



**SPECIAL MEETING OF
COUNCIL**

MINUTES

**MONDAY
8 DECEMBER 2008**

**MINUTES OF THE SPECIAL MEETING OF THE PORT PHILLIP CITY COUNCIL
HELD ON MONDAY 8 DECEMBER 2008, IN THE COUNCIL CHAMBER,
ST. KILDA TOWN HALL**

CHIEF EXECUTIVE OFFICER WELCOMED COUNCILLORS AND MEMBERS OF THE GALLERY TO THE MEETING

The meeting opened at 6.00pm.

PRESENT

Cr. Bolitho, Cr. Klepner, Cr. Middleton, Cr. O'Connor, Cr. Powning, Cr. Thomann, Cr. Touzeau, David Spokes Chief Executive Officer, Geoff Oulton Executive Director Community Development & Planning, Sally Calder Executive Director Organisation Systems and Support, David Yeouart Executive Director Community Assets and Services, David Filmlter Chief Financial Officer and Distinguished Guests.

The Chief Executive Officer, David Spokes, welcomed Councillors and members of the gallery to the meeting, and advised that the purpose of the meeting was to swear in the new Council, elect the Mayor and Deputy Mayor and discuss other related matters.

In the spirit of reconciliation The Chief Executive Officer, David Spokes, acknowledged the people and elders, past and present, of Yalukit Wilam and the Kulin Nation. We acknowledge and uphold their relationship to this land.

2. SWEARING IN OF COUNCILLORS

Chief Executive Officer invited each Councillor to take the Oath / Affirmation of Office in the following order:

Albert Park Ward – Cr. Judith Klepner (Affirmation of Office)

Cr Klepner addressed the Gallery:

'Because I come from the Albert Park Ward I get to go first, which is most unusual for someone whose surname begins with K.

First of all I'd like to acknowledge the people and elders of the Yalukit Wilam and Eastern Kulin Nation on whose lands we meet and acknowledge and pay my respects to any elders who may be present. Thank you so much for coming today and for demonstrating your interest in the future of our Council. The recent election we had here was characterised by the passion, dedication and commitment we expect in Port Phillip but we can never take that for granted. We're so lucky in Port Phillip to have a citizenry which contributes its time and energy and which is so fully engaged and cares passionately about the principles which I also hold dear.

The result of the election was an overwhelming vote by the community for the principles that I and the Community Alliance, on whose behalf I ran for Council, support. We have seen a significant change in the membership of your Council, but I am convinced that we will see ongoing support for the progressive policies that have characterized it to date; the importance of our environment and sustainable living and development in heritage and apartment settings and in planning for the city as a whole which is informed by the principles of sustainability and social engagement. How we care for the vulnerable in our community and bring all sorts together in childcare, aged care and other activities and services and the cultural and economic viability and development of the community and the protection and enhancement of our local social, cultural, physical and financial resources of the city as well.

Over the last four years, I've worked closely with many of you here tonight across these areas and I've thoroughly enjoyed all of that. I'm sure we're going to come together for future projects and my head and my neighbourhood's buzzing with ideas and there's plenty of unfinished business to pursue and there will be at the conclusion of this term too, I'm sure. I could list a whole lot of things but I won't have the time to do that. I just want to mention though that the key election themes from my point of view were governance, transparency and accountability and I'll do my best to deliver on these principles over the next four years, for you and for the City's sake.

In the couple of minutes allocated I also want to again thank my predecessor, former Councillor Carolyn Hutchens, for her diligence and commitment and her continuing support throughout my previous term. She achieved a lot for the people of Albert Park Ward and for the City as a whole during her time on council and her wise and supportive counsel consistently underpinned my efforts during my last term. I also owe thanks to the many who gave and offered assistance, advice and support throughout that term and also during the recent campaign, which was somewhat abridged in my case, but the support was there and in particular I'd like to thank Ian Linnett, Robyn Girdwood, David Littlewood and many others including my family, my parents Frank and Mary Klepner, my sister Wendy, my father-in-law Ernest and my beloved late mother-in-law Marjorie Rowe and my very patient partner Julius and daughters Alex and Hannah.

