



ORDINARY MEETING OF COUNCIL

MINUTES

21 JUNE 2017



MINUTES OF THE ORDINARY MEETING OF THE PORT PHILLIP CITY COUNCIL HELD 21 JUNE 2017 IN ST KILDA TOWN HALL

The meeting opened at 6:31pm.

PRESENT

Cr Voss (Chairperson), Cr Baxter, Cr Bond, Cr Brand, Cr Copsey, Cr Crawford, Cr Pearl, Cr Simic.

IN ATTENDANCE

Peter Smith Chief Executive Officer, Claire Ferres Miles General Manager Place Strategy and Development, Vanessa Schernickau Acting General Manager Community Development, Fiona Blair General Manager Infrastructure and Amenity, Chris Carroll General Manager Organisational Performance, George Borg Manager City Development, Joanne McNeill Manager Asset Management & Property, Anthony Traill Manager Open Space & Recreation, Brett Walters Manager Sustainability and Transport, John Coates Coordinator Parking Enforcement, John Bartels Coordinator Sustainable Transport, Melissa Harris Executive Manager Service & Business Process Improvement, Steven Ross Project Manager Service & Business Improvement, Peter Liu Coordinator Management Accounting & Financial Analysis, Donna D'Alessandro Planning Coordinator Gateway Ward, Aidan Robinson Principal Planner, Wayne Moore Coordinator Contracts, Procurement and Fleet, Mark Thompson Coordinator Enterprise Asset Management.

The City of Port Phillip respectfully acknowledges the Yalukit Willam Clan of the Boon Wurrung. We pay our respect to their Elders, both past and present. We acknowledge and uphold their continuing relationship to this land.

I. APOLOGIES

Moved Crs Simic/Pearl

That an apology was received and a leave of absence granted to Cr Gross.

A vote was taken and the MOTION was CARRIED unanimously.



2. CONFIRMATION OF MINUTES

Moved Crs Bond/Simic

That the minutes of the Ordinary Meeting of the Port Phillip City Council held on 7 June 2017 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.



3. DECLARATIONS OF CONFLICTS OF INTEREST

Cr Pearl declared an indirect financial interest in Item 8.8.



4. PETITIONS AND JOINT LETTERS

Item 4.1 Traffic Calming Measures in Tennyson Street, Elwood

A Petition was received on 19 May 2017 from 68 signatories requesting traffic calming in Tennyson Street, Elwood.

Moved Crs Bond/Baxter

That Council:

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

A vote was taken and the MOTION was CARRIED unanimously.



Item 4.2 St Kilda Seabaths Roof Terrace

The following speaker made a verbal submission in relation to this item:

Alan West

- Stated the petition was started on 2 April 2017, has been running for 11 weeks and has, so far, collected over 900 signatures.
- Stated the current owner of the Seabaths, which is built on Crown Land, agreed with Council that the Roof Terrace would be public open space. Now they are requesting to use half the public space with a liquor licence for 300 people.
- Stated it was fortunate that the Councillors who have gone before you have seen fit to leave the legacy of public open space on Crown Land, which is open to everyone, rich or poor, where young and old can gather and where alcohol is not sold.
- Hoped the legal team were being briefed not to compromise public space, to maintain it in its entirety and not gifting any part of the public space to any private operator.

An electronic Petition was received on 1 June 2017 from 673 signatories requesting the St Kilda Seabaths Roof Terrace remain totally as public space.

Moved Crs Copsey/Pearl

That Council:

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

A vote was taken and the MOTION was CARRIED unanimously.



5. SEALING SCHEDULE

Nil.



6. PUBLIC QUESTION TIME

Milo Matthews

- Attends St Kilda Primary School and has recently been involved in the Creatures of the Bay exhibition which is showing at Gasworks Arts Park.
- Milo thinks we should not use plastic because some people don't put rubbish in the bin and when it rains all the rubbish goes into the drains and comes out in the ocean and can hurt or kill a lot of things like plants and sea animals.
- To help the environment Milo went to Elwood Beach with the beach patrol and picked up a lot of rubbish and with the rubbish made sea creatures.

The Mayor, Cr Bernadene Voss, thanked Milo for his presentation.

Teresa Warren

- Asked if it was possible that a better working relationship can be developed between Council and the Department of Health and Human Services (DHHS) especially Clarendon Street housing office, so that the pits in St Lukes Street be cleaned when they should be and that no more clothing bins are installed at the end of St Lukes Street?

The Mayor, Cr Bernadene Voss, stated the question would be taken on notice.



7. COUNCILLOR QUESTION TIME

Cr Pearl asked, in relation to the public notice for the sale of land for the Pride Centre, why is it being sold for \$1.00 to a limited liability company rather than lease the land over the twenty year period to ensure the land stays in public hands? And what will happen to the land after twenty years?

