

CITY OF MELBOURNE

Future Melbourne Committee

MINUTES

**Meeting Number 47
Tuesday 7 February 2012
5pm**

**Yarra Room
Level 2
Melbourne Town Hall**

PRESENT

Lord Mayor, Robert Doyle (Chair)
Deputy Lord Mayor, Susan Riley
Councillor Carl Jetter
Councillor Jennifer Kanis (departed at 8.06pm)
Councillor Kevin Louey
Councillor Cathy Oke
Councillor Ken Ong
Councillor Jackie Watts

APOLOGY

Councillor Brian Shanahan

Confirmed at the meeting of the Future Melbourne
Committee meeting on Tuesday 6 March 2012

1. COMMENCEMENT OF MEETING AND APOLOGIES

The meeting commenced at 5pm.

The Chair, Lord Mayor, Robert Doyle, advised that:

- the meeting was being recorded for the purpose of ensuring the accuracy of the minutes of the meeting;
- the agenda comprised eight Reports from Management, one of which was confidential;
- there were no items of General Business; and
- an apology had been received from Councillor Shanahan.

2. DISCLOSURES OF CONFLICTS OF INTEREST

The Chair, Lord Mayor, Robert Doyle, advised that conflicts of interest would be disclosed as they arose.

3. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

Moved: Cr Oke

That the minutes of meeting No 45, held on Tuesday 6 December 2011, be confirmed.

Seconded: Cr Ong

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Kanis, Louey, Oke, Ong and Watts.

4. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

There were no matters arising from the minutes of previous meeting.

5. REPORTS FROM MANAGEMENT

SUBMISSIONS/ITEMS OF CORRESPONDENCE

The Chair, Lord Mayor, Robert Doyle, advised that as at 3pm the following submissions had been received in accordance with the Council's *Conduct of Meetings Local Law 2010*.

In relation to **Agenda Item 5.1, 'City North Structure Plan 2011'**:

Requests to Speak:

- George Janko, Secretary, The Carlton Residents Association;
- Stan Cooke, HIMA/AHI affiliate;
- Mark Naughton, Director, Planning and Property Partners Pty Ltd, representing Kenneth D Opat Nominees Pty Ltd;
- Geoff Leach, on behalf of North and West Melbourne Association; and
- Rev Dr John Evans, Minister and Executive Officer, Church of All Nations.

Item of Correspondence:

- Angela Williams, resident.

In relation to **Agenda Item 5.2, 'Arden Macaulay Structure Plan':**

Requests to Speak:

- Glenn Cotter, resident;
- Peter Hogg, Residents About Integrated Development (RAID) @3051 Inc;
- Gary Bateman, RAID@3051 Inc;
- Marg Leser, RAID@3051 Inc;
- Fred Bergman, Beena Property Management;
- Virginia Jackson, Director, Lost Dogs Home;
- Kaye Oddie, resident;
- Stan Cooke, HIMA/AHI affiliate;
- Robert Niggel, representing 21 Kensington residents;
- Tony Dare, representing Kensington Association;
- Sharon Inkster, representing Kensington Association;
- Emily Sykes, Solicitor, Freehills, representing George Weston Foods;
- Mark Naughton, Director, Planning and Property Partners Pty Ltd, representing EG Funds Management Pty Ltd;
- Geoff Leach, on behalf of North and West Melbourne Association;
- Nigel Jones, Partner, Norton Rose Australia, owner/occupier of 67A Hardiman Street;
- David Passarella, Gadens Lawyers Melbourne representing Allied Mills Pty Limited;
- Pene Smith, Associate Director/Senior Planner, Fulcrum; and
- Phil Gleeson, Senior Consultant, Urbis.

Items of Correspondence:

- Benjamin Zagami, Planning Studio on Peel;
- Megan and Ben Cusack, residents;
- Katie Miller, President, Flemington Association Inc; and
- Angela Williams, resident.

In relation to **Agenda Item 5.3, 'Application for Planning Permit: TP-2011-652, 243-251 Flemington Road, North Melbourne':**

Requests to Speak:

- John McBride, resident;
- Mary Kelleher, resident;
- David Colechin, resident;
- John Haysey, Associate, Contour Consultants Aust Pty Ltd on behalf of the Applicant; and
- Jim Nicolaou, Applicant; and
- Maree O'Neill, resident.

