ORDINARY MEETING OF COUNCIL

MINUTES

25 MAY 2009

MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP CITY COUNCIL HELD ON 25 MAY 2009 IN THE COUNCIL CHAMBER, ST KILDA TOWN HALL

The meeting opened at 6.00pm.

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

IN ATTENDANCE
Kay Rundle Chief Executive Officer, Geoff Oulton Executive Director Community Development & Planning, David Yeouart Executive Director Community Assets & Services, Sally Calder Executive Director Organisation Systems and Support, Ian Hicks Manager Culture & Recreation, Cathy Henderson Manager Governance and Risk Management, Greg Wood Manager Community Services, Kathy Dillon Manager Building Services, Chris Pike Manager Corporate Planning and Performance, Fiona Blair Manager Parks and Open Spaces, Liddy Clark A/Manager Communications and Stakeholder Relations, Claude Baxter South Melbourne Market Manager, Murray Chick Coordinator Governance, Dwayne Carter Coordinator of Parks Services, Noel Kiernan Coordinator Meetings & Events, Jennifer Blunt Coordinator Financial Management, Norm McClelland Governance Advisor.

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

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

MOVED Crs Touzeau/Powning

That the Minutes of the Ordinary Meeting of the Port Phillip City Council held on 27 April 2009 be confirmed.

A vote was taken and the MOTION was CARRIED.

MOVED Crs Thomann/Touzeau

That the Minutes of the Special Meeting of the Port Phillip City Council held on 11 May 2009 be confirmed.

A vote was taken and the MOTION was CARRIED.

3. CONFLICTS OF INTEREST

Nil.

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 CRAIG ROBERT DARLOW and ANITA MICHELLE DARLOW for the land at 73 Graham Street, Albert Park.
Item not discussed at Council but was approved by VCAT.
Responsible Manager: George Borg Manager City Development

SECTION 173 AGREEMENT between PORT PHILLIP CITY COUNCIL and WILLIAM SETH MARTIN, for the registration of covenant on title to protect easement rights of relevant authorities and Council.
Item not considered by Council.
Planning Permit No. 769/2007 issued by Delegate on 8/4/08 for part demolition and 2 storey additions subject to conditions.
Responsible Manager: George Borg Manager City Development

TRANSFER OF LAND between PORT PHILLIP CITY COUNCIL and PETER ANTHONY WATSON, for the sale and transfer of land (right of way) at the rear of 166 Napier Street, South Melbourne.

Councillor Note	*6 September 2007*
Advertising	*22 April 2008*
Council Report	*23 June 2008*

Responsible Manager: Cathy Henderson, Manager Governance and Risk Management

MOVED Crs Powning/Klepner

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.

6. CORRESPONDENCE

Nil.

7. PUBLIC QUESTION TIME

Item 1

Mr Adrian Jackson made the following comments for consideration by Council:

- Parking tickets across the municipality are inconsistent and should be reviewed;
- Proposal for angle parking in wide streets;
- Removal of clear way until 10am in part of parking in Beaconsfield Parade;
- Introduction of Stop Signs at some roundabouts (eg; Richardson Street and Armstrong Street);
- Introduction of 40 km speed limit in residential streets within Port Phillip; and
- Concern regarding the 'Interfaith leaflet' that was distributed in the last issue of Divercity.

The Chairperson, Cr O'Connor advised that Council would take these comments into consideration when parking arrangements are being reviewed in the future, noting that any discussion in relation to Beaconsfield Parade (a major arterial road) would be in conjunction with Vic Roads. In relation to the Interfaith leaflet, the intention of the leaflet was community development and community building activities in various groups.

Item 2

Mr Michael Sabada asked the following question:

Would it be possible for Council to provide a list of various Contracts on the Council Website, including details of the contractor, length/term of contract and Council specifications? In particular I am interested in ongoing service provision (not one off capital works), for example; maintenance, footpath re-sheeting, etc.

The Chairperson, Cr O'Connor advised that this question would be taken on notice and a response provided.