The Mayor, Cr Bernadene Voss, deferred to Ms Joanne McNeill, Manager Asset Management & Property, who responded that Council's bid for the Pride Centre had included the sale of land and was based on the response to the invitation for Expressions of Interest, which included a very strong preference for freehold land and so the decision was made in order to make a competitive bid. This decision is supported by a strategic business case that was developed that indicated was in the realm of \$13 million return on investment over a twenty year period was around \$46 million.

After twenty years the Victorian Pride Board has the opportunity to then revise how they use the land but Council put the proviso in that for twenty years they were to use the land for a Pride Centre specifically.

Cr Simic asked if Council was consulted prior, with regard to the alternative to pill testing which was announced by State Government over the weekend, the new stop and search powers?

The Mayor, Cr Bernadene Voss, deferred to Ms Vanessa Schernickau, Acting General Manager Community Development, who responded that Council had not been asked to respond specifically to Police powers however on 8 March 2017 Council endorsed a submission to the State Government on drug law reform in which we made recommendations to drug harm minimisation.

Cr Pearl asked when the parking metres installed around business areas of St Kilda Road will be installed with credit card or Apple pay facilities?

The Mayor, Cr Bernadene Voss, deferred to Ms Fiona Blair, General Manager Infrastructure and Amenity, who responded that there will be upgrades to parking machines in the St Kilda Road area as part of the upgrade we are doing by October this year.

Cr Voss asked what evidence do we have that opening the road at the corner of Ferrars Street and City Road to two way traffic will not increase the rat running to avoid the Montague intersection, a restriction which was originally put in there to stop the rat running?

Mr Anthony Traill, Manager Open Space and Recreation, responded that VicRoads are currently delivering a traffic control on the intersection of City Road and Ferrars Street which has been installed to help with the construction activity in Montague precinct, including the building of the Ferrars Street School and community facilities. The two way entry is required because we are expecting a lot more vehicle traffic when the school opens and other community facilities have been activated, so that people can get in and out of the Montague Precinct safely. The likelihood of rat running is possible with the reintroduction of the two way traffic at this intersection. Council considered higher traffic volumes, including rat running, during the adoption of the scope for the streetscape and Montague Park which we have some measures in place, which are, narrowing the roads, multiple school drop off zones, reducing the speed limits, intersection treatments, pedestrian crossings and having good temporary road treatments when the school opens. We will be monitoring and working with VicRoads around the issue of rat running, including consideration of signal control adjustments to control traffic volumes and movements into and out of the Montague precinct.



8. PRESENTATION OF REPORTS

Discussion took place in the following order:

- 8.4 Integrated Transport Strategy: Paid Parking Policy Update
- 8.1 Council Plan 2017-27 and Budget 2017/18: Adoption
- 8.2 Declaration of Rates and Charges 2017/18
- 8.5 31 Queens Road, Melbourne
- 8.3 Cultural Development Fund Grant Recommendations
- 8.6 Amendment C132 - 26 Stokes Street Heritage Overlay - Consideration of Panel Report and Adoption of Amendment
- 8.7 Procurement Policy and Financial Delegations Update
- 8.8 Annual Insurance Renewals 2017/2018
- 8.9 Palais Theatre - Community Fund Committee and Community Advisory Committee - Terms of Reference
- 8.10 Road Management Plan Review
- 8.11 Asset Management Policy

**8.4 INTEGRATED TRANSPORT STRATEGY: PAID PARKING POLICY UPDATE****Purpose**

This report is the first of a series that will be required to consider progressive topics within the Integrated Transport Strategy development. The first to be considered in detail is the proposal to create a new Paid Parking Policy, its relationship to other parking management mechanisms and how changes can be implemented over time.

Moved Crs Bond/Pearl

That Council:

- 1.1 Notes the progress update on the development of the Integrated Transport Strategy.
- 1.2 Notes that a Council report on a Strategic Business Case for paid parking technology procurement and implementation will be presented at a future Council meeting for decision.
- 1.3 Endorses the draft paid parking objectives, triggers for reviewing parking controls and paid parking policy table as the basis for a Paid Parking Policy as part of Council's proposed Parking Management Plan.
- 1.4 Notes the following changes to paid parking operations to be introduced from 1 July 2017 for a full year and subsequently reviewed:
 - 1.4.1 Waterfront Place – Paid parking pricing discount from pricing tier A (\$5.20/hr) to pricing tier C (\$1.80/hr), and maximum / daily rate changing from \$12.60 to \$8.50, from April through to September inclusive and pricing tier B (\$3.80 per hour) from October through to March inclusive (1 July 2017 to 30 June 2019).
 - 1.4.2 South Melbourne – Removing the 10 minutes free parking to provide consistent municipal wide application.
 - 1.4.3 Fitzroy Street Precinct (inclusive of side streets) – paid parking pricing discount from pricing tier B (\$3.80/hr) to pricing tier C (\$1.80/hr), and maximum / daily rate changing from \$12.60 to \$8.50, from April through to September inclusive and pricing tier B (\$3.80 per hour) from October through to March inclusive (1 July 2017 to 30 June 2019).



