



**ORDINARY  
MEETING OF  
COUNCIL**

**MINUTES**

**24 JUNE 2002**

# MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP CITY COUNCIL HELD ON 24 JUNE 2002 IN THE COUNCIL CHAMBER, ST KILDA TOWN HALL

The meeting opened at 6.03pm.

## **PRESENT**

Cr Ray (Chairperson), Cr Brand, Cr Gross (from 6.16pm), Cr Hill, Cr Hutchens, Cr Johnstone, Cr Logan, David Spokes Chief Executive Officer, Geoff Oulton Director City Development, Sally Calder Director Social and Cultural Development, David Graham Director Governance and Council Services, Stephen O'Kane Director Corporate Development, Bruce Phillips Manager Planning & Building Services, Mandy Press Manager Neighbourhood Development, Ian Hicks Manager Culture & Recreation, Deidre Pelizzer Coordinator Library Services, Sue Wilkinson Team Leader Urban Planning, Gary Spivak Housing Development Officer, Anita Lange Service Coordinator Corporate Planning and Strategy, Paul Smith Senior Traffic Engineer, Stephen Cooper Manager Health and Enforcement, Norm McClelland Governance Administrator, Lili James Team Leader Maternal & Child Health, Rose Nolan Services Coordinator.

The Chairperson (Cr Ray) acknowledged the traditional owners of the land on which the Council meets, the Boonerwung language people and the Wurundjeri people as custodians.

## **1. APOLOGIES**

### **MOVED Crs Johnstone/Brand**

It was noted that Cr Gross will be arriving late.

**A vote was taken and the MOTION was CARRIED.**

## **2. DECLARATIONS OF PECUNIARY INTEREST**

Nil.

## **3. CONFIRMATION OF MINUTES**

### **MOVED Crs Johnstone/Logan**

That the Minutes of the Ordinary Council Meeting of the Port Phillip City Council held on 27 May 2002 be confirmed.

That the Minutes of the Statutory Planning Committee of the Port Phillip City Council held on 11 June 2002 be confirmed.

That the Minutes of the Special Council Meeting of the Port Phillip City Council held on 17 June 2002 be confirmed.

**A vote was taken and the MOTION was CARRIED.**

#### 4. SPECIAL PRESENTATION TO COUNCIL - STUDENT CHARTERS ON ENVIRONMENTAL ISSUES AND CONCERNS

Five Primary Schools (St Kilda Park Primary, St Kilda Primary, St Mary's Primary, Port Melbourne Primary School and Middle Park Primary School) and four Secondary Schools (St Michael's Grammar School, Albert Park College, Elwood College and Christian Brothers College) undertook to participate in World Environment Day School Conference at the St Kilda Town Hall.

The following students presented Council with Student Charters on Environmental issues and concerns:

- Aurora Sands from Port Melbourne Primary School;
- Anna Combet from St Kilda Park Primary School;
- Nina Janic from St Michael's Grammar School;
- Calindi Gordon and Lily Nantsou from Albert Park College; and
- Keone Dodd from St Kilda Primary School.

These charters include what the students:

- Think is important to their school in protecting the local school environment;
- What they think is important to the broader Port Phillip community in enhancing and protecting the environment throughout the municipality; and
- What the Council could do to help improve and protect Port Phillip and its environmental assets for future generations.

#### **MOVED Crs Hill/Johnstone**

That Council thank the students for their presentations, and request the Chief Executive Officer to obtain copies of the charters and provide advice in the future to Council on their implications.

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

## 5. PETITIONS AND JOINT LETTERS

### Item 1

A Petition was received from 71 residents in regards to the proposal to install parking metres along the beachfront from St Kilda to Port Melbourne.

The Petition states that:

*“ We the undersigned would like to register our protest at the proposal of this Council to install parking metres along the beachfront from St Kilda to Port Melbourne.*

*We believe that it is an unnecessary and unjust violation of the rights of residents of Port Phillip and that residents of all wards should be permitted to use their Resident’s Parking Permit to park without charge along the beachfront.*

*Furthermore we believe that the Council should withdraw the cost of Resident’s Parking Permits as this cost should be covered by the payment of rates.*

*We believe that the extension of parking fees along the beachfront prevents:*

- *Convenient and free access to the beach for residents wanting to exercise themselves, their children and their dogs;*
- *Equal access to the beach for residents who don’t live within easy walking distance;*
- *The enjoyment of a free and simple daily pleasure that has been an integral part of many residents’ lives.*

*We believe that the attempt to oblige residents to go to the beachfront by means other than by car is misguided, outside of this Council’s mandate and willfully neglectful of the needs of wide range of residents”.*

*\* Copy of the Petition was sent to the Senior Traffic Engineer and the Director City Development for their information, investigation and response.*

### **MOVED Crs Hutchens/Hill**

That the Petition be received.

**A vote was taken and the MOTION was CARRIED.**

## 6. SEALING SCHEDULE

The following documents were submitted for signature and sealing:

TRANSFER OF LAND between PORT PHILLIP CITY COUNCIL and FRANK TODISCO, for the sale of a right of way at the rear of 194 Stewart Place, South Melbourne.

Item previously considered by Council in August 2001.