8. COUNCILLOR QUESTION TIME

Item 1

Cr Thomann asked the following question:

Could I be provided with an update in relation to the development in Liardet Street, Port Melbourne?

Greg Wood, Manager Community Services provided the following response:

- *The Minister for Environment and Climate Change has made Port Phillip City Council Committee of Management for the land occupied by Lady Forster Kindergarten with two conditions:*
  - *The Port Phillip City Council must engage with the Lady Forster Kindergarten Incorporated, the Albert Park College Childcare Centre and the local community and actively encourage their participation in the planning and design of the new family and children's centre, which is proposed to be developed on the Liardet Street site; and*
  - *The Port Phillip City Council must invite the Federal Government to provide a representative on the Liardet Street Family and Children's Centre Steering Committee.*
- *Today (Monday) Council provided letters to both Lady Forster Kindergarten and Albert Park College Child Care Centre for distribution to parents outlining Council's position and proposed way forward.*
- *Council also letterboxed the neighbourhood around the Liardet Street site with a similar letter to residents.*
- *Council has sent a letter to the Deputy Prime Minister, inviting her to nominate a representative to the Steering Committee.*

Item 2

Cr Touzeau asked the following question:

Who is responsible for the maintenance of bluestone lanes and in particular, if these lanes are damaged by vehicles?

David Yeouart, Executive Director Community Assets & Services provided the following response:

Placing a load limit on these laneways would be the only way to protect them, however it is quite a long, involved and complicated procedure. There is no easy method to stop large vehicles in laneways, however when we upgrade laneways we do have a procedure to strengthen surfaces if needed. If there is a particular laneway that you are concerned about, I can ensure this is attended to.

9. 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 MAY 2009

The following items were MOVED en bloc by Crs Thomann/Middleton:

A1 CITY OF PORT PHILLIP RECREATIONAL BOATING ZONES
A2 SWANSTON STREET REDEVELOPMENT
A3 FITZROY STREET FORESHORE CONNECTIONS
A4 SISTER CITY – 15TH ANNIVERSARY DELEGATION VISITS TO OBU IN 2010

A1 CITY OF PORT PHILLIP RECREATIONAL BOATING ZONES

Purpose
To formally respond to the Parks Victoria proposed Recreational Boating Zone changes along the City of Port Phillip foreshore.

MOVED Crs Thomann/Middleton

That the Council resolve to:

1. Note correspondence received from Parks Victoria dated 24 April 2009 responding to Council's issues raised at the Council briefing of 6 April 2009.

2. In principle, support the intention of the translation of the current boating zones to the amended new zones proposed by Parks Victoria and Marine Safety Victoria for the improved safety of all bay users, and calls for greater clarity for the public on swimming only zoning.

3. Request Parks Victoria to amend the proposed Recreational Boating Zone at Middle Park Beach to include an additional swimming only zone in the section between Nimmo Street and Langridge Street.

4. Request Parks Victoria to amend the proposed Recreational Boating Zone at Elwood Beach to include an additional swimming only zone at the northern end to Point Ormond.

5. Request Parks Victoria to advise Council of the Department of Transport review of the Marine Safety Act which will consider social and environmental impacts of the Act.

6. Request Parks Victoria to conduct a review of the new zones in 12 months, and ongoing further reviews, as beach facilities are developed.

A vote was taken and the MOTION was CARRIED.

A2 SWANSTON STREET REDEVELOPMENT

Purpose
The City of Melbourne are consulting with the community and key stakeholders on the Swanston St Redevelopment Options until 8 May 2009.

MOVED Crs Thomann/Middleton

That Council:

1. Endorse the attached Submission and forward it to the City of Melbourne.

A vote was taken and the MOTION was CARRIED.

A3 FITZROY STREET FORESHORE CONNECTIONS

Purpose
This report provides further information on two specific issues associated with the Fitzroy Street Foreshore Connections Project.