- 1.5 Informs the local community and implements on-street paid parking within the Sandridge and Montague neighbourhoods, supported by the introduction of appropriate time based controls between Boundary Street and Bridge Street north of Williamstown Road bounded by Ingles, Evans and Bridge Streets to protect residential access to parking.
- 1.6 Notes that as a result of Recommendation 1.4 there is expected to be reduced income for Council of approximately \$150,000 excluding GST for the 12 month period during 2017/18. Changes in income for other areas will be calculated and reported on a financial quarterly basis.

A vote was taken and the MOTION was CARRIED.

Cr Bond requested a DIVISION.

For	Against
Cr Crawford	Cr Baxter
Cr Pearl	Cr Simic
Cr Voss	Cr Copsey
Cr Bond	
Cr Brand	

A vote was taken and the MOTION was CARRIED.

Cr Pearl left the Chamber at 7.32pm.
Cr Pearl returned to the Chamber at 7.33pm.



8.1 COUNCIL PLAN 2017-27 AND BUDGET 2017/18: ADOPTION

The following speaker made a verbal submission in relation to this item:

Charles Baré

- Stated he was speaking on behalf of the West St Kilda Residents Association (WSKRA) which has been tirelessly facilitating communication in our neighbourhood for eighteen years on a vast range of issues.
- Stated WSKRA had made a submission in relation to the Council Plan and spoke on one aspect of the submission which is where is West St Kilda. One boundary is Beaconsfield Parade and the Light Rail Line, and the other boundary has always been considered to be West Beach Road and Fraser Street.
- However the Council Plan divides the West St Kilda community, with about 40% of West St Kilda included with Middle Park and Albert Park and rest in with St Kilda and a bit of Elwood.
- Stated these neighbourhoods concerns have very little in common with West St Kilda, and the residents there most emphatically do not identify with areas East of Fitzroy Street, nor with Elwood or Albert Park.

Purpose

To seek Council's adoption of the Council Plan, which includes the Strategic Resource Plan, the Municipal Health and Wellbeing Plan and the Budget 2017/18.

Moved Crs Simic/Brand

That Council:

- 1.1 Having considered all the submissions received and heard at the Ordinary Meeting of Council on 7 June 2017, make changes to the Council Plan and Budget 2017-27 as outlined in Attachment 3.
- 1.2 Adopts the final Council plan 2017-27 (Attachment 1), which includes the Strategic Resource Plan 2017-27, the Municipal Public Health and Wellbeing Plan 2017-21 and the Budget 2017-18, pursuant to ss125-127 of the Local Government Act 1989, and s27 of the Public Health and Wellbeing Act 2008 subject to the Council Plan 2017-27 and Budget 2017/18 and related documents being adjusted by the CEO to incorporate the decision of Council tonight on agenda item 8.4 regarding paid parking, to reflect an anticipated further reduction of revenue during 2017/18 and 2018/19.
- 1.3 Responds in writing to those that have made written submissions, to advise them of the outcome of Council's decision as set out in Attachment 2.



- 1.4 Delegates authority to the Chief Executive Officer to reflect any changes made by Council at tonight's meeting, which are not reflected in the document in Attachment 1, and to make minor typographical corrections before final publication.
- 1.5 Notes that the adopted document will be sent to the Minister for Local Government before 19 July 2017.

A vote was taken and the MOTION was CARRIED unanimously.

**8.2 DECLARATION OF RATES AND CHARGES 2017/18****Purpose**

To seek Council's declaration of the rates and charges of the City of Port Phillip for 2017/18 in accordance with the provisions of *Section 158 of the Local Government Act 1989*.

Moved Crs Bond/Baxter

That Council:

- 1.1 Declares an amount of \$120,123,130 to be raised by general rates and service charges for the period 1 July 2017 to 30 June 2018, as required by *Section 158 of the Local Government Act 1989*.
- 1.2 Declares a uniform general rate in the dollar of 3.9287 cents in the dollar on the 2016 Net Annual Value of all rateable properties within the municipality.
- 1.3 Declares an annual garbage charge of \$260 per tenement on all non-rateable properties that receive waste management services from the City of Port Phillip.
- 1.4 Declares an annual garbage bin surcharge of \$120 for tenements that are provided with a 240 litre bin for the collection of non-recyclable waste.
- 1.5 Declares the properties on Attachment 1 to be "Recreational Lands" and that the level of charges for these properties be set in accordance with percentages of the general rate also shown on Attachment 1.
- 1.6 Grants a rebate equivalent to half the general rate for the elderly persons flats as outlined in Attachment 2, in accordance with the agreement between Council and the Ministry of Housing.
- 1.7 Subject to the consent of the Minister for Local Government, treats any person(s) who has been excused the prescribed amount of the general rate for the year ending 30 June 2017 in accordance with the *State Concessions Act 2004* as being similarly eligible for 2017/18.
- 1.8 Grants a Council rebate of \$160 (maximum) to those persons who satisfy eligibility requirements noting that the total value of the combined State Government rebate (maximum \$223.80) and Council rebate will not exceed 50% of the general rate payable for the financial year.
- 1.9 Adopts the penalty interest rate in accordance with the *Penalty Interest Rates Act 1983* at the prescribed rate (10%) as at 1 July 2017 fixed by the Governor in Council for general rates and charges that remain unpaid after the payment dates prescribed by the Governor in Council.
- 1.10 Confirms the previously declared special rate schemes for 2017/18:



Special Rate Scheme	Annual Amount
Port Melbourne Business Precinct Marketing, Management and Business Development	Maximum \$260,000
Fitzroy Street and Environs Business Precinct Marketing, Management and Business Development	Maximum \$197,000
St Kilda Village Business Precinct Marketing, Management and Business Development	Maximum \$195,000

- I.11 Adopts the following payment dates and due dates:

Payment Type Description	Due Date	Interest from
Full payment	15 Feb, 2018	Same as instalments
1 st Instalment	30 Sept, 2017	1 October, 2017
2 nd Instalment	30 Nov, 2017	1 December 2017
3 rd Instalment	28 Feb, 2018	1 March, 2018
4 th Instalment	31 May, 2018	1 June, 2018

- I.12 Authorises the Coordinator Revenue, Valuations and Accounting Services to collect all rates and charges and the Fire Services Property Levy.

A vote was taken and the MOTION was CARRIED unanimously.

Cr Baxter left the Chamber at 8.43pm.
Cr Baxter returned to the Chamber at 8.45pm.

**8.5 31 QUEENS ROAD, MELBOURNE****Purpose**

Construction of a 16 storey building and three basement levels containing 155 dwellings and a roof top terrace level and a reduction in visitor car parking requirements.

Moved Crs Bond/Baxter

- 14.1 That the Responsible Authority, having caused the application to be advertised and having received and noted the objections, issue a Notice of Decision to Grant a Permit.
- 14.2 That a Notice of Decision to Grant a Permit be issued for construction of a multi-storey building and a reduction in car parking requirements at 31 Queens Road, Melbourne.
- 14.3 That the decision be issued as follows:

1 Amended Plans Required

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 drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted with the application (identified as those drawn by Plus Architecture and received by Council 23 September 2016) but modified to show:

- a) The building height (excluding plant and lift overrun) reduced to a maximum of 40m above natural ground level.
- b) The building, including all balconies and the gas and water service structures on the ground floor, setback a minimum of 4.5m from the side boundaries of the site.
- c) A pedestrian entry point to the Queens Road frontage of the building.
- d) The retention of the existing Lemon Scented Gum Trees identified at Trees 10, to 12 identified in the Arboricultural Construction Impact Assessment Report by Greenwood Consulting Pty Ltd, Dated 15 September 2016.
- e) Screening of habitable windows and/or balconies to prevent direct views into habitable windows of any adjoining dwellings at 30 and 32 Queens Road within 9m of these proposed balconies and/or habitable windows. Where louvre or batten screening is to be used, cross section elevation drawings of the screens must be submitted to and approved by the Responsible Authority. The drawings must:



- Be drawn to scale and fully dimensioned;
- Clearly delineate any solid parts of the screen and any louvre or batten parts of the screen;
- Clearly illustrate how any louvre or batten system may allow horizontal or upward views but will prevent downward views to neighbouring properties;
- Show the exact width and thickness of each louvre or batten, the exact spacing between each louvre or batten and a section detail from behind the screen demonstrating that direct views of adjacent private open space are precluded, while allowing outlook horizontally and upward from the window.
- f) The location (other than the balcony) of clothes lines or drying rails within each apartment.
- g) A note acknowledging connection of rainwater tanks to toilets within the development.
- h) A full schedule of materials, finishes and paint colours, including colour samples (colour samples in a form that is able to be endorsed and held on file).
- i) The location of the loading area at the rear of the site.
- j) The provision of one additional visitor car space (10 spaces total) within the basement 01 level of the building.
- k) Any consequential changes to the development required as a result of the changes required by condition 1a) to 1e).
- l) Any changes required by Conditions 3, 4, 5, 8, 9, 11, 12, 13 and 16.
- m) All plant, equipment and domestic services (including air conditioning, heating units, hot water systems, etc.) which are to be located externally.
- n) All plan and elevation drawings fully dimensioned, including natural ground level, floor levels, and incremental and total wall and building heights and lengths, with heights to be expressed to Australian Height Datum (AHD) and/or reduced levels.

2 No Alterations

The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority, unless the Port Phillip Planning Scheme exempts the need for a permit.

3 Sustainable Management Plan

Before the development starts (other than demolition or works to remediate contaminated land) a Sustainable Management Plan that outlines proposed sustainable design initiatives must be submitted to, be to the satisfaction of and approved by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit and the project must incorporate the sustainable design initiatives listed.



4 Water Sensitive Urban Design

Before the development starts (other than demolition or works to remediate contaminated land) a Water Sensitive Urban Design Report that outlines proposed water sensitive urban design initiatives must be submitted to, be to the satisfaction of and approved by the Responsible Authority. The report must demonstrate how the development meets the water quality performance objectives as set out in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) or as amended.

