



# ORDINARY MEETING OF COUNCIL

## AGENDA

7 MARCH 2018



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# ORDINARY MEETING OF COUNCIL 7 MARCH 2018



## **Welcome**

*Welcome to this Meeting of the Port Phillip City Council.*

*Council Meetings are an important way to ensure that your democratically elected representatives are working for you in a fair and transparent way. They also allow the public to be involved in the decision making process of Council.*

## **About this meeting**

*There are a few things to know about tonight's meeting. The first page of tonight's Agenda itemises all the different parts to the meeting. Some of the items are administrative and are required by law. In the agenda you will also find a list of all the items to be discussed this evening.*

*Each report is written by a Council officer outlining the purpose of the report, all relevant information and a recommendation. Council will consider the report and either accept the recommendation or make amendments to it. All decisions of Council are adopted if they receive a majority vote from the Councillors present at the meeting.*

## **Public Question Time**

*Provision is made at the beginning of the meeting for general question time from members of the public. Questions relating to a topic on the agenda are not permitted during this time but can be asked prior to the discussion of that item.*

*If you would like to ask a question during Public Question Time, please fill in the blue 'Do You Wish to ask a Question or make a Public Comment' form located outside the chamber and give it to the Administrative Officer.*

## **Public Comment / Question**

*Any person who has made a written submission on an item and requested that she or he be heard in support of that written submission pursuant to section 223 of the Local Government Act will be entitled to address Council.*

*If you would like to address the Council and / or ask a question on any of the items being discussed tonight, please fill in the blue 'Do You Wish to ask a Question or make a Public Comment' form located outside the chamber and give it to the Administrative Officer.*

*When your item is being discussed the Chairperson will call your name and ask you to address the Council. The length of time available to each speaker will be at the Chairpersons discretion.*





## PORT PHILLIP CITY COUNCIL ORDINARY MEETING OF COUNCIL

### To Councillors

Notice is hereby given that an **Ordinary Meeting of Council** of the **Port Phillip City Council** will be held at **South Melbourne Primary School, Ferrars Street South Melbourne** on **Wednesday, 7 March 2018 at 6.30pm**. At their discretion, Councillors may suspend the meeting for a short break at 8pm and 10pm as required.

### AGENDA

- 1 **APOLOGIES**
- 2 **MINUTES OF PREVIOUS MEETINGS**  
*Minutes of the Ordinary Meeting of Council of the Port Phillip City Council held on 21 February 2018.*
- 3 **DECLARATIONS OF CONFLICTS OF INTEREST**
- 4 **PETITIONS AND JOINT LETTERS** ..... 6
- 5 **SEALING SCHEDULE**  
*Nil*
- 6 **PUBLIC QUESTION TIME**
- 7 **COUNCILLOR QUESTION TIME**
- 8 **PRESENTATION OF CEO REPORT** ..... 13
- 9 **PEOPLE AND COMMUNITY**  
*We Embrace Difference, and People Belong*  
9.1 *Balaclava Precinct - Marlborough Street affordable housing - Heads of Agreement*..... 73
- 10 **TRANSPORT AND PARKING**  
*We are Connected and it's Easy to Move Around*  
*Nil*
- 11 **SUSTAINABILITY**

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	11.1 <i>Sustainable City Community Action Plan</i> .....	121
<b>12</b>	<b>PLANNING</b>	
	<i>We are Growing and Keeping our Character</i>	
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<b>13</b>	<b>ARTS, CULTURE &amp; ECONOMIC DEVELOPMENT</b>	
	<i>We Thrive by Harnessing Creativity</i>	
	<i>Nil</i>	
<b>14</b>	<b>ORGANISATIONAL PERFORMANCE</b>	
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	<i>Nil</i>	
<b>16</b>	<b>REPORTS BY COUNCILLOR DELEGATES</b>	
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**3. DECLARATIONS OF CONFLICTS OF INTEREST**



## 4. PETITIONS AND JOINT LETTERS

### **Item 4.1 Adani and Carmichael Mine**

A Joint Letter was received from Peter Moriatis for the convening group for Melbourne Ports Stop Adani Group.

