

Ordinary Meeting of Council 15 April 2020

Due to COVID-19 and the interest of public safety, Council has temporarily closed Council Meetings to public attendance and instead made meetings available to participation via live stream <http://webcast.portphillip.vic.gov.au/video.php>

The following statements were submitted prior to the meeting and a summary of the statements were read out during the meeting by the Mayor.

Public Question Time

Campbell Spence, President of Ratepayers of Port Phillip:

The Ratepayers of Port Phillip Inc. are concerned that the City of Port Phillip's current 2019-20 budget is likely to now have a large deficit. Since the COVID-19 emergency has hit Australia, council non-rates revenues from sectors such as parking fees, fines, childcare and asset leases will be significantly reduced. It's also possible that some ratepayers may be unable to pay their rates for some time.

At the same time, council has been silent on how it will manage its expenditure to address the fall in revenue. We were shocked to see no mention of this incredibly important topic in the 15 April meeting agenda. The time to address this issue is fast disappearing.

If council's revenue has fallen and expenditure stays the same, the only way to meet the shortfall will be by commensurately increasing debt.

- How big is the forecasted deficit in the current 2019-20 accounts?
- Will this be met by increasing debt?
- What is the impact on the 2020-21 Budget?

We expect to see a detailed action plan for how the CEO is proposing to address declining revenues and the cost base for both the 2019-20 and 2020-2021 financial years. Currently the Council has been silent, and we are therefore concerned about whether there is a plan at all.

- Have councillors demanded from the CEO a full report on council finances?

If the CEO and his staff cannot present a clear plan to balance the books without increasing rates or relying on debt, Councillors must use their powers to address management competency.

We remind the councillors that you represent residents and ratepayers. You cannot allow council to borrow its way out of this budget mess. This will only defer the problem and extend it out to future generations.

Item: 11.1 Port Phillip Emergency Climate Action Network Joint Letter regarding Council's response to the Climate Emergency

Peter Moraitis, Judy Gunson, Jack Halliday and Rhonda Small – Members of Port Phillip Emergency Climate Action Network (PECAN):

PECAN thanks the Council officers for their report to Council in response to our Joint Letter submitted to the 18 March Council meeting.

We are also pleased to have had a productive online meeting with Ms Lili Rosic and Mr Mark Cassanet on 31 March to discuss the Joint Letter and our request for regular dialogue and increased community participation in Council's plans and actions to address climate change.

At that meeting we all acknowledged the enormous challenges that Council faces currently in responding to the COVID-19 crisis, but we also talked about the critical importance of

facing these challenges in partnership with the community. Much creativity is needed in exploring new ways of doing this, both in relation to the immediate crisis, but also in relation to other activities of Council, such as its ongoing response to the climate crisis.

We discussed an online alternative to our original request for a Town Hall meeting and we are pleased that the Officers' recommendation includes the idea of Council running webinars both to inform the citizens of Port Phillip about Council actions to address the climate emergency and to identify opportunities for community action. PECAN is keen to be involved in publicising these events and in participating in them.

We are also pleased that the report (at paragraph 4.16) responds to our request for a regular meeting between Council officers and PECAN representatives as key stakeholders in Council's ongoing response to climate change. We do ask though that this meeting be held on a bi-monthly basis, rather than quarterly as is proposed, in order to develop ongoing and constructive dialogue about joint Council and community action – especially as it seems there is no appetite for establishing an Advisory Committee to work with Council, at least ahead of the next Council elections in October.

We acknowledge that past experiences of such committees have sometimes been fraught and perhaps here again there needs to be some constructive discussion about new ways of partnering with the community. Indeed, the new Local Government Act 2020 requires renewed commitment and new approaches to community engagement in the work of Councils, and we look forward to being involved in those processes

Item: 12.2 332 Carlisle St, Balaclava

Dr. Yury Shamis on behalf of YSVG Shared Living, in support of the above-mentioned application:

Firstly, thank you for reviewing the proposal and for the planners support for the change of use to a rooming house.

We agree to the proposed conditions and believe that allowing the ground floor dwelling to be used as a rooming house, rather than an 8-bedroom apartment leased by one group of friends, will ensure a significant improvement to tenant screening, noise management, alcohol control and rubbish disposal.

In regards to the signage, please note that in order to minimize on planning application costs, the owner of 330 Carlisle St Balaclava (Glicks) agreed to have one single application rather than two separate ones. Glicks is in the correct zoning for such signage and there should be no reason it is not permitted.

Furthermore, the sign that is currently displayed in our front yard, is identically located and dimensioned to the previous sign that was displayed for the doctor's surgery (previous use of the ground floor property). Add to that, the dental surgery (2 doors down), which also zoned GRZ1) has a number of large signs, including one that is illuminated. This sign should therefore be allowed to remain.

