



**ORDINARY  
MEETING OF  
COUNCIL**

**MINUTES**

**25 AUGUST 2008**

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

The meeting opened at 6.03pm.

## **PRESENT**

Cr Cribbes (Chairperson), Cr Bolitho, Cr Gross (from 6.05pm), Cr Klepner, Cr Logan, David Spokes Chief Executive Officer, Geoff Oulton Executive Director Community Development & Planning, David Yeouart Executive Director Community Assets and Services, Sally Calder Executive Director Organisation Systems and Support, Cathy Henderson Manager Governance and Community Relations, Deidre Pellizzer Coordinator Arts & Festivals, Ruth McLean Curatorial Team Leader, Penny Morrison Heritage Officer, Cheryl Handby Foreshore and Open Space Advisor, Taimor Hazou Communications Consultant.

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

## **1. APOLOGIES**

### **MOVED Crs Bolitho/Klepner**

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

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

## **2. CONFIRMATION OF MINUTES**

### **MOVED Crs Logan/Bolitho**

Minutes of the Ordinary Meeting of the Port Phillip City Council held on 28 July 2008 be confirmed.

Minutes of the Special Meeting of the Port Phillip City Council held on 11 August 2008 be confirmed.

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

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

### 3. PETITIONS AND JOINT LETTERS

Nil.

#### 4. SEALING SCHEDULE

The following documents are submitted for signature and sealing:

SECTION 173 AGREEMENT between PORT PHILLIP CITY COUNCIL and JOHN DIAMOND, to protect Council's interest in the easement being built over with the current and any future owners at 17 Monkstadt Avenue, Ripponlea.

Item not previously considered by Council. The Agreement is a condition for the issue of consent by Council to allow the construction of a garage extension over a drainage easement that does not contain any Council assets.

**Responsible Manager:** Sam Hewett, Manager Asset Services

SECTION 173 AGREEMENT between PORT PHILLIP CITY COUNCIL and LYALL ESTELLE HUNT, to ensure that Condition 10 of Planning Permit No. 205/2008 is satisfied with regards to property at 125 Ross Street, Port Melbourne.

Item not previously considered by Council.

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

- a) The land shall only be developed in accordance with the plans endorsed under Planning Permit No. 245/2007 dated 31/8/2007, and
- b) It shall pay the Responsible Authority's Solicitor/Client costs in respect to the preparation and registration of the agreement.

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

**Responsible Manager:** Georg Borg, Manager City Development

#### **MOVED** Crs Logan/Bolitho

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.**

## 5. CORRESPONDENCE

### Item 1

A copy of the Confidential List of Registered Correspondence for the Mayor and Councillors between the month of 24 July 2008 and 19 August 2008 is attached for information.

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

## 6. PUBLIC QUESTION TIME

### Item 1

The Chairperson Cr Cribbes tabled the following questions on behalf of Mr Paul Morgan:

1. *In evaluating tender proposals for the Triangle Development did Council officers perform a due diligence analysis of the financial institutions associated with each tender?*
2. *From whom – ie which financial advisory services firm – did Council officers source expertise for the due diligence process, assuming that this process was completed in each case.*
3. *Did Councillors receive detailed reports from the financial advisory services firm supplying the due diligence analysis, or did Councillors rely on summaries of advice prepared by Council officers? At which meeting of Council was this advice supplied?*
4. *In the event that BBC ceases operation, what residual obligations rest upon the Council to source finance for the Triangle development? Does Council have the discretion to reject substitute financial partners proposed by Citta Property Group?*
5. *Has Council made any payments already to BBC either direct or through its relationship with Citta? In the event that BBC ceases operation, are any such payments able to be re-couped?*
6. *Are there any members of the Council staff providing advisory services to Council on this matter who own or owned shares in BBC at any time during the past twelve months? Was such ownership declared?*
7. *Have any members of the Council owned shares in BBC in the past twelve months? Was this ownership declared at appropriate moments in relevant discussions?*