**Responsible Manager:** Robert Palmer, Manager Council Liaison & Technical Services.

CONTRACT NO. 0590 between PORT PHILLIP CITY COUNCIL and STANDARD ROADS CONSTRUCTIONS PTY LTD, for contract works at Swallow Street Reconstruction from light rail to Princes Street, Port Melbourne.

Item previously not considered by Council.

**Responsible Manager:** Rosa Marguccio, Manager Assets and Environment.

LICENCE AGREEMENT between PORT PHILLIP CITY COUNCIL and SHARON FLANAGAN, agreement to rent studio space at the St Kilda Bowling Club Studios, Spenser Street, St Kilda. Term of agreement is on a month to month basis.

Item previously not considered by Council.

**Responsible Manager:** Ian Hicks, Manager Culture and Recreation.

SERVICE AGREEMENT between PORT PHILLIP CITY COUNCIL and HOLY TRINITY PARISH OF PORT MELBOURNE OF THE ANGLICAN DIOCESE OF MELBOURNE (FIGTREE INN), to specify services required, performance indicators, timeframe, accountability requirements, responsibilities of the parties and the funding level provided by Council. The contract is for the provision of a Christmas Lunch on 25<sup>th</sup> December each year at the Port Melbourne Town Hall, from 1 July 2002 to 30 June 2004.

Item previously considered by Council in August 2001.

**Responsible Manager:** Carol Mayell, Projects Manager Social Policy & Planning.

SERVICE AGREEMENT between PORT PHILLIP CITY COUNCIL and HOLY TRINITY PARISH OF PORT MELBOURNE OF THE ANGLICAN DIOCESE OF MELBOURNE (SPAUMAY), to specify services required, performance indicators, timeframe, accountability requirements, responsibilities of the parties and the funding level provided by Council. The contract is for the provision of youth social and recreational activities, specifically Kombiz and the Joy Club, from 1 July 2002 to 30 June 2004.

Item previously considered by Council in August 2001.

**Responsible Manager:** Carol Mayell, Projects Manager Social Policy & Planning.

SERVICE AGREEMENT between PORT PHILLIP CITY COUNCIL and INNER SOUTH COMMUNITY HEALTH SERVICE, to specify services required, performance indicators, timeframe, accountability requirements, responsibilities of the parties and the funding level provided by Council. The contract is for the provision of an outreach midwifery service to marginalised women by the ISCHS from 1<sup>st</sup> July 2002-30<sup>th</sup> June 2004.

Item previously considered by Council in August 2001.

**Responsible Manager:** Carol Mayell, Projects Manager Social Policy & Planning.

SERVICE AGREEMENT between PORT PHILLIP CITY COUNCIL and PORT PHILLIP COMMUNITY GROUP (FORMERLY ST KILDA COMMUNITY GROUP), to specify services required, performance indicators, timeframe, accountability requirements, responsibilities of the parties and the funding level provided by Council. The contract is for the provision of the 'Get out of Town Project' (holiday activities for low income families) in conjunction with the Port Melbourne Neighbourhood House from 1<sup>st</sup> July 2002-30<sup>th</sup> June 2003.

Item previously considered by Council in August 2001.

**Responsible Manager:** Carol Mayell, Projects Manager Social Policy & Planning.

APPLICATION FOR APPROVAL IN PRINCIPLE FOR ALTERATIONS OR EXTENSIONS TO LICENSED PREMISES CURRENTLY USED FOR OPERATING A CHILDREN'S SERVICE between PORT PHILLIP CITY COUNCIL and THE STATE DEPARTMENT OF HUMAN SERVICES, an application to register a previously unused room at the Clark Street Children's Centre as a children's room.

Item previously not considered by Council.

**Responsible Manager:** Heather McKee, Manager Social Development.

SECTION 173 AGREEMENT between PORT PHILLIP CITY COUNCIL and ASIA PACIFIC BUILDING CORPORATION PTY LTD, to ensure that between 7.00am-6.00pm Monday-Friday unhindered access to at least 1 carspace within the basement at 1-3 Queens Road, Melbourne, must be made available to the occupier of each office suite. Any residual or surplus carparking spaces must be offered to other tenants (including the occupiers of the commercial spaces at ground level) and visitor spaces. The development of the subject land must be in accordance with the development plan and the endorsed plan.

Item previously not considered by Council. Council's Subdivision Guidelines require all carparking spaces on plan of subdivision to be tied to the office/residential apartments. Due to the nature of this type of development use (serviced office suites being for short or long term leases, Council guidelines would be difficult to implement given the fact that the development will be managed in a very different way to a typical office building. The development of subject land, Clause 2, is an additional clause which will be added to the agreement.

**Responsible Manager:** Bruce Phillips, Manager Planning and Building Services.

SERVICE AGREEMENT between PORT PHILLIP CITY COUNCIL and ST KILDA CITIZENS ADVICE BUREAU, to specify services required, key performance indicators, timeframe, accountability requirements, responsibilities of the parties and the funding level provided by Council. The contract is for the interim provision of free tax advice to people with incomes of less than \$30,000 from 1<sup>st</sup> July 2002 to 31<sup>st</sup> October 2002 for an amount of \$5,500.

Item previously considered by Council in August 2001.

