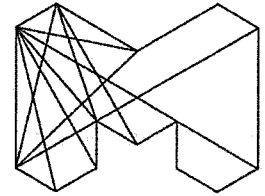


Confirmed minutes



CITY OF MELBOURNE

Future Melbourne Committee

Minutes

**Meeting Number 81
Tuesday 21 July 2020
5.30pm**

**Council Chamber
Level 2
Melbourne Town Hall**

Present

Lord Mayor, Sally Capp
Deputy Lord Mayor, Arron Wood
Councillor Nicolas Frances Gilley
Councillor Rohan Leppert
Councillor Kevin Louey
Councillor Cathy Oke
Councillor Beverley Pinder-Mortimer
Councillor Nicholas Reece
Councillor Susan Riley
Councillor Jackie Watts

Apology

Councillor Philip Le Liu

Confirmed at the meeting of the Future Melbourne Committee
On Tuesday 4 August 2020

C o n f i r m e d m i n u t e s

1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Lord Mayor, Sally Capp, advised that:

- the meeting was being streamed live and that an audio and video recording would be made available on the City of Melbourne website before close of business tomorrow
- the agenda comprised six reports from management, one of which was confidential, and six items of general business
- Councillors Frances Gilley, Leppert, Louey, Oke and Riley were participating in the meeting via livestream
- An apology had been received from Cr Le Liu.

2. Disclosures of conflicts of interest

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

3. Confirmation of minutes of the previous meetings

Moved: Cr Reece

That the minutes of meeting No. 80, held on Tuesday 7 July 2020, be confirmed.

Seconded: Deputy Lord Mayor Arron Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

4. Matters arising from the minutes of the previous meeting

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

5. Public questions

The Lord Mayor, Sally Capp, advised that three public questions had been received, two of which would be asked via live audio link.

Chris Delbridge asked a question relating to the Exceptional Tree Register:

What activities have Council undertaken to achieve the aims of the Exceptional Tree Register, particularly, encouraging shared responsibility for the retention and care of trees and promoting planting of trees on private properties that may become an exceptional tree in the future and increase canopy cover in the City of Melbourne?

What performance measures are tracked by the Council and results published to track the achievement of these activities?

The Lord Mayor, Sally Capp, acknowledged that there was an item on the meeting's agenda relating to the Exceptional Tree Register, and advised that the responsible officer, David Callow, would address Mr Delbridge's questions in his presentation later in the meeting. To the extent that the questions are not answered by that presentation, the Committee would take them on notice and respond in writing to Mr Delbridge.

Lea Durham asked a question relating to the Exceptional Tree Register:

I have an interest in three of the trees nominated for consideration to qualify for protection on the Exceptional Tree Register. Those trees are at: 14-16 Flockhart Street, 94 Bayswater Road and 97 Bayswater Road. Unfortunately the tree at 97 Bayswater Road was recently removed by the owner of the property.

Confirmed minutes

Has Council considered that the current process, which notifies property owners that a tree on their property is pending consideration for protection, creates the perverse outcome of prompting owners to urgently remove trees before protection can be conferred?

What penalties apply if property owner undertakes removal or ringbarks a tree that is placed on the Exceptional Tree Register?

The Lord Mayor, Sally Capp, advised that the responsible officer, David Callow, would address Lea's questions in his presentation later in the meeting. To the extent that the questions are not answered by that presentation, the Committee would take them on notice and respond in writing to Lea.

The Lord Mayor, Sally Capp, advised that one written question that had been received and in reading that question aloud, she was not attesting to the veracity or factual nature of any statements in the question.

The Lord Mayor, Sally Capp, read out the written question received from Maree Marshall regarding a proposed development at Roden St, West Melbourne:

The proposed development exceeds the discretionary height control of 4 storeys by 1 storey at Roden Street. This does not include slope of land which "reads" as 6 storeys from Roden Street.

Why is Council comfortable with this height at Roden Street? Why is council comfortable with the setback at Roden Street? How does the proposed development NOT become a precedent for future developments within DD029?

Cr Reece advised that management is supportive of the of the height as the proposal provides an appropriate built form response to both the current built form controls and the proposed Melbourne Planning Scheme Amendment C309. The proposal provides adequate setbacks from the street and surrounding properties, and has been sensitively designed to reduce bulk and manage offsite amenity impacts. The topmost floor is set back 7.5 metres from Roden Street, and is adequately recessive within the streetscape.