***The Chief Executive Officer advised that a response to the above questions has already been provided to Mr Morgan.***

### Item 2

Mr Serge Thomann asked the following question in relation to the St Kilda Triangle site development:

1. *Why have you accepted the exclusion of take away food outlets from the restaurant floor area in the endorsed development plan?*
2. *In doing so, has the elected representatives indeed approved a Development Plan which fails to meet your own amendments set on 7 February 2008 which required considerable reduction in the size of the food areas?*

***Geoff Oulton, Executive Director Community Development & Planning advised that in the Planning Scheme (as it relates to the St Kilda Triangle site) a take away food premise and restaurant are actually two separate land uses that are dealt with separately and therefore they have to be specified separately.***

*Further, I am satisfied that the development plan as approved is consistent with the 7 February decision of Council. The staff has been through a very lengthy and careful process to go through the range of conditions that were put on the Development Plan and to ensure that the revised Development Plan reflects each and every one of these conditions.*

**Item 3**

Ms Anna Griffiths asked the following question in relation to the St Kilda Triangle site development

1. *Why have you accepted the exclusion of such retail businesses as; the food market, post office, travel agent and the banks from the retail area of the revised Development Plan?*
2. *In doing so, have you, the elected representatives, indeed approved a development which fails to meet your own amendments set on 7 February 2008 which required considerable reductions of size in this area?*

***Geoff Oulton, Executive Director Community Development & Planning advised that the council resolution has set an upper limit on shop as a land use, not retail as a land use and noting that market is a separate land use to shop. There was reference to market as a land use in the original Development Plan but there was no area specified. The decision of 7 February 2008 required an area specified for market. The revised Development Plan includes additional detail about the land uses which are specified on the site and is consistent with the decision of Council on 7 February 2008.***

***Geoff Oulton further advised that he would provide a more detailed response in relation to the range of land uses.***

## 7. COUNCILLOR QUESTION TIME

### Item 1

Cr Klepner asked the following questions in relation to the St Kilda Triangle site development:

1. *Will the CEO provide a written and non-confidential report to Council as soon as possible which clearly identifies the changes to the Triangle Development Plan from that considered in December 2007 and February 2008 to the Plan endorsed by Council officers earlier this month? Will the CEO in this report please explain the detail and reasons for these variations and the officers' assessments of these?*

*My reasons for asking this are:*

- *Council is asking the community to 'look again' at the Plan but it is difficult to get a handle on what has changed over time, and the logic for these changes, as the two plans do not always readily allow for a comparison of like with like.*
  - *It appears that the reduction in shops and restaurant spaces as per the February decision, has been more than replaced in the endorsed Plan with the introduction of significant areas of office related to retail, office related to other approved activity, market space, takeaway food outlet and function facility, uses not rating detailed mention in the October plan.*
  - *Similarly, while there is more forecourt space alongside the Palais, the design and bulk of the Green and Nolan buildings have changed significantly in the endorsed Plan compared to February and now seem to have been merged.*
  - *It remains to be clarified to what purposes different spaces on different levels are to be put.*
  - *It is not clear what the total envisaged developed area will now comprise, ie; its area on different levels.*
2. *Can the CEO advise the time frame for the next planning steps for the site (eg. the remediation plan; the permits required for individual buildings and elements; licenses; Heritage Victoria issues) so that community input can be facilitated?*
- *My reasons for asking this is there is currently no outline to the community of the next steps in the planning and realisation of this project.*

***David Spokes, Chief Executive Officer advised that Councillors have been briefed on the reasons for the decision that has been taken by council officers and this information can be the basis of a report to be provided to council as soon as possible, noting that we will need to be guided by legal advice in the preparation of this report.***

***In relation to the time frame for the next planning steps for the site, I cannot provide any further certainty given the indication that litigation is about to proceed and until that is commenced I am not in the position to remove that uncertainty.***

