



**SPECIAL MEETING
OF COUNCIL**

MINUTES

4 JULY 2005

**MINUTES OF THE SPECIAL COUNCIL OF THE PORT PHILLIP CITY
COUNCIL HELD ON 4 JULY 2005, IN THE COUNCIL CHAMBER,
ST KILDA TOWN HALL**

The meeting opened at 5.33 pm.

PRESENT

Cr Bolitho (Chairperson), Cr Cribbes, Cr Gross, Cr Klepner, Cr Logan, Cr Sait, David Graham Acting Chief Executive Officer, Carol Mayell Manager Social & Cultural Planning & Policy, Stephen Cooper Manager Health & Amenity, Simon Gutteridge Senior Urban Planner, Sandra Wade Service Coordinator Strategic Planning.

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

1. APOLOGIES

MOVED Crs Gross/Sait

An apology was received and leave of absence granted to Cr Ray.

A vote was taken and the MOTION was CARRIED.

2. PRESENTATION OF REPORTS

The order of business was as follows:

- 1 CONSIDERATION OF PANEL REPORT FOR AMENDMENT C41 AND PLANNING PERMIT 0791/2003

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Purpose

To consider the report of the Panel hearing submission to Amendment C41 and Planning Permit 0791/2003 to facilitate redevelopment of the Red Bears site for a supermarket, restricted retail and car parking.

MOVED Crs Klepner/Cribbes

That the Council:

- A. Affirm it's resolution of 14th June 2005 to:
1. Note the Panel report and officer analysis;
 2. Adopt the following recommendation on Amendment C41 and development application 0791/2003 and refer it to Council to be adopted in accordance with the provisions of the Planning & Environment Act 1987:
 3. That, having considered the Panel's report in accordance with Sections 27 and 96F of the Planning and Environment Act 1987, Council resolve to:
 4. Adopt Amendment C41 to the Port Phillip Planning Scheme, having complied with Parts 3 and 4 of the Planning and Environment Act 1987, with changes as generally recommended by the Panel and outlined as follows:
 - a. Amend Schedule 1 to the Business 1 zone and increase the maximum allowable office floorspace to 13,300 m2.
 - b. Amend Schedule 16 of the DDO to simplify it and reduce the length of the Schedule as shown in Attachment 1;
 - c. Amend the Heritage Overlay HO4 to remove it from 99 Market Street but retain HO3 on the former Victoria Hotel building on the corner of Cecil and York Streets.
 5. Pursuant to Section 31(1) of the Planning and Environment Act 1987, submit Amendment C41 to the Minister for Planning for approval;
 6. Pursuant to Section 96(G), and having complied with Section 96 of the Planning and Environment Act 1987, recommend to the Minister for Planning that Planning Permit 0791/2003 be granted as generally recommended by the Panel excepting the inclusion of the S173 agreement as permit conditions and minor changes, as shown in Attachment 3;
 7. Authorise the Executive Director City Development to finalise the amendment and permit documentation.

8. Further to the resolution of June 2004, Council reiterate that prior to any adoption of the amendment by the Council, and pursuant to Section 173 of the Planning and Environment Act 1987, an agreement must be entered into with the Council, together with Section 181 Covenants, for the following:

- a. Traffic Management works
- b. Streetscape and urban design works
- c. Sale, closure and re-construction of 'Browns Lane'
- d. Car Park Management Plan
- e. Provision of Environmental Features
- f. Contributions to parking station and sustainable transport improvements in locality.

B. That the Common Seal of the Port Phillip City Council be affixed to SECTION 173 Agreement between Port Phillip City Council and SPG Investments Pty Ltd.

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

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As there was no further business the meeting closed at 5.45pm.

Confirmed: 25 July 2005

Chairperson: _____