Our Council under the leadership of the Community Alliance of Port Phillip in the past has been very successful. Its high profile has generally been a positive one and the City of Port Phillip has been noted for its progressive policies on sensitive issues, achieved through engaging with and consulting with the community.

I'd like to acknowledge the work of my former colleagues in the previous Council and our predecessors in achieving many of the progressive outcomes that we've seen in the City over the years. Recently the standing that this approach has achieved has taken a bit of a knocking but I'm confident that we're going to see a return to the high community standing and support and I've every confidence that the new Council will, as a team, achieve the satisfactory and durable outcomes, well supported across the whole municipality, that the combined energy of the community and the organisation shares the passion and commitment to deliver.

Our new Councillors represent the diversity of our community and all are committed to listening to and including the community. Our Council is not dominated by self interested developers nor is it by narrow party politics. We are lucky to maintain the Council in the hands of those who are motivated by a spirit of altruism and for who this is a common cause and I'm confident that all seven of us are as one in that.

Finally I'd like to say that while I'm immensely proud and honoured that the community support again swung in behind me, I don't flatter myself that this is a personal matter; it's not about me, and it's not about the party politics – the strength comes from the community itself and the support for the principles of community involvement, that the Community Alliance of Port Phillip has stood for in the past and which I'm committed to work for and I look forward to working with you again for the next four years. Thanks very much.'

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Carlisle Ward – Cr. Rachel Powning (Affirmation of Office)

Cr Powning addressed the Gallery:

'The first thing I'd like to say is how proud I have been to have been endorsed by the Community Alliance of Port Phillip throughout this election process and would like to thank all of those people involved in CAPP, particularly Brenda Forbath, Ian Linnett, David Brand, Jeff Lyons, Carolyn Hutchens and Helen Halliday for their unyielding support during what was a very tough campaign extending over several months. I really look forward to working with these people and the other members of CAPP and playing a key role in implementing the CAPP policy over the next four years, in particular, policies on the issues which are dear to my heart including governance, social housing, childcare and appropriate development.

I'd like to acknowledge the work of former Councillor for Alma Ward, Darren Ray. Although I haven't agreed with all the decisions taken by Darren, as a resident I have witnessed many improvements made to our local neighbourhood during the time that he was Councillor and his leadership in community housing in Port Phillip has been of particular importance to shaping the future of Carlisle Ward.

Secondly, I think I should also thank fellow Councillor Judith Klepner, who strongly encouraged me to stand back in January this year and I quote, told me "it was not rocket science" and that I could easily manage the commitments of the campaign, Councillor and being the mother of a young child. I now know that this was all said with her fingers crossed behind her back, but she wisely knew that's what I needed to hear at the time and probably wanted to hear as well. I'd also like to thank the many Carlisle Street and Glen Eira Road street traders for their advice, their encouragement and I look forward to working with you all over the next four years.

I'm sure one of the reasons my campaign for Carlisle Ward was successful was because my campaign team was made up of people who really understood the complexities of our local community. The small but insightful team of campaign advisers who worked with me were a good cross section of our local community and included Aqua Dibble, Emma Oliver, Fran Mitchell, Gerry McLaughlin, Dan Thomas and Jane Shelton. Each and every one of you played an important in my election and I hope I can live up to your expectations. There were of course many others who helped with introductions to leaders in our local community, with the leaflet drops, the street stalls, and other mundane campaign matters and of course on polling day. And again along with all of the other residents in Carlisle Ward, I sincerely hope I can honour your support over the next four years.