In relation to **Agenda Item 5.4, 'Application for Planning Permit: TP-2008-1073/A, 285-289 Flemington Road, North Melbourne':**

Request to Speak:

- Daniel Pilbeam, resident;
- Frank Guarino, on behalf of BMG Architects; and
- Simon Skinner, on behalf of Planning Sense Town Planning Consultants.

Item of Correspondence:

- John Annert, applicant.

In relation to **Agenda Item 5.5, 'Application for Planning Permit: TP-2011-471, 36-40 La Trobe Street, Melbourne'**:

Requests to Speak:

- Claudia Tonelli, Senior Planner, Glossop Town Planning, on behalf of the Grierson Family Trust; and
- Lloyd Elliot, Director, Urbis, on behalf of the applicant Argo Pty Ltd.

Item of Correspondence:

- Noel and Jennifer Turnbull, residents.

In relation to **Agenda Item 5.6, 'Planning Scheme Amendments C193 and C194 Heritage Controls for 30-50 La Trobe Street, Melbourne'**:

Requests to Speak:

- Yan Qiu, property owner;
- Tristan Davies, Melbourne Heritage Action;
- Claudia Tonelli, Senior Planner, Glossop Town Planning, on behalf of the Grierson Family Trust; and
- Lloyd Elliot, Director, Urbis, on behalf of the applicant Argo Pty Ltd.

ORDER OF BUSINESS

Moved: Lord Mayor, Robert Doyle

That the Future Melbourne Committee allow the consideration of agenda item 5.7 prior to the consideration of agenda items 5.1 to 5.6.

Seconded: Cr Oke

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Kanis, Louey, Oke, Ong and Watts.

ECO-CITY PORTFOLIO

Cr Oke assumed the role of Chair to present the one item for consideration in relation to the Eco-City Portfolio.

5.7 Northern Alliance for Greenhouse Action MOU

The purpose of this report was to recommend Council enter into a new three-year Memorandum of Understanding (MoU) with Moreland Energy Foundation. The MoU establishes City of Melbourne's membership in the Northern Alliance for Greenhouse Action (NAGA), which is hosted by Moreland Energy Foundation.

Moved: Cr Oke

1. *That the Future Melbourne Committee recommends that Council resolve to:*
 - 1.1. *maintain its membership in the Northern Alliance for Greenhouse Action; and*
 - 1.2. *enter into a new three-year Memorandum of Understanding with Moreland Energy Foundation until 30 June 2015 with an initial contribution of \$20,000 per annum increasing by 3 per cent annually and with an option for a two-year extension.*

Seconded: Lord Mayor, Robert Doyle

Cr Oke made the following comments:

- carbon neutral goals are important; and
- Council will continue to support NAGA for next three years.

The motion was put and carried unanimously with the following Councillors present: The Chair, Cr Oke, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Kanis, Louey, Ong and Watts.

PLANNING PORTFOLIO

Cr Ong assumed the role of Chair to present the six items for consideration in relation to the Planning Portfolio.

5.1 City North Structure Plan 2011

The purpose of this report was to inform the Committee of the public consultation on the draft City North Structure Plan 2011 and to seek approval of the final City North Structure Plan 2011 (the Structure Plan).

George Janko, on behalf of the Carlton Residents Association Inc, addressed the Committee making the following key comments:

- concern regarding decreasing open space and parkland in Carlton;
- reinstating Princes Park Sewer Mining proposal for water recovery, would provide very efficient irrigation for all Melbourne parks and gardens; and
- there is a desperate need for community infrastructure in Carlton including the urgent need for a library and community centre.

Stan Cooke, addressed the Committee making the following key comments:

- the need for ensuring the existing Structure Plan is economically and financially viable for the local precincts;
- the development in the precincts should be aimed for families; and
- the need for independent market advice before the Structure Plan is finalised.

Mark Naughton, Planning and Property Partners Pty Ltd, on behalf of Kenneth D Opat Nominees Pty Ltd, addressed the Committee making the following key comments:

- supports the broad intent of the Structure Plan;
- need to reconsider the development in Victoria market site, which is surrounded by tall buildings; and
- the need for flexibility in respect to building height, given the evolving and significant nature of the area.

