Urban Design Framework be considered in the assessment of planning applications within the Structure Plan area, and in particular for the key strategic sites identified within these documents.
4. Authorise the Executive Director, Community Development and Planning, to make any minor changes to the draft Structure Plan, necessary to clarify its intent, prior to community consultation.

A6 AMENDMENT C57 PART 2 – CONSIDERATION OF PANEL REPORT

Purpose

That Council considers the recommendations of the Panel in relation to Amendment C57 Part 2 and resolves a position on each.

COMMITTEE'S RECOMMENDATION

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

1. Adopt Amendment C57 Part 2 with changes recommended by the Panel (presented in the re-drafted DDO18 schedule at Attachment 2) by changing the exhibited maximum front wall height for the eastern residential precinct (between Pine Avenue and St Kilda Street) from 10 metres to 10.5 metres.
2. Resolve to prepare an amendment to the Port Phillip Planning Scheme to make the following changes recommended by the Panel:
 - 2.1. Introduce a discretionary provision precluding car parking in the frontage setback in the westernmost residential precinct (between Byrne Avenue and Beach Avenue).
 - 2.2. Introduce the qualification to the balustrading provision in the 'Design Requirements relating to the commercial precincts (Elwood Junction and Elwood Village).
3. Note that the changes referred to in 2. will be incorporated into a proposed 'corrections' amendment (to be known as Amendment C74) which will be presented to Council in the August cycle of meetings together with a recommendation that the Minister grant an exemption from notice under Section 20(2) of the *Planning and Environment Act 1987* for this amendment.
4. Include a foreword to the Ormond Road Urban Design Guidelines which outlines the reasons for the difference in the front wall height from 10 metres (as proposed in the Guidelines) to 10.5 metres (as approved by the Department of Planning and Community Development as part of Amendment C57 Part 1 and recommended for adoption by the Panel).
5. Authorise the Executive Director, Community Development and Planning, to finalise the amendment documentation.

A7 CITY OF PORT PHILLIP – EVENT STRATEGY 2008

Purpose

This report presents Council with the proposed *Event Strategy and Commitment Statement*.

COMMITTEE’S RECOMMENDATION

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

1. Seek public comment on the draft Event Strategy from the end of July 2008, with the final draft to be referred to the Council for consideration in the September 2008 meeting cycle.

**A8 USE OF COUNCIL RESERVES BY COMMERCIAL HEALTH AND FITNESS
 GROUPS AND PERSONAL TRAINERS
 (SEE SUPPLEMENTARY INFORMATION)**

Purpose

This report discusses the use of Council reserves, by commercial health and fitness groups and personal trainers, it proposes regionally developed general principles, which will guide Council's management of these activities.

COMMITTEE'S RECOMMENDATION

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

1. Note this report on the use of Council reserves by commercial health and fitness groups and personal trainers.
2. Endorse the proposed general principles for the use of Council reserves by commercial health and fitness groups and personal trainers.
3. Endorse the guidelines for the use by City of Port Phillip in the management and administration of reserves by commercial health and fitness groups and personal trainers.

A9 CITY OF PORT PHILLIP – CREATIVE FUTURES STRATEGY 2008

Purpose

This report present council with the Creative futures Strategy and Commitment Statement 2008.

COMMITTEE'S RECOMMENDATION

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

1. Seek public comment on the draft Creative Futures Strategy, with the final draft to be referred to the Council for consideration in the September 2008 meeting cycle.

A10 YOUTH DEVELOPMENT STRATEGY 2008

Purpose

The purpose of this report is for Council to consider for endorsement the Youth Development Strategy 2008 as a model of the City of Port Phillip's continued commitment to young people.

COMMITTEE'S RECOMMENDATION

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

1. Seek public comment on the draft Youth Development Strategy from the end of July 2008, with the final draft to be referred to the Council for consideration in the September 2008 meeting cycle.
2. That Council thanks the community sector for their extensive work and contribution to the draft Youth Development Strategy.

A11 CITY OF PORT PHILLIP DRAFT ALCOHOL ACTION PLAN

Purpose

For Council to endorse the updated 2008 Nightlife Policy principles, the four objectives of the draft City of Port Phillip Alcohol Action Plan and the current strategies that it contains.