**Responsible Manager:** Carol Mayell, Projects Manager Social Policy & Planning.

#### **MOVED Crs Hill/Gross**

That the Common Seal of the Port Phillip City Council be affixed to the above documents and that the Communications Unit consider media releases for some of these sealing schedule items.

**A vote was taken and the MOTION was CARRIED.**

## 7. CORRESPONDENCE

### Item 1

A copy of the Confidential List of Registered Correspondence for the Mayor and Councillors between the months of 22 May 2002 and 18 June 2002 is attached for information.

*\*No formal discussion ensued on this matter.*

## 8. PUBLIC QUESTION TIME

### Question 1

Mr Michael Blyth, Co-Convenor of the Port Melbourne Community Coalition and President of the Beacon Cove Neighbourhood Association asked the following question in relation to Order of the Day 2, Beacon Cove – Stage 2:

“Given the support for the increase in the community representation envisaged under recommendation 9 of the Advisory Committees report and in reference to the Chief Executive Officers letter of the 7 June 2002, the first paragraph on the second page, and given that position, would Council support community participation in the process envisaged under the Advisory Committees recommendation 3, which is the planning of the balance of Stage 1?”

*\* Manager Planning and Building advised that the recommendation at the top of page 9 (Order of the Day 2) which seeks a process involving the community values, differs from the recommendation of the Advisory Committee as this does not explicitly involve the public and therefore this is a matter for Councillors to consider, as they would be wanting to express community views into the process and may wish to have community representatives in this process.*

*\* Other issues that arose from the above question were taken on notice for the response of the Manager Planning and Building.*

## **9. PRESENTATION OF REPORTS AND RECOMMENDATIONS**

### **9(A) REPORTS OF THE STRATEGY AND POLICY REVIEW COMMITTEE HELD AT THE ST KILDA TOWN HALL ON 3 JUNE 2002**

The following items were MOVED in block by Crs Johnstone/Logan:

- A1 KRA MONTHLY MANAGEMENT REPORT FROM THE CHIEF EXECUTIVE OFFICER
- A5 REVIEW OF "NO ALCOHOL" RESTRICTION ON FORESHORE
- A7 COMMUNITY GRANTS SCHEME RECOMMENDATIONS 2002/2003
- A8 COMMUNITY SERVICE AWARDS - REQUEST TO BYPASS COUNCIL SEALING SCHEDULE MEETINGS
- A9 REDEVELOPMENT AND EXTENSION OF SOUTH MELBOURNE NEIGHBOURHOOD HOUSE
- A10 STATUS REPORT - GASWORKS ARTS PARK SOUTHERN SECTION MASTERPLAN STAGE 1 WORKS

Discussion took place in relation to the following items:

- A2 APPROVAL OF 2002/2006 CORPORATE PLAN
- A3 BEACONSFIELD PARADE / BEACH STREET - PAID PARKING EXTENSION
- A4 REVIEW OF OFF-LEASH DOG AREAS
- A6 REVIEW OF OLDER PERSONS REFERENCE GROUP
- A11 WICKED KIDS FESTIVAL PROPOSAL

**A1           KRA MONTHLY MANAGEMENT REPORT FROM THE CHIEF EXECUTIVE OFFICER**

**Purpose**

This report aims to provide Councillors with a summary of the major areas of activity and operational performance as at 26 April 2002 and compares actual performance against forecast.

**MOVED Crs Johnstone/Logan**

That the monthly management report from the CEO detailing Council's year to date financial and operating performance be received and noted.

**A vote was taken and the MOTION was CARRIED.**

**A2            APPROVAL OF 2002/2006 CORPORATE PLAN  
(SUPPLEMENTARY REPORT)**

**Purpose**

To provide Council with the opportunity to consider the draft 2002/2006 Corporate Plan.

**MOVED Crs Johnstone/Hill**

1. It is recommended:

- a) That Council having reviewed the Corporate Plan in accordance with Section 153 A (2) of the Local Government Act 1989, approve the attached 2002/2006 Corporate Plan and 2002/2003 Business Plan in principle, (subject to some final adjustments to be made by the Chief Executive Officer to the performance measures and targets of the 2002/2003 Business Plan), as well as some general changes to the document to improve its formatting and description of agreed Councillor leadership roles.
- b) That Council resolves to forward the Final Version of the 2002/2006 Corporate Plan and 2002/2003 Business Plan prior to the 30<sup>th</sup> June to the Minister for Local Government in accordance with the requirements of the Local Government Act 1989.

**A vote was taken and the MOTION was CARRIED.**

Note:

That Section 10.2 of the Officers report be amended to read as follows:

*“Initial Consultation has occurred with the Auditor concerning the content and the format of the Corporate Plan. We have made some amendments to ensure that it meets the requirements of the Local Government Act 1989. Audit input will be finalised prior to the submission date”.*

**A3 BEACONSFIELD PARADE / BEACH STREET - PAID PARKING EXTENSION  
(SUPPLEMENTARY REPORT)**

**Purpose**

To consider to installation of paid parking on the foreshore side of Beaconsfield Parade/Beach Street between Pier Road and Bay Street.