Geoff Leach, on behalf of North and West Melbourne Association Inc, addressed the Committee making the following key comments:

- the Structure Plans are not ready and need major changes;
- the Structure Plans should concentrate on social and civic infrastructure; and
- there is an immediate need for schools before any further growth.

Rev Dr John Evans, Church of all Nations, addressed the Committee making the following key comments:

- physical issues need to be addressed in the Structure Plan, since it impacts on community; and
- need community services sector to use adequate community infrastructure in Carlton.

Moved: Cr Ong

1. *That the Future Melbourne Committee resolve to:*
 - 1.1. *approve the City North Structure Plan including the changes set out in Attachment 2 to Management report;*
 - 1.2. *authorise the Director City Planning and Infrastructure to make any further minor editorial changes to the Structure Plan prior to publication; and*

- 1.3. *request that management report to Council meeting on 28 February 2012 on the proposed planning scheme amendments based on the approved structure plan.*

Seconded: Lord Mayor, Robert Doyle

Cr Oke requested the inclusion of paragraph 1.4, *'that the management report to Council includes a suggested methodology of having all community submissions considered and where possible commented upon should the Minister appoint an independent panel.'*

Cr Ong and the Lord Mayor, Robert Doyle as mover and seconder of the motion did not agree to incorporate to the additions requested by Cr Oke.

The original motion was put and lost unanimously with the following Councillors present: The Chair, Cr Ong, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Kanis, Louey, Oke, and Watts.

Moved: Cr Ong

1. *That the Future Melbourne Committee:*
 - 1.1. *approves the City North Structure Plan including the changes set out in Attachment 2 to the supplementary report of the Management report;*
 - 1.2. *authorises the Director City Planning and Infrastructure to make any further minor editorial changes to the Structure Plan prior to publication;*
 - 1.3. *resolves that it will not attempt to compulsorily acquire privately owned land to procure the proposed public open space identified in the Structure Plan;*
 - 1.4. *resolves that it will work with landowners to procure the open space objectives of the Structure Plan, and negotiate provision of open space through site development and transfer of other public land;*
 - 1.5. *requests that management report to the Council meeting on 28 February 2012 on the proposed planning scheme amendments based on the approved Structure Plan. These amendments will not include the use of public acquisition overlays; and*
 - 1.6. *requests that the Management report outlines the methodology for recommending that community submissions of City North Structure Plan be considered in subsequent statutory panel considerations.*

Seconded: Lord Mayor, Robert Doyle

Councillors made the following key comments:

- thanked all submitters, members of the community and associations, and Council officers for their input in relation to this matter;
- advised that the independent panel will look at the concerns raised and will make its own decision;
- Carlton Park control boundaries will be looked at through the Structure Plan boundaries;
- Princess Park Master Plan is on the agenda for this year;
- the consultation process is lengthy, giving sufficient time for community input; and
- Council will not move into compulsory acquisitions of private land.

The motion was put and carried unanimously with the following Councillors present: The Chair, Cr Ong, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Kanis, Louey, Oke, and Watts.

5.2 Arden-Macaulay Structure Plan 2011

The purpose of this report was to inform the Committee of the public consultation on the draft Arden-Macaulay Plan 2011 and to seek approval of the final Arden-Macaulay Structure Plan 2011 (the Structure Plan).

Glenn Cotter, who had requested an opportunity to speak was not present at the meeting to address the Committee.

Peter Hogg, on behalf of RAID@3051 Inc, addressed the Committee raising concerns with the built form and maximum height restrictions.

Gary Bateman, on behalf of RAID@3051 Inc, addressed the Committee making the following key comments:

- support the Arden-Macaulay Structure implementation plan;
- there is a requirement for additional schools and a dynamic traffic plan; and
- consideration should be given for transport access and population growth.

Marg Lesser, on behalf of RAID@3051 Inc, addressed the Committee making the following key comments:

- there is a requirement for ongoing consultation for community centre and community facilities; and
- large developments lead to over crowded facilities and have social impacts.

Fred Bergman, on behalf of Beena Property Management, addressed the Committee expressing concerns with the way the consultation process was undertaken.