When approved, the Report will be endorsed and will then form part of the permit and the project must incorporate the sustainable design initiatives listed.

5 Maintenance Manual for Water Sensitive Urban Design Initiatives (Stormwater Management)

Before the development starts (other than demolition or works to remediate contaminated land) a Maintenance Manual for Water Sensitive Urban Design Initiatives must be submitted to and approved by the Responsible Authority.

The manual must set out future operational and maintenance arrangements for all WSUD (stormwater management) measures. The program must include, but is not limited to:

- inspection frequency
- cleanout procedures
- as installed design details/diagrams including a sketch of how the system operates

The WSUD Maintenance Manual may form part of a broader Maintenance Program that covers other aspects of maintenance such as a Building User's Guide or a Building Maintenance Guide.

6 Site Management Water Sensitive Urban Design

The developer must ensure that:

- a) No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the site;
- b) All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system;
- c) The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the site.
- d) No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter the stormwater drainage system;
- e) The site is developed and managed to minimise the risks of stormwater pollution through the contamination of run-off by chemicals, sediments, animal wastes or gross pollutants in accordance with currently accepted best practice.



7 Walls on or facing the boundary

Before the occupation of the development allowed by this permit, all new or extended walls on or facing the boundary of adjoining properties and/or a laneway must be cleaned and finished to a uniform standard to the satisfaction of the Responsible Authority. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed also to the satisfaction of the Responsible Authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the Responsible Authority.

8 Urban Art Plan

Before the development starts (other than demolition or works to remediate contaminated land), an urban art plan in accordance with Council's Urban Art Strategy must be submitted to, be to the satisfaction of and approved by the Responsible Authority. The value of the urban art must be at least 0.5% of the total building cost of the development to the satisfaction of the Responsible Authority. Urban art in accordance with the approved plan must be installed prior to the occupation of the building to the satisfaction of the Responsible Authority.

9 Waste Management Plan

Before the development starts (other than demolition or works to remediate contaminated land), an amended Waste Management Plan based on the City of Port Phillip's Waste Management Plan Guidelines for Developments must be prepared by a Waste Management Engineer or Waste Management Planner to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must include reference to the following:

- A private on site waste collection provider.
- Land use type.
- The estimated garbage and recycling volumes for the whole development.
- Bin quantity, size and colour.
- The garbage and recycling equipment to be used.
- Collection frequency.
- The location and space allocated to the garbage and recycling bin storage area and collection point.
- The waste services collection point for vehicles.
- How tenants will be regularly informed of the waste management arrangements.
- Scaled waste management drawings.
- Signage.



Once submitted and approved, the waste management plan must be carried out to the satisfaction of the Responsible Authority.

10 SEPP NI

All air conditioning and refrigeration plant must be screened and baffled and/or insulated to minimise noise and vibration to ensure compliance with noise limits determined in accordance with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 to the satisfaction of the Responsible Authority.

11 Arborist Report

Before the development starts (other than demolition or works to remediate contaminated land), a report and plan by a suitably qualified Arborist to comply with AS 4970 - 2009 *Tree protection on development sites* setting out how the Trees 1, 5, 6, 8, 9 at 30 Queen Road, Melbourne and Trees 10, 11 and 12 at 30 Queen Road, Melbourne, as identified in the Arboricultural Construction Impact Assessment Report by Greenwood Consulting Pty Ltd, Dated 15 September 2016, will be protected during and after construction, must be submitted to, approved by and be to the satisfaction of the Responsible Authority. When approved the report and plan will be endorsed and form part of the permit. The tree protection measures outlined in the report must be complied with to the satisfaction of the Responsible Authority.

12 Noise Attenuation for Apartments

External traffic noise intrusion within apartment bedroom and living areas (upon completion; with furnishing within the spaces and with windows and doors closed) and measured in accordance with AS/NZS2107/2000 Acoustics – Recommended Design Sound levels and Reverberation Times for Building Interior shall comply with the following:

- a) Between 10pm and 7am in bedrooms areas must not exceed LAeq, 9hour 40dB(A);
- b) Between 7am and 10pm in living rooms must not exceed LAeq (15hour) 45dB(A).

13 Landscape Plan

Before the development starts (other than demolition or works to remediate contaminated land), an amended detailed Landscape Plan must be submitted to, approved by and be to the satisfaction of the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate:

- a) The retention of the existing Lemon Scented Gum Trees identified at Trees 10, to 12 identified in the Arboricultural Construction Impact Assessment Report by Greenwood Consulting Pty Ltd, Dated 15 September 2016.



- b) A survey plan, including botanical names, of all existing vegetation/trees to be retained;
- c) Buildings and vegetation (including botanical names) on neighbouring properties within 3m of the boundary;
- d) Significant trees greater than 1.5m in circumference, 1m above ground;
- e) All street trees and/or other trees on Council land;
- f) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways;
- g) Landscaping and planting within all open space areas of the site;
- h) Water sensitive urban design;
- i) Trees are not to be sited over easements.