James McGann Director of McGANN ARCHITECTS Pty Ltd:

In support of the above-mentioned application we offer the following comments:

- We support Martin Cooksley's (Senior Urban Planner) recommendation "Part A" to issue a Notice of Decision to Grant a Permit for the use of land for a Rooming House and signage at 332 Carlisle Street, Balaclava subject to the conditions.
- We accept all the proposed conditions, as outlined in the report.
- If the Councils supports the application for the building to be used as a Rooming House, it will allow the operator, YSVG Shared Living, to implement an On-Site Management Plan, that includes the proposed Council conditions. This On-Site

Management Plan would mean the Rooming House tenancy agreement would have more conditions on expected behaviour, house rules and operating procedures. These conditions cannot be implemented under the current building use and tenancy agreement. The operator welcomes the additional proposed conditions that will allow them to implement an On-Site Management Plan.

- Condition 1b) the panel sign fixed to the wall of 330 Carlisle Street to be deleted. Please note the property at 330 Carlisle Street is zoned Commercial 1 Zone and signs the size we proposed we understand are acceptable.
- Please note condition 1c) the home-based business sign within the front yard was an existing sign that was at the property prior to the current tenant moving in. The size and shape of the sign has not changed only the lettering.

Item: 12.3 245-247 and 249-251 Normanby Road South Melbourne

Angela Croome Senior Planner SJB Planning:

SJB Planning acts for the applicant in the matter listed at 12.3 on tonight's meeting agenda. We wish to make the following submissions in relation to this item.

We wish preface our submission with the understanding that everyone is operating in unprecedented times. Our client is experienced in construction and this development is "ready to go". Our client has a heads-of-agreement with Blackstone to develop the approved building as build-to-rent. The deal with Blackstone was contingent on a decision by DELWP no later than March. We are now past March but are instructed that Blackstone is yet to withdraw from the agreement but is likely to do so if a decision is not made within the next few weeks. Should this not occur, it will cause significant financial distress to our client.

The amendments sought as part of this S72 application are simply refinements of an existing permit. They reflect minor changes to an already approved building and one which is ready for construction.

Dual key apartment layout

This is proposed to enable the proposed investor to construct the development as build-to-rent. Our client is not abrogating its responsibility to provide for 6% affordable housing but is looking for greater flexibility in order to deliver it.

From a policy point of view, we submit the proposed dual key apartments layouts do respond to policy

(Clause 16 and Clause 22.15 of the Port Phillip Planning Scheme) including:

Clause 16

- *Increase in supply of housing*
- *Increase in housing yield in appropriate locations*
- *Ensuring appropriate quantity, quality and type of housing is provided for supported accommodation for people with disabilities, older people, student accommodation, social housing*
- *Location – higher densities close to jobs, services and public transport (all envisaged for FB)*
- *Housing opportunities in urban renewal precincts*
- *Provide a range of housing types to meet diverse needs (16.01-3S)*
 - *Ensure housing stock matches changing demand by widening housing choice.*

- *Facilitate diverse housing that offers choice and meets changing household needs through: A mix of housing types. Adaptable internal dwelling design. Universal design.*
- *Encourage the development of well-designed medium-density housing that: Respects the neighbourhood character. Improves housing choice. Makes better use of existing infrastructure. Improves energy efficiency of housing.*
- *Support opportunities for a range of income groups to choose housing in well-serviced locations.*
- *Ensure planning for growth areas provides for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.*
- *- Offering choice in types of housing*
- *- Deliver affordable housing - increase in choice of housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities*

Clause 22.15

- *- Delivering housing opportunities for a diverse community*
- *- Providing at least 6% of dwellings as affordable housing*
- *- Encourage housing diversity to support a diverse and inclusive community*

It is policy:

- *- to encourage a diversity of dwelling typologies and sizes within each precinct and within individual development sites (22.15-4.2)*
- *- encourage affordable housing to be provided within a range of built form typologies*
- *- encourage a design that delivers a range of household types suitable for households with children*
- *- affordable housing is proposed and this could be 1,2 or 3 bedrooms reflecting overall dwelling composition of the building. Internal layouts identical to other comparable dwellings and externally indistinguishable from other dwellings.*

A S173 Agreement requiring dual key apartments remain in one ownership will ensure that these apartments layouts can be used in a variety of ways responding to policy about choice, diversity and affordability into the future. If there is a demonstrative need for three-bedroom apartments for a household type, then the proposed development can cater to that. As a relatively new concept to the property market the dual key apartment layout is a flexible option which could be attractive to a diverse family unit type including accommodation in the form of three bedroom apartments. In the event, they are not taken up by the market there is the option of one, two or three-bedroom apartments within the building.

