



**Melbourne City Council
Planning Committee**

MINUTES

**Meeting Number 12
Tuesday, 6 March 2007
6.30pm**

PRESENT

Cr Ng (Chair)
Cr Brindley
Cr Clarke
Cr Jetter
Cr Shanahan
Cr Snedden
Cr Wilson
Deputy Lord Mayor Gary Singer

To be confirmed at the Planning
Committee meeting on 3 April 2007.

1. COMMENCEMENT OF MEETING AND APOLOGIES (Agenda Item 1)

The meeting commenced at 6.58pm.

2. ADJOURNMENT OF MEETING

The Deputy Lord Mayor Gary Singer moved the following motion:

That the Planning Committee adjourn at 6.58pm and resume at 7.05pm.

Cr Brindley seconded the Deputy Lord Mayor Gary Singer's motion. The motion was put and carried unanimously.

3. RESUMPTION OF MEETING

The meeting resumed at 7.05pm with the following Committee members present; the Chair Cr Ng and Councillors Brindley, Clarke, Jetter, Shanahan, Snedden and Wilson.

The Chair Cr Ng, advised that:

- the meeting was being recorded for the purpose of ensuring the accuracy of the minutes of the meeting;
- the agenda comprised five Management Reports and two items of General Business; and
- no apologies had been received.

4. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST (Agenda Item 2)

There was one declaration of pecuniary interest from Cr Snedden in relation to Agenda Item 5.1, "*Planning Application: 167-173 Collins Street, Melbourne (171 Collins Street)*".

The Deputy Lord Mayor Gary Singer returned to the meeting at 7.09pm.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS (Agenda Item 3)

Resolved:

That the minutes of meeting No 11, held on Tuesday, 6 February 2007, be confirmed.

Moved: Cr Snedden

Seconded: Cr Brindley

Carried unanimously

6. MATTERS ARISING FROM THE PREVIOUS MINUTES (Agenda Item 4)

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

7. REPORTS FROM MANAGEMENT (Agenda Item 5)

The Chair Cr Ng, advised that the following submissions/items of correspondence had been received in accordance with the Council's *Conduct of Meetings Local Law 2001*:

Items of Correspondence:

In relation to Agenda Item 5.1, Planning Application: 167-173 Collins Street, Melbourne (171 Collins Street):

- Peter Matthews, President, Residents 3000 Inc;
- Carl Schibrowski, Commercial Development Manager, Macquarie Asset Services Limited;
- Rohan Story, Architectural Historian, National Trust of Australia (Victoria); and
- Rosalin Sadler.

In relation to Agenda Item 5.2, Application for Planning Permit: 594-600 Swanston Street, Carlton:

- Susan Ferguson.

In relation to Agenda Item 5.3, St Kilda Road Masterplan:

- Milton Wilde;
- Wilma Harding;
- Joe Lionnet;
- Nik Dow;
- Rob McGauran of McGauran Giannini Soon Architects and Urban Planners; and
- Heather Heath.

Requests to Speak:

In relation to Agenda Item 5.1, Planning Application: 167-173 Collins Street, Melbourne (171 Collins Street):

- Tamara Orrlov of Hansen Partnership Pty Ltd on behalf of Regent Theatre Holding Pty Ltd and the Body Corporate Westin Apartments;
- John Denton on behalf of Residents 3000 Inc;
- Michael Barlo, Roger Poole and Carl Schibrowski of Communications and Public Relations Pty Ltd on behalf of the applicant.

In relation to Agenda Item 5.2, Application for Planning Permit: 594-600 Swanston Street, Carlton:

- Simon Martyn of Fulcrum Town Planners on behalf of the applicant; and
- Greta Bird on behalf of the Carlton Residents Association Inc.

In relation to Agenda Item 5.4, Spruiking Policy:

- Steve Axis of Carrington Jewellers.

Copies of all items of written submissions/correspondence were circulated to Councillors prior to the meeting.