Regarding the setting of precedent, Cr Reece advised that each planning permit application received by Council is individually assessed on its merits. The proposal satisfies the vision and aspirations of both the current and proposed planning framework. Importantly, the proposal does not exceed the proposed mandatory floor area ratio of 3 to 1 identified for this location. Management does not consider that this proposal, if approved and executed, sets an undesirable precedent for the area.

Additional detail related to all three questions is provided within the delegate report, available on the City of Melbourne website.

6. Reports from management

The Chair, Lord Mayor, Sally Capp, advised that the following submissions had been received in accordance with the Council's *Meeting Procedures Code*.

In relation to Agenda item 6.1, '**Planning Permit Application: TP-2018-799, 205-211 Roden Street and 218-228 Stanley Street, West Melbourne**'

Requests to speak:

- Ian Woodruff
- Hui Kong Gan
- Daryl Higgins
- Tim Retrot, ProUrban
- Sean Dugdale, Point Architecture.

Items of Correspondence:

- Ian Woodruff and Hui Kong Gan
- Daryl Higgins
- Tim Retrot, ProUrban and Sean Dugdale, Point Architecture
- Lisa Van Den Bosch
- Karl Hessian
- Dayle Stevens
- Mary Masters
- Maria Louey.

C o n f i r m e d m i n u t e s

In relation to Agenda item 6.2, **'Ministerial Planning Referral: TPM-2019-27, 633-669 Flinders Street, Docklands'**

Item of Correspondence:

- Josh Maitland.

In relation to Agenda item 6.4, **'Amendments C378 and C379 Exceptional Tree Register 2019'**

Request to speak:

- Winsome Spiller.

Items of Correspondence:

- John Cowdell
- Winsome Spiller
- Jennifer Moodie.

In relation to Agenda item 7.1, **'Notice of Motion, Cr Leppert: Regulation of building works nuisances'**

Request to speak:

- Tony Penna, Southbank Residents Association.

Items of Correspondence:

- | | |
|---|--------------------|
| • Chris Lloyd | • Tess Demediuk |
| • Alison Parr | • Paul Jones |
| • Rafael Camillo | • Stan Capp |
| • John Weretka | • Jenny Eltham |
| • Jacquie Guffrida | • Marg Leser |
| • Matthew Ginn | • Jennifer Boyle |
| • Gary Bateman | • Robert Smith |
| • Lauren Martin | • Nick Lam |
| • Deanne Butterworth | • Kate Chow |
| • Michael Munson | • Nicola Smith |
| • Ingrid Weisfelt | • Leo Boesten |
| • Mark Richards | • Catherine Barber |
| • Tony Penna, Southbank Residents Association | |

In relation to Agenda item 7.3, **'Notice of Motion, Cr Watts: Arts and Humanities Higher Education funding'**

Request to speak:

- Peter Acton

Items of Correspondence:

- | | |
|---------------------|----------------------|
| • Richard Broome | • Charles Sowerwine |
| • June Factor | • Alicia Cerreto |
| • Patricia Grimshaw | • Kimberley Meagher |
| • Chris Lamb | • Jill Barnard |
| • Lucy Bracey | • Russell Goulbourne |
| • Margaret Birtley | • Karen Twig |
| • Peter Acton | • Bea McNicholas |

C o n f i r m e d m i n u t e s

In relation to Agenda item 7.5, '**Notice of Motion: Cr Watts, Local Government Electoral Reform**'

Request to speak:

- Tony Penna, Southbank Residents Association.

Items of Correspondence:

- Michael Kennedy
- Stan Capp
- Martin Mulvihill
- Tony Penna, Southbank Residents Association.

In relation to Agenda item 7.6, '**Notice of Motion, Deputy Lord Mayor Arron Wood: Medically Supervised Injecting Room**'

Requests to speak:

- Ivan Stratov
- Nick McGowan
- Dennis Dunnell
- Rey Pearce.
- Stephen Mayne.