We respectfully request Council favourably consider this model and advise DELWP of its support so that our client can commence construction.

Building façade

In response to the concerns raised about the building façade our client has been investigating a redesign of the tower façade to reflect amendments to floor plans and to increase the slenderness of the tower. These re-designs were forward to Council officers on 8 April. The slab edges have been amended so that the vertical language of the building is strengthened. The typical floor plan shows the centre point of the façade shifted to the west and the profile of the slab extrusions altered. The asymmetry of the tower provides for the eye to be drawn up as opposed to across accentuating the slenderness of the building by drawing the eye so that it reads with greater vertically.

The vertical expression of the façade has been improved with the provision of a “break” to the Normanby Road and Woodgate Street elevations. Curved slab edges allow movement in the facades whilst expressing a sharp edge to the tower and projecting the edge lines

beyond the mass of the building. These projections do not project beyond what has already been approved in the endorsed plans.

We respectfully request that the re-design of the façade satisfies Council officer's earlier concerns and should be supported by Council.

SMP

The projections (extended slab edges) also create additional shade to apartments to meet the requirements of condition 7(e) of the planning permit. The increase in the use of off form concrete also contributes to this and both form a passive solution to decrease the cooling loads of the building (which is the intention of condition 7(e)). We respectfully submit the combination of glazing type and shading proposed delivers satisfactory thermal comfort and more importantly provides a direct response to the relevant condition.

In relation to the energy efficiency, our client is advised by Ark Resources the star rating average of 6.5 stars is 10% better than the National Construction Code providing the minimum necessary requirements for sustainability in design, construction and performance of new buildings and meets the City of Port Phillip's own "best practice" standard. Whilst this may fall short of the current FBURA policy requirements (to achieve 20% improvement) we must remember this development proposal was approved before the current FBURA requirements were introduced. Moreover, it is comparable to the existing approved SMP.

Car parking and bicycle provision

The endorsed development provided a car parking ratio of 0.6 car spaces per dwelling. With the increase in provision of car spaces to 231 the car parking ratio is commensurate with an increase in apartments excluding the dual key apartments to a ratio of 0.5 and including the dual key apartments to a ratio of 0.68. The provision of car parking does not depart from the ratio of car parking already approved by the endorsed development and in fact reflects that required by the current planning controls if excluding the proposed dual key apartment layout.

This proposed development has been in the planning approvals arena for some time now and is "stuck" between having been approved in a previous planning control regime and the current planning controls introduced by Amendment GC81. As previously stated, our client is "shovel ready" but dependant on the proposed minor refinements to plans in the S72 application being approved.

We respectfully request that Council support the amendments proposed in this S72 application and advise DELWP of its support.

13.2 Library Action Plan draft for public consultation

Michael Sabada:

I wish to submit to the Councillors that the Library Action Plan should be delayed for public comment in light of the current emergency. Consultation will be insufficient as having no physical access to the library service most library users are unlikely to be aware of the plan and no face to face consultation can occur. As well events are likely to render the plan moot and certainly impact the proposed timings for actions in the draft plan. If Councillors believe the plan must go out for public comment, then the Implementation Strategy Timeline needs to be amended with the time out for public comment increased by at least another month to two months (section 11.1.1). The proposed business as usual "public consultation for one month" does not suit the times, for reasons that are self-evident. The proposed Communication Strategy (Section 11.2) is insufficient, virtual meetings are required, eg Skype, Teams, Zoom...

On behalf of the Middle Park Library Action Group Inc. (MPLAG) (James Woollett, President MPLAG Inc, Yvonne Lynch, Vice President, Ian Angus, Secretary, Julie Johnson, Committee member & Amanda Best, Committee member MPLAG Inc):

MPLAG acknowledges that the City of Port Phillip's budget is under enormous pressure due to a significant decline in revenue. This has been exacerbated by the consequences of the Covid-19 pandemic.

The responses to the financial and social challenges that Port Phillip residents of all ages and Council staff face will shape the future fabric of our communities.

The role of local libraries as a "vital and valued community service providing for the social wellbeing of communities" is affirmed by the Municipal Association of Victoria.

On Wednesday 15 April Council, will be asked to approve a Draft Library Plan to go ahead for one month's community consultation before its scheduled adoption in July/August 2020.

The current closure of public libraries, halls etc., as well as social distancing and isolation measures, prevent many residents participating in the consultation in a meaningful way.

(Many library members did not receive online information about libraries being closed.)

When public health restrictions are eased, the resumption of existing library services and other social facilities will be essential to the recovery of the whole Port Phillip community.

Accordingly, MPLAG urges Council to defer adopting any decisions on the draft Library Action Plan until the social and financial impacts of the current crisis are fully assessed.