## **8. 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 AUGUST 2008**

Items were considered in the following order:

- A1 AMENDMENT C74 – UPDATES AND CORRECTIONS TO THE PORT PHILLIP PLANNING SCHEME
- A2 AMENDMENT C62 – REVISED LOCAL PLANNING POLICY FRAMEWORK (MSS AND LOCAL POLICIES) AND SCHEDULE TO CLAUSE 52.01
- A3 SOUTH MELBOURNE TOWN HALL - PARAMETERS FOR THE LEASE OF VACANT SPACE ON THE 1ST FLOOR
- A4 MONUMENTS AND MEMORIALS
- A5 PROPOSED RE-DEVELOPMENT OF NORTH PORT OVAL (AKA PORT MELBOURNE CRICKET GROUND)
- A6 AUDIT COMMITTEE ACTIVITIES UPDATE
- A7 PROPOSED LEASE AGREEMENT TO MELBOURNE WATER CORPORATION – USE OF FENNEL RESERVE, MELBOURNE MAIN SEWER REPLACEMENT
- A8 NAMING OF RESERVE BOUNDED BY CNRS VICTORIA AVENUE, O'GRADY & MOUBRAY STREETS, ALBERT PARK 'RATS OF TOBRUK RESERVE

Items were MOVED in block by Crs Gross/Klepner

- A9 PROPOSED DISCONTINUANCE AND SALE OF A SECTION OF RIGHT OF WAY NO. R2791 (510) AT THE REAR OF 208 ALBERT ROAD, SOUTH MELBOURNE
- A10 NEIGHBOURHOOD PROGRAMS COMMITTEE
- A11 CAPITAL WORKS END OF FINANCIAL YEAR POSITION

**A1 AMENDMENT C74 – UPDATES AND CORRECTIONS TO THE PORT PHILLIP PLANNING SCHEME**

**Purpose**

To present Amendment C74, incorporating corrections and updates to the Port Phillip Planning Scheme and Port Phillip Heritage Review, to Council for endorsement.

**MOVED Crs Gross/Logan**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

1. Endorse the changes to the Port Phillip Planning Scheme proposed as part of Amendment C74 (outlined in Attachment 1) – revised 4 August 2008.
2. Note that the property at 37-61 Raglan Street, South Melbourne, has been deleted from Attachment 1, and the significance of this property will be further assessed as part of the future amendment implementing the current Heritage Overlay (HO3) Review.
3. Request the Minister for Planning to authorise the preparation of Amendment C74 to the Port Phillip Planning Scheme pursuant to section 8(a) of the *Planning and Environment Act 1987*.
4. Request the Minister to grant an exemption from notification pursuant to section 20(2) of the *Planning and Environment Act 1987*, on the basis that Amendment C74 proposes corrections and updates only which do not alter the effect of the provisions of the Port Phillip Planning Scheme.
5. Request the Minister to authorise Council to approve the amendment, pursuant to section 11 of the *Planning and Environment Act 1987*.
6. Authorise the Executive Director, Community Development and Planning, to finalise the amendment documentation.

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

**A2 AMENDMENT C62 – REVISED LOCAL PLANNING POLICY FRAMEWORK (MSS AND LOCAL POLICIES) AND SCHEDULE TO CLAUSE 52.01**

**Purpose**

To present the revised Local Planning Policy Framework to Council for endorsement, to enable the commencement of formal public exhibition of Amendment C62 to the Port Phillip Planning Scheme.

**MOVED Crs Gross/Logan**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

1. Endorse the proposed changes to the Local Planning Policy Framework (incorporating the Municipal Strategic Statement and Local Policies) as outlined in Attachment 1, and that formal public exhibition of Amendment C62 to the Port Phillip Planning Scheme be commenced in February 2009.
2. Authorise the Executive Director, Community Development and Planning to finalise the amendment documentation, prior to exhibition.