COMMITTEE'S RECOMMENDATION

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

2. That the Council resolves to endorse the updated 2008 Nightlife Policy principles, the four objectives of the draft City of Port Phillip Alcohol Action Plan and the current strategies that it contains, as contained in the attachment.
3. That Council reviews the feedback from our community consultation, the findings from our exploration into new strategies and receives a final Alcohol Action Plan during the September cycle with a process of review and monitoring over the next 12 months.

A12 HOMELESSNESS ACTION STRATEGY 2008 - 2013 - DRAFT PLAN

Purpose

The Report introduces the draft Homelessness Action Strategy 2008 - 2013 which outlines key objectives and associated actions for endorsement by Council for the Strategy to be distributed for public comments during August 2008.

COMMITTEE'S RECOMMENDATION

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

1. Endorse the Draft Homelessness Action Strategy 2008-2013 to seek further public comment and to receive the final draft for consideration in the September Council meeting cycle.

A13 ST KILDA'S EDGE COMMITTEE UPDATE REPORT

Purpose

To update council on progress with implementing the St Kilda Urban Design Framework.

COMMITTEE'S RECOMMENDATION

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

1. Note the significant progress to date on the implementation of the St Kilda Foreshore Urban Design Framework, including the amended financial information (as attached)
2. Endorse the current membership and proposed new member of the St Kilda's Edge Committee.
3. Receive a further annual report on the business of the St Kilda's Edge Committee in July 2009, and in the mean time, receive reports from the St Kilda's Edge Committee on any matters of significance to the Council.

A14 REVIEW OF LOCAL LAW NO. 3 – CONSIDERATION OF SUBMISSIONS IN RESPONSE TO ADVERTISING

Purpose

The Local Law has been reviewed to enable better and more consistent enforcement of amenity issues across the municipality.

COMMITTEE'S RECOMMENDATION

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

1. That the Council in accordance with Section 119 of the Local Government Act 1989 ("the Act"), give notice in the Government Gazette and a public notice to advise of the making of a Local Law, the Community Amenity (Amendment) Local Law No 1 of 2008 and of alterations to the Procedures and Protocols Manual.
2. That the notices in 8.1 be in the general form of the attached notice (attachment 4).
3. That pursuant to Section 119 of the Act a letter is sent to the relevant Minister, with a copy of the new Local Law.

A15 HINDMARSH PORT PHILLIP FRIENDSHIP AGREEMENT

Purpose

This report outlines the implications of the signing of a formal Friendship Agreement between the City of Port Phillip and the Shire of Hindmarsh.

COMMITTEE'S RECOMMENDATION

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to endorse the Hindmarsh - Port Phillip Friendship Agreement as follows:

STATEMENT OF PURPOSE AND OBJECTIVES

The Shire of Hindmarsh and the City of Port Phillip in establishing a Friendship Agreement aim to achieve collaboration, connection and understanding, between their respective rural and inner urban communities.

The Friendship Agreement seeks to facilitate exchanges and partnership arrangements to achieve this aim. The Agreement is focused on sharing knowledge and expertise to achieve benefits to both parties – skill development, cultural development, and to connect diverse communities.

The agreement is designed to provide a framework within which the Councils will facilitate the development of a relationship between their respective communities.

AREAS OF COMMON INTEREST

The Shire of Hindmarsh and the City of Port Phillip will explore collaborative projects in some or all of the following areas:

- 1 Environmental sustainability and adapting to climate change*
- 2 Arts, culture, youth and healthy communities*
- 3 Economic development and tourism*
- 4 Governance policies and practices*
- 5 Community connections and participation in civic life*
- 6 Staff development*
- 7 Information technology systems and applications*
- 8 Business processes*

TYPES OF EXCHANGES

The following list of potential activities is a guide to practice:

- Mentoring to assist management and officer skills and technical expertise;*
- Forums to discuss specific technical or planning issues (e.g., Waste Management Forum, Community Consultation Forum)*
- Carbon emission trading programs;*
- Mayor and Executive leadership forums;*
- Shared projects;*
- Site visits;*
- Joint problem solving;*
- Mutual assistance during periods of natural disaster.*

MONITORING OF AGREEMENT

It will be necessary to establish a Steering Committee, with representation by one or two Councillors from each Council, and at least two community members. A Council officer will be identified from each organisation to be the executive support to the Committee.