Items of Correspondence:

- | | |
|---------------------|--------------------------|
| • Ivan Stratov | • Moon Ramone |
| • Nick McGowan | • Sam Bondo |
| • Paul Langkamp | • Jonathan Lowe |
| • Paul Vourtsis | • Matthew Dean |
| • Dora Tsipouras | • Gordon Dorin |
| • Richard Scott | • Sam Weaner |
| • Loreto Valent | • David Horesman |
| • Jenny Samms | • Martin Mulvihill |
| • Dennis Dunnell | • Mohamd Yahuga Muthalif |
| • Rey Pearce | • Stephen Mayne |
| • David Horshall | • Gwen Rathjens |
| • Cristina Piccinno | |

Planning Portfolio

Cr Reece assumed the role of Chair for the Committee to consider five reports from management in relation to the Planning Portfolio.

6.1 Planning Permit Application: TP-2018-799, 205-211 Roden Street and 218-228 Stanley Street, West Melbourne

The purpose of this report was to advise the Future Melbourne Committee of a planning permit application seeking approval for partial demolition of buildings and the construction of a multi-storey building for apartment dwellings at 205-211 Roden Street and 218-228 Stanley Street, West Melbourne.

The following people addressed the Committee:

- Ian Woodruff
- Hui Kong Gan
- Daryl Higgins
- Tim Retrot, ProUrban
- Sean Dugdale, Point Architecture.

Cr Frances Gilley left the meeting at 6.08pm and returned at 6.09pm.

Confirmed minutes

Moved: Cr Reece

That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Permit, subject to the conditions outlined in the Delegate Report (refer Attachment 4 of the report from management).

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Reece, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Louey, Oke, Pinder-Mortimer, Riley and Watts.

Cr Louey left the meeting at 6.25pm and did not return.

6.2 Ministerial Planning Referral: TPM-2019-27, 633-669 Flinders Street, Docklands

The purpose of this report was to advise the Future Melbourne Committee of a Ministerial planning referral seeking approval for the partial demolition and buildings and works for the refurbishment of the existing building at 633-669 Flinders Street, Docklands.

Deputy Lord Mayor Arron Wood left the meeting at 6.25pm and returned at 6.26pm.

Moved: Cr Reece

That the Future Melbourne Committee resolves to advise the Department of Environment, Land, Water and Planning that Melbourne City Council does not object to the application subject to the conditions outlined in the delegate report (refer to Attachment 4 of the report from management), but with the deletion of conditions 10a) and 10 b).

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Reece, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Oke, Pinder-Mortimer, Riley and Watts.

6.3 Planning Scheme Amendment C380 – Zoning corrections of public open space in the Melbourne Planning Scheme

Cr Oke declared an indirect conflict of interest in this matter due to residential amenity under Section 78E of the *Local Government Act 1989*. Cr Oke advised that one of the proposed open spaces is in close proximity to her house, giving rise to a conflict due to residential amenity. Cr Oke left the meeting at 6.30pm prior to discussion taking place.

The purpose of this report was to recommend that the Future Melbourne Committee request the Minister for Planning authorise the preparation and exhibition of Amendment C380. The amendment seeks to rezone Crown land and land vested in Council and the Victorian Government, which is currently being used as open space in the form of parks and recreation spaces, to the Public Park and Recreation Zone. The amendment will also correct mapping anomalies in the Melbourne Planning Scheme.

Moved: Cr Reece

1. *That the Future Melbourne Committee:*
 - 1.1. *Requests authorisation from the Minister for Planning to prepare and exhibit Amendment C380 as shown in Attachment 2 of the report from management.*
 - 1.2. *Authorises the General Manager Strategy, Planning and Climate Change to make any further minor editorial changes to the amendment documentation and attachments, if required.*

Confirmed minutes

- 1.3. *Authorises the General Manager Strategy, Planning and Climate Change to remove the parks proposed to be rezoned in Amendment C309/C385 (West Melbourne Structure Plan) from this amendment, should Amendment C309/C385 be gazetted in the planning scheme at an earlier date.*

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Reece, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Pinder-Mortimer, Riley and Watts.

Cr Oke returned to the meeting at 6.36pm after the vote had been taken.

6.4 Amendments C378 and C379 Exceptional Tree Register 2019

The Chair, Cr Reece declared an indirect conflict of interest in this matter because of a conflicting duty under Section 78B of the *Local Government Act 1989*. Cr Reece's employer has trees to be considered by the Exceptional Tree Register. Cr Reece left the meeting at 6:37pm prior to discussion taking place.

