



**ORDINARY  
MEETING OF  
COUNCIL**

**AGENDA**

**5 APRIL 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 **Port Melbourne Town Hall** on **Wednesday, 5 April 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 15 March 2017.*
- 3 DECLARATIONS OF CONFLICTS OF INTEREST**
- 4 PETITIONS AND JOINT LETTERS ..... 7**
- 5 SEALING SCHEDULE**  
*Nil*
- 6 PUBLIC QUESTION TIME**
- 7 COUNCILLOR QUESTION TIME**
- 8 PRESENTATION OF REPORTS**
  - 8.1 Ferrars St Education and Community Precinct Schedule and Approach ..... 19*
  - 8.2 Council Pledge to support Zoos Victoria's campaign to prevent the use of balloons outdoors.....33*
  - 8.3 CEO Report - Issue 32 April 2017 .....39*
  - 8.4 Integrated Council Plan 2017-21 - Community Engagement Process and Findings .....41*
  - 8.5 Port Phillip Older Persons Consultative Committee Member Appointments and Acceptance of Updated Terms of Reference.....49*
  - 8.6 Community Strengthening Grants Reference Committee Appointments.....55*
  - 8.7 Emerald Hill Proposed Namings .....61*
  - 8.8 Appointment of Acting Mayor .....71*
  - 8.9 Planning Permits Delegate Report - February 2017.....73*
- 9 NOTICES OF MOTION**  
*Nil*
- 10 REPORTS BY COUNCILLOR DELEGATES**
- 11 URGENT BUSINESS**

**AGENDA - ORDINARY MEETING OF COUNCIL - 5 APRIL 2017**



**12 CONFIDENTIAL MATTERS .....79**

*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).*

- 12.1 279 Graham Street, Port Melbourne: *The purpose is for Council to decide on its position on the VCAT matter.*



**3. DECLARATIONS OF CONFLICTS OF INTEREST**



## 4. PETITIONS AND JOINT LETTERS

### Item 4.1

At the Ordinary Council meeting held on 15 February 2017 Council considered a joint letter from Isaac Hermann, Michael Newton and Andrew Serratore dated 23 January 2017 together with another joint letter from Meni Christofakis, Geoffrey Love and Isaac Hermann dated 4 January 2017. The subject of both of these letters was flooding in Elwood. Council at the meeting of 15 February 2017 requested that a further report be presented to a future Council meeting.

### OFFICER COMMENT

- I.1 Council would like to thank Isaac Hermann, Michael Newton and Andrew Serratorre for the joint letter received on 23 January 2017, containing a number of detailed questions regarding the status of flooding mitigation measures and requesting particular actions be taken by Council, and also the joint letter from Meni Christofakis, Geoffrey Love and Isaac Hermann dated 4 January 2017.
- I.2 Council also acknowledges the additional letter received from Isaac Hermann on 15 February 2017, containing additional questions relating to flood management.
- I.3 Given that these letters relate to the same topic, they have been addressed in this response. The responses have been themed to address each of the topics raised in the letters.
- I.4 Council would like to acknowledge the continued passion and research into this important matter. Significant work is underway to develop a strategic response to the flooding issue in the Elster Creek Catchment and elsewhere in the municipality. The work being undertaken includes:
  - Collation and mapping of all previous work to identify gaps and priorities for further research and analysis
  - Development of a Stormwater Management Plan for the Elster Catchment and broader municipality
  - Development of 10 Year asset management plans
  - Collection of condition and capacity data for the drainage network
  - Enhanced maintenance program
  - Advocacy to and collaboration with key stakeholders in local and state government
  - Engagement with key stakeholders within the local community.