The role of the Committee will be to:

- Identify specific projects for implementation.*
- Identify community resources to support the successful execution of projects.*
- Suggest solutions to practical matters such as transport, accommodation, materials.*
- Facilitate joint community activities and initiatives.*
- Where necessary, source funds to support the achievement of projects.*

The Steering Committee should also have the role of overseeing the monitoring and effectiveness of the Friendship Agreement, and presenting an annual report to the Councils. The report will identify projects that have been completed, or are currently being developed, and will answer questions such as:

- are the objectives being achieved?*
- can things be improved and if so, how?*
- do the benefits exceed the total costs?*
- should the relationship continue?*

The partnership reports its progress and achievements to both participating Councils and communities.

SOME SPECIFIC PROJECTS TO BE PROGRESSED:

The following projects were identified in a joint planning session of the two Councils as being worthy or further progress:

- Art exchanges*
- A fencing day at Perce White Reserve.*
- Participation in tree planting*
- Country sailing exchanges*
- Museum visit*
- Women in leadership discussion forum*
- Youth exchanges*
- Landcare link*
- Business to business links*

TERM OF AGREEMENT

The current agreement is for a 1 year period to be reviewed in 2009 following the election of new Councils.

A16 PROPOSED DISCONTINUANCE & SALE OF A SECTION OF DRAINAGE RESERVE ABUTTING 73 TENNYSON ST, ELWOOD

Purpose

This report is to finalise the discontinuance and sale of a section of Drainage Reserve abutting 73 Tennyson St, Elwood.

COMMITTEE'S RECOMMENDATION

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

1. That the statutory procedures to discontinue the section of Drainage Reserve abutting 73 Tennyson St, Elwood, be completed. That the land from the reserve be sold to the owners of 73 Tennyson St, Elwood, subject to the land being consolidated to the property, and noting that a draining easement will be created.

**A17 PROPOSED LEASE AGREEMENT TO REGIONAL ARTS VICTORIA LTD -
147A LIARDET STREET, PORT MELBOURNE**

Purpose

To update Council on the proposed lease.

COMMITTEE'S RECOMMENDATION

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

1. To commence the statutory procedures under Section 190 of the Local Government Act ("the Act") and publish a notice in local newspapers inviting interested parties to make a submission under Section 223 of the Act for the proposed lease of 147A Liardet Street, Port Melbourne to Regional Arts Victoria Ltd on the following terms:
 - Area: Approximately 220 square metres (Part of the land comprised in Certificate of Title Volume 09830 Folio 297).
 - Permitted use: Offices – but excluding the retail sale or hire of goods or the retail provision of services.
 - Term: One year.
 - Options: Four further terms of one year each.
 - Rental: \$50,000 per annum including GST.
 - Rental Reviews: Annually. Standard 3% adjustment.
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 1 September 2008.

A18 FINAL REPORT - REDEVELOPMENT OF THE ST KILDA TOWN HALL

Purpose

To present to council a final report on the redevelopment of the St Kilda Town Hall.

COMMITTEE'S RECOMMENDATION

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

1. Continue with the Accommodation Steering Committee to oversee the redevelopment of the Town Hall - South Melbourne.
2. Note the final report from the project manager Burns Bridge on the redevelopment of the St Kilda Town Hall and the final estimated total project expenditure of \$21,692,492, which represents \$744,222 (4%) over-expenditure to budget.
3. Delegate the Executive Director, Community Assets and Services to transfer savings made, within the current Capital Program, from other capital projects to cover the final shortfall, expected to be in the order of \$744,222 or less.

**A19 PROPOSED LEASE AGREEMENT – 147 LIARDET STREET, PORT MELBOURNE
(CONFIDENTIAL)**

(Refer to the Confidential Section of the Agenda)

**8(B) REPORTS OF THE STATUTORY PLANNING COMMITTEE HELD AT THE ST
KILDA TOWN HALL ON 14 JULY 2008**

Note: Business items B1 and B2 were resolved by the Statutory Planning Committee held on 14 July 2008 in accordance with Section 86 of the Local Government Act 1989.

B1 DELEGATE REPORT

Purpose

To present Council with a summary of all Planning Permits issued under Delegation.

