



**ORDINARY
MEETING OF
COUNCIL**

AGENDA

19 SEPTEMBER 2017

Ordinary Meeting of Council

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 in **St Kilda Town Hall** on **Tuesday, 19 September 2017 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 6 September 2017.
- 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 REPORTS**
 - 8.1 *J.L. Murphy Reserve Pavilion upgrade - presentation of concept design and community engagement 13*
 - 8.2 *Closure of Ferrars St (northern section), Gladstone St (eastern section) and Railway Place (northern section) 23*
 - 8.3 *Endorsement for Port Phillip to be a signatory to the Age-Friendly Victoria Declaration. 31*
 - 8.4 *47 Lansdowne Road, St Kilda East..... 35*
 - 8.5 *253-257 Normanby Road, South Melbourne 65*
 - 8.6 *Consideration of Panel Recommendations and Adoption of Amendment C122 - St Kilda Road South 111*
 - 8.7 *Melbourne Renewable Energy Project (MREP) 129*
- 9 NOTICES OF MOTION 135**
- 10 REPORTS BY COUNCILLOR DELEGATES**
- 11 URGENT BUSINESS**



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The information contained in the following Council reports is considered to be Confidential Information in accordance with Section 77(2)(a) and Section 89(2) of the Local Government Act 1989 (as amended).

12.1 Melbourne Renewable Energy Project (MREP)



3. DECLARATIONS OF CONFLICTS OF INTEREST



4. PETITIONS AND JOINT LETTERS

Item 4.1

An electronic Petition was received from Nick Aboukhater on 28 August 2017 from 11 signatories requesting a review of the rubbish bin storage by-law.

The Petition states the following:-

“We hope to see amended, the storage of rubbish bins By-Law. For many years, new planning applications have required bins to be stored in a matter not visible from the street. Surely, to be fair, and to improve the amenity of our municipality, it would not be unreasonable to require the same of all properties, where possible.”

OFFICER COMMENT

Council has recently reviewed its Principal Local Law No.1 (Community Amenity) to enhance and improve the clarity of some clauses and to develop some new clauses to enable Council to more effectively respond to local issues and enforce compliance. This will assist Council to protect the safety and amenity of the community. A section 223 process was recently conducted in accordance with the Local Government Act 1989 and Council will hear and consider submissions made during the section 223 process at its Ordinary Meeting on 4 October 2017, ahead of adopting any proposed amendments to its Principal Local Law No.1. Given this petition was received during the section 223 process and it directly pertains to the Local Law in Clause 36 *Domestic Waste and Recyclable Materials* regulating the storage and care of waste bins and Clause 57 *Allowing land to be kept in a dangerous or unsightly manner* this petition could be considered as a submission to the Local Law.

OFFICER RECOMMENDATION

That Council:

- Considers this petition be included as a submission to the review of the City of Port Phillip’s Principal Local Law No.1 (Community Amenity); and
- Invites Mr Nick Aboukhater to attend the meeting and speak to his submission at the Ordinary Meeting of Council on 4 October 2017.



5. SEALING SCHEDULE

Nil



6. PUBLIC QUESTION TIME



7. COUNCILLOR QUESTION TIME



8. PRESENTATION OF REPORTS

8.1	<i>J.L. Murphy Reserve Pavilion upgrade - presentation of concept design and community engagement</i>	13
8.2	<i>Closure of Ferrars St (northern section), Gladstone St (eastern section) and Railway Place (northern section)</i>	23
8.3	<i>Endorsement for Port Phillip to be a signatory to the Age-Friendly Victoria Declaration.</i>	31
8.4	<i>47 Lansdowne Road, St Kilda East</i>	35
8.5	<i>253-257 Normanby Road, South Melbourne</i>	65
8.6	<i>Consideration of Panel Recommendations and Adoption of Amendment C122 - St Kilda Road South</i>	111
8.7	<i>Melbourne Renewable Energy Project (MREP)</i>	129



9. NOTICES OF MOTION

I, Councillor Bernadene Voss, give notice that I intend to move the Motion outlined below at the Ordinary Meeting of Council on 19 September 2017:

That Council:-

1. Endorses the appointment of a full time Graffiti Management Officer to:
 - Develop a new Graffiti Management Plan for the Port Phillip City Council which would include the establishment of a community reference group to assist with the development of the new Graffiti Management Plan.
 - Represent Port Phillip Council on the Municipal Association of Victoria Graffiti Working Group which will focus on a coordinated partnership approach to the management of graffiti which will be comprised of representatives from local government, the Municipal Association of Victoria, Victoria Police, Metro Trains, Public Transport Victoria, VicTrack, V/Line , Yarra Trams and the Department of Justice and Regulation.
 - Work with the Department of Justice and Regulation to establish a Community Correctional Service - Graffiti Removal Program in the City of Port Phillip.
 - Develop, identify and implement opportunities for increased education and engagement to prevent graffiti.
2. Notes that the City of Port Phillip's Street Art Program has been successful in reducing graffiti in hot spot areas and agrees to increase the current Street Art Program from five murals to ten per annum.
3. Notes the additional cost of implementing these actions will be \$135,000, which would be \$105,000 for a full time Graffiti Management Officer and \$30,000 to increase the Street Art Program.

Supporting Information

Graffiti is an ongoing and increasing community issue that is problematic to both private and public property owners. As an inner city council, City of Port Phillip is subject to frequent graffiti attacks and to date eradication has been the Councils' primary strategy to address graffiti.

Through external contractors, the Council currently removes graffiti from Council buildings and assets as well as on privately owned residential and commercial buildings where permission to remove has been obtained. Graffiti removal kits are also provided to the community at no cost, on average the community uses 100 kits per year. The total cost for removal across all Council programs is currently \$381,000 per year. Within Council's existing resources, there is not capacity to effect a measureable change on our current service level.

Council also implements a prevention strategy through the Street Art Program where graffiti hot spots are identified and new murals are commissioned at those locations. This program has been very successful in reducing tagging and Council currently spends \$30,000 per year on this program.

Approximately 1,270 graffiti removal requests are received each year, with an increase in requests



occurring over the last three years (from approximately 1,100 requests in 2014 to 1,300 requests in 2016) and also a notable increase in the amount of graffiti removed each year (2014 – 22,354sqm, 2015 – 23,006sqm, 2016 – 27,310sqm, 2017 to June – 16,227sqm).

There has also been an increase in repeat aggressive graffiti attacks on high profile sites which are more difficult and take longer to remove and, as a consequence, results in extended wait times for other graffiti removal works. Under the current demands for graffiti removal, the turnaround time is 10 days.

Other state owned and service authority owned assets not within Council's control typically have lower service levels and irregular turnaround times for graffiti removal. This is an identified issue as there is a known link between the fast removal of graffiti and the reduction of attacks. The lack of attention to the removal of graffiti from these other state owned public assets is also causing increasing frustration within the community who want the graffiti removed quickly.

Approaches that other similar councils use include:

- Operating a Department of Justice Community Correction Service program, where by a team of 11 people (offenders) attend a site agreed to by a Council either one day a week or fortnightly for six hours where they then clean graffiti. Whilst this program would not result in a reduction of the amount of money Council spends on graffiti removal it would likely act as a deterrent to other offenders.
- Employing a full time person to coordinate and work across agencies, coordinate, develop, monitor, evaluate, promote and support various graffiti removal and prevention strategies and coordinate the implementation of their graffiti management plans.



I, Councillor Dick Gross, give notice that I intend to move the Motion outlined below at the Ordinary Meeting of Council on 19 September 2017:

That Council:-

Submits the following motion to the 20 October 2017 Municipal Association of Victoria (MAV) State Council meeting:

- I. That the MAV negotiate with all public asset owners to improve graffiti removal service levels (either directly or by contracting individual councils to do on their behalf) to a level consistent with community expectations, and report back to a future MAV State Council on the result.