MOVED Crs Thomann/Middleton

That Council:

1. Receive and note this report.
2. Explore options to improve the streetscape contribution and minimise the impact of the Citipower power box located on the footpath adjacent 7 Fitzroy Street.
3. That Council convey to officers and consultants Council's strong desire to wherever possible protect the existing tree stock across the municipality.

A vote was taken and the MOTION was CARRIED.

A4 SISTER CITY – 15TH ANNIVERSARY DELEGATION VISITS TO OBU IN 2010

Purpose
To brief Council about proposed arrangements to celebrate the 15th anniversary of the Sister City relationship with Obu, Japan.

MOVED Crs Thomann/Middleton

That Council:

1. Send an official Council delegation comprised of the Mayor and a council officer to Obu, Japan in September 2010 to attend the Sister Cities 15th Anniversary Celebrations timed to coincide with the 40th anniversary of the City of Obu.
2. Support an accompanying community delegation to the value of $150 per person.
3. Dependent on community delegation numbers exceeding fifteen persons, an additional council officer is sent to support the visit.

A vote was taken and the MOTION was CARRIED.

8(B) REPORTS OF THE STATUTORY PLANNING COMMITTEE HELD AT THE ST KILDA TOWN HALL ON 11 MAY 2009

Note: Business item B1 were resolved by the Statutory Planning Committee held on 11 May 2009 in accordance with Section 86 of the Local Government Act 1989.

The following items were MOVED en bloc by Crs Klepner/Powning:

B2 PORT MELBOURNE AFFORDABLE HOUSING PROJECT PLANNING ASSESSMENT PANEL COMMITTEE

B3 DELEGATE REPORT

B2 PORT MELBOURNE AFFORDABLE HOUSING PROJECT PLANNING ASSESSMENT PANEL COMMITTEE

Purpose
Council established the Port Melbourne Affordable Housing Project Planning Assessment Panel ('The Panel') in June 2008. The Panel was established as a special committee by the council under section 86 of the Local Government Act to decide on planning application received from the Port Phillip Housing Association in relation to 121 Liardet Street/Kyme Place Port Melbourne. This report formally advises Council of the details and outcome of the considerations of the Panel.

MOVED Crs Klepner/Powning

1. That Council resolve to:
   a) Note the activities of the- Panel.
   b) Note the decision that the Panel made on behalf of Council as Responsible Planning Authority.
   c) Thank the Panel Members.
   d) Note the Panel is now concluded.
2. That Council note that the Port Melbourne Affordable Housing Project Planning Assessment Panel Committee has resolved to advise the Council that direction signs should be erected within the public realm identifying the location of the Kyme Place car park subsequent to the completion of the residential building (rooming house) approved as per Recommendation A (above).

A vote was taken and the MOTION was CARRIED.

B3 DELEGATE REPORT

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

MOVED Crs Klepner/Powning

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.

A vote was taken and the MOTION was CARRIED.

10. CHIEF EXECUTIVE OFFICER'S REPORT

Nil.

11. ORDERS OF THE DAY

Discussion took place in relation to the following items:

ORDER 1	REVIEW OF THE GOVERNANCE ARRANGEMENT APPLYING TO THE DEVELOPMENT OF THE ST KILDA TRIANGLE SITE
ORDER 2	APPOINTMENT OF COUNCILLORS TO COMMITTEES
ORDER 3	QUARTERLY MANAGEMENT REPORT
ORDER 4	RESPONSE TO PETITION - REVIEW SMITH STREET RATING FROM CATEGORY 2 TO CATEGORY 1
ORDER 5	RESPONSE TO PETITION - TO RE-SOW DEGRADED LAWN AREAS OF PORT MELBOURNE LIGHT RAIL RESERVES

ORDER 1 REVIEW OF THE GOVERNANCE ARRANGEMENT APPLYING TO THE DEVELOPMENT OF THE ST KILDA TRIANGLE SITE

Purpose
This report examines the governance arrangements applying to the development of the St Kilda Triangle site, and recommends that Council dissolve the St Kilda's Edge Committee and reinstate its role directly as decision maker for the future of the St Kilda Edge developments, including the St Kilda Triangle Site.