Cr Oke declared an indirect conflict of interest in this matter because of a conflicting duty under Section 78B of the *Local Government Act 1989*. Cr Oke's employer has trees to be considered by the Exceptional Tree Register. Cr Oke left the meeting at 6:37pm prior to discussion taking place.

The Deputy Chair, Cr Leppert assumed the role of Chair.

The purpose of this report was to present the Exceptional Tree Register (ETR) 2019 for endorsement, seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C379, and apply for interim protection of trees identified in the ETR via Ministerial Amendment C378.

Cr Frances Gilley left the meeting at 6.40pm and returned at 6.41pm.

Winsome Spiller addressed the Committee.

Moved: Cr Leppert

1. *That the Future Melbourne Committee:*
 - 1.1. *Adopts the Exceptional Tree Register 2019.*
 - 1.2. *Requests the Minister of Planning prepare and approve Planning Scheme Amendment C378 (refer Attachment 3 of the report from management) to the Melbourne Planning Scheme, pursuant to section 20(4) of the Planning and Environment Act 1987, to introduce interim Environmental Significance Overlays over the 119 additional trees on the Exceptional Tree Register.*
 - 1.3. *Seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C379 (refer Attachment 4 of the report from management) to introduce permanent Environmental Significance Overlays over the 119 additional trees on the Exceptional Tree Register and delete redundant controls where trees have been removed.*
 - 1.4. *Authorises the General Manager Strategy, Planning and Climate Change to make any further minor editorial changes to the Amendment documents and Exceptional Tree Register 2019*

Seconded: Deputy Lord Mayor, Arron Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Leppert, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Pinder-Mortimer, Riley and Watts.

Councillors Oke and Reece returned to the meeting at 7.05pm.

Cr Reece resumed the role of Chair.

C o n f i r m e d m i n u t e s

6.5 Response to notice of motion: Obtrusive effects of outdoor lighting

The purpose of this report was to respond to the Future Melbourne Committee's resolution of 19 November 2019 in relation to obtrusive effects of outdoor lighting.

Moved: Cr Reece

1. That the Future Melbourne Committee:

- 1.1. Adopts a set of standard Planning Permit Conditions, as contained in Attachment 2 of the report from management, relating to impacts of obtrusive lighting to be applied to relevant proposals, and requests that management work with relevant branches to strengthen the planning permit controls for compliance with the Australian Standard for Control of the Obtrusive Effects of Outdoor Lighting.*
- 1.2. Requests that the General Manager City Design make changes to the City of Melbourne Public Lighting Strategy 2013 to reflect the requirements noted in the management report and, upon completing these changes, republish the Strategy with the 2020 amendments and provide digital copies to all persons who made a submission to this agenda item and/or to agenda item 7.1 of the 19 November 2019 Future Melbourne Committee meeting.*

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Reece, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Oke, Pinder-Mortimer, Riley and Watts.

The Lord Mayor, Sally Capp, resumed the role of Chair for the remainder of the meeting.

7. General business

There were six items of General business for consideration.

7.1 Notice of Motion, Cr Leppert: Regulation of building works nuisances

The committee noted that Tony Penna, on behalf of Southbank Residents Association, had requested an opportunity to speak, however was unavailable to address the committee due to prior commitments.

Moved: Cr Leppert

That the Future Melbourne Committee:

- 1. Notes that the Local Government Act 2020, like the Local Government Act 1989, limits the penalty able to be applied by Councils for breaches of local laws, and that this limit is 20 penalty units, currently \$2,000.*
- 2. Notes that the 20 penalty units limit on breaches of the local law in relation to building works nuisances such as out-of-hours construction is too low to be a meaningful deterrent for larger projects and that the cost of breaching the local law is increasingly being built into the cost of doing business, and that the current regulatory framework for building works nuisance abatement is therefore inadequate especially in high density mixed use areas such as central Melbourne.*
- 3. Notes that the Legislative Council of Victoria did not agree to amend the Bill that led to the Local Government Act 2020 to increase penalties for breaches of local laws in relation to construction activity, and that the Local Government Minister's rationale on behalf of the Government for opposing the amendment was that "we believe that penalties of this scale are more appropriately made through primary legislation and therefore through the Parliament of Victoria, so we do not consider it to be appropriate for penalties above 20 penalty points to be issued through regulations or local laws."*