All species selected must be to the satisfaction of the Responsible Authority.

14 Completion of Landscaping

The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.

15 Landscaping Maintenance

The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.

16 Green Transport Plan

Before the development starts (other than demolition or works to remediate contaminated land), a green travel plan to the satisfaction of the Responsible Authority, prepared by a suitably qualified professional, must be submitted to and approved by the Responsible Authority. The green travel plan must provide detailed advice regarding how traffic movements will be managed and ensure an alternative, non-private vehicle transport modes will be encouraged. The plan should also identify specific opportunities for the provision of more sustainable transport options and encouragement of their use. The plan must include but not be limited to:

- a) Tram, train and bus timetables be installed in prominent locations in lifts and public areas (on noticeboards, etc.);
- b) Bicycle parking areas to be installed in well secured and prominent locations;
- c) Install signs in prominent locations advising of the location of existing share car schemes, bicycle parking facilities for residents and visitor, tram stops, taxi ranks, railway stations, bus stops and bicycle paths.
- d) Ensure that access to the on-site parking is restricted and controlled.



- e) Funding by the applicant of the purchase of a bicycle as part of the sale for each of the apartments.
- f) Establishment of a car-pooling database for residents
- g) Establishment of seed funding for the Owners Corporation to allocate for the purchase of public transport fares and on-line shopping deliveries.
- h) Specific targets to guide the plans ongoing implementation;
- i) Identify persons responsible for the implementation of actions;
- j) Estimate timescales and costs for each action;
- k) Include a plan for monitoring and review of the Travel Plan on an annual basis for at least three years.

17 Number of Dwellings

Without the further written consent of the Responsible Authority, no more than 155 dwellings may be constructed on the land.

18 Parking and Loading Areas Must Be Available

Car and bicycle parking and loading areas and access lanes must be developed and kept available for those purposes at all times and must not be used for any other purpose such as storage to the satisfaction of the Responsible Authority.

19 Lighting

External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

20 No equipment or services

Any plant, equipment or domestic services visible from the primary street frontage (other than a lane) or public park must be located and visually screened to the satisfaction of the Responsible Authority.

21 Vehicle Crossings

Before the occupation of the development allowed by this permit, vehicle crossings must be constructed in accordance with Council's current Vehicle Crossing Guidelines and standard drawings to the satisfaction of the Responsible Authority. All redundant crossings must be removed and the footpath, naturestrip, kerb and road reinstated as necessary at the cost of the applicant/owner and to the satisfaction of the Responsible Authority.

22 Vehicle Crossings – Removal

Before the occupation of the development *allowed by this permit*, all disused or redundant vehicle crossings must be removed and the area re-instated with footpath, nature strip and kerb and channel at the cost of the applicant/owner and to the satisfaction of the Responsible Authority.

23 Applicant to Pay for Reinstatement

Before the occupation of the development *allowed by this permit*, the applicant/owner must do the following things to the satisfaction of the Responsible Authority:



- a) Pay the costs of all alterations/reinstatement of Council and Public Authority assets necessary and required by such Authorities for the development.
- b) Obtain the prior written approval of the Council or other relevant Authority for such alterations/reinstatement.
- c) Comply with conditions (if any) required by the Council or other relevant Authorities in respect of alterations/reinstatement.

24 Public Services

Before the occupation of the development *allowed by this permit*, any modification to existing infrastructure and services within the road reservation (including, but not restricted to, electricity supply, telecommunications services, gas supply, water supply, sewerage services and stormwater drainage) necessary to provide the required access to the site, must be undertaken by the applicant/owner to the satisfaction of the relevant authority and the Responsible Authority. All costs associated with any such modifications must be borne by the applicant/owner.

25 Car Parking Allocation

Without the further written consent of the Responsible Authority car parking for the approved development must be allocated on any Plan of Subdivision as follows:

- One car space for each one and two bedroom apartment;
- A minimum of two car spaces for each apartment with three or more bedrooms;
- Not less than nine (9) visitor spaces held in common property;

All to the satisfaction of the Responsible Authority.

26 Visitor Car Parking

The number and location of visitor car parking spaces as shown on the endorsed plans may only be altered with the written consent of the Responsible Authority. Prior to the occupation of the building, all visitor car parking spaces must be line marked and designated as visitor car parking to the satisfaction of the Responsible Authority and must be designated as common property on any plan of subdivision.

27 On-Site Bicycle Parking

Before the development starts, bicycle racks must be provided on the land to the satisfaction of the Responsible Authority.

28 Privacy Screens Must be Installed

Privacy screens as required in accordance with the endorsed plans must be installed prior to occupation of the building and thereafter maintained to the satisfaction of the Responsible Authority.