**MOVED Crs Johnstone/**

That the matter be deferred for further consideration to consider:

1. That Council consider paid parking along the whole of the city's foreshore.
2. That Council consider exempting parking permit holders from fees in some inappropriate foreshore car parks.
3. The reintroduction of free foreshore permits for residents.

**The MOTION LAPSED for want of a SECONDER.**

**MOVED Crs Hill/Gross**

1. That the supplementary report be noted, and that these issues be further considered by Council by the end of the calendar year.
2. That paid parking be installed on the foreshore side of Beaconsfield Parade/Beach Street between Pier Road and Bay Street to operate between 8am to 12 midnight all year round.
3. That the proposal commence on the 1 November 2002.
4. That associated parking fees be consistent with other foreshore paid parking locations.
5. That specific consultation be conducted with affected residents (predominately Beaconsfield Parade / Beach Street), foreshore business operations on both sides of Beaconsfield Parade and foreshore clubs and that Council be kept informed of these consultations.
6. That the Port Phillip community be informed by two successive articles in Divercity between September and November 2002.
7. That an analysis of the impacts of installation be presented to Council after the summer season.

**A vote was taken and the MOTION was CARRIED.**

***\*Councillors Gross, Logan, Hill, Brand and Ray voted in favour of the Motion.***

***\*Councillors Hutchens and Johnstone voted against the Motion.***

**MOVED Crs Hill/Gross – MOTION ARISING**

That officers provide further advice to Council on options to better utilise this public land, than the current clearway along Marine Parade and Beaconsfield Parade.

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

Note:

Cr Hutchens has raised the issue of safety in the bike lane and the implementation of the foreshore parking and that can now be considered in the advice back to Council.

**A4 REVIEW OF OFF-LEASH DOG AREAS  
(SUPPLEMENTARY REPORT)**

**Purpose**

To enable a review of the two 'trial' dog beaches established by the Council during the 2001/02 summer season.

**MOVED Crs Hill/Hutchens**

1. That Council take no action at this time to amend its Order No. 2 pursuant to s26 of the Domestic (Feral And Nuisance) Animals Act 1994.
2. That the Animal Management Service continue to address examples of ambiguous signage and conflicts between other park uses (e.g. playgrounds and barbecues) and the off leash activities.
3. That further advice be provided regarding the effectiveness of the current bag dispenser systems or alternative strategies.
4. That no further action be taken regarding a trial of early morning dog off leash areas in appropriate areas of St Kilda botanical gardens, noting that discussions between the Ward Councillor and appropriate staff are continuing.
5. That a further report be submitted to Councilors documenting evidence of more vigorous enforcement of the provisions of the Domestic (Feral & Nuisance) Animals Act 1994.

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

**A5 REVIEW OF "NO ALCOHOL" RESTRICTION ON FORESHORE**

**Purpose**

To review the effectiveness and impact of the designated foreshore areas as Alcohol Free Zones under clause 45 of Council's Community Amenity Local Law No. 1.

**MOVED Crs Johnstone/Logan**

1. That under Clause 45 (1) (a), (b) and (c) of Council's Community Amenity Local Law No.1 Council designate the following foreshore areas for the times and dates detailed
  - For the period from 1 November until 30 March in any year between 9.00pm and 9.00am on the following day, the following foreshore areas:
    - a) the north east boundary of Ormond Esplanade to the north east and the low water mark to the west, extending from Beach Avenue in the north to the municipal boundary at Head Street in the south; and
    - b) the east boundary of Marine Parade in the east and the low water mark in the west, extending from Shakespeare Grove to the north to Thackeray Street to the south.
  - For the period from 1 November until 30 March in any year between 10.00pm and 9.00am on the following day, the following foreshore areas:
    - a) the east boundary of Pier Road to the east and the low water mark to the west, from the intersection with Jacka Boulevard in the south to the intersection with Beaconsfield Parade in the north; and
    - b) the north boundary of Boulevard in the north and the low water mark in the south, extending from Beacon Road in the east to Todd Road in the west including Perc White Reserve.
2. That Council advertise the designated areas in the Government Gazette and daily newspapers as detailed in Council's Procedures and Protocols Manual.

**A vote was taken and the MOTION was CARRIED.**

**A6            REVIEW OF OLDER PERSONS REFERENCE GROUP  
(SUPPLEMENTARY INFORMATION)**

**Purpose**

To review the purpose and role of Council's Older Persons Reference Group [OPRG] and to consider and or approve the recommendations.

**MOVED Crs Johnstone/Hutchens**

1. That Council endorses the recommendations of the Review of the Older Persons' Reference Group.
2. That Council continue the OPRG as an advisory structure to Council on issues impacting on older people in the municipality for a further two year period.
3. That Council endorse the revised Terms of Reference of OPRG, focusing OPRG on two key roles, advisory and advocacy.
4. That Council formalise the link of the OPRG to Council through bi-annual reports to Council, tabled by the Councillor representative of the OPRG.
5. That in recognition of the contribution of the Older Persons Reference Group to the City of Port Phillip, and in order to maximize the benefits of ongoing contribution, the Director of Social and Cultural Development will ensure that appropriate support is made available to the reference group from within existing resources in the Aging and Community Care unit.
6. That Council requests that as part of its broader deliberation, the Governance Review consider the issue of appropriate advisory mechanisms.