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4. *Resolves therefore to request that the State Government identify which primary legislation should be amended to allow for an enforceable statutory framework and permitting regime to regulate building works nuisance abatement.*
5. *Requests that the Chief Executive Officer write to the Premier, Minister for Planning and Minister for Local Government, and relevant Departmental Secretaries, to formally make the request, attaching a copy of the resolution, the notice and its attachment.*

Seconded: Cr Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Oke, Pinder-Mortimer, Reece, Riley and Watts.

7.2 Notice of Motion, Deputy Lord Mayor, Arron Wood: Supporting small businesses through the Environmental Upgrade Agreement legislation and model

Moved: Deputy Lord Mayor, Arron Wood

1. *That the Future Melbourne Committee:*
 - 1.1. *Requests Management:*
 - 1.1.1. *Investigate the Environmental Upgrade Agreement mechanism in the Local Government Act 1989 to assess whether it can potentially be broadened to apply to any type of building upgrade.*
 - 1.1.2. *Report back to the Future Melbourne Committee Meeting on Tuesday 4 August 2020 outlining the pros and cons of expanding the Environmental Upgrade Agreement mechanism as a means of supporting businesses in the City of Melbourne to access finance to upgrade their buildings. The report should assess any risk or liability that may arise for Councils and ways those risks can and will be mitigated, and should include a recommendation on whether to proceed with this expansion of EUAs and how to lobby the State Government, potentially dovetailing with its efforts to finalise its Bill to amend the Local Government Act 2020 to include all matters relating to council rates, EUAs and related matters.*

Seconded: Cr Oke

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Oke, Pinder-Mortimer, Reece, Riley and Watts.

7.3 Notice of Motion, Cr Watts: Arts and Humanities Higher Education funding

The committee noted that Peter Acton, who had requested an opportunity to speak, were not available via audio link to address the committee.

Moved: Cr Watts

1. *That the Future Melbourne Committee:*
 - 1.1. *Notes that:*
 - 1.1.1. *Melbourne has global recognition as a Knowledge City, a city of Arts and Culture, and is a UNESCO City of Literature. The key role of universities is to deliver both education and engage in research while at the same time functioning as businesses within the city's Knowledge Economy.*
 - 1.1.2. *The City of Melbourne is home to nine Universities, some of which are dual sector. Universities are major institutional employers.*
 - 1.1.3. *The Knowledge and Creative Arts Sectors are key drivers in the economy of this city and its society. Both sectors are dependent upon the Humanities, Arts, and Social Sciences delivered through university education and engagement in research.*

C o n f i r m e d m i n u t e s

- 1.1.4. *The Commonwealth Government has proposed significant changes to the funding model for universities which includes the imposition of disproportionate increases to course fees for arts, humanities and social science tertiary students.*
- 1.1.5. *The Commonwealth Government has proposed additional university places, funding of which is to be delivered through adjustment to fees charged in targeted courses in the Humanities, Arts and Social Sciences and, notably, no additional funding for the university sector.*
- 1.2. *Expresses the view that proposed changes will have the following impact:*
 - 1.2.1. *Will adversely impact on Melbourne's Knowledge and Creative economies and upon the capacity of the university sector to deliver education and sustain their research.*
 - 1.2.2. *Are contrary to the principles of equitable educational opportunity in this country representing an ideological strategy to impose price signals on education.*
 - 1.2.3. *Are contrary to the compelling research and business opinion from diverse sources, which clearly recognises the immense value of the Arts, Humanities and Social Sciences studies across the business sector to solve problems by connecting diverse ideas and themes across the academic disciplines, including businesses which are based on technical and science areas.*
 - 1.2.4. *Are likely to prevent, discourage or divert students from gaining marketable skills, broad-based education and critical thinking necessary to sustain the robust, diverse intellectual culture of the City of Melbourne which underpins its economy.*
 - 1.2.5. *Introducing inequitable price disparities between areas of study likely to result in the students from disadvantaged backgrounds in particular making course decisions based on their capacity to incur debt, not their interests, capabilities or aspirations.*
 - 1.2.6. *The social, political, cultural and economic consequences of the proposed changes on the City of Melbourne and the nation will be dire.*
- 1.3. *Requests that the Lord Mayor write to the Prime Minister and the Federal Minister for Education on behalf of the Council to object to the proposal in the strongest terms, citing the reasons in this resolution, and to requesting that these proposals be reconsidered or abandoned.*

Seconded: Deputy Lord Mayor, Arron Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Oke, Pinder-Mortimer, Reece, Riley and Watts.