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

ORDER 1

SERVICE PROMISE

(Refer to the attached Officer's Report)

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

12. URGENT BUSINESS

13. CONFIDENTIAL MATTERS

A19 PROPOSED LEASE AGREEMENT – 147 LIARDET STREET, PORT MELBOURNE

**ORDINARY MEETING OF COUNCIL
28 JULY 2008**

SUPPLEMENTARY REPORT

A4	CITY OF PORT PHILLIP BUSINESS SPONSORSHIP GUIDELINES
LOCATION/ADDRESS:	N/A
RESPONSIBLE EXECUTIVE DIRECTOR:	GEOFF OULTON, EXECUTIVE DIRECTOR, COMMUNITY DEVELOPMENT & PLANNING
AUTHOR:	MIKE MCINTOSH, MANAGER ECONOMIC DEVELOPMENT & TOURISM
FILE NO.:	11/01/19
ATTACHMENTS:	# 1 - CITY OF PORT PHILLIP BUSINESS SPONSORSHIP GUIDELINES (VERSION 2.0)

1. EXECUTIVE SUMMARY

- 1.1. This report has been prepared to provide further background information for Council to consider the endorsement of the attached business sponsorship guidelines.
- 1.2. Specifically, the information within this report provides Council with further detail relating to;
 - 1.2.1. why the guidelines are necessary
 - 1.2.2. evidence of the benefits of the guidelines
- 1.3. This report also provides Council with amended guidelines which incorporate comments and issues previously discussed by Councillors. Changes made to the guidelines ensure the proposed guidelines are more closely aligned with Council policy and strategy positions, particularly Councils commitment to the four pillars of sustainability.

2. BACKGROUND AND CONTEXT

- 2.1. On July 7, 2008 the Strategic and Policy Review Committee considered report A4 – City of Port Phillip Business Sponsorship Guidelines. Following review and discussion of this report a number of matters were raised by the Committee and further information was requested to enable an informed recommendation by Council.
- 2.2. Specific information requested included;
 - 2.2.1. Further detail explaining *what* the problem was that the guidelines were seeking to address;

- 2.2.2. Further detail providing evidence of the benefits of business sponsorship partnerships;
- 2.2.3. Further detail incorporating recommended changes to the guidelines strengthening alignment with Council values, goals, specific policies and the four pillars of sustainability.

3. SUPPLEMENTARY INFORMATION

3.1. What 'problem' are the guidelines seeking to address?

- 3.2. The 2007/2008 Council Plan nominates six strategic objectives to achieve the delivery of the Council Plan initiatives.
- 3.3. This includes Strategic Objective 2. *Strategic collaboration and partnership - work effectively with all neighbours and all stakeholders to get the best outcomes for our city and ensure our top issues are factored into all levels of decision making.*
- 3.4. The Council Plan lists a number of key initiatives to be delivered to assist the Council in achieving this objective.
- 3.5. One of these initiatives is 2.13 – *Focus effort on developing and managing sponsorship and partnership opportunities across the organization.*
- 3.6. The proposed business sponsorship guidelines have been developed as a tool to assist the City of Port Phillip to achieve this initiative.
- 3.7. Primarily, the guidelines are proposed as a tool to encourage a more formal and consistent partnership approach and perspective around the delivery of sustainable programs and services.
- 3.8. The City of Phillip has a recognized history of building strong partnerships with the corporate sector in the delivery of services and programs. Obvious examples include the delivery of the St Kilda Festival, the St Kilda Film Festival, Business Excellence Awards and Business Breakfast Programs.
- 3.9. These partnerships continue to compliment the services delivered and assist the City of Port Phillip in meeting the needs and expectations of the community.
- 3.10. Whilst these partnerships have generally been developed in line with the existing values, goals and specific policies of the City of Port Phillip, they have been developed in the absence of any formal guidelines recommended by Council.
- 3.11. By establishing a formal set of guidelines, the City of Port Phillip provides a useful tool to frame future consideration and decision making around who we should and should not be partnering with in the delivery of future services and programs. Importantly the guidelines would encourage a consistent approach to the management of corporate partnerships and would ensure future partnerships do not compromise the values, goals and specific policies of the Council.

