



**ORDINARY
MEETING OF
COUNCIL**

MINUTES

25 MARCH 2008

MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP CITY COUNCIL HELD ON 25 MARCH 2008 IN THE COUNCIL CHAMBER, ST KILDA TOWN HALL

The meeting opened at 6.05pm.

PRESENT

Cr Cribbes (Chairperson), Cr Bolitho, Cr Gross (from 6.10pm), Cr Klepner, Cr Logan, Cr Ray, Cr Sait, David Spokes Chief Executive Officer, Geoff Oulton Executive Director Community Development and Planning, Sally Calder Executive Director Organisation Systems & Support, David Yeouart Executive Director Community Assets & Services, Sam Hewett Manager Asset Services, Paul Smith Manager Environment and Renewal, Carol Mayell Manager Community Development

In the spirit of Reconciliation, the Chairperson acknowledged the people and elders of the Eastern Kulin Nation, who have traditional connections and responsibilities of the land on which Council meets.

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

MOVED Crs Sait/Logan

That the Minutes of the Ordinary Meeting of the Port Phillip City Council held on 25 February 2008 be confirmed.

Minutes of the Statutory Planning Committee Meeting of the Port Phillip City Council held on 11 March 2008 for noting by Council (previously circulated to Councillors).

A vote was taken and the MOTION was CARRIED.

3. CONSIDERATION OF REVISED STATEMENT OF INDIGENOUS ACKNOWLEDGMENT

The Mayor Cr. Cribbes raised a Motion for the Adoption of the revised Statement of Acknowledgement of the Aboriginal traditional ownership of the land on which the City of Port Phillip is located.

MOVED Crs Klepner/Bolitho

That Council adopt the revised Statement of Acknowledgment to read:

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

A vote was taken and the MOTION was CARRIED.

4. PETITIONS AND JOINT LETTERS

Nil.

5. SEALING SCHEDULE

The following documents are submitted for signature and sealing:

SECTION 173 AGREEMENT between PORT PHILLIP CITY COUNCIL and 222 DEVELOPMENTS PTY LTD, to ensure a condition of planning permit 852/2005 for development of 19 William Street Balaclava for offices and caretaker residences requires a Section 173 Agreement all owners of the property are clear that the caretaker's residences cannot be used as stand alone dwellings and must at all times be occupied by a supervisor of the associated office uses in the building and cannot be subdivided from them.

Item not previously considered by Council

Responsible Manager: George Borg, Manager City Development

SECTION 173 AGREEMENT between PORT PHILLIP CITY COUNCIL and MIROTEL PTY LTD and WENDY WHEELER, to ensure that Condition 9 of Planning Permit No. 1440/2007 for land at 21A Broadway is satisfied.

Prior to the plan being certified, the owner shall enter into an agreement with the responsible authority pursuant to Section 173 of the Planning and Environment Act 1987 under which it specifically covenants that:-

- (a) The land shall only be developed in accordance with the plans endorsed under Planning Permit No. 1090/2007 dated 22/2/2008; and
- (b) It shall pay the Responsible Authority's Solicitor/client costs in respect to the preparation and registration of the agreement.

The agreement shall otherwise be on terms satisfactory to the Responsible Authority.

Item not previously considered by Council

Responsible Manager: George Borg, Manager City Development

MOVED Crs Ray/Logan

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

A vote was taken and the MOTION was CARRIED.

Cr Gross entered the meeting at 6.10pm.

6. CORRESPONDENCE

Item 1

A copy of the Confidential List of Registered Correspondence for the Mayor and Councillors between the month of 19 February 2008 and 18 March 2008 is attached for information.

**No formal discussion ensued on this matter.*

7. PUBLIC QUESTION TIME

Nil.

8. COUNCILLOR QUESTION TIME

Item 1

Cr Ray asked the following question in relation to a recent Petition that was tabled at the Ordinary Meeting of Council held on 25 February 2008.

‘Some weeks ago I received and it was registered as a Petition from a number of Sebastopol and Malakoff Street residents which you might recall in relation to the sealing of their street, I was aware that a response had been sent to the author of the Petition basically suggesting that nothing in the short term could be done about the road surface. I was down there on the weekend and looked at both of the streets and it was not exactly hot on the weekend but I was alarmed at the amount of leakage coming out of the road. Could the CEO follow up whether anything can be done in the short term to alleviate that problem’.

*****The CEO (via the Executive Director Community Assets and Services) to investigate improvements to rectify the issue and respond to Councillors accordingly.***

**9. PRESENTATION OF REPORTS AND RECOMMENDATIONS
FROM S86 SPECIAL COMMITTEE MEETINGS**

**9(A) REPORTS OF THE STRATEGY AND POLICY REVIEW COMMITTEE HELD AT THE
ST KILDA TOWN HALL ON 3 MARCH 2008**

MEETING CANCELLED.