My final thank-you of course goes to my family. Firstly, to my late father Leo, who I'm sure watched over the proceedings in the past weeks and got in that one extra vote when most needed, and then managed to cover up his tracks by adding another thirteen. To my mother Margaret who has not once complained, at least to me, about my absence over a period of time when one should rightfully expect her daughter's attention. To my siblings Phillip, Jason and Adrian, for their enthusiasm for this undertaking and taking over for me in the filial department when needed, again without complaint. To my little daughter Bridget – Bridget, thank you for not throwing the mobile phone into the toilet, I know you really wanted to do it and you've been a very good girl for not doing that and I'm sure Santa has noticed. Finally to my best friend and husband, Michael - during the last two weeks of the campaign, somehow Michael managed to run a case in the Supreme Court, cook the dinners, do the washing, give Bridget the attention she needed and round up all of our friends for polling day and provide advice to me. I know you and Bridget will have to make sacrifices over the next four years and I also know that not many partners, possibly particularly husbands, would be willing or brave enough to make that sacrifice, so I sincerely thank you for helping me realize this dream.

And lastly, to my fellow Councillors, I've been most impressed by everyone's willingness to put our campaigns behind us and I know we've made a great start and I sincerely look forward to working with all of you to do the best for the citizens of Port Phillip.

Thank-you.'

Catani Ward – Cr. Serge Thomann (Oath of Office)

Cr Thomann addressed the Gallery:

'This is such an overwhelming night – standing room only. Honorary French Consul, Members of Parliament, Ladies and Gentlemen, friends, thank you all for coming tonight to share this very important occasion in the life of our City.

I'd also like to acknowledge the people and the elders of the Eastern Kulin Nation, but also acknowledge the Yolnu people in North East Arnhem Land who have adopted me in their family 20 years ago and gave me the name of Gutjuk, or "The Hawk". I'd also like to have a thought tonight for my dad, former mayor, whose love for my home town has inspired me and for my family back in France.

The people of St Kilda and Port Phillip are re-energised. This is not anyone's victory, this is your victory. What great things we can all achieve in the next four years, all together. I am humbled by becoming the Councillor for Catani Ward; I believe the most beautiful part of Melbourne. I did say not long ago that I wanted to give people their voice back – you've got it back. With your help and guidance I'll be representing you and work passionately to make our City an even better place to live. I will listen, learn, seek out and gain community input; decide, act, then monitor its implementation.

I would like to thank the people of Catani who voted for me and also all the others who voted for Unchain Port Phillip in the other wards. I want to thank the 250 volunteers, who letterboxed, handed out how to vote cards at polling booths, scrutineered the counting over the three days, worked on our policies tirelessly for the last six months. I want to thank the Unchain St Kilda and Unchain Port Phillip committees and my support team. There are too many people to mention so I'm too afraid to forget one so I'm not going to actually say any names, you know who you are. My full gratitude to you for everything you've done. I also acknowledge the work of Karen Sait, former Councillor of the ward. The poll was very close and if a handful more people would have voted the outcome for a couple of wards would have been different.

Twelve months ago, we had six Councillors who took away our democratic rights and were promoting a plan that people clearly did not want. I was really wondering why we had to fight so hard to be heard. We live in a great democracy and the people have spoken and here we are now today – can we make a difference? Yes we can. I am disappointed that only half of those eligible to vote actually voted and I want to see an increased involvement of residents in decision making and give people a sense of belonging. Unchain St Kilda started this a year and a half ago; we have to work so that at the next election a lot more people vote. Maybe Council Meetings can be webcast or we can create blogs or Team Councils and definitely hold meetings in community ward locations.

Our policies have been on the web and in letterboxes for the last few months so I don't have to go into them in detail but I just would like to mention a couple of items. We must act on local governance, to make sure that transparency, truth and trust are back and start an immediate review of the role of the Council and the CEO. We must quickly resolve the Triangle. Consistent with being elected, I have resigned as President of Unchain St Kilda and Port Phillip and will remain connected with my friends and other community based groups. We must stop the Skate Park on Fitzroy Street, take advantage of the Eco Centre to promote sustainable initiatives, make Port Phillip an incubator for culture and develop a program second to none. We must deal with issues created by licensed venues, especially in St Kilda, the City must also be prepared to assist, especially in light of the boom that 2009 is

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forecasting, promising. We must do all we can to encourage people's participation in the life of our beautiful City.