**A vote was taken and the MOTION was CARRIED.**

**A7 COMMUNITY GRANTS SCHEME RECOMMENDATIONS 2002/2003**

**Purpose**

This report summarizes and lists the deliberations and recommendations of the Community Grants Social, Health and Well Being and Recreation Panels and recommends expenditure of \$160,000 to 63 community groups.

**MOVED Crs Johnstone/Logan**

1. That Council notes and endorses the Community Grants Assessment Panel, commends the list of 92 applications by 63 organizations to Council for funding and recommends the Council endorse its decision to fund \$160,000 in accordance with the list attached (Attachment 1).
2. Further that Council allocate \$632.50 to the Migrant Resource Centre from the Administrative Budget of the Civic Recognition and Support Strategy to support the application of multicultural groups.
3. Council monitors the effectiveness of the agreement with the MRC and informs Council of any proposed changes in the context of the 2003/4 Community Grants.
4. That Council formally thank the Community Representatives on the Community Grants Assessment Panel Betty Knight, Allan Stone, Chris Raeburn and Dr Dolly Belsky for their contributions.

**A vote was taken and the MOTION was CARRIED.**

Note:

- In the **Key Issues** section of the report item 1.2 - left out the total amount of funds sought by successful applicants. This amounted to \$268,586.
- In the conclusion of the report to Council it was noted that there were 96 successful applications. This is an error and should read 92 consistently with the rest of the report.
- In the report recommendations the following typographical errors were included. Recommendation 14.1 should read applications rather than applicants, and Recommendation 14.4 should read "for their contributions" rather than "the their contributions".

\*Project Manager Social and Policy advise Cr Ray (via email) of the following:

*"Does this represent the lowest number of gay and lesbian and allied applications that Council has ever had in the program to date".*

**A8            COMMUNITY SERVICE AWARDS - REQUEST TO BYPASS COUNCIL  
                 SEALING SCHEDULE MEETINGS**

**Purpose**

To streamline the granting of Civic Awards.

**MOVED Crs Johnstone/Logan**

1. That the Director Governance and Council Services be delegated to affix the Council Seal on the Certificates of Achievement at the written request of the Projects Manager Planning & Policy.
2. That when a Certificate of Achievement is required for a local community organization, the request is processed without reference to the Sealing Schedule.
3. That a report be presented to Council annually in the June meeting cycle for information, listing the recipients of the Community Service Award program for the previous year.

**A vote was taken and the MOTION was CARRIED.**

**A9 REDEVELOPMENT AND EXTENSION OF SOUTH MELBOURNE  
NEIGHBOURHOOD HOUSE**

**Purpose**

To redevelop and extend South Melbourne Neighbourhood House for the purpose of providing additional childcare places.

**MOVED Crs Johnstone/Logan**

That Council accept the South Melbourne Child Care Co-operative's offer of \$100,000 and, through the Capital Works program, provide the additional \$120,000 required to extend the South Melbourne Neighbourhood House thus enabling the South Melbourne Child Care Co-operative to provide an additional 9 EFT childcare places.

**A vote was taken and the MOTION was CARRIED.**

**A10 STATUS REPORT - GASWORKS ARTS PARK SOUTHERN SECTION  
MASTERPLAN STAGE 1 WORKS**

**Purpose**

Council consider the Gasworks Masterplan and the provision of additional funds.

**MOVED Crs Johnstone/Logan**

1. Council in-principle commit to providing the funds necessary to complete the 'Administration Building' component of the proposed Masterplan at a total cost of \$250,000.
2. That the total contribution of \$250,000 including;
  - the rollover of uncommitted funds from the 2000/01 and 2001/02 financial years, being an amount totaling \$143,000; and
  - consideration of a further allocation of \$110,000 from the 2002/03 capital works budget.
3. That Council makes its contribution of \$250,000 conditional upon Gasworks Arts Inc;
  - raising and contributing \$70,000 toward the Stage 1 works, and
  - delivering a favourable financial outcome as a result of staging the "2002 Wicked Kids Festival".
4. That a further report be presented to Council in November 2002 prior to commencement of the Stage 1 works.

**A vote was taken and the MOTION was CARRIED.**

**A11 WICKED KIDS FESTIVAL PROPOSAL  
(SUPPLEMENTARY REPORT)**

**Purpose**

This report provides an overview of the funding proposal submitted by Gasworks Arts Inc. for the 2002 Wicked Kids' Festival.

**MOVED Crs Johnstone/Gross**

1. That Council note this report.
2. That Council allow for the annexure of open space at Gasworks Park in accordance with the GAI Wicked Kids 2002 funding proposal.
3. That Council commit \$56,000 to the Gasworks Arts Incorporated for funding of the Wicked Kids Festival 2002 on the basis of the information provided by Gasworks Arts Incorporated.
4. That the funding be provided under the terms of a service funding agreement between GAI and Council, and that the terms of the agreement will note that:
  - a) the contribution of Council is for the purchase of local artist participation, local audience development and concessional access for CoPP residents to the Wicked Kids 2002 Festival consistent with the proposal outlined by GAI; and
  - b) the \$56,000 funding be provided to GAI in two installments of \$28,000 the first installment by 30 June 2002 and second installment by 15 August 2002.
5. That Council be kept advised by officers of progress towards the festival.