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

**A3 SOUTH MELBOURNE TOWN HALL - PARAMETERS FOR THE LEASE OF VACANT SPACE ON THE 1ST FLOOR**

**Purpose**

Present parameters to guide the commercial lease of space not required for council or community hub purposes on the 1st floor of the South Melbourne Town Hall.

**MOVED Crs Logan/Bolitho**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

- 1.1. Note the Report.
- 1.2. Commence the process to lease the vacant space of approximately 400m<sup>2</sup> on the 1<sup>st</sup> floor of the South Melbourne Town Hall (SMTH) not required for Community Hub or Council purposes, as identified in Attachment Three, noting that vacant possession will not be available until early 2009.
- 1.3. Lease the subject 1<sup>st</sup> floor space for a commercial return, according to the provisions of the Local Government Act sections 190 & 223, which relates to premises valued in excess of \$50,000 per annum. This is consistent with the Council's resolution of July 2007 that sought a commercial return and other community benefits through the lease of this vacant space on the 1<sup>st</sup> floor of the SMTH.
- 1.4. Lease the SMTH vacant 1<sup>st</sup> floor space within the following parameters:
  - 1.4.1. For a term not extending beyond a 2 year term.
  - 1.4.2. With a not for profit organization, which preferably provides services for the benefit of the Port Phillip community.
  - 1.4.3. On commercial terms based on an independent market value, (currently valued at \$145 per square metre or estimated total of \$58,000 per annum), or at a \*rebated rent if beneficial outcomes for the Port Phillip community can be demonstrated.
  - 1.4.4. Consistent with heritage, land use planning and South Melbourne Central Structure Plan principles.
- 1.5. \*A rebated rent may be negotiated if the organization/s is not able to afford the commercial rent and if the services or the location of the organization in Port Phillip is consistent with Council's policy objectives, or if improvements to the internal spaces can be achieved as a result of the tenancy.
- 1.6. Not enter a lease that extends beyond a 2 year lease.
- 1.7. Enter a lease at no additional cost to the Council for refurbishment and that any costs of reinstatement to the landlord's satisfaction are borne by the tenant.

- 1.8. Seek Expressions of Interest for leasing of the vacant 1<sup>st</sup> floor space in SMTH and consider a preferred tenant, as identified by the Property Coordinator & the Executive Director Community Development & Planning. Once a preferred tenant has been endorsed by the Council a Notice of Intention to Lease is to be publicly advertised for 14 days and all submissions considered.
- 1.9. Delegate the hearing of submissions in response to a Notice of Intention to Lease to a Committee comprising the Executive Director Community Development & Planning or the equivalent level, the Property Coordinator or equivalent and the relevant Ward Councillor.
- 1.10. Delegate the negotiation of leases with suitable organizations, consistent with the above parameters, to the Executive Director Community Development & Planning and the Property Coordinator and receive the final lease for consideration on the Sealing Schedule of the Council.
- 1.11. Note that the Council will receive an Order of the Day on the 25 August 2008, presenting recommendations, developed in consultation with the SMTH Community Hub Reference Group, for tenancies of the unallocated community group office space in the SMTH Community Hub. This process follows from the Council's decision of October 2007 to offer first right of refusal for office space on the ground floor of the SMTH Community Hub to: Port Phillip Citizens for Reconciliation; Save Albert Park; and the Friends of the ABC, who have all since accepted the first offer of community group office space in the Hub. This occurred prior to seeking Expressions of Interest for the remaining community group office space on the ground floor of the Hub in 2008.
- 1.12. Note that the future medium to long term use of the vacant 1<sup>st</sup> Floor space be consistent with community, cultural and civic uses as per the South Melbourne Central Structure plan principles, that will be applied in the revisioning process.
- 1.13. Note that prior to any decision beyond an initial 2 year lease to a not for profit organization that Council satisfies itself that the vacant space on the 1<sup>st</sup> floor is not required for staff accommodation at this time.
- 1.14. Note that the permanent location of staff is proposed for the Urban Study Centre.