Supporting Information

Eradication is a key strategy within graffiti management and focuses on reducing the satisfaction an offender experiences by seeing their 'work'. Fast removal reduces this 'benefit'. Conversely, when tagging is not removed quickly or at all, it encourages further tagging of the site.

However, a major issue for many municipalities is that the cleaning of third party assets (such as those owned by VicRoads, VicTrack, utilities, Yarra Trams, Australian Post etc.) is irregular and inadequate, with requests for removal often taking months. Negotiation on ways to improve service levels have been difficult when conducted by a single council due to a lack of leverage.

Each municipality has its own service standards. For example, the City of Port Phillip's Graffiti Management Plan 2013-2018 has a 10 business day turnaround for removal requests on Council, residential and commercial properties. Having an inconsistent response from different asset owners is frustrating and confusing to the community. The community don't differentiate between authorities and just think it is councils not doing their job, which reflects poorly on local government generally.

CoPP wishes for the MAV to negotiate with all public asset owners on behalf of municipal councils to improve graffiti removal service levels, specific to response times. This motion would address the issue of leverage by advocating with public asset owners on behalf of all affected councils.



I, Councillor Louise Crawford, give notice that I intend to move the Motion outlined below at the Ordinary Meeting of Council on 19 September 2017:

That Council:-

1. Welcomes the State Government's Victorian Renewable Energy Targets (VRET) and supports passage of the legislation in the Victorian Parliament.
2. Notes the VRET initiative will assist the municipality in reducing its carbon footprint and attracting local investment in renewable energy.
3. Calls on the Minister for Energy, Environment and Climate Change and the Shadow Minister for Renewables to work together to deliver this legislation.

Supporting Information

The energy sector is undergoing a transition as investment moves away from coal, oil and gas towards clean sources of energy including wind, solar and energy storage.

The Victorian Renewable Energy Targets aim to see at least 25 percent of the state's power generation capacity coming from renewable energy sources by 2020 and 40 per cent by 2025.

The initiative is expected to secure up to 5,400 megawatts of new wind and solar farms, attract as much as \$9 billion worth of investment to the state, create up to 11,000 jobs, cut electricity sector carbon emissions by 16% by 2034-35, and play a critical role in assisting with the State's energy transition.

The initiative will assist the Victorian renewable energy industry to overcome barriers to securing long-term future revenue that will enable the attainment of project finance.

By building affordable new energy supply the VRET is expected to cut energy bills for households by \$30 a year, \$2,500 a year for medium businesses and \$140,000 a year for large businesses.



I, Councillor Marcus Pearl, give notice that I intend to move the Motion outlined below at the Ordinary Meeting of Council on 19 September 2017:

That Council:-

1. Requires that any Councillor travel interstate or overseas for Council business and / or where the City of Port Phillip is being requested to pay for or reimburse any part of the travel must request approval from the Council at a Council Meeting.
2. Amends its Councillor Support and Expense Reimbursement Policy to delete reference to the Chief Executive Officer (or delegate) having the power to authorise domestic air or rail travel.
3. Requires that the Councillor request must include: the destination(s), travel dates, reason for travel, a clear explanation of the benefits of the proposed travel to the City of Port Phillip community, and the costs of the travel.
4. Within 8 weeks of return from the approved travel, the Councillor must, at a Council Meeting, present a summary of the travel, including the benefits of the travel for the City of Port Phillip.

Supporting Information

Increasing the transparency of Councillors travel that is funded by ratepayers is intended to improve the trust we have with our community.

I therefore urge my fellow Councillors to support this motion.



10. REPORTS BY COUNCILLOR DELEGATES



II. URGENT BUSINESS



12. CONFIDENTIAL MATTERS

RECOMMENDATION

That in accordance with Section 77(2)(a) of the Local Government Act 1989 (as amended), the meeting be closed to members of the public in order to deal with the following matters, that are considered to be confidential in accordance with Section 89(2) of the Act, for the reasons indicated:

12.1 Melbourne Renewable Energy Project (MREP)

The information in this report is considered to be confidential in accordance with the Local Government Act 1989 (as amended), as it relates to:

89(2)(d). Contractual matters.