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

**9(B) REPORTS OF THE STATUTORY PLANNING COMMITTEE HELD AT THE ST  
KILDA TOWN HALL ON 11 JUNE 2002**

*Note: Business Items B1 and B2 were resolved by the Statutory Planning Committee held on Tuesday, 11 June 2002, in accordance with Section 86 of the Local Government Act 1989.*

The following item was MOVED by Crs Hill/Gross:

B4 DELEGATE REPORT

Discussion took place in relation to the following item:

B3 SEABATHS

**B3            SEABATHS  
(SUPPLEMENTARY REPORT)**

\*Cr Gross left the meeting at 8.10pm.  
\*Cr Gross returned to the meeting at 8.15pm.

**Purpose**

To provide an update to Council and also seek a determination regarding a proposed landuse and hours of operation.

**MOVED Crs Johnstone/Gross**

That the matter be deferred to the July 2002 cycle of meetings or as soon as is practicable.

**A vote was taken and the MOTION was CARRIED.**

**B4 DELEGATE REPORT**

**Purpose**

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

**MOVED Crs Hill/Gross**

That the Council receive and note the report regarding the summary of all Planning Permits 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 for the Port Phillip Planning Scheme.

**A vote was taken and the MOTION was CARRIED.**

## **10. ORDERS OF THE DAY**

Discussion took place in relation to the following items:

- ORDER 2 BEACON COVE – STAGE 2
- ORDER 1 301 PRINCES STREET, PORT MELBOURNE
- ORDER 3 CITY OF PORT PHILLIP AND DIRECTOR OF HOUSING JOINT VENTURE  
FUNDING AGREEMENT
- ORDER 4 ART ACQUISITION COMMITTEE
- ORDER 5 APPOINTMENT OF S223 COMMITTEE - MINOR BOUNDARY  
REALIGNMENT
- ORDER 6 SERVICE FUNDING AGREEMENTS PERIOD EXTENSION FOR ST KILDA  
ART CENTRE AT LINDEN & GASWORKS ARTS PARK

**ORDER 1     301 PRINCES STREET, PORT MELBOURNE**

**Purpose**

The demolition of lean-to structures and the single storey RSL wing on the south east side of the building, alterations to the existing building to enable to use as 17 dwellings.

**MOVED Crs Gross/Johnstone**

That the Council being the responsible authority, having caused the application to be advertised and having received and noted four objections is of the opinion that the granting of a Planning Permit for the demolition of lean-to structures and the single storey RSL wing on the south east side of the building, alterations and additions to the existing building to enable its use as 17 dwellings, the construction of a new crossover and the provision of two on-site car spaces and a car parking dispensation at 301 Princes Street, Port Melbourne will not cause material detriment to persons other than the applicant.

That the Council issue a Notice of Decision to Grant a Permit under the provisions of the Port Phillip Planning Scheme for the demolition of lean-to structures and the single storey RSL wing on the south east side of the building, alterations and additions to the existing building to enable its use as 17 dwellings, the construction of a new crossover and the provision of two on-site car spaces and a car parking dispensation.

That the Notice of Decision be issued on the following grounds:

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application, but modified to show:
  - a) The crossover to have a minimum clearance of 2.0m from the existing street tree;
  - b) Details of all proposed fencing along Bridge, Princes and Station Streets;
  - c) All reinstatement details to be confirmed by detailed drawings at 1:10 minimum scale.All of the above to be to the satisfaction of the Responsible Authority.
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. Once the development has started it must be continued and completed to the satisfaction of the responsible authority.
4. Prior to the commencement of the development hereby permitted a schedule, and coloured elevations that show all details of the external materials, finishes and colours (including colour samples) shall be submitted to the satisfaction of the responsible authority. Once approved they will form part of the permit.

5. Landscaping works must be carried out as shown on the endorsed plans and must be maintained in a proper, tidy and healthy condition to the satisfaction of the responsible authority.

The Councils Planning Inspector shall be advised of the completion of the landscaping so that a site inspection can be carried out. A further inspection will be carried out six (6) months after completion of the landscaping to ensure that species have been adequately maintained.

6. The garden areas shown on the endorsed plan and schedule shall only be used as gardens and shall be maintained in a proper, tidy and healthy condition to the satisfaction of the responsible authority. Should any tree or shrub be removed or destroyed it will be required to be replaced by a tree or shrub of similar size and variety.
7. No equipment (including, but not limited to, ducting and piping, air conditioning and heating units and satellite dishes), services and architectural features other than those shown on the endorsed plan shall be permitted unless otherwise agreed to in writing by the responsible authority.
8. All service pipes, (excluding downpipes), fixtures and fittings above ground level must be concealed on exposed elevations to the satisfaction of the responsible authority.
9. Parking areas/spaces and all access lanes must be kept available for those purposes at all times.
10. The Applicant/Owner shall do the following things to the satisfaction of the responsible authority:
- a) All redundant vehicles crossovers shall be removed and the pavement reconstructed at cost of the applicant/owner, to the satisfaction of the responsible authority.
  - b) All new crossovers (and any other associated works) shall be at the cost of the applicant/owner, and shall be constructed to the satisfaction of the responsible authority.
  - c) Any road line marking works that are required as a result of this development are to be undertaken at the cost of the applicant/owner, to the satisfaction of the responsible authority.
  - d) Prior to any works the written approval of the Council or other relevant authority for such alterations/reinstatements (including the construction of new crossovers).
  - e) Comply with conditions (if any) required by the Council or other relevant authorities in respect of reinstatement.
  - f) Replace any street tree that is removed with a suitable tree entirely at the applicant's expense.
11. All external lighting must be designed, fitted with suitable baffles and located to prevent any adverse effect on adjoining land.