29 Time for Starting and Completion

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

- a) The development is not started within two (2) years of the date of this permit.
- b) The development is not completed within two (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 or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started; and within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

30 Loading and Unloading

The loading and unloading of trucks including but not limited to waste, delivery and removalist vehicles must only be carried out on the subject land within the designated loading bay, as detailed on the endorsed plans, and must be conducted in a manner which does not cause any interference with the circulation and parking of vehicles on the land to the satisfaction of the Responsible Authority.

Permit Notes:

No Resident or Visitor Parking Permits

The owners and occupiers of the development allowed by this permit will not be eligible for Council resident or visitor parking permits.

Building Approval Required

This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Building Surveyor.

Building Works to Accord with Planning Permit

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.

Drainage Point and Method of Discharge

The legal point of stormwater discharge for the proposal must be to the satisfaction of the responsible authority. Engineering construction plans for the satisfactory drainage and discharge of stormwater from the site must be submitted to and approved by the Responsible Authority prior to the commencement of any buildings or works.



Other Approvals May be Required

This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of the City of Port Phillip or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.

Construction Management

All construction activities associated with the development must comply with the requirements of Council's Local Law No. 1 (Community Amenity) 2013.

Days and Hours of Construction Works

Except in the case of an emergency a builder must not carry out building works outside of construction hours:-

- Monday to Friday: 7.00am to 6.00pm; or
- Saturdays: 9.00am to 3.00pm.

An Out of Hours permit cannot be obtained for an appointed public holiday under the Public Holidays Act, 1993.

Significant Trees

This permit does not authorise the pruning or removal of any significant trees and/or removal of vegetation. A permit must be obtained pursuant to Local Law No. 1 (Community Amenity) 2013, Clause 44. For further information contact Council's City Permits unit on Ph: (03) 9209 6216.

Laneways to be Kept Clear

During the construction of the buildings and works allowed by this permit, the laneway(s) adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless the necessary permits have been obtained from Council's City Permits unit pursuant to Local Law No. 1 (Community Amenity) 2013.

Impact of Council and Neighbouring Trees

The proposed development must take into account any existing Council trees, and those on neighbouring properties, and take measures to limit the impact of existing trees on the proposed development. This may involve installation of a tree root barrier on the subject property or construction methods sufficient to withstand future tree root growth.

To limit the impact of the development on existing trees, protection measures in accordance with AS4970-2009 (Protection of trees on development sites) must be implemented during both demolition and construction. Measures may include temporary fencing, and mulching and irrigation of the fenced-off area, or engaging a project Arborist to oversee all tree protection. For further information please contact Council's Tree Management Officers, on 9209 6777.

A vote was taken and the MOTION was CARRIED unanimously.



8.3 CULTURAL DEVELOPMENT FUND GRANT RECOMMENDATIONS

Purpose

To present a list of recommended Cultural Development Fund grant recipients for 2017-18 for Council's consideration and approval.

Moved Crs Copsey/Crawford

That Council:

- 1.1 Endorses the Cultural Development Fund Committee recommendations, as per Attachment 1, for awarding the Cultural Development Fund grants for 2017-18.
- 1.2 Makes public the list of Cultural Development Fund grants 2017-18.

A vote was taken and the MOTION was CARRIED unanimously.

The Meeting was adjourned by the Mayor at 9.02pm.

The Meeting was resumed at 9.08pm.



8.6 AMENDMENT C132 - 26 STOKES STREET HERITAGE OVERLAY - CONSIDERATION OF PANEL REPORT AND ADOPTION OF AMENDMENT

Purpose

- To consider the report and recommendations of the independent Planning Panel appointed by the Minister for Planning to review Amendment C132 (26 Stokes Street, Port Melbourne – Permanent Heritage Controls).
- To determine whether to adopt Amendment C132 with changes to the individual citation (Citation No 2382) in the *Port Phillip Heritage Review* (incorporated document in the Planning Scheme) and request Ministerial approval.

Moved Crs Pearl/Bond

That Council:

- 1.1 Adopts Amendment C132 to the Port Phillip Planning Scheme, pursuant to Section 29 of the *Planning and Environment Act 1987* (the Act), with the changes detailed in Attachment 4.
- 1.2 Authorises the Chief Executive Officer (or delegate) to finalise the amendment documentation for Ministerial approval.
- 1.3 Submits the adopted Amendment C132, together with prescribed information, to the Minister for Planning for approval pursuant to Section 31 of the Act.
- 1.4 Advises the Minister for Planning that Council accepts all of the Panel's recommendations with changes to Amendment C132 reflected in documents submitted for approval.
- 1.5 Requests the Minister for Planning extend the interim heritage control applying to 26 Stokes Street, Port Melbourne until Amendment C132 is finalised (if necessary).
- 1.6 Writes to all submitters advising of Council's decision, and thanks them for their comments and interest in Amendment C132.

A vote was taken and the MOTION was CARRIED unanimously.



8.7 PROCUREMENT POLICY AND FINANCIAL DELEGATIONS UPDATE

Purpose

To outline the results of the annual review of the Procurement Policy and seek approval of the revised Procurement Policy.