My favourite book is "The Little Prince" by a French author Antoine de Saint-Exupéry and the Little Prince's secret is: "On ne voit bien qu'avec le coeur. L'essentiel est invisible pour les yeux" for the people who are not Francophiles in the room: "It's only with one's heart that one can see clearly. What is essential is invisible to the eye". This is quite a fitting reflection for the task ahead of us. I'm looking forward to working with all my new friends, fellow Councillors and as a sign of friendship I would like you to accept a copy of The Little Prince book.

Port Phillip residents deserve to have the most progressive Council, thank you again for your support and trust, this is a new life in our City and we will make sure that we don't let you down.'

Emerald Hill Ward – Cr. Frank O'Connor (Oath of Office)

Cr O'Connor addressed the Gallery:

'May I take this opportunity to thank the voters of Emerald Hill for having the confidence to elect me to represent them on this Council for the next four years and I certainly look forward to that challenge. I'd like to start by acknowledging the outstanding work of my campaign team, very dedicated and steadfast people; Michael Sabada, Julie Johnson and Liz Grieb in particular. But there were dozens and dozens of others without whose loyal and constant work over the period of the campaign it would have been nigh on impossible to get to the result that I did and I specifically wanted to thank somebody who did nothing on the campaign but without whose support I think I would have been lost and that's my darling wife Annie. I guess when I retired four months ago from my executive life, she expected that we'd enter a new phase of our lives together. Well certainly we are darling!

I'd also like to thank the other candidates in Emerald Hill Ward and acknowledge Peter Logan and the dedication he showed to the role over his six years as a councillor for Emerald Hill Ward. I think the size of Peter's vote in the election is a clear indication of the high esteem with which he was held by so many of the people in Emerald Hill. But for me the message is clear and the mandate is clear, not just in Emerald Hill but across the municipality. People are looking for change; they want a different style of local government in Port Phillip. But now the work is of course in front of us, but I'm reassured by knowing that there are so many people in this great municipality who can provide the support and the encouragement and the inspiration to make this a great place to live and I'm certainly looking forward, as I have experienced already in the first week working with my fellow Councillors to bring about the differences that we hope to do. Thanks very much.'

Junction Ward – Cr. John Middleton (Affirmation of Office)

Cr Middleton addressed the Gallery:

'Travelling in India I became accustomed to being addressed as "Mr John", I'm very pleased to now be "Councillor John".

I was elected to Council as a Greens candidate but I'm here as a Port Phillip Councillor. I'll represent the people of Junction Ward as effectively as I can, but I'll also work for results that are equitable for all of Port Phillip. There are many people I have to thank but I've time to mention only three; my wife Libby Smith I met on the Franklin River in Tasmania in 1983. Libby had already been living here in St Kilda for ten years and we have lived in Port Phillip ever since. Christopher Paul was the Campaign Manager for all of the Greens candidates across Port Phillip. Christopher's work was brilliant and his honesty and integrity earned enormous respect among the people involved in the election. Colin Smith, hard work and wise counsel. Colin's worked for years on all of my campaigns and on many others and he's a man of courage. If time had permitted, I would have told the story of his most recent arrest, chained to a condemned tree and of course I thank all the other Greens candidates, some of whom came heartbreakingly close and I know what it feels like.