12. This permit will expire if one of the following circumstances applies:

- a) The development is not started within 2 years of the date of this permit.
- b) The development is not completed within 2 years of the date of commencement of works.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

**Melbourne Water conditions**

- (a) No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
- (b) Unless otherwise agreed to in writing by Melbourne Water, finished floor levels must be a minimum of 300mm above the applicable flood level.

**Permit Notes**

1. *The applicant/owner will provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with this planning permit.*
2. *The developer shall show due care in the development of the proposal so as to ensure that no damage is incurred to the buildings on adjoining properties.*

**Melbourne Water footnote**

- a) *If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Alanna Murphy on telephone 9235 2193, quoting Melbourne Water's reference 62492.*
- b) *The Best Practice Environmental Management Guidelines for Urban Stormwater (The Storm Water Committee, 1999) may be used as a guide when developing site controls to minimise sediment laden runoff and stormwater pollution during construction. Section 6.3, titled Construction Activity, of these guidelines provide a useful checklist to develop a site management plan.*
- c) *The applicable flood level for the property is 2.0 metres to Australian Height Datum (AHD).*

**A vote was taken and the MOTION was CARRIED.**

**ORDER 2     BEACON COVE – STAGE 2**

**Purpose**

This report outlines the current status of the Beacon Cove – stage 2 matter.

**MOVED Crs Hill/Johnstone**

1. That the Council note the report of the Manager, Planning and Building Services regarding the report from the Advisory Committee and the decisions of the Minister for Planning in relation to Beacon Cove – stage 2 proposals.
2. That Council note the Manager, Planning and Building Services analysis of the Advisory Committee findings, conclusions and recommendations as outlined in attachment 1.
3. That Council note and endorse the general thrust of the Advisory Committee findings and recommendations.
4. That Council note and endorse the letter from the CEO to the Minister for Planning on 7 June, 2002 and specifically note that traffic, access and amenity concerns remain and need to be consistently argued in order to minimise any adverse effects to residents.
5. That Council note that on 14 June, 2002 the CEO sought the formal decision of the Minister in writing and also sought clarification on the southern boundary issue of the tower 5 site.
6. That Council note the formation of the Port Melbourne Resident Group Coalition and congratulate the group on its formation.
7. That Council nominate Councillors Hill and Johnstone (with the Mayor as ex officio) to have a portfolio responsibility on the topic of Beacon Cove and to be generally involved on the topic to maximise the Council influence and to also report back to the Council periodically.
8. That the Manager, Planning and Building Services be the lead officer in planning matters and further, that the Manager Urban Design and Architecture be the lead officer regarding the urban design outcomes of both the Princes pier adaptive development and also that for the tower 5 site. That in this regard key urban design and planning principles be the drivers for this influence on behalf of the Council.
9. That Council write to the Minister for Planning indicating:
  - a) its pleasure that the Advisory Committee report was released to the Council and the community and that the Council endorses the general thrust of its recommendations as outlined in the CEO letter dated 7 June, 2002 but highlights that it does not accept the conclusions regarding minimal traffic, access, parking and amenity concerns
  - b) that it seeks the ongoing commitment of the State Government that the outcomes for Beacon Cove will be determined on urban design, proper planning and community principles

- c) that it seeks a process on Princes pier that enables community and Council opinions to be clearly put and considered in relation to both appropriate landuse and adaptive development and design of buildings and public spaces
- d) that recommendation 5 of the Advisory Committee relating to the Princes pier redesign is broadly supported with the inclusion of:
  - ❖ preferred spacings between the buildings (of say a ratio of 3:1) so that maximum views, daylight and sunlight and public spaces are created and that the promenading levels provide an effective interface with the first level of buildings
  - ❖ higher ground level ceilings (of say 4 m) that enable multi purpose spaces to maximise the lightweight appearance for transparency and also for ongoing flexibility of uses over the years
- e) that the Advisory Committee recommendation regarding not able to support any form of truncation of the pier is noted but that the Council opinion is dependent on what viable uses of the pier are possible in the first instance and that the Council may wish to reconsider its position on this matter following the public process
- f) that Council supports and endorses the Advisory Committee recommendation regarding the completion of stage 1 via completion of the tower 5 site "that does not involve any land reclamation"
- g) that it seeks a process on the tower 5 site that enables Council to express opinions that include community values of neighbourhood character integration and transition of scale to the established residential areas as much as urban design and foreshore matters, and that the community be invited to participate.
- h) that the southern boundary of tower 5 site should be the existing foreshore line to protect the natural sweep of the Bay as an integral cultural and physical feature of the top end of the Bay
- i) affirming the CEO letter that the Council is looking to some support from the State Government to minimise any community or social capital gaps following any further redevelopment of Beacon Cove
- j) that the State Government royalties from tower 5 should be redirected into the successful retention and adaptation of Princes pier for the community benefit and enjoyment including, but not restricted to, improvements of heritage interpretation facilities, community spaces and public art
- k) that the *environmental management plan* recommended needs some Council involvement prior to any endorsement by the Minister or the DoI
- l) that Pier Street may need modification to create appropriate spaces for rubbish removal and the parking of removalist vans
- m) that the open space contribution for the increased density of the area is a matter that requires resolution and Council seeks discussion on this topic