8. REFERRAL NOTICE PROCESS

The Chair Cr Ng, advised members of the Committee and the public that:

- in accordance with the resolution of the Council on 28 February 2006, where the Committee makes a decision on the basis of fewer than five members voting in favour of it, the decision may be referred, by a Councillor, to Council for decision; and
- information in relation to the referral notice process was available from the Secretariat Officers.

5.1. Planning Application: 167-173 Collins Street, Melbourne (171 Collins Street)

The purpose of this report was to advise the Committee of an application for planning approval made to the Minister for Planning for buildings and works including demolition of buildings on Watson Place and Flinders Lane and an application made to Heritage Victoria for the heritage aspects of the development proposal.

Tamara Orrlov of Hansen Partnership Pty Ltd, on behalf of Regent Theatre Holding Pty Ltd and Body Corporate Westin Apartments, spoke against the application. Ms Orrlov had provided a copy of supporting documentation to Councillors prior to the commencement of the meeting.

John Denton, on behalf of Residents 3000 Inc, spoke against the application and had provided a copy of supporting documentation to Councillors prior to the commencement of the meeting.

Michael Barlow, Roger Poole and Carl Schibrowski of Communications and Public Relations Pty Ltd, on behalf of the applicant, spoke in support of the application and had provided supporting documentation to Councillors prior to the commencement of the meeting.

Cr Snedden declared a pecuniary interest in relation to this item and departed the meeting at 7.37pm.

Cr Clarke moved the following motion:

1. *That the Planning Committee:*
 - 1.1. *inform the Minister for Planning that the City of Melbourne supports the application subject to conditions in Attachment 1 to the management report including an additional condition requiring a setback off Flinders Lane above a podium level to increase light in Watsons Place and Flinders Lane; and*
 - 1.2. *inform Heritage Victoria that the retention and restoration of the front portion of the former Auditorium Building is supported.*

Cr Jetter seconded Cr Clarke's motion. The motion was put and lost with Councillors Clarke, Jetter and Shanahan voting in favour of the motion and the Chair Cr Ng, the Deputy Lord Mayor Gary Singer and Councillors Brindley and Wilson voting against the motion.

Cr Brindley moved the recommendation contained in the Management Report.

Cr Wilson seconded the motion.

The motion was put and carried with the Chair Cr Ng, the Deputy Lord Mayor Gary Singer and Councillors Brindley and Wilson voting in favour of the motion and Councillors Clarke, Jetter and Shanahan voting against the motion.

REFERRAL NOTICE PROCESS TRIGGERED:

In accordance with the delegation to the Committee, this decision was passed by the Committee on an affirmative vote of less than five members of the Committee and accordingly the referral notice process was triggered.

The resolution in its entirety now reads:

1. *That the Planning Committee inform the Minister for Planning that the City of Melbourne:*
 - 1.1. *objects to the proposed height of the building and the lack of podium to Flinders Lane which is contrary to the Melbourne Planning Scheme;*
 - 1.2. *general support is offered for the design concept of the building, the ground floor treatments and the pedestrian connections created are commended;*
 - 1.3. *concern is expressed regarding the impact of the development on access to Watson Place for loading and unloading for the Regent Theatre;*
 - 1.4. *the detailed design of the car park access needs to be revised in order that the development does not impact on vehicle movements within Flinders Lane and allows for adequate vehicle access into the site; and*
 - 1.5. *the increased shadow to Federation Square on the solstice is unacceptable as are increased adverse wind conditions.*
2. *That the Planning Committee inform Heritage Victoria that while the retention and restoration of the front portion of the Former Auditorium Building is supported, significant concern is expressed regarding the impact of the new building on the Flinders Lane Heritage Precinct.*
3. *Should the Planning Committee resolve to support this development a set of conditions have been drafted which require the applicant to address the technical and detailed issues in relation to the proposal (at Attachment 1).*
4. *Note that this decision of the Planning Committee is being made by the Committee under delegation from the Council and is subject to the Referral Notice Process.*

Cr Snedden returned to the meeting at 7.59pm.