Moved Crs Copsey/Simic

That Council:

- 1.1 Notes that the annual review of the Procurement Policy has been completed that facilitates increased efficiency, probity and sustainability.
- 1.2 Adopts the Procurement Policy 2017 (Attachment 1) with the following changes to paragraph 5.34:
 - 5.34 Wherever practical, for all procurement processes with a total contract value of \$1 million or greater, a representative from the Sustainability and Transport Department will be engaged in the development of tender specifications, and tenderers must complete the Corporate Social Responsibility Schedule including mandatory disclosure of whether a tendering entity has dealings with, or funds activities in the following industries:
 - Offshore detention
 - Tobacco
 - Fossil fuels energy generation or distribution
 - Gambling
 - Entertainment involving animals, including racing.
- 1.3 Requests that the Procurement Policy be brought back to Council for review within the next six months.

A vote was taken and the MOTION was CARRIED.

Crs Copsey requested a DIVISION.

For	Against
Cr Baxter	Cr Pearl
Cr Crawford	Cr Bond
Cr Simic	
Cr Voss	
Cr Brand	
Cr Copsey	

A vote was taken and the MOTION was CARRIED.



Cr Pearl declared an indirect financial interest in Item 8.8 and left the Chamber at 9.42pm

8.8 ANNUAL INSURANCE RENEWALS 2017/2018

Purpose

This report requests that Council approve the insurance renewals for Public & Products Liability and Professional Indemnity, Industrial Special Risks and Motor Vehicle/Fleet insurance categories for the 2017/18 financial year and requests Council authorise the CEO to finalise all matters associated with the 2017/18 insurance renewal.

Moved Crs Baxter/Bond

That Council:

- 1.1 Approves the following annual insurance renewal premiums as part of Tender No. 2075 for a total cost of \$1,122,023.86 (incl. GST) for 2017/18 from various parties as specified below via Council's broker, AON Risk Services Australia Ltd:
 - Industrial Special Risks (Lead) Berkshire Hathaway Ltd \$397,991.56
 - Public & Products Liability & Professional Indemnity (Lead) CGU Insurance Ltd \$564,668.04
 - Motor Vehicle (162 Units) CGU Insurance Ltd \$159,364.26
- 1.2 Authorises the CEO to finalise all matters and payments associated with 2017/18 insurance renewal.

A vote was taken and the MOTION was CARRIED unanimously.

Cr Pearl returned to the Chamber at 9.43pm.



8.9 PALAIS THEATRE - COMMUNITY FUND COMMITTEE AND COMMUNITY ADVISORY COMMITTEE - TERMS OF REFERENCE

Purpose

To seek Council's approval of the terms of reference for the two committees required to be established under the lease of the Palais Theatre.

Moved Crs Copsey/Pearl

That Council:

I.I Approves:

- the Palais Theatre Community Fund Committee Terms of Reference (attachment1);
- the Palais Theatre Community Advisory Committee Terms of Reference (attachment 2).

A vote was taken and the MOTION was CARRIED unanimously.



8.10 ROAD MANAGEMENT PLAN REVIEW

Purpose

To obtain Council endorsement of the Road Management Plan (Version 4) dated June 2017. Each incoming municipal Council must review its Roads Management Plan during the same period as it is preparing its Council Plan under the Local Government Act, 1989.

Moved Crs Copsey/Bond

That Council:

- 1.1 Notes the outcomes of the review of the Road Management Plan and adopts the new Road Management Plan (Version 4) (attachment 1) dated June 2017.

A vote was taken and the MOTION was CARRIED unanimously.



8.11 ASSET MANAGEMENT POLICY

Purpose

The report provides an overview of proposed changes to the Asset Management Policy and seeks Council's adoption of a revised Asset Management Policy.

Moved Crs Crawford/Copsey

That Council:

- 1.1 Notes that as part of the Council's commitment to achieving advanced asset management practice, a review of its asset management policy has been conducted.
- 1.2 Adopts the revised Asset Management Policy 2017 as included in Attachment I.

A vote was taken and the MOTION was CARRIED unanimously.



9. NOTICES OF MOTION

Nil.



10. REPORTS BY COUNCILLOR DELEGATES

Cr Baxter reported that the Friends of Suai/Covalima were sending an election monitoring delegation to the East Timor Parliamentary Elections early next month to monitor the democratic process.

Cr Crawford reported that Gasworks was about to re-open with upgraded theatres and gallery space on 11 July 2017 and that "Regenesis" which was outdoor sculpture in Acland Street has been relocated to Gasworks Park.



II. URGENT BUSINESS

Nil.



12. CONFIDENTIAL MATTERS

Moved Crs Bond/Pearl

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:

12.1 200 - 204 Wells Street, South Melbourne

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)(f). Legal advice.

A vote was taken and the MOTION was CARRIED unanimously.

The Meeting was closed to members of the public at 9.52pm.

The Meeting was reopened to members of the public at 9.57pm.

As there was no further business the meeting closed at 9.57pm.

Confirmed: 5 July 2017

Chairperson _____