Virginia Jackson, on behalf of Lost Dogs Homes, addressed the Committee making the following key comments:

- significant land and heritage controls are in place around the area;
- there is a need for a sensitive use of the Lost Dogs Home; and
- consideration should be given to suitable zoning and boundary issues.

Kaye Oddie, addressed the Committee making the following key comments:

- concerns regarding overshadowing of Gardiner Reserve during winter and the need to maintain solar access in winter, in keeping with the new Municipal Strategic Statement provisions; and
- maximum mandatory height restrictions and set backs must be applied for the proposed development.

Stan Cooke, addressed the Committee commenting on the demographics of the area and his support for the Structure Plan.

Robert Nigg, addressed the Committee in support of the Structure Plan, however expressed the following concerns regarding the proposed development on Rankins Road:

- loss of heritage nature of the shops and streetscape;
- height and parking issues; and
- adequate controls at each boundary should be set, to ensure the principles of the draft plan are achieved.

Tony Dare, on behalf of Kensington Association, addressed the Committee making the following key comments:

- several submissions have been made by the Kensington Association;
- measures on height controls and residential impacts should be put in place; and
- recommend Council organises public information sessions in Kensington.

Sharon Inkster, on behalf of Kensington Association, addressed the Committee making the following key comments:

- maximum mandatory height controls and residential interface issues need to be looked at; and
- ground level streetscapes are to be encouraged.

Emily Sykes, Freehills, on behalf of George Weston Foods, addressed the Committee making the following key comments:

- the advancement of the Structure Plan should be made after the outcomes of Planning Scheme Amendment C162 are known;
- the Municipal Strategic Statement is a high level document encompassing long term land use strategy and heritage protection; and
- consideration should be given to the Metro project including the Arden Macaulay metro station.

Mark Naughton, Planning and Property Partners Pty Ltd, on behalf of EG Funds Management, addressed the Committee making the following comments:

- the structure plan will need to focus on Arden Street, the railway line, Chelsford Street, Barrett Street and Moonee Ponds Creek; and
- the land owned by EG Funds Management should be mixed used zone, not a Business 3 zone.

Geoff Leach, on behalf of the North and West Melbourne Association, addressed the Committee making the following comments:

- height limits should be made mandatory;
- there is a need for zoning of schools and additional open space; and
- significant holdings of Council should be used for social and civic infrastructure purposes.

Nigel Jones, addressed the Committee making the following comments with respect to developments in and around Home Style Cookie Factory on Hardiman Street:

- the proposed height limits will result in overshadowing, lack of access to day light and have direct impact on the amenity of the surrounding properties; and
- a specific set back allowance should be incorporated to benefit properties abutting Little Hardiman Street.

David Passarella, Gadens Lawyers, on behalf of Allied Mills Pty Limited, addressed the Committee making the following comments:

- the final draft Arden Macaulay Structure Plan is:
 - premature;
 - potentially unnecessary in the southwest quadrant;
 - inappropriate for the Fink Street park, an area that is generally industrial/commercial; and
 - inconsistent in applying built form controls.

Pene Smith, Fulcrum, on behalf of Comdain property, addressed the Committee making the following comments in support of the proposed draft Structure Plan:

- zoning provides community input;
- the Structure Plan gives more certainty in moving forward; and
- it is a significant document and support its adoption.

Phil Gleeson, Urbis, who had requested an opportunity to speak was not present at the meeting to address the Committee.

Moved: Cr Ong

1. That the Future Melbourne Committee:

- 1.1. approves the Arden-Macaulay Structure Plan including the changes set out in Attachment 2 to the supplementary report in Management report;*
- 1.2. authorises the Director City Planning and Infrastructure to make any further minor editorial changes to the Structure Plan prior to publication;*
- 1.3. resolves that it will not attempt to compulsorily acquire privately owned land to procure the proposed public open space identified in the Structure Plan;*

- 1.4. *resolves that it will work with landowners to procure the open space objectives of the Structure Plan, and negotiate provision of open space through site development and transfer of other public land;*
- 1.5. *requests that management report to Council meeting on 28 February 2012 on the proposed planning scheme amendments based on the approved Structure Plan. These amendments will not include the use of public acquisition overlays; and*
- 1.6. *that the management report outlines the methodology for recommending that community submissions of Arden-Macaulay Structure Plan be considered in subsequent statutory panel considerations.*