7.4 Notice of Motion: Cr Jackie Watts, Hong Kong citizens

Moved: Cr Watts

That Future Melbourne Committee:

1. *Supports the Australian Government statements reassuring Hong Kong citizens fearing political persecution that they can apply for protection under Australia's humanitarian program.*
2. *Congratulates the Australian Prime Minister for that announcement and further calls upon the Commonwealth Government to:*
 - 2.1. *Immediately grant those Hong Kong citizens presently in Australia, and who apply for asylum, the ability to work and study in Australia, while exploring ways by which they may be offered an expedited path to Australian residency and citizenship.*

Confirmed minutes

- 2.2. *Explore ways by which Hong Kong citizens in the following circumstances may be offered a path to Australian residency and citizenship:*
 - 2.2.1. *Citizens who neither hold nor are entitled to British National Overseas Passports, and are not presently in Australia but are otherwise entitled to live or study in Australia.*
 - 2.2.2. *Citizens not presently in Australia but who hold, or are entitled to hold, British National Overseas Passports.*
 - 2.2.3. *Citizens fearing persecution are eligible to apply for entry on humanitarian grounds and if they meet the criteria, apply for residency in due course.*
3. *Requests the Chief Executive Officer to forward a copy of this Motion to the Ambassador of China, Consul General of China in Melbourne, the Australian Prime Minister and Australia's Minister for Foreign Affairs.*

Seconded: Cr Pinder-Mortimer

The motion was put and carried with the following Councillors voting for the motion: Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Oke, Pinder-Mortimer, Reece, Riley and Watts and the Chair, Lord Mayor, Sally Capp, abstaining from the vote.

7.5 Notice of Motion: Cr Jackie Watts, Local Government Electoral Reform

The committee noted that Tony Penna, on behalf of Southbank Residents Association, had requested an opportunity to speak, however was unavailable to address the committee due to prior commitments.

Moved: Cr Watts

That the Future Melbourne Committee recommends that Council request the Lord Mayor to write to the Minister for Local Government to:

1. *Express Council's congratulations on Minister Shaun Leane's appointment to the local government portfolio and welcoming of overdue local government reforms delivered through the passing of the Local Government Act 2020, but noting that some of the reforms do not apply to the municipality of Melbourne.*
2. *Call on the State Government to:*
 - 2.1. *Commit to undertaking a review of the City of Melbourne Act 2001 (CoM Act) in sufficient time for the 2024 local government elections, noting that the CoM Act has not been reviewed since introduction.*
 - 2.2. *Consider as part of a review of the CoM Act, an amendment to entitle Traditional Custodians of lands and waters within the Melbourne City Council municipal district to enrol to vote in Melbourne City Council elections.*
 - 2.3. *Implement, in the interim and in time for forthcoming council elections, the following electoral funding reforms under the Local Government Act 2020:*
 - 2.3.1. *Candidates be required to disclose any donation and/or in kind gift within three business days of receipt.*
 - 2.3.2. *Capping donations to candidates at not more than \$4,000 from any one person or organisation within any 12 month period.*
 - 2.3.3. *Prohibit taking donations from persons who personally own or hold controlling interests in companies that actively engage in the property development industry or derive gambling income in Victoria.*
3. *The City of Melbourne Officers investigate options for the City of Melbourne or other entities to establish platforms for democratic debate if local government elections in October are held during a period of physical distancing and restrictions on public gatherings.*

Seconded: Cr Frances Gilley

C o n f i r m e d m i n u t e s

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Oke, Pinder-Mortimer, Reece, Riley and Watts.