- 3.12. It is submitted that the Business Sponsorship Guidelines will allow the City of Port Phillip to better focus effort on developing and managing sponsorship and partnership opportunities across the organization.
- 3.13. What evidence is there of the benefits of business sponsorship/partnerships for the City of Port Phillip?**
- 3.14. The primary benefit and reason why the City of Port Phillip would pursue business sponsorship/partnerships is to reduce costs and expand extent of service delivery.
- 3.15. Other benefits of business sponsorship/partnerships provide include an increased capacity to deliver and expand on services delivered. For example, existing business sponsorships for the Business Awards Program provide an increased marketing exposure of the program across types of media which may otherwise have been inaccessible without such agreements.
- 3.16. Other benefits of business sponsorship/partnerships include the opportunity through these agreements to forge stronger partnerships across different sectors and stakeholders within the local community.
- 3.17. These partnerships allow for stronger involvement in City of Port Phillip programs and services creating a stronger understanding within the community about the values, goals and aspirations of the City of Port Phillip. Ultimately, the end delivery of programs and services is a shared success between all partners involved.
- 3.18. Amendments made to Business Sponsorship Guidelines
- 3.19. The following amendments have been made to the business sponsorship guidelines in response to the Strategy and Policy Committee's comments and concerns.
- 3.20. The amendments have been incorporated into the attached Business Sponsorship Guidelines (Version 2.0).
- 3.21. Purpose
- 3.21.1. (no change)
- 3.22. Definitions
- 3.22.1. (no change)
- 3.23. Objectives
- 3.23.1. (no change)

3.24. General Guidelines

- 3.24.1. **Point 1.0** – has been amended to include additional reference to Council's goals around supporting the four pillars of sustainability.
- *All sponsorship participants must be reputable organizations whose public image, products, and services are consistent with the values, goals and specific policies of the City of Port Phillip.*
 - *All sponsorship participants must be committed to supporting the City of Port Phillip's sustainability goals of social equity, economic viability, environmental responsibility and cultural vitality for all in our community.*
- 3.24.2. **Point 2.0** – has been amended to change reference of "Council" to the City of Port Phillip
- 3.24.3. **Point 2.7** - has been deleted (this point made previous reference of any agreement not involving the explicit endorsement of the sponsor or its products. Previous discussions concluded that this issue would be difficult to achieve.)
- 3.24.4. **Point 4.0** – makes reference to alcohol related sponsorships. This point has been amended to ensure any agreement involving alcohol is consistent with the City of Port Phillip's commitment to reducing alcohol related harm in the community.
- *The City of Port Phillip may accept alcohol related sponsorship providing that it does not contribute to increasing the risk of alcohol related harm in the community and there is no direct link between sponsorship and activities, assets, facilities, or services for people under the age of 18 years.*
- 3.24.5. **Point 5.0** – has been amended to ensure all agreements will be in writing
- *All sponsorship agreements will be in writing.*

3.25. Exclusions

- 3.25.1. **Point 7.0** – relates to industries and situations where the City of Port Phillip will not enter sponsorship partnerships. In addition to those already nominated, a further point has been included to exclude sponsorship and partnerships relating to gambling, gaming or betting.
- *Companies, Partnerships, or Sole Traders involved in or associated with gambling gaming or betting related products and services.*

4. RECOMMENDATION

4.1. That the Council resolve to:

4.1.1. Endorse the amended attached business sponsorship guidelines (version 2.0) to ensure the City of Port Phillip has a uniform approach to considering future sponsorship/partnerships that compliment commitments to the four pillars of sustainability.

**ORDINARY MEETING OF COUNCIL
28 JULY 2008**

SUPPLEMENTARY INFORMATION

A8

**USE OF COMMERCIAL RESERVES BY
COMMERCIAL HEALTH AND FITNESS
GROUPS AND PERSONAL TRAINERS**

LOCATION/ADDRESS:

RESPONSIBLE EXECUTIVE DIRECTOR:

**GEOFF OULTON, EXECUTIVE DIRECTOR
COMMUNITY DEVELOPMENT AND
PLANNING**

AUTHOR:

**FIONA BLAIR, YOUTH AND RECREATION
COORDINATOR**

FILE NO.:

ATTACHMENTS:

NIL.

1. EXECUTIVE SUMMARY

- 1.1. This report is being presented for information.
- 1.2. Feedback has been received in relation to implementing guidelines for the use of council reserves by commercial health and fitness operators.
- 1.3. This report is being provided to communicate this feedback to Council.

2. BACKGROUND AND CONTEXT

- 2.1. A pro forma letter has been received from 7 people and a separate letter from another resident.
- 2.2. The feedback provided in the letters is summarised as follows;
 - 2.2.1. Concerns that charging commercial operators is an exercise in revenue raising.
 - 2.2.2. Concern that charging fees will have an impact on people's participation in physical activity contributing to obesity, and that charging fees for people to exercise is contradictory to combating the obesity issue.
 - 2.2.3. Lack of consultation.
- 2.3. The following information addresses the feedback received.
 - 2.3.1. Fees
Council recognises the benefits of providing sport, leisure and recreation opportunities and acknowledges that health and fitness activities are a normal part of foreshore and open space use.