Seconded: Lord Mayor, Robert Doyle

Cr Oke moved an amendment to add the following words at the end of paragraph 1.1 of the recommendation:

'with the addition of the following words at 3.1 of attachment 2 to supplementary report, 'in line with the winter solstice, including mandatory height limits on Haines Street South 10.5meters, 14 meters at a setback of 10 meters and 20 meters at a setback of 30 meters and provide clarity regarding setbacks proposed for properties fronting Hardiman and Little Hardiman Streets.'

Seconded Cr Kanis

Cr Oke's motion was put and lost with Councillors Oke and Kanis voting in favour of the motion and the Chair, Cr Ong, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Louey, and Watts voting against the motion.

Cr Watts proposed deferment of the item.

Moved Cr Watts

That the Future Melbourne Committee defer the consideration of this item to allow time to address community concerns.

Cr Watts' motion lapsed for want of a seconder.

Cr Oke moved an amendment to add the following words at the end of paragraph 1.1 of the recommendation:

'with the addition of the following words at 3.1 of attachment 2 of the supplementary report, 'in line with the winter solstice.'

Seconded Cr Kanis

Cr Oke's motion was put and lost with Councillors Oke and Kanis voting in favour of the motion and the Chair, Cr Ong, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Louey and Watts voting against the motion.

Councillors made the following comments:

- thanked all submitters and Council staff for their input in relation to this matter;
- the structure plan will take several months to finalise;
- overall needs of the city should be considered;
- discretionary height restrictions are approved for community benefit;
- it is important to look at particular areas like Lost Dogs' Home;
- though schooling is a State Government matter, Council will continue to advocate for it; and
- reconfirmed that Council will not move to compulsory acquisitions of private land.

The original motion was put and carried with the Chair, Cr Ong, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Kanis, Louey and Oke voting in favour of the motion and Cr Watts voting against the motion.

The motion reads:

1. *That the Future Melbourne Committee:*
 - 1.1. *approves the Arden-Macaulay Structure Plan including the changes set out in Attachment 2 to the supplementary report in Management report;*
 - 1.2. *authorises the Director City Planning and Infrastructure to make any further minor editorial changes to the Structure Plan prior to publication;*
 - 1.3. *resolves that it will not attempt to compulsorily acquire privately owned land to procure the proposed public open space identified in the Structure Plan;*
 - 1.4. *resolves that it will work with landowners to procure the open space objectives of the Structure Plan, and negotiate provision of open space through site development and transfer of other public land;*
 - 1.5. *requests that management report to Council meeting on 28 February 2012 on the proposed planning scheme amendments based on the approved Structure Plan. These amendments will not include the use of public acquisition overlays; and*
 - 1.6. *requests that the management report outlines the methodology for recommending that community submissions of Arden Macaulay Structure Plan be considered in subsequent statutory panel considerations.*

5.3 Application for Planning Permit: TP-2011-652, 243-251 Flemington Road, North Melbourne

The purpose of this report was to advise the Committee of an application for demolition of existing buildings, construction of a four storey mixed use development, use of the site for a restaurant (café), child care facility and medical centre, and a reduction in car parking, bicycle and loading requirements.

John McBride, addressed the Committee making the following key comments against the proposed development:

- the neighbours were not notified of the Future Melbourne Committee meeting;
- there is no community benefit;
- many statements in the Management report regarding the proposal are incorrect; and
- the bulk, height, traffic impact, loss of neighbourhood character, erosion of streetscapes and suburban landscapes of the non-residential development will change the character of currently quiet, residential heritage street.

Mary Kelleher, addressed the Committee making the following key comments against the proposed development:

- Mary and her family have been in North Melbourne for three generations; and
- concern with regard to density of people, height, parking, safety and traffic issues near the school zone.

David Colechin, addressed the Committee making the following key comments against the proposed development:

- consideration should be given to the newly constructed Royal Children's Hospital; and
- concern with regard to road and helicopter traffic, loss of neighbourhood amenity and parking issues.