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

**A4 MONUMENTS AND MEMORIALS  
(SUPPLEMENTARY REPORT)**

**Purpose**

Request for commitment of funding for restoration and maintenance of monuments and memorials.

**MOVED Crs Bolitho/Klepner**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

1. That the Council thank Lt Colonel Lockwood (Rtd.), representatives of the Victorian, Elwood and St Kilda RSL's, 4/19<sup>th</sup> Light Horse Regiment and Royal Victorian Regiment Association, Victorian Light Horse Regiment Association and residents for their involvement.
2. That the Council adopt in principle the Memorials and Monuments Work and Cost Plan 2008 – 2011, and refer this to the 2008/09 Mid Year Budget Review.
3. That the Council, consistent with existing policy and delegations, authorize officers to undertake priority 1 works with any savings identified within the 2008/09 Capital Works budget.
4. The Council adopts the Memorials and Monuments Policy detailed in the attachment to this report, noting it incorporates and supersedes the previous Memorials and Naming Policy.

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

**Note:**

That Council requests the CEO to communicate Council's decision to the State and Federal Governments expressing gratitude for the support that they do give but express concern about cost shifting that this may involve.

**A5 PROPOSED RE-DEVELOPMENT OF NORTH PORT OVAL (AKA PORT MELBOURNE CRICKET GROUND)**

**Purpose**

To update Council on redevelopment of North Port Oval.

**MOVED Crs Bolitho/Gross**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

1. That the Council resolve to support 'in-principle' the redevelopment of North Port Oval with a commitment of \$1.7M.
2. That the Council's 'in-principle' commitment assumes that a range of community benefits and objectives will be achieved, including:
  - 2.1 Consistency with Council Policy – particularly the '*Sport Strategy*' and City of Port Phillip's '*Sport and Recreation Strategy Guidelines*' (adopted November 2007) with specific regard to:
    - Council sporting facilities being 'fit for purpose' within the next 4 years.
    - Consistency with Council's financial principles and approach for investment in sport and recreation facilities (as outlined in Council's *Sport and Recreation Strategy Guidelines*).
    - Consistency with Council's *Open Space Strategy 2006*.
    - Consistency with Memorandum of Understanding between City of Port Phillip and Sport and Recreation Victoria.
    - City of Port Phillip maintaining public land manager status for North Port Oval.
  - 2.2 Minimisation of risk and increased compliance with statutory obligations associated with public venues, as applicable, including:
    - Rectification of any structural/ building integrity issues where there is an identified risk to user and / or public safety.
    - Improvements in the environmental performance of the venue, consistent with Council policy.

2.3 Deliver value for money and a demonstrable benefit to the community, including:

- Renewal of the Goss Grandstand and retention of its heritage values.
- Provide for the future sustainability of both Port Melbourne Football Club and Port Melbourne Cricket Club.
- Develop and improve Club rooms and player change facilities in a manner consistent with the AFL Preferred Facilities Guidelines 2006.
- Increase use and accessibility by the public through improving both visual and physical permeability from the public realm into the venue, thereby increasing the attractiveness of the reserve as a public open space.
- Increase access to the facilities and expand the services at the ground for example by providing infrastructure that encourages greater use of the venue by the community and increased physical activity opportunities (eg: consideration to a playground facility, consideration for use by athletics and/or local schools etc).
- Promote connection and exchange between the Club and the existing local community by increasing opportunities for residents to meet and interact at the ground and in club activities.

3. That Council seek a further report for its consideration at the conclusion of the design and feasibility study in order for Council to determine whether the community benefits and objectives outlined in 8.2 (above) have been met, with a view to confirming the level of financial support to be provided for the redevelopment of North Port Oval.