The Joint Letter states the following:

*“As you may be aware, Byron Shire Council has resolved not to do business with companies involved with Adani and the Carmichael Mine and has asked that local governments around the country, including the City of Port Phillip do likewise. As the convenors of the Melbourne Ports Stop Adani Group we urge Council to actively consider Byron Shire Council’s request. This would be consistent with Council’s commitment to a sustainable future. In the preamble to ‘Towards Zero’ policy 2007, Council indicated its readiness to ‘enthusiastically embrace local and global solutions to minimise local impacts and limit climate change’. Council’s 2017-2027 plan outlines continued commitment to a sustainable future through lower carbon emissions and green-friendly policies. With this in mind, we request that Councillors consider the following motion at its next meeting:*

*That Council resolve to:*

- 1. Review whether any companies or organisations with which the Council works or funds have any involvement in contracting for the development and operation of the Carmichael mine and its related infrastructure , or have other ties to Adani. (Use latest information from Market Forces for up to date advice re Adani Related businesses)*
- 2. Resolve not to award future contracts or to work with to those companies identified above and to continue to desist from working with any such organisations.*
- 3. Write to the Prime Minister, the Hon. Mr Malcolm Turnbull and Queensland Premier, the Hon. Anastacia Palaszczuk and to all local governments across Australia (addressed to mayors and councillors) to express the concerns of the Port Phillip Community about the Adani mine and to inform them of the City of Port Phillip’s action in not working with Adani related organisations.*
- 4. Publicise via local newspapers and the Council’s website etc that the Council has taken the stance and resolved not to do business with Adani related organisations.*



5. *Include in its reasons for the opposition to the mine the arguments put forward by Byron Council, namely:*

- *The carbon emission impact of opening a never-before-mined region and the subsequent effect on international efforts to limit global warming*
- *The mine's impact on two of Australia's most precious natural formations – Australia's largest groundwater system the Artesian Basin (under the mine's 60-year contract to extract unlimited water) and the Great Barrier Reef (with coal passing through Abbot Point terminal and required dredging to expand the terminal to accommodate for increased output)*
- *Support for the national Stop Adani campaign's efforts to boycott businesses associated with the building of the Adani Carmichael mine.*

*Further, add additional reasons that might pertain to Port Phillip, such as rising sea levels and flooding that would particularly impact Port Phillip, from the burning of coal from the mine.*

*Council may be assured that there is much community support from Port Phillip constituents for Council to take such a stance. This is evidenced in the 'Monster Message' campaign begun by Melbourne Ports Stop Adani group in December. The group, in the space of four weeks to date, has collected over 1,100 signatures of people at markets and online in the City of Port Phillip stating their opposition to the mine. The campaign will continue to provide evidence that residents support strong action by all levels of government to stop the Adani mine.*

*As the Adani mine appears to be at a crossroad, timely action by local government across the country may add to the weight of public sentiment opposed to the mine. We thus look forward to Port Phillip Council's immediate action to practically express its opposition to the mine."*

#### **OFFICER RECOMMENDATION**

That Council:

Receives the Joint Letter and notes that officers will provide a response to the Joint Letter at a future Council meeting.

**TRIM FILE NO:** F18/1

**ATTACHMENTS** Nil



#### **Item 4.2 Domain Precinct Development Plan**

A Petition was received from the Chairman of the Domain Owners Corporation at Number 1, Albert Road, Melbourne with 122 signatories expressing concerns about the Domain Precinct Development Plan.

The Petition states the following:-

*“As residents of The Domain, 1 Albert Road, Melbourne, we have reviewed the available documents discussed the proposal internally and wish to express our strong views to these items of concern. We understand Council will be considering the Cross Yarra Partnership proposal for comment in mid-December. We have attached signatories to this petition, which includes residents and personnel associated with the Domain with 122 No. signatures.*

*The significant loss of 120 car parking spaces within this precinct will impact the residents, businesses and visitors to the precinct immensely. As a community and with Council’s support we need to ensure that there are car spaces within the appropriate proximity to various buildings to ensure fair and reasonable everyday operation, visitation and service as this precinct is an established mixed-use setting with predominately residential buildings.*

*The porte-cochere of The Domain is an integral part of its presentation and engagement to St Kilda Road and its valuable use should be retained. We understand Council is considering curtail its operation and we strongly object to this. It has provided a facility within a shared pedestrian, vehicular platform without incident in over 23 years of operation.*