John Haysey, Contour Consultants Aust Pty Ltd, on behalf of the permit applicant, addressed the Committee making the following key comments in support of the proposed development:

- the proposal addresses the previous Victorian Civil and Administrative Tribunal decision;
- it is an ecologically sustainable and urban design development; and

- approval has been sought from Department of Human Services for the proposal being adjacent to the school and childcare.

In response to the questions raised by Councillors, Mr Haysey made the following comments:

- due to the current staff-children ratio, children over three years of age are not allowed in the childcare;
- there will be minimum impact on light pollution caused by vehicles;
- the best location of the crossing is near the school; and
- safety concerns have been addressed.

Jim Nicolaou, who had requested an opportunity to speak was not present at the meeting to address the Committee.

Maree O'Neil, who had provided Councillors with a written submission, sought permission to address the Committee and made the following key comments objecting to the proposal:

- the excessive height is above the existing skyline;
- there will be a negative impact on the adjacent schoolyard limiting sunlight;
- it will cause a reduction of car parking spaces and change of traffic activity in and around the school; and
- the proposal is in breach of the United Nations Convention of Rights to Children in respect to safety and health.

Moved: Cr Oke

That the Future Melbourne Committee issue a refusal to grant a permit on the grounds of the impact on the character and amenity of the area and an over-development of the site.

Seconded: Cr Watts

Councillors noted that the proposed development was rejected on the grounds of safety issues near the school, traffic issues and overdevelopment near the Royal Children's Hospital.

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Ong, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Kanis, Louey, Oke and Watts.

5.4 Application for Planning Permit: TP-2008-1073/A, 283, 285-289 Flemington Road, North Melbourne

The purpose of this report was to advise the Committee of an application to amend an existing planning permit. The existing permit allows the demolition of the existing building and construction of three, two storey dwellings. Demolition has been completed but construction has not yet commenced. The amendment seeks approval for construction of three, three storey dwellings.

The Deputy Lord Mayor, Susan Riley, declared an indirect interest in this matter because of an indirect financial interest under Section 78A of the *Local Government Act 1989*. The applicant of the proposed development is an advertiser in one of Deputy Lord Mayor, Susan Riley's publications (Melbourne City Living Guide). The Deputy Lord Mayor, Susan Riley left the meeting at 8.06pm.

Cr Kanis left the meeting at 8.06pm and did not return.

Daniel Pilbeam, addressed the Committee making the following key comments against the proposed development:

- a similar proposal for a three story dwelling has been rejected by the delegate planning officer in the past on the grounds of architecture, heritage, overdevelopment and amenity; and
- concerns with regard to height, amenity impact, overshadowing and overlooking.

In response to the questions from Councillors, the Acting Manager Planning and Building, Martin Williams, made the following comments with respect to changes in the current proposal over the original proposal:

- access concern has been addressed;
- there is reduction of car spaces, resulting in reduction of traffic movements;
- reduction in number of storeys; and
- though the upper level and skyline is reduced, there will be some over shadowing to the neighbouring property till 9.30am.

Frank Guarino, behalf of BMG architects, addressed the Committee making the following key comments in support of the proposed development:

- the proposed development is on a large site, with wide boulevard, consisting of three, two bedroom apartments;
- advice was sought from an independent heritage advisor;
- the height has been reduced from three levels to two levels;
- there is access to a third garage, being a two lane road; and
- the proposal is appropriate as it has minimum impact.

Simon Skinner, on behalf of Planning Sense Town Planning Consultants, addressed the Committee making the following key comments in support of the proposed development:

- Flemington Road is sustainable for higher built form due to the neighbourhood character;
- there is evidence of three storey buildings being approved in the area; and
- there is a single storey building adjacent to the site, where there will be minor overshadowing.

Moved: Lord Mayor, Robert Doyle

That the Future Melbourne Committee issue a Notice of Decision to Grant an Amended Permit, subject to the conditions included in the delegate's report (refer Attachment 4 of Management report, Delegate's Report.)

Seconded: Cr Jetter

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Ong, Lord Mayor, Robert Doyle, Councillors Jetter, Louey, Oke and Watts.

The Deputy Lord Mayor, Susan Riley, returned to the meeting at 8.30pm after the vote was taken.