**Elster Creek CEO forum**

- 1.5 The Victorian State Government, through its Water Plan (Water for Victoria) Chapter 5, P82, commits to 'engage the community through local water planning'. It further details that the plan requires water corporations to incorporate integrated water management in all their planning, including urban water strategies, and the strategies prepared by Melbourne Water for flood management.
- 1.6 This directive is being realised through an upcoming series of meetings to be chaired by Melbourne Water to be attended by Melbourne Water, Department of Environment, Land, Water and Planning and all four Elster Creek catchment council chief executive officers. The Elster Creek catchment councils have reaffirmed a commitment made through the Inner South Metro Mayor's Forum to collaborate with respect to this issue, raised to that group in 2016 by City of Port Phillip Mayor, Bernadene Voss.
- 1.7 The City of Port Phillip will raise the opportunities for implementation of flood retarding basins at upcoming Forums, the first of which is 31 March, 2017.

**Development of a Drainage Plan**

- 1.8 Because we are located at the bottom of the Elster Catchment, our stormwater system is impacted by the drainage systems higher up the catchment. Intercepting floodwaters higher up the catchment will be one of the most effective ways of reducing the risk of flooding in future. This relies on effective advocacy and team work with our fellow councils located within the catchment, Melbourne Water as the catchment management authority and the responsible authority for the canal, and Parks Victoria with respect to the interaction with Port Phillip Bay at the canal mouth.
- 1.9 A new 10 year plan for stormwater management is being developed that will respond to community concerns about the long standing flooding issues in the Elster Creek Catchment and extend the work that has already been done or is underway. This program will be informed by the development of a Stormwater Management Plan that considers all of the assets that contribute to stormwater management including 232.2 kilometres of drains, 11,788 pits and 12,052 pipes.
- 1.10 Two key documents will be developed. These are: a Stormwater Management Plan that outlines the priorities and activities to be undertaken over the next 10 years; and a 10 year Stormwater Asset Management Plan that will set out the renewal, expansion, upgrade and new stormwater works to be undertaken over the next 10 years. The asset management plan will be reviewed annually and will inform the development of the annual capital works and maintenance budgets.
- 1.11 Priority will be placed on developing a stormwater management plan for the component of Elster Creek Catchment that sits within the City of Port Phillip, with the focus being on what work Council can do to mitigate flooding. At the same time advocacy will continue for Melbourne Water to lead the development of a whole of catchment strategy as part of the state government's integrated water management policy development and regional catchment planning work.



- I.12 Activities underway to support the development of a 10 year plan includes:
- A background paper describing all of the plans, strategies and policies that are currently in place, what they all mean (cumulative impact), what their status is (implementation of recommendations/actions) and identification of any gaps.
  - A CCTV condition audit of the drainage network to inform the development of strategic and operational plans. The information collected will feed live into a reactive maintenance program to ensure Councils existing network is functioning to its current design capacity. A renewal and upgrade program will be modelled and designed to ascertain the priority locations that Council may be able to increase the capacity or storage within our existing network. This review will begin in the next two months and will take approximately 12 months to complete. Priority will be placed on Elwood and other flooding hotspots.
  - Review of flooding hot spots and prioritisation for further analysis of options for flood mitigation works.
  - Review of existing options that have been developed to address flooding hot spots, including cost benefit analysis, to inform development of a list of priority works.
- I.13 Additional resources will be applied for in the 2017/18 budget to support these works being undertaken. A Senior Infrastructure Planner position has been established to support the delivery of this work. In addition it is proposed that drainage capital infrastructure budget be increased.

#### **Develop and implement a range of flood mitigation measures**

- I.14 All of the initiatives listed in the submission require further detailed testing for viability and are noted for examination. The City of Port Phillip will take the opportunity to investigate these suggestions with Melbourne Water. The upcoming Elster Creek CEO forums may provide the opportunity to table these items for discussion and assessment.
- I.15 Officer's note that all of the proposed initiatives may have a cumulative positive impact which has not yet been quantified. Costs and funding sources have also not been estimated for these initiatives, however high capital costs are likely, with the relative benefits subject to scrutiny by the various responsible authorities.