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

Note: Business item B1 were resolved by the Statutory Planning Committee held on 11 March, 2008 in accordance with Section 86 of the Local Government Act 1989.

10. CHIEF EXECUTIVE OFFICER'S REPORT

Nil.

11. ORDERS OF THE DAY

**ORDER 1 CONTRACT FOR THE SUPPLY OF ELECTRICITY FOR UNMETERED
PUBLIC LIGHTING – CONFIDENTIAL**

Please refer to the confidential section of the Minutes for Council's resolution on this item.

12. REPORTS BY COUNCILLOR DELEGATES APPOINTED TO OTHER BODIES

Item 1

Cr Bolitho presented the following Delegate Report on the ABM (Association of Bayside Municipalities):

The ABM has been focused on:

- Finalising its strategic plan 2008 to 2012 and aligning its future actions with the plan. The key directions are:
 - Environmental Health of the Bay
 - Recreation and Access to the Coast
 - Climate Change
 - Management of the Bay
 - Planning
- Commenting on the draft Victorian Coastal Strategy. The key points raised in its submission were in relation to:
 - The recognition of the Strategy in planning schemes, and at VCAT
 - How adequately the strategy deals with growth pressures on the coast in metropolitan areas
 - How adequately the strategy deals with integrating coastal planning with structure planning
 - Review of institutional management arrangements and other overlapping regulatory and jurisdictional matters to improve efficiency and reduce red tape
- Keeping an eye on the Channel Deepening Project, facilitating meetings with the Office of the Environmental Monitor, and encouraging individual councils to set up meetings with the OEM

Item 2

Cr Bolitho presented the following Delegate Report on the MTF (Metropolitan Transport Forum):

- The meeting of March focused on Darebin's integrated transport plan. Attributes for the success of the plan lie in the commitment of key stakeholders on the steering committee including VicRoads, and DOI. This was particularly relevant in determining which roads would be priority traffic routes, and which would be priority public transport routes. The plan also aligns with state government policy. Key concepts of the plan include '**local living**', and encouraging consideration of the '**social impacts of travel**'.
- There will be an election for a new chair of the MTF at the general meeting of April 2nd following the City of Maribyrnong's nomination of a new representative to the committee

- All effort of the MTF is on the PT4M2 campaign
- The MTF participated with the PTUA at the Sustainable Living Festival and presented as one of ten interest groups in the Sustainable Transport Session at the Festival
- The report of the Eddington Inquiry is eagerly awaited

***Cr Bolitho circulated 2 transport maps of Melbourne that were submitted to the Garnaut Review on public transport, showing the relationship between the economically disadvantaged and its relationship to public transport.*

13. URGENT BUSINESS

UB1 RESOLUTION, GRAND PRIX

MOVED Crs Klepner/Logan

That an urgent business item in regards to the Grand Prix be considered at this Meeting.
A vote was taken and the MOTION was CARRIED.

MOVED Crs Klepner/Logan

The City of Port Phillip continues to hold the view that Albert Park is not a suitable location for the conduct of a car race, and in particular is not suitable for staging a Grand Prix.

Council again notes the May 2007 findings of the Auditor General that the event does not benefit Victoria on the whole, that the costs of conducting the race on a temporary circuit continue to increase and the continuing absence of a triple bottom line assessment or public interest test of the costs and benefits of the race. Council maintains the position resolved at the meeting of December 2007, that the expiry of the current contract with the Australian Grand Prix Corporation, the Victorian Government should not seek its renewal or extension of the event in Albert Park.

Council notes with concern the offer of the State Government that the 2009 event be conducted at 5.00pm.

Noting that this event is exempt from the normal legislative protections empowering Victoria Police and the Environment Protection Authority to take action on noise and other adverse amenity impacts, Council is most concerned at the likely effects on the community of this delayed commencement and conclusion of the race.

Council calls on the State Government and the Grand Prix Corporation to outline what measures and enhanced protections are to be put in place with this later start in order to mitigate the impact of a 5.00pm start on local amenity.

Council also foreshadows that any move to stage the race at a later time than 5.00pm will be met with strong resistance.

A vote was taken and the MOTION was CARRIED (unanimously).

Note:

*Cr Cribbes suggested that this resolution form part of the letter from the Mayor to all Members of Parliament.

MOVED Crs Sait/Gross

That the meeting be closed to members of the gallery in accordance with Section 89 2 (d) of the Local Government Act 1989.

A vote was taken and the MOTION was CARRIED.

The meeting closed to the public at 6.20pm.

14. CONFIDENTIAL MATTERS

ORDER 1 CONTRACT FOR THE SUPPLY OF ELECTRICITY FOR UNMETERED PUBLIC LIGHTING

Please refer to the confidential section of the minutes for Council's resolution on this item

As there was no further business the meeting closed at 6.45pm.

Confirmed: 28 April 2008

Chairperson: _____