In recent years, there has been an increase nationally in the presence of commercial health and fitness training groups using public open space, particularly along foreshore areas.

The increased use of public reserves by commercial fitness trainers has highlighted a number of emerging issues including; equitable access to limited public open space; managing the impact generated by organised fitness training groups on public open space, park assets and other park users; and effective OH&S management of personal trainers.

Any fee structure implemented will be developed to ensure that it does not prohibit participation in healthy activities and will be consistent with fees that are currently charged by other municipalities who issue permits for this activity. No fees are being charged in the trial period.

2.3.2. People's participation

These new guidelines will support healthy and active lifestyles whilst ensuring preservation and protection of the social and physical environment of public open space. Having an agreed set of principles and procedures better enables councils to manage the conduct of the commercial health and fitness groups in a manner that reflects community and environmental values.

2.3.3. Lack of consultation

Council has received feedback from both residents and commercial trainers in relation to the need to implement a process that provides effective management of these activities.

The Cities of Port Phillip, Bayside, Frankston, Kingston and Mornington Peninsula formed a working partnership to provide a regional response to managing these activities on council managed land.

Significant benchmarking and discussion with other council's both in Victoria and nationally that identified that whilst there was not a consistency in management processes, one of the areas that was common was the issue of growing "non compliance" of fitness trainers and the need to manage these activities

The two key peak fitness bodies Kinect and Fitness Victoria were consulted and supported the regional approach agreeing to collaborate in promoting and endorsing the proposed general principles and "code of conduct" through their networks.

3. RECOMMENDATION

- 3.1. That the Council receive and note this report regarding the feedback received and consider this in the context of the information provided to the strategy and policy review committee on the 7th July 2008.

**ORDINARY MEETING OF COUNCIL
28 JULY 2008**

ORDER OF THE DAY

ORDER 1	SERVICE PROMISE
LOCATION/ADDRESS:	
RESPONSIBLE EXECUTIVE DIRECTOR:	DAVID YEOUART, EXECUTIVE DIRECTOR COMMUNITY ASSETS & SERVICES
AUTHOR:	JACK CRAWFORD, MANAGER CUSTOMER SERVICE
FILE NO.:	
ATTACHMENT:	SERVICE PROMISE 2008-09 (PRINTED LEAFLET)

1. EXECUTIVE SUMMARY

- 1.1. The purpose of this report is to seek Council endorsement of the City of Port Phillip's Service Promise for 2008-9 and adoption of the strategy for its publication and ongoing development.
- 1.2. The Service Promise contains 32 separate commitments covering the ten service areas most valued by the community.
- 1.3. The content has been developed based on community research, councillor feedback and management and staff input.
- 1.4. Performance against the service promises will be measured and reported to Council quarterly.
- 1.5. The implementation of this customer service strategy will have significant community benefits in improved service delivery and customer satisfaction.

2. BACKGROUND AND CONTEXT

- 2.1. Improved and effective service delivery is a critical element underpinning the Community and Council Plans and, in turn, the internal Business Plan.
- 2.2. Customer research has identified the core services that are consistently the most important to the community. These are:
 - 2.2.1. Street & beach cleaning
 - 2.2.2. Civil infrastructure, maintenance & construction (i.e. roads, footpaths and drains)
 - 2.2.3. Waste management
 - 2.2.4. Parks and open spaces
 - 2.2.5. Community Care

- 2.2.6. Family & Children's Services
- 2.2.7. Parking Management
- 2.2.8. Planning & building services
- 2.2.9. Library services
- 2.2.10. Customer contact (i.e. our frontline customer service)
- 2.3. There is a clear community expectation that services provided by local government will be efficient, responsive and effective. Community expectations of service quality are influenced by each individual's service experiences in the broader community. The service performance of Council needs to meet those expectations.
- 2.4. The central strategy is to make a series of public commitments to the community about the service levels of the most important services.
- 2.5. The benefits of adopting this approach are that:
 - 2.5.1. The service promises constitute a public commitment about the level of service to be delivered by Council;
 - 2.5.2. They assist in setting reasonable community expectations;
 - 2.5.3. They provide an internal focus on the services that are most valued by the community
 - 2.5.4. They provide a powerful vehicle for ongoing service improvement, as Council's performance against the targets will be tracked and reported publicly.
- 2.6. A more detailed set of service promises with supporting documentation is still under development and will be available online by 1 September 2008.
- 2.7. It is intended that the Service Promises be reviewed and updated annually.