10. That Council continue to lobby for transport improvements to:

- a) Minimise through traffic infiltration into Beacon Cove by advocating for changes to Todd Road and Williamstown Road to better manage capacity;
- b) Divert truck traffic off Williamstown Road to Plummer Street specifying the outcomes wanted; and
- c) Complete Dockside Road to connect to the freeway ramps.

11. That Council note and record its significant thanks for the contribution made to date by Mr Bruce Phillips, staff and residents.

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

**ORDER 3      CITY OF PORT PHILLIP AND DIRECTOR OF HOUSING JOINT VENTURE  
FUNDING AGREEMENT**

**Purpose**

There is a need for execution of the Joint Venture Agreements with the Director of Housing for the Liardet and Woodstock community housing projects and the associated Mortgage documents as security for the State grant contributions.

**MOVED Crs Gross/Hill**

That the Common Seal of the Port Phillip City Council be affixed to:

- a) The Joint Venture Agreement and associated Mortgage documents between the City and Director of Housing for the Liardet community housing project at corner Nott and Liardet Streets, Port Melbourne.
- b) The Joint Venture Agreement and associated Mortgage documents between the City and Director of Housing for the Woodstock rooming house project at 30-34 Marlborough Street, Balaclava.
- c) The Deed between the City and Director of Housing which varies the funding schedule in the executed Joint Venture Agreement for the Excelsior Hall rooming house project at 301 Princes Street, Port Melbourne.

**A vote was taken and the MOTION was CARRIED.**

**ORDER 4     ART ACQUISITION COMMITTEE**

**Purpose**

A Port Phillip Art Acquisition Committee is required in order to determine the expenditure of allocated funds of \$15,000 for the purchase of contemporary art for the City collection. The Committee must be formed and meet before the end of June, to allow for the expenditure of the current financial year's funds.

**MOVED Crs Gross/Brand**

That Council endorse the recommended nominees, to complete the membership of the Art Acquisition Committee, in order for the Committee to meet and determine the expenditure of the art purchase funds for the current financial year.

**A vote was taken and the MOTION was CARRIED.**

**ORDER 5      APPOINTMENT OF S223 COMMITTEE - MINOR BOUNDARY  
REALIGNMENT**

**Purpose**

This report addresses the administrative requirements necessary to hear submissions made regarding a proposed minor realignment of the municipal boundary in accordance with the requirements *the Local Government Act 1989*.

**MOVED Crs Hill/Gross**

It is recommended that Council appoint a Section 223 Committee comprising three officers to hear any submissions that may be made in response to the Public Notice regarding the proposed minor realignment of municipal boundary and that the Committee meeting take place at 5.00pm on Wednesday 17 July 2002.

**A vote was taken and the MOTION was CARRIED.**

**ORDER 6      SERVICE FUNDING AGREEMENTS PERIOD EXTENSION FOR ST KILDA  
ART CENTRE AT LINDEN & GASWORKS ARTS PARK**

**Purpose**

The current Service Funding Agreements for Linden - St Kilda Centre for the Contemporary Arts (Linden) and Gasworks Arts Park are contracted to end on 30 June 2002. Council is requested to consider extending the period of these agreements to end on 30 September 2002.

**MOVED Crs Gross/Hill**

1. Council approve the extension of the Service Funding Agreements for Gasworks Arts Park and Linden from the 30 June 2002 to 30 September 2002.
2. That Council instruct the Manager Culture and Recreation to provide written advice to the Boards of Management for Gasworks Arts Park and Linden of the extension to the contract.

**A vote was taken and the MOTION was CARRIED.**

## 11. REPORTS BY DELEGATES (COUNCILLOR) APPOINTED TO OTHER BODIES

### Item 1

Cr Johnstone advised that the ballot papers have been received for the Municipal Association of Victoria board elections and that Council will have to vote for a Metropolitan Central representative of which Cr Johnstone and Ray Perry are contesting that decision; and also the president of the MAV, Brad Matheson is seeking re-election and is being challenged by Geoff Hayes from Boorondarra.

Cr Johnstone recommended that Council support Cr Brad Matheson from Hobsons Bay who has demonstrated ability in leading the MAV and that Council support Cr Johnstone to vote for herself.

Cr Ray advised that Council would have no problem in supporting Cr Johnstone in any of the above issues.

*\* No formal resolution in regard to this item.*

## 12. URGENT BUSINESS

Nil.

### 13. COUNCILLORS QUESTION TIME

Nil.

## 14. CONFIDENTIAL MATTERS

Nil.

As there was no further business the meeting closed at 8.26pm.

Confirmed: 22 July 2002

Chairperson: \_\_\_\_\_