*We understand that it is the intention of Council to delete the linked pathway to service the porte-cochere. This linked pathway provides strategic access to our porte-cochere and we strongly object to its removal. We believe that a redesign could deliver better outcomes including the removal of the 1m upstand wall, which would improve movement patterns.*

*We note that the layout of various elements proposed within the Albert Road Reserve will be dominated by the retention of the Windsor Oak tree, the difficult repositioning of the South African Soldiers Memorial and various station entries. A redesign which considers the repositioning of the tree, station entries and mitigating the level differences within the enlarged reserve should offer better outcomes including the freeing-up of space to the south area around the forecourt of The Domain to avoid conflict.”*

#### **OFFICER COMMENT**

The Petition received from 1 Albert Road, *The Domain* dated 8 December 2017 was made to Council in response to the *draft Development Plan for the Melbourne Metro Tunnel Domain Precinct* released by the Melbourne Metro Rail Authority (MMRA) on 27 November 2018.

Key issues raised in the petition relate to:

1. Loss of car parking in the precinct resulting primarily from an increase in public open space within the Albert Road Reserve
2. The removal of the existing private vehicle access from St Kilda Road to the front of 1 Albert Road, *The Domain*, referred to as the Porte-Cochere.



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3. Support for relocation of the Windsor Oak to allow the South African Soldiers War Memorial to be centrally located within the Albert Road Reserve civic space.

On 13 December 2017, Council endorsed an officer's submission made in response to the *draft Development Plan for the Melbourne Metro Tunnel Domain Precinct*. The recommendations provided Council's in-principle support for the Development plan, subject to thirteen (13) conditions.

A number of the conditions relate to the issues raised in this petition:

- MMRA to undertake a traffic and parking impact assessment to ensure that the impact on the local streets and intersections is understood. The assessment to acknowledge the anticipated shift towards sustainable transport modes as a result of the Metro Tunnel Project.
- Redesign of the Albert Road Reserve civic space to locate the South African Soldiers Memorial (SASAM) in a position of prominence with a suitable open space for congregation specific to the Memorial and to the Satisfaction of Council addressing a range of concerns including exploration of the possibility for relocation of the Windsor Oak.
- Options to provide for alternative drop off facilities from St Kilda Road to the front of 1 Albert Road, noting that the existing vehicle access (Porte- cochere) is located on Crown Land and results in undesirable pinch points and conflict for pedestrians moving in and around the Station Precinct.

Officers have continued to work with Melbourne Metro Rail Authority (MMRA) and Cross Yarra Partnership (CYP) to address these concerns. In addition, Council has:

1. Commissioned and received an Arborist Report exploring the likely impact of relocating the Windsor Oak.
2. Continued discussions with MMRA and CYP on two design options of the civic space:
  - Option A Further design development of the concept design outlined in the *draft Development Plan*
  - Option B Requested and made an offer to co-fund an alternate design that locates SASAM in a central position within Albert Road Reserve resulting in relocation of the Windsor Oak.
3. Committed to scheduling a meeting with residents of 1 Albert Road, *The Domain* to explain how MMRA, CYP and Council has responded to concerns raised in the Petition.

## OFFICER RECOMMENDATION

That Council:

Receives and notes the Petition.

**TRIM FILE NO:** F18/1

**ATTACHMENTS** Nil



**5. SEALING SCHEDULE**

Nil

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**6. PUBLIC QUESTION TIME**

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**7. COUNCILLOR QUESTION TIME**



**9. PEOPLE AND COMMUNITY**

9.1 *Balaclava Precinct - Marlborough Street affordable housing - Heads of Agreement*.....73



**10. TRANSPORT AND PARKING**

Nil



## 11. SUSTAINABILITY

11.1	<i>Sustainable City Community Action Plan</i> .....	121
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**12. PLANNING**

Nil





**13. ARTS, CULTURE & ECONOMIC DEVELOPMENT**

Nil



## 14. ORGANISATIONAL PERFORMANCE

14.1	<i>City of Port Phillip Submission to the Draft Local Government Act Bill</i>	157
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**15. NOTICES OF MOTION**

Nil



**16. REPORTS BY COUNCILLOR DELEGATES**

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**17. URGENT BUSINESS**