3. RECOMMENDED OPTION

- 3.1. It is recommended that Council endorse the publication of Council's first service promise. Adoption is recommended on the basis that the development of a public service promise has demonstrable benefits to both the community and the organization.
- 3.2. Those benefits are increased community satisfaction with Council and improved internal efficiency and effectiveness.
- 3.3. Customer charters are relatively common in both the public and private sectors but are most effective when the promises relate to the most important service areas, rather than just general aspirations of good service.
- 3.4. The promises need to be specific and measureable in order to have public credibility and drive internal behaviour.

4. SUSTAINABILITY ASSESSMENT

Social Pillar	The Service Promise methodology is a central element of Council's customer service strategy. It is targeted at real, measurable service improvements as experienced by individual members of the community. Those services include specific initiatives in the Community Care and Family & Children's portfolios.
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To build a just, resilient, healthy and inclusive city with equitable access to responsive and relevant services and resources.

Economic Pillar	It is important that residents feel that they receive value for money from the payment of their rates. These service initiatives focus on the areas most valued by the community, as identified in market research.
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To promote effective stewardship of the council's assets and promote positive economic development within Port Phillip that also supports the council's social, cultural and environmental goals.

Environmental Pillar	Council wants to match community aspirations in making the city a better place in which to live and work. The service promises cover specific environmental areas such as street & beach cleaning, parks & open space and planning services.
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To foster a liveable and attractive urban environment that uses fewer finite resources

Cultural Pillar	Council services deliver broad benefits to the community such as improved amenity and access. The Service Promises explicitly attempt to match community aspirations with practical service delivery. The ultimate measure of success will be the extent to which the community is satisfied with our performance against our promises.
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To foster conditions that allow communities within Port Phillip to express, experience and enjoy diversity of values, beliefs and aspirations

4.1. Policy and legislative implications

- 4.1.1. Improved service delivery by agencies is a key strategy of the Victorian State Government. It is also a key theme in the Community Plan and Council Plan.

4.2. Risk implications

- 4.2.1. Over time, failure to provide services that reasonably match community expectations will lead to increased customer dissatisfaction with Council, lower community engagement,

adverse media publicity, reduced internal efficiency and lower staff morale.

4.3. Resource implications

4.3.1. Nil. Service improvements will be built into annual Department Action Plans as part of the standard budgetary processes.

5. PARTICIPATION AND ENGAGEMENT

5.1. Internal

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

- All Councillors
- Senior Executive Team
- All Department Managers
- Relevant staff from across the organisation

5.1.2. A series of Council briefings took place between September 2007 and March 2008 to consider the service promise strategy and review the key Council services. Editing suggestions from Councillors have been adopted.

5.2. External

5.2.1. The content of the service promises is, in part, based on external market research. This includes:

- (1) Monthly customer satisfaction surveys conducted by NWC Research commissioned by Council.
- (2) Annual Local Government Community Satisfaction Survey conducted by Wallis Consulting on behalf of the Department of Planning & Community.

6. IMPLEMENTATION

6.1. It is proposed that a printed leaflet containing the service promises, together with a message from the Mayor, be distributed to all ratepayers with the 2008-09 rates notice in late July/early August.

6.2. An outline of the service promises will be published in the September issue of *Diversity*.

6.3. The service promises will be included in relevant Council publications, including the new resident pack.

6.4. More comprehensive information about the core service promises will be available online by 1 September 2008.

6.5. A suite of performance measures will be finalized and results reported to Council each quarter.

7. COMMUNICATION

- 7.1. The key messages which are contained in the Service Promise are:
- 7.1.1. We are serious about improving service and meeting community expectations
 - 7.1.2. To ensure we meet our promises, we will track our performance and report our results publicly.
 - 7.1.3. A key performance measure will be the level of satisfaction of the community with our service delivery.
 - 7.1.4. Each year we will review our promises and update them to keep pace with community expectations and our performance.

8. RECOMMENDATION

- 8.1. That the Council endorse the Service Promise 2008-09 as outlined in the printed leaflet (Attachment 1).