MOVED Crs Klepner/Bolitho

That the Council resolve to:

1. Dissolve the St Kilda's Edge Committee, a section 86 committee of the Port Phillip Council established on 2nd August 2004, and revoke the instrument of delegation to that committee, to be effective immediately upon adoption of this resolution by the Port Phillip City Council.

2. Advise the current members of the St Kilda's Edge Committee of Council's decision and thank them for their past contribution to the work of the Committee and the Council.

3. Note that the CEO intends to establish a liaison committee with no delegated powers, for the purpose of liaising with representatives of the Victorian Government regarding implementation of the St Kilda's Edge: Foreshore Urban Design Framework, including matters relating to the St Kilda Triangle development.

4. Amend the report title to read "Review of the governance arrangement applying to the development of the St Kilda Foreshore Urban Design Framework, including the St Kilda Triangle".

A vote was taken and the MOTION was CARRIED.

ORDER 2 APPOINTMENT OF COUNCILLORS TO COMMITTEES

Purpose
The purpose of this report is to appoint an additional Councillor to the membership of the City of Port Phillip Audit Committee.

MOVED Crs Thomann/Touzeau

That the Council resolve to appoint Councillor Middleton to the City of Port Phillip Audit Committee for the remainder of 2009.

A vote was taken and the MOTION was CARRIED.

ORDER 3 QUARTERLY MANAGEMENT REPORT

Purpose
To provide Council with information on the financial, capital works, service and internal performance of the organisation.

MOVED Crs Middleton/Powning

That the Council resolve to:

1. Receive and note the 3rd Quarter 2008/09 Quarterly Management Report.

A vote was taken and the MOTION was CARRIED.

ORDER 4 RESPONSE TO PETITION - REVIEW SMITH STREET RATING FROM CATEGORY 2 TO CATEGORY 1

Purpose
This report is presented to council in response to a petition which was tabled at the Ordinary Meeting of Council on 23 February 2009, asking for Council to consider changing the streetscape upgrade category for Smith Street, between Foster Street and Blessington Street, from Category 2 to Category 1.

Cr Klepner foreshadowed a motion arising in the event that the motion before the chair is carried.

MOVED Crs Bolitho/Powning

That Council resolves to:

1. Note the current priority rating and process for determining streetscape renewal, where streets with no trees are upgraded before streets with incomplete streetscape.
2. Direct officers to respond to the residents detailing:
    - The streetscape upgrade process.
    - Advising that Smith Street would not be upgraded to a rating one.
    - Advising that Smith Street is first on the list of rating two streets for St Kilda and would be renewed preceding the completion of rating one streetscape upgrades.

A vote was taken and the MOTION was CARRIED.

MOVED Crs Klepner/Thomann – MOTION ARISING

That Council receive a report on the policy and resourcing consequences of:

- Accelerating the planting schedule of category 1 streets; and
- How to better accommodate a planting schedule for category 2 streets.

A vote was taken and the MOTION ARISING was CARRIED.

ORDER 5 RESPONSE TO PETITION - TO RE-SOW DEGRADED LAWN AREAS OF PORT MELBOURNE LIGHT RAIL RESERVES

Purpose
This report is presented to Council, in response to a petition which was tabled at The Ordinary Meeting of Council on 23 February 2009, asking for Council to consider re-sewing drought tolerant grass areas which had been degraded.

The following speaker made a verbal submission in support of this item:

- Adrian Jackson

MOVED Crs Bolitho/Middleton

1. That Council notes that the following actions will be taken to respond to the concerns identified in the petition.
   a) The degraded turf areas in Hester Reserve and Turner Reserve will be upgraded in Autumn 2010 using line planting of drought tolerant grasses and improvement of existing soils.
   b) Over the summer period, damaged areas will be protected with temporary fencing, which will be rotated, to help maintain existing turf within the reserves.

A vote was taken and the MOTION was CARRIED.