5.2. Application for Planning Permit: 594-600 Swanston Street, Carlton

The purpose of this report was to advise the Committee of an application for planning approval to construct a 13 storey building to be used for student accommodation, shop, office and restaurant and a reduction in the associated bicycle and car parking requirements.

Simon Martyn of Fulcrum Town Planners, on behalf of the applicant, spoke in support of the application.

Greta Bird, on behalf of the Carlton Residents Association Inc, spoke against the application. Ms Bird had provided supporting documentation to Councillors prior to the commencement of the meeting.

In response to questions raised by Councillors, Ms Bird, made the following comments:

- students residing in College Square on Lygon had provided negative feedback on their accommodation;
- there are currently no student facilities such as mentoring, tutoring etc for international students and a lack of space for activities such as socialising etc;
- contracts are arranged for international students whilst they are still overseas and are locked into 12 month contracts; and
- it is estimated that there will be a drop of 10,000 international students over the next five years.

In response to questions raised by Councillors, the Manager Development Planning, Con Livanos, made the following comments:

- the application provides for communal space to include:
 - laundry facilities;
 - lounge area;
 - a café; and
 - a student association being located within the complex.

In response to questions raised by Councillors, the Manager Sustainable City Research, Austin Ley, made the following comments:

- information on the numbers of international students is received from the eight universities within the municipalities and is based on enrolment data;
- the last trend analysis was based on data from May 2006 which continues to show an upward trend albeit leveling out; and
- local students are also able to take up the option of student accommodation.

Moved: Cr Jetter moved the recommendation contained in the Management Report.

Seconded: Cr Wilson.

Moved: Cr Brindley moved an amendment to include the following additional paragraph:
"and the reduction in the height of the building by one level and no less than three metres".

Seconded: Cr Shanahan.

Foreshadowed

Motion: Cr Clarke foreshadowed an alternative motion as follows:

1. *That the Planning Committee request a policy paper be presented on student housing in the City of Melbourne considering:*
 - 1.1. *demands for additional student housing in Melbourne;*
 - 1.2. *design deficiencies in accommodation types for student housing;*
 - 1.3. *design recommendations to enhance the lifestyle and opportunities of student housing; and*
 - 1.4. *design improvements for the buildings should they have an alternate use (ie aged care, affordable housing etc).*

Cr Brindley's amendment was put and lost with Councillors Brindley and Shanahan voting in favour of the motion and the Chair Cr Ng, the Deputy Lord Mayor Gary Singer and Councillors Clarke, Jetter, Snedden and Wilson voting against the amendment.

In view of Cr Clarke's foreshadowed motion, Cr Jetter did not pursue his motion which had been seconded by Cr Shanahan.

Cr Clarke moved the motion previously foreshadowed.

Seconded: Cr Shanahan (for the purposes of debate).

Cr Clarke's motion was put and carried with the Chair Cr Ng, the Deputy Lord Mayor Gary Singer and Councillors Brindley, Clarke, Jetter, Snedden and Wilson voting in favour of the motion and Cr Shanahan voting against the motion.

The Deputy Lord Mayor Gary Singer left the meeting at 8.35pm.

5.3. St Kilda Road Masterplan

The purpose of this report was to advise the Committee on the status of, and issues related to, the St Kilda Road Masterplan.

The Director Sustainability, Geoff Lawler, provided all Councillors with a copy of a joint letter dated 6 March 2007 from the Mayors of City of Yarra, City of Stonnington and City of Port Phillip.

The Deputy Lord Mayor Gary Singer returned to the meeting at 8.38pm.

- Moved: Incorporating comments made by Councillors, Cr Clarke moved the following motion.
1. *That the Planning Committee:*
 - 1.1. *note the preparation of the draft St Kilda Road Masterplan and the participation of Department of Infrastructure and Department of Sustainability and Environment in informal consultation meetings;*
 - 1.2. *delay the release of the draft Masterplan for consultation until a traffic management impact report assessing the impact of the Masterplan; and*
 - 1.3. *request that Council commission a traffic management study assessing the impact of the proposed Masterplan.*

Seconded: Cr Snedden.