5.5 Application for Planning Permit: TP-2011-471, 36-40 La Trobe Street, Melbourne

The purpose of this report was to advise the Committee of an application to construct a 35 level (118.5m high) podium tower development at 36-40 La Trobe Street, Melbourne. The proposal contains food and drink premises at ground level, 58 car parking spaces and 77 bicycle spaces in levels 1 to 4 and 244 residential apartments in levels 1 to 35.

Claudia Tonelli, Glossop Town Planning, on behalf of the Grierson Family Trust, addressed the Committee making the following key comments against the proposed development:

- there will be a negative impact on the amenity; and
- concerns with regard to heritage controls, scale, height, lack of set backs, overshadowing, overlooking, loss of streetscape, noise, and traffic impacts.

Lloyd Elliot, Urbis, on behalf of the applicant, Argo Pty Ltd, addressed the Committee in support of the proposed development by making the following key comments:

- the development is seven star rated and is appropriate for the site; and
- the heritage overlay will come into effect only after the application is approved via a planning scheme amendment.

Cr Oke left the meeting at 8.37pm and returned at 8.38pm.

In response to the questions from Councillors, Mr Elliot advised that they would look at the concerns raised, if the matter is deferred.

Noel Turnbull, who had provided Councillors with a written submission, sought permission to address the Committee and made the following key comments objecting to the proposal:

- should seek a heritage overlay for the proposal; and
- aware that the applicant can proceed to Victorian Civil and Administrative Tribunal, if the proposal is declined by Council.

5.6 Planning Scheme Amendments C193 and C194, Heritage Controls For 30-50 La Trobe Street, Melbourne

The purpose of this report was to present the heritage assessment of an independent consultant engaged by the City of Melbourne to assess the heritage significance of four buildings located sequentially at 30-50 La Trobe Street, Melbourne and to recommend planning scheme heritage controls.

Yan Qiu, who had requested an opportunity to speak was not present at the meeting to address the Committee.

Tristan Davies, on behalf of Melbourne Heritage Action, addressed the Committee making the following key comments in support of the amendment:

- the buildings in the area are of architectural and historical interest; and
- Melbourne is multicultural and the area has a Victorian history.

Claudia Tonelli, Glossop Town Planning, on behalf of the Grierson Family Trust, addressed the Committee in support of the officers' recommendations.

Lloyd Elliot, Urbis, on behalf of the applicant, Argo Pty Ltd, addressed the Committee making the following key comments in support of the amendment:

- multiple reviews were received in respect to the development; and
- a heritage overlay is not required.

In response to the questions from Councillors, the Acting Manager Planning and Building, Martin Williams, made the following comments:

- the planning application assessment process commenced during May of last year; and
- the buildings are in mixed used zone and are not currently affected by a heritage overlay.

Moved: Lord Mayor, Robert Doyle

That the Future Melbourne Committee defer agenda items 5.5 and 5.6 pending further consultation between the developer, Council officers and objectors, with a view to reconsidering these matters at the Future Melbourne Committee on 14 February 2012.

Seconded: Cr Louey

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Ong, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Louey, Oke and Watts.

The Lord Mayor, Robert Doyle, resumed the role of chair of the meeting.

6. GENERAL BUSINESS

There were no items of General Business for consideration in the open session.

7. URGENT BUSINESS

There were no items of Urgent Business for consideration in the open session.

8. PUBLIC QUESTIONS

There were no public questions.

9. CLOSURE OF OPEN MEETING

Moved: Lord Mayor, Robert Doyle

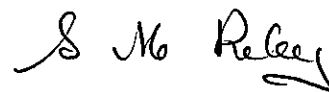
That pursuant to sections 89(2)(h) of the Local Government Act 1989, the meeting of the Future Melbourne Committee be closed to members of the public for the consideration of agenda item 5.8.1.1 as it contains information which if released, could prejudice the Council or any person.

Seconded: Cr Ong

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Jetter, Louey, Oke, Ong and Watts.

The Chair, Lord Mayor, Robert Doyle, declared the open meeting closed at 9.09pm.

Confirmed at the meeting of Future Melbourne Committee on Tuesday 6 March 2012.



Chair
Future Melbourne Committee