#### **Advocacy**

- I.16 City of Port Phillip maintains a strong relationship with Melbourne Water. Council regularly discusses drainage issues and advocates on behalf of residents for greater investigation into potential flood mitigation options for the city.
- I.17 All of the issues raised have all been noted and requests for updates are being made on all topics mentioned. Council officers will continue to work with all of the key government departments, councils and other agencies to ensure a coordinated approach to resolving the flooding issues.



- I.18 Good partnerships with key catchment and coastal stakeholders are necessary to achieve complementary drainage and coastal inundation modelling and flood mitigation actions. This has been one of the first steps officers have taken to ensure that unsuitable preventative works do not occur.
- I.19 Officers have, for many years worked with the State Government, the Association of Bayside Municipalities, other local governments in Victoria, Melbourne Water, national research associations (CSIRO and NCCARF) and universities to ensure the most accurate flood modelling of the City, and in particular Elwood Canal/Elster Creek catchment, can inform any future flood mitigation infrastructure.
- I.20 In 2016 at the Inner Southern Melbourne Mayors Forum the Mayors of Port Phillip, Bayside, Glen Eira and Kingston committed their Councils to engaging collaboratively with Melbourne Water and each other to identify catchment flood mitigation wide options. The resulting action was the development of the 'Elster Creek CEO Forum' facilitated by Melbourne Water. The first meeting of this group will be on March 31 2017.
- I.21 In November 2016, the Elster Creek Working Group was established by the Cooperative Research Centre for Water Sensitive Cities (CRCWSC). This group includes Officers from Port Phillip, Glen Eira, Kingston and Bayside Councils, Melbourne Water, South East Water, Department of Environment, land, Water and Planning and researchers from the CRCWSC. The intention of this informal group is to communicate about and collaborate regarding stormwater and flood mitigation actions happening within the catchment. The group has met on four occasions.
- I.22 Council has also been asked to partner on three grant applications all of which will have relevance to the catchment. Outcomes of the application process will not be known before April 2017.
- Application to the Port Phillip Bay Fund being led by Bayside City Council; 'A Regional partnership project engaging a network for citizen scientists in water quality sampling to build the capacity of communities and organisations to identify and prioritise stormwater quality improvement actions for Port Phillip Bay'.
  - Application to the Natural Disaster Resilience Grant Scheme being led by CSIRO; 'Integrated flood assessment tool enabling infrastructure and urban resilience planning'.
  - Application to the National Citizen Science Fund being led by CRCWSC; 'Citizens activating their private realm to increase climate resilience'
- I.23 With regard to the question regarding the timeliness of warnings during the recent flooding event, the SES contacted the duty MERO on the day of the flood requesting road barriers / detour signs to be placed at particular locations to help manage traffic because of water over the road. The SES has a productive and necessary relationship with council with respect to emergency management.
- I.24 Warnings issued by media outlets by state authorities are managed between those parties rather than through council.
- I.25 Individuals can directly contact the ABC to lodge a complaint as they can document it in detail from their first-person observations and be the first contact point for a response.  
<http://www.abc.net.au/contact/complain.htm>



**Update on the Flood Management Plan, March 2012 and implementation plan**

- I.26 A review of the status of the implementation of the Flood Management Plan will be undertaken as part of the wider review of all related documents and a timeline developed for a revised plan.

**Clarification on the type and number of flood hot spots**

- I.27 A review of the number of hot spots and any changes will be undertaken as part of the review of the Flood Management Plan.

**Improvements that have been undertaken since 2012**

- I.28 A detailed report on all the improvement works undertaken since 2012 will be developed as part of the document review and gap analysis.