Although I'm only one of seven Councillors, I'm hopeful many of the Greens objectives can be implemented because they share a lot of common ground with those of other Councillors. The one objective that I want to mention here is action on Climate Change. I think there are two good reasons why our local Council should be taking measures to reduce carbon omissions. The selfish reason is that the world of the future is going to be a very different place. If we act urgently and decisively benefits will be greater and the cost will be much less than if action is further delayed. The second reason is that what is needed is coordinated global action and our State and Federal Governments are failing to lead, so leadership must come from below. It was Jim Hacker who said, "The people have spoken, I am their leader, I must follow them." So the people must speak. I want this Council to be much more committed to action but if it's to happen the community must demand it. Unchain got two thousand people here because of the Triangle; I'd like to see two thousand people here demanding more action on Climate Change. Thank you.

Point Ormond Ward – Cr. Jane Touzeau (Affirmation of Office)

Cr Touzeau addressed the Gallery:

'I'm in the short and sweet department but I was thinking that really it's all about love. I went to a lovely school. My sister's here tonight - which is great because I think it might be the first time she's ever actually been in the Town Hall, she's a new resident here - and our school motto was words of Saint Paul, "In love, serve one another". Really I think that's what it's all about and we keep forgetting the love so I'm glad that Serge mentioned it. And it is about that – I enjoyed the campaign, it was lovely to have people helping, I was quite happy to do whatever I had to do myself (it got a bit chaotic sometimes but never mind) and it is about love because why else would we undertake to do it solemnly and faithfully and sincerely. It is about love, we love living here, we're incredibly lucky to be here – we want to protect it, we protect what we love, so thank you.'

Sandridge Ward – Cr. Janet Bolitho (Affirmation of Office)

Cr Bolitho addressed the Gallery:

'Good Evening everybody, I'd like to in addition to acknowledging the people and elders of the Yalukit Wilam and the East Kulin nation, like to acknowledge our State Member for Albert Park, Martin Foley and Sue Pennicuik from the Legislative Council. I'd like to thank the people of Port Melbourne for giving me a second go, it was an incredible fight, it wasn't easy and I'm ever so grateful to them for giving me that chance. And I'm very grateful too to have the opportunity with Councillor Klepner to take the thread of the former council into the activities of the present one.

Our campaign team in its core was small but it was dedicated and it was brilliant. I'm so grateful to the support and assistance that I could not even have imagined would be available to me and one thing that we had, we didn't have a lot of money but we had people and people who love Port Melbourne. So my dedication is first and foremost to Port Melbourne and I think the strong primary vote which I achieved indicated that people have a high level of interest in the local particularities of their ward so in Port Melbourne issues like the Buffer Webb Dock, handing over Beacon Cove to the Port Phillip Council, fixing up the Rouse Street precinct – these are things that are very important to the people living in Port Melbourne.

But like John Middleton, I have a profound commitment to our future and our future is about Climate Change and preparing for that so a Council has at its disposal, resources, money, staff, the expertise of the Councillor team. I look forward to a Council that will develop together a forward vision for the Port Phillip that we love that takes into account this Climate Change future and that we most carefully deploy those resources that are available to us to ensure that we have regard for the future while having the greatest respect for the past. Thank you.'

3. ELECTION OF TEMPORARY CHAIRPERSON

The Chief Executive Officer facilitated the appointment of a Temporary Chairperson in accordance with Part 4, Section 28 of the Council Meetings Procedure Local Law No. 2/2005.

MOVED Crs Bolitho/Klepner

That Cr Touzeau be appointed to the position of Temporary Chairperson for this meeting.

A vote was taken and the MOTION was CARRIED.

Cr Touzeau was declared Temporary Chairperson and took the Chair.

4. APOLOGIES

Nil.

5. TERM OF MAYORAL OFFICE

As no resolution was formally moved the default term of the Mayoral Office, under the Section 71 (2) of the Local Government Act 1989 is one year.

6. ELECTION OF MAYOR

The Temporary Chairperson called for nominations for the position of Mayor in accordance with Section 71 of the Local Government Act 1989 and Part 4, Section 28 of the Council Meeting Procedure Local Law No. 2/2005.

Cr Thomann nominated Cr O'Connor for the position of Mayor.