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

**A6 AUDIT COMMITTEE ACTIVITIES UPDATE**

**Purpose**

To advise council about the matters considered at the June 2008 meeting of the City of Port Phillip Audit Committee.

**MOVED Crs Gross/Logan**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

1. Receive and note the report outlining the matters considered by the City of Port Phillip Audit Committee at its June 2008 meeting, including issues such as the annual work plan, the internal audit program, excessive leave accruals, South Melbourne Market cash receipting, condition assessment of drains, CEO's issues, 2007/2008 external audit strategy, attestation of compliance and the Auditor-General's Report on Local Government Results of the 2006/2007 Audits.

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

**A7 PROPOSED LEASE AGREEMENT TO MELBOURNE WATER CORPORATION –  
USE OF FENNEL RESERVE, MELBOURNE MAIN SEWER REPLACEMENT**

**Purpose**

To provide Council with the results of the section 190 and 223 advertising and submission process with respect to the proposed lease.

**MOVED Crs Gross/Bolitho**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

1. To finalise the statutory procedures and enter into a lease agreement with Melbourne Water Corporation on the following terms:
  - Demised Premises: Fennell Reserve (Crown Allotment 2, Section 41 Ingles, Evans and Boundary Streets, Port Melbourne).
  - Area: 3,642 square metres.
  - Term: 4 years.
  - Options: Three further terms of one year each.
  - Rental: \$54,600 per annum plus GST.
  - Rental reviews: every 3 years in accordance with market principles.
  - Permitted use: works, storage access and ancillary uses in accordance with the Melbourne Main Sewer Replacement Project.
2. To note that:
  - a) Melbourne Water Corporation will be required to re-instate Fennell Reserve to an agreed standard at the end of the project and conditions to this effect will be included in the proposed lease

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

Note:

Cr Bolitho asked the following question:

*In regards to the process that the Government had to go through in relation to the notification, could you please advise where this is at?*

*Sally Calder Executive Director Organisation Systems and Support advised that she would take the question on notice.*

**A8 NAMING OF RESERVE BOUNDED BY CNRS VICTORIA AVENUE, O'GRADY & MOUBRAY STREETS, ALBERT PARK 'RATS OF TOBRUK RESERVE'**

**Purpose**

Advise Council of the results of the public submission process in relation to the naming of the reserve.

**MOVED Crs Klepner/Logan**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

1. That pursuant to Section 206, Schedule 10 (5) of the Local Government Act 1989, resolve to agree to name the reserve on the corner of Victoria Avenue, O'Grady & Moubray Streets, Albert Park 'Rats of Tobruk Reserve'.
2. Authorise staff to carry out the necessary procedures to assign the new name in accordance with the Local Government Act 1989, the Geographic Place Names Act 1998 and the Port Phillip City Council Guidelines for the naming and re-naming of lanes and roads.

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

**A9 PROPOSED DISCONTINUANCE AND SALE OF A SECTION OF RIGHT OF WAY  
NO. R2791 (510) AT THE REAR OF 208 ALBERT ROAD, SOUTH MELBOURNE  
(SUPPLEMENTARY REPORT)**

**Purpose**

This report is to finalise the discontinuance and sale of a section of right of way no. 2791 at the rear of 208 Albert Road, South Melbourne.

**MOVED Crs Gross/Klepner**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to defer this item.

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

**A10 NEIGHBOURHOOD PROGRAMS COMMITTEE**

**Purpose**

To consider recommendations from the Neighbourhood Programs Committee to amend its terms of reference.

**MOVED Crs Gross/Klepner**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

1. Note that the Neighbourhood Programs Committee has recommended changes to its terms of reference.
2. Approve the amended terms of reference for the Council Neighbourhood Programs Committee as (Attachment 1 to the report).
3. Affix the Common Seal of Port Phillip Council to the Instrument of Delegation (Attachment 2 to the report).