7.6 Notice of Motion, Deputy Lord Mayor Arron Wood: Medically Supervised Injecting Room

Cr Oke declared a direct conflict of interest in this matter under Section 77B of the *Local Government Act 1989*. Cr Oke owns a property in the vicinity of the proposed site. Cr Oke left the meeting at 8.11pm prior to discussion taking place.

Cr Leppert declared an indirect conflict of interest in this matter because of a receipt of applicable gift under Section 78C of the *Local Government Act 1989*. Cr Leppert received a donation from Cr Oke to their joint election campaign in 2016. Cr Leppert left the meeting at 8.11pm prior to discussion taking place.

The following people addressed the Committee:

- Ivan Stratov
- Nick McGowan
- Stephen Mayne.

The committee noted that Dennis Dunnell and Rey Pearce, who had requested an opportunity to speak, were not available via audio link to address the committee.

Moved: Deputy Lord Mayor, Arron Wood

1. *That the Future Melbourne Committee, in light of new information, requests that the Chief Executive Officer write to the Minister for Mental Health, Martin Foley MP and Ken Lay AO to express the following:*
 - 1.1. *That the Victorian Government's 'preferred site' (i.e. 53 Victoria St, Melbourne) be removed from the site options currently being considered for the second Medically Supervised Injecting Room (MSIR) in Melbourne on the grounds that the 'preferred site' is both inappropriate and inadequate. The request is to outline that the site is:*
 - 1.1.1. *Inappropriate due to its immediate proximity to vulnerable resident groups, its proximity to Queen Victoria Market, a site which attracts significant numbers of customers, traders and tourists.*
 - 1.1.2. *Inadequate in relation to the provision of associated medical services not limited to but including rapid detox and rehab beds and the ability of the site to physically accommodate a MSIR similar to that in North Richmond.*
 - 1.2. *Welcoming the decision by the Victorian Government to establish a formal public engagement process headed by Ken Lay AO, reiterating that the Council will engage collaboratively with the State Government in evaluating alternate site options once the City of Melbourne has been provided with State data outlining the sites considered and assessment criteria used to assess those sites. The correspondence should note that the City of Melbourne is yet to receive responses to its two requests for site selection and assessment criteria following the Victorian Government announcement of its preferred site on 5 June.*
 - 1.3. *Noting the independent Review of the Medically Supervised Injecting Room in Richmond, presented to the Victorian Government in June 2020, found that "amenity has not improved during the review assessment period ... and significantly fewer residents and business people reported feeling safe walking alone during the day and after dark." Therefore, any MSIR in City of Melbourne must give priority to amenity, with an increased emphasis by all service providers and local and state governments to address community safety and amenity.*

Seconded: Lord Mayor, Sally Capp

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Pinder-Mortimer, Reece, Riley and Watts.

Councillors Oke and Leppert returned to the meeting at 8.51pm.

Confirmed minutes

8. Urgent business

There were no items of proposed urgent business for consideration.

9. Public questions

Stephen Mayne asked when City of Melbourne's Enterprise Agreement (EA) was due to expire, the amount of the staff pay increment that commenced on 1 July 2020 and whether Council was looking to reduce staffing expenditure moving forward.

Justin Hanney, Chief Executive Officer, advised that the EA has expired. Council was about to put a proposed EA to the vote, however due to COVID-19 it was decided to put it on hold. Council is now back at the negotiating table. Justine Hanney, Chief Executive Officer advised that he will take the remaining questions on notice and respond to Mr Mayne directly.

Stephen Mayne asked if Deputy Lord Mayor, Arron Wood or Councillors Reece, Pinder-Mortimer or Riley had made a decision about whether to contest or retire in the forthcoming election.

All advised that they are yet to make a decision.

10. Closure of meeting

Moved: Deputy Lord Mayor

That pursuant to section 66 of the Local Government Act 2020 (Act), the meeting of the Future Melbourne Committee be closed to members of the public for the consideration of Agenda item 14.1, as it contains confidential meeting information, being the record of a meeting closed to the public under s66(2)(a) of the Act.

Seconded: Cr Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Oke, Pinder-Mortimer, Reece, Riley and Watts.

The Chair, Lord Mayor, Sally Capp, declared the meeting closed at 8.54pm.

Confirmed at the meeting of the Future Melbourne Committee on Tuesday 4 August 2020.



Chair
Future Melbourne Committee