12. REPORTS BY COUNCILLOR DELEGATES APPOINTED TO OTHER BODIES

Item 1

Cr Bolitho presented the following written report as delegate to the Association of Bayside Municipalities and Metropolitan Transport Forum.

ABM (Association of Bayside Municipalities)

The ABM has focused on:

- Finalising the climate change charter – getting the signature of all ten mayors in order to present the charter to the Minister.
- The June meeting will be at the City of Melbourne. MCC will present on their Total Watermark and Climate Change Adaptation Strategy Projects. Pre-meeting tour will include CH2 and street trees (diversion of storm water to trees)

All councillors are welcome to attend.

MTF (Metropolitan Transport Forum)

The main events since last reporting were the state and federal budgets. The federal budget was historic in funding urban public transport with the regional rail link and the rail tunnel. Federal funding was 80:20 in favour of urban rail projects. The state government budget was a complete commitment to all the initiatives outlined in the Victorian Transport Plan.

The MTF hosted a well attended forum on integrating transport and urban planning on the 21st May at the Department of Transport with a range of speakers from state and local government talking about the challenges and practicalities of achieving integration.

Richard McAliece was invited to speak about the referral authority role of the Department of Public Transport. Planning applications of over 60 units should be referred to his department. The department considers matters such as:

- Effect of any reduced speeds imposed on public transport as a consequence of a development
- Reducing car parking
- Left in, left out of major developments
- Improving connectivity
- Proponent to mitigate problems
- Improved connectivity

Guidelines for referrals to the Department of Public Transport are on the web. Richard McAliece is willing to come and speak with council planners

Jane Homewood has been reviewing activity centres across Australia to better understand what makes for success.

- She encouraged developing strong partnerships with state government. Without their investment, our communities will lose out on significant funding opportunities. E.g. The City of Gosnells in WA leveraged $80m in investment from $5 from the City.

- Bringing communities along from the start. Communities build the momentum
- Whole of government projects are the most successful
- There was considerable debate amongst the panel of speakers on how much detail should be developed in planning for major projects. There appeared to be a consensus that it was more important to get the principles and objectives clear, rather than spending a considerable time on detail and losing the main game
- If major renewal projects don't have transport, they will not be successful
- Identify multiple benefits in any major renewal project
- Pick the areas where growth can occur – that will enable other areas to renew in a more evolutionary way

Chris Loader from the Bus Association of Victoria was the speaker at the May meeting. Points of interest from his presentation:

- Mode shift is happening
- Car traffic is stagnating
- Bus patronage is growing by 14%
- 80% of Melbourne's population only have access to buses
- Most vulnerable populations have the least service
- SMARTBUS, with 15 minute frequencies, patronage is growing by 8%
- Bus service reviews have also resulted in more rational, useful services
- A bus costs only $400,000 and can be put into service very quickly

Conclusion

- If a good service is provided, people will use it.

On June 3rd, Jim Betts, secretary of the Department of Transport will speak about the budget Yarra Room, City of Melbourne. The regular meeting will follow at 6pm where the speaker will be from METLINK on consumer preferences in transport.
All councillors are most welcome.

MTF Advocacy Group
The draft strategy is in two parts:

- Identifying gaps in the Victorian Transport Plan and seeking to influence the state's 2010/11 budget
- Having a strategy in place by the start of 2010 that can be adapted to the needs of each local council for the election year.

13. URGENT BUSINESS

MOVED Crs Klepner/Thomann

That Council consider an Urgent Business item in relation to the St Kilda Cricket Club.

A vote was taken and the MOTION was CARRIED.

MOVED Crs Middleton/Thomann

That the Council resolves that a letter be prepared supporting the St Kilda Cricket Club application for heritage status.

A vote was taken and the MOTION was CARRIED.

MOVED Crs Klepner/Middleton

That the meeting be closed to members of the public 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 at 6.44pm.

The meeting re-opened to the public at 7.12pm.

As there was no further business the meeting closed at 7.12pm.

Confirmed: 22 June 2009

Chairperson: _____