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

**A11 CAPITAL WORKS END OF FINANCIAL YEAR POSITION**

**Purpose**

To Inform Council Of The Final Financial Position Of The Capital Works Program And To Recommend Carryover Projects.

**MOVED Crs Gross/Klepner**

That Council having considered the recommendation of the Strategy and Policy Review Committee resolve to:

1. That the Council resolve that a total of \$7,149,000 of capital works project funding from 2007/2008 be carried over for delivery into 2008/2009.
2. Council is asked to endorse the capital works rollover figure of \$7,149,000 and authorise the inclusion of the 28 projects listed in Attachment #1 – Capital Works Carryover Projects into the 2008/2009 capital works program.
3. Council rescind the resolution of Final Report – St.Kilda Town Hall Redevelopment (A18) made by Council on 28 July 2008 which states in recommendation 6.3 *“Delegates the Executive Director Community Assets and Services to transfer savings made, within the current capital program, from other capital projects to cover the final shortfall, expected to be in the order of \$744,222”*.
4. The above resolution to be replaced by Council resolving to fund the final adjusted over expenditure of \$615,779 for the 2007/2008 capital works program from operational surpluses.
5. Council notes the progress and improvements in the delivery of the capital works program and in particular the success related to tighter capital works planning, the implementation of the Capital Works Improvement Plan and the introduction of a flexible staffing approach to capital project delivery.

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

**A12 APPOINTMENTS TO PORT MELBOURNE AFFORDABLE HOUSING PROJECT  
PLANNING ASSESSMENT PANEL  
(SUPPLEMENTARY REPORT)**

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

**A13 ITEM WITHDRAWN**

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

Note: Business items B1 and B2 were resolved by the Statutory Planning Committee held on 11 August 2008 in accordance with Section 86 of the Local Government Act 1989.

**B3 DELEGATE REPORT**

**Purpose**

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

**MOVED Crs Gross/Logan**

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.**

**9. CHIEF EXECUTIVE OFFICER'S REPORT**

Nil.

## 10. ORDERS OF THE DAY

### ORDER OF THE DAY 1

#### ALLOCATION OF COMMUNITY ADMINISTRATIVE SPACE AT THE SOUTH MELBOURNE TOWN HALL

##### **Purpose**

To seek endorsement by Council of the allocation of administrative space at the South Melbourne Town Hall Community Hub to the recommended community groups

##### **MOVED Crs Logan/Bolitho**

1. That the Council resolve to endorse the allocation of administrative space at the South Melbourne Town Hall to the Boon Wurrung Foundation, Sputnik TV; and Port Phillip Life Activities Club.
2. That the Council notes that Council officers will work with the unsuccessful groups to address their accommodation needs where relevant.
3. That Council thanks the members of the South Melbourne Town Hall Community Hub Reference Panel for their service.

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

**ORDER OF THE DAY 2  
CONTRACT VARIATION – ST KILDA’S EDGE (CONFIDENTIAL)**

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

**ORDER OF THE DAY 3  
HUMAN RESOURCES COMMITTEE (CONFIDENTIAL)**

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

**11. REPORTS BY COUNCILLOR DELEGATES APPOINTED TO  
OTHER BODIES**

Nil.

## 12. URGENT BUSINESS

Nil.

### **MOVED Crs Klepner/Gross**

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

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

The meeting closed to the gallery at 6.38pm.

### 13. CONFIDENTIAL MATTERS

Discussion took place in relation to the following items:

A12 APPOINTMENTS TO PORT MELBOURNE AFFORDABLE HOUSING PROJECT  
PLANNING ASSESSMENT PANEL

A13 ITEM WITHDRAWN

ORDER 2 CONTRACT VARIATION – ST KILDA'S EDGE (CONFIDENTIAL)

ORDER 3 HUMAN RESOURCES COMMITTEE (CONFIDENTIAL)

As there was no further business the meeting closed at 7.40pm.

Confirmed: 22 September 2008

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