Cr Powning seconded the nomination.

There being no other nominations Cr O'Connor was declared elected.

Cr Touzeau, the Temporary Chairperson declared Cr O'Connor as Mayor. The Temporary Chairperson wished him well in his new role and invited the members of the gallery to acknowledge by acclamation, the newly elected Mayor.

7. ADDRESS BY THE NEWLY ELECTED MAYOR OF THE PORT PHILLIP CITY COUNCIL

The Mayor, Cr O'Connor assumed the Chair, and addressed the gallery as follows:

'On behalf of the City of Port Phillip, I would like to pay my 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.

Let me begin by thanking my fellow Councillors for the confidence they have placed in me to lead our Council into this new era. And I say it's a new era because there should be no doubt in anyone's mind that the community has given us a very strong mandate to restore Council back to a style of Local Government where the community's ongoing support, interest and involvement is actively and continuously sought by Council.

It's also appropriate at this stage to acknowledge the work of the previous Council in relation to its support for continuing the socially progressive and people focussed policy directions and successful program delivery that have been the hallmark of this municipality since its inception, noting that many of these programs were originally conceived and brought into existence in the three predecessor municipalities of Port Melbourne, South Melbourne and St Kilda.

It's also important to note that we as a Council are extremely proud of the quality and the performance of the staff of this City. We know, as local residents, that our program delivery staff are held in high esteem throughout the municipality and that Port Phillip has a great reputation in the Local Government sector, particularly for its high quality human services programs.

However, we can't ignore the fact that the people have spoken and they have given this new Council a clear mandate, in fact a clear obligation, to re-engage with the community so that their trust in the Council is restored.

Although my role as Mayor will involve a range of leadership and ceremonial activities, I am also just one of the seven Councillors, all of whom are now committed to getting on with the tasks at hand. And I think it's important to note that the community has elected a wonderfully diverse group of people, with complementary skills and backgrounds, as Councillors. This gives us great scope, and already, as a group, we have been working in a very cooperative and collegiate fashion to tackle what we have now agreed are the most urgent and important matters facing the Council. I'm also confident that each Councillor will fight for what's needed in their own Ward as we progress past this initial stage.

Clearly we have that major task of restoring the trust and confidence of the community in Council but we also recognize that the community's expectations are extremely high in relation to a number of major projects and initiatives.

Before moving on to those major projects and initiatives, let me cover what we see as some of the key overriding themes we will be pursuing as a Council because these will be just as important if we are to reach our end goals.

We don't want to continue the scenario where Council and the local community are at loggerheads. We are absolutely committed to renewing and re-invigorating the way in which Council engages with the community and the way in which Council draws on the skills in the community.

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All of the elected Councillors are strong believers that Port Phillip should lead the way in relation to environmental sustainability, both as a Council and as a local community. This will require more than just talk and targets and more than slogans. It will require active participation by Council in all of its operations to achieve the goals already set as well as Council taking clear and deliberate action to facilitate, and not bureaucratise, the process of supporting the efforts of local people to lessen their impact on the environment and to reduce their dependence on scarce resources.

We don't want to continue to make the front pages of the newspapers for all the wrong reasons. We would however welcome the opportunity to be on the front page in the future as a demonstration of the fact that Port Phillip has become the best example of leading practice in governance and community building, leading the way in relation to the quality of local government in Victoria and Australia.

So at this stage, they're our key overriding themes – engagement, sustainability and best practice.

But I know many of you are in attendance tonight because there are major issues which this community wants to see handled differently.

We have already identified five major issues on which Council is placing its immediate and absolute focus, not to the exclusion of anything else, but rather to enable us to initiate the required immediate action on some of these at this evening's meeting and in the next week or so.

First, we will be engaging a specialist governance consultant, reporting directly to the Council, to generally facilitate the transition of government and enable the early planning for the introduction of the newly elected Council's strategies, principles and policies. The consultant will also undertake an examination of current governance practices in the Council and advise us on any changes that should be implemented, in accordance with local government best practice, and in accordance with the mandate on which we were elected.