**Increasing permeability**

- I.29 Council has 48 unsealed laneways, many very narrow, servicing properties as secondary access or just a few dwellings as driveway access to their properties. Seven (7) laneways were sealed as part of the Laneway Upgrade Program in 2016/17, with a further five laneways sealed through the Roads to Recovery program, with a total budget spend of \$550,000.
- I.30 Upgrading of Laneway assets supports delivery of Council's Road Management Plan (RMP). The RMP sets out Council's commitment to providing sustainable and safe public road networks and infrastructure for the community, of which the Laneway network is a part.
- I.31 The current whole of life costs of the unsealed laneways is high. Increased liability risks to Council, higher ongoing maintenance costs and accelerated rate of asset deterioration lead to increased reconstruction costs in the longer term.
- I.32 After major rain events the pavements are scoured with materials depositing into the storm water system, which reduces the networks capacity and increases the costs of maintaining our storm water network.
- I.33 By protecting these pavements with a seal coat the assets whole of life costs are reduced.
- I.34 Further laneway sealing works in Elwood that were scheduled have been halted pending further investigation into alternative treatments that increase permeability.

**Update on the Elwood Integrated Resource Working Group**

- I.35 The Elster Creek Working group is being coordinated by the Cooperative Research Centre (CRC) for Water Sensitive Cities. Officers from four catchment councils have met with Melbourne Water, the Department of Environment, Land, Water and Planning, South East water and researchers from the CRC to discuss a coordinated approach to the issue of flooding. This group has met four times, with the most recent meeting undertaken on Friday 17 March at Bayside City Council.



**Prioritisation of remedial works for the Jerry’s Milk Bar flooding at Barkly and Meredith Streets**

- I.36 A request was made for prioritisation of remedial works for the Jerry’s Milk Bar flooding at Barkly and Meredith Streets. Officers will prioritise review of this site, along with other key flooding hot spots, with work to begin as soon as possible. Given that Barkly Street is a VicRoads asset and the Canal is a Melbourne Water asset, officers will engage with both Authorities regarding possible remediation activities for the site to reduce flooding impact.
- I.37 It is noted though that solutions to overcome flooding at the end of the systems become more difficult as the governor (capacity to release water) is the outlet to the bay, controlled by tides. The topography, AHD and the limited opportunity to retard water in this area restrict effective local remediation solutions. The area is a natural swampland and soils are volatile with high contamination factors, which increase the risk and costs of infrastructure modifications.

**OFFICER RECOMMENDATION**

That Council:

- 1. Receives and notes the officers responses to a Joint letter from Isaac Hermann, Michael Newton and Andrew Serratore dated 23 January 2017 and the Joint letter from Meni Christofakis, Geoffrey Love and Isaac Hermann dated 4 January 2017 and the additional letter received from Mr Isaac Hermann on 15 February 2017.
- 2. Notes the work underway to develop a 10 year stormwater management plan, which will include an update on the status of works done to date and an assessment of the various mitigation options that have been proposed.
- 3. Notes the range of advocacy activities being undertaken with all key stakeholders.
- 4. Notes that laneway sealing works in Elwood have been halted pending further investigation into permeable surfaces.
- 5. Notes officers will prioritise review of Jerry’s Milk Bar flooding issues.



**5. SEALING SCHEDULE**

Nil



**6. PUBLIC QUESTION TIME**



**7. COUNCILLOR QUESTION TIME**



## 8. PRESENTATION OF REPORTS

8.1	<i>Ferrars St Education and Community Precinct Schedule and Approach</i> .....	19
8.2	<i>Council Pledge to support Zoos Victoria's campaign to prevent the use of balloons outdoors</i> .....	33
8.3	<i>CEO Report - Issue 32 April 2017</i> .....	39
8.4	<i>Integrated Council Plan 2017-21 - Community Engagement Process and Findings</i> .....	41
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8.9	<i>Planning Permits Delegate Report - February 2017</i> .....	73



**9. NOTICES OF MOTION**

Nil



**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:

#### 12.1 279 Graham Street, Port 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.



## Confidential Matter

### 12.1 279 Graham Street, Port Melbourne

*The information contained in this Council report 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); as it relates to:*

89(2)(f).     *Legal advice.*