Second, tonight we will be formalising Council's position in relation to the pending debacle for childcare services for this municipality due to the collapse of the ABC Learning Group. Now that we have been installed as a Council, we can formally approach the relevant Federal and State Ministers on the position that the Community Alliance candidates put to the community as part of their election campaign, namely that Council is seeking Federal Government support in relation to the property matters for these ABC Centres and that Council would be willing to take over operation of the Centres as an interim measure with ultimate management being passed across to the community. All of this will of course be subject to necessary due diligence on the actual Centres but it conforms with what we see as the best model for childcare in this municipality and more generally in the childcare sector.

Third, in relation to the proposed St Kilda Triangle development, the Council will at this evening's meeting authorise me as Mayor to seek independent legal advice, for Council to be briefed directly on the status of the Triangle site development and all of the associated legal agreements and documentation. At this stage, we do not know the full extent of any contractual or legal obligations on Council hence the need for the Councillors to very quickly be brought up to speed. We are not willing to jeopardise our legal position by taking any rash decisions in any matter, and that certainly applies to the Triangle.

The other two major and immediate items which Council will be dealing with in detail before we rise for the Christmas/New Year break will be the proposed Skate Park in the Albert Park Reserve and the future of the South Melbourne Town Hall precinct, assuming the imminent departure of the Australian National Academy of Music.

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So my apologies for taking so much of your time this evening but all of the Councillors, both those newly elected and the returning two, feel that there is an urgent need to get moving on these matters which were such key parts of our mandate and I believed it was appropriate to keep the community informed as to our direction.

In finishing, I would like to return to the matter of my election as Mayor. The nature of the role is time consuming but I am willingly submitting myself to that. It also carries with it the primary responsibility for ensuring that Council always acts in accordance with its legal responsibilities and stays within the bounds of its charter. I know that many people within the community are extremely anxious for Council to make a difference and as Mayor I am determined to see the required changes happening and I'm confident that all of the elected Councillors are of a similar view.

The Council that I lead will be here for the local residents and ratepayers. We will listen to you. We will tell you the facts and not hide behind massive amounts of spin. We are setting out to really deliver on basic services. But probably most important, as Mayor I am determined to lead a Council whose approach to governance, community engagement and accountability will be first class.

Again I thank my fellow Councillors for giving me the honour of leading them as Mayor and I look forward to working with them to make these things happen.

And finally I thank all of you for being here this evening to share in this significant changing of the guard in Port Phillip.

Thank-you.'

8. ELECTION OF DEPUTY MAYOR

The Mayor, Cr O'Connor called for nominations for the position of Deputy Mayor in accordance with Section 73 (3) of the Local Government Act 1989 and Part 4, Section 28 of the Council Meeting Procedure Local Law No. 2/2005.

MOVED Crs Middleton/Touzeau

That Cr Klepner be nominated for the position of Deputy Mayor.

A vote was taken and the MOTION was CARRIED.

The Mayor, Cr O'Connor declared Cr Klepner as Deputy Mayor. The Mayor wished her well in her new role and invited the members of the gallery to acknowledge by acclamation, the newly elected Deputy Mayor.

9. DATE FOR NEXT MEETING

MOVED Crs Klepner/Powning

The next Ordinary Meeting of Council of the Port Phillip City Council will be held on Thursday, 18 December 2008 commencing at 6.00pm, in the Council Chamber, St Kilda Town Hall.

A vote was taken and the MOTION was CARRIED.

10. URGENT BUSINESS ITEMS

MOVED Crs Thomann/Bolitho

That the following items of urgent business be added to the agenda:

- Governance Support
- Child care and ABC Learning Centres Crisis
- Engagement of legal advice / Triangle
- Engagement of legal advice (Confidential)

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

UB1 GOVERNANCE SUPPORT

MOVED Crs Thomann/Klepner

1. That Council having considered the mandate of the majority of recently elected Councillors in relation to governance reform, resolves to immediately engage a governance consultant reporting directly to the Council, for a period of approximately two months to undertake the following role:
 - a) Generally facilitate and support the transition of the Council and enable effective planning for the introduction of the newly elected Council's strategies, principles and policies;
 - b) Assist the Councillors and CEO in working with the organisation in the adoption of strategies, principles and policies, based on the policy platforms on which the Councillors were elected; and
 - c) Undertake an examination of current governance practices and advise the Council on any changes that should be implemented in accordance with Local Government Best Practice.
2. The purpose of the engagement is to support an effective transition to the new Council, strengthen governance arrangements and professional working relationships between the Council, the CEO and the organisation.
3. That Council authorises the CEO to engage an external consultant as approved by the Mayor in accordance with Council's Purchasing Guidelines to undertake the governance support assignment. The final terms of the brief are to be approved by the Mayor in consultation with Councillors and the CEO.
4. Council approves expenditure of up to \$50,000 on the assignment to be provided for in the mid year budget review.

A vote was taken and the MOTION was CARRIED.

UB2 CHILDCARE AND ABC LEARNING CENTRES CRISIS

MOVED Crs Powning/Bolitho

1. That Council re-affirms its goal of support for childcare which is:
 - a) A joint responsibility of the three levels of government together with families.
 - b) Affordable and of high quality.
 - c) Available to families in Port Phillip when they need it.
 - d) Part of integrated family and children's services which provide quality care, health and educational outcomes for children and families.

2. That the City of Port Phillip calls on the Federal Government to:
 - a) Lead a revitalised national early year's reform agenda which is based on research that clearly demonstrates the importance of the early years (particularly 0 to 3 years old) on health and educational outcomes for children.
 - b) Recognise and support the role of Local Government in the roll-out of integrated service delivery in co-located child and family services hubs.
 - c) Provide funding to local government authorities who are prepared to operate failed ABC childcare centres.

3. That the City of Port Phillip notifies the Federal Government, State Government, Municipal Association of Victoria and the receivers of the ABC Learning group of companies that:
 - a) Council's policy position is as outlined in 1 and 2 above.
 - b) Council is keen to support families affected by the failure of ABC Learning and is prepared to operate ABC childcare centres in the municipality provided that:
 - The net operating costs, including leases and other costs associated with buildings and grounds, are funded by the Federal Government and any costs to be borne by Council are identified for Council to consider.
 - Council's existing children's services operations are not compromised.
 - Council is indemnified against any liabilities arising from the existing operations.
 - The centres will be operated by Council to the same high standards with respect to quality of care, conditions of employment and compliance with regulations as Council managed centres.
 - Such operations are short to medium term whilst a national reform agenda is developed and implemented.

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4. That Council notes that Council's family and children's services staff will continue to offer advice and support to ABC Learning staff and users.

A vote was taken and the MOTION was CARRIED.

UB3 ENGAGEMENT OF LEGAL ADVICE / TRIANGLE

MOVED Crs Middleton/Touzeau

That Council authorises the Mayor to seek legal advice for and on behalf of Council, to brief Council directly on the status of the Triangle site development.

A vote was taken and the MOTION was CARRIED.

MOVED Crs Klepner/Touzeau

That the meeting be closed to members of the public in accordance with section 89 2 (d) and (h) of the Local Government Act 1989.

A vote was taken and the MOTION was CARRIED.

The meeting closed to members of the public at 7.05pm.

UB4 ENGAGEMENT OF LEGAL ADVICE

MOVED Crs Klepner/Powning

That the meeting be re-opened to members of the public.

A vote was taken and the MOTION was CARRIED.

The meeting re-opened at 7.10pm.

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As there was no further business the meeting closed at 7.11pm.

Confirmed: 18 December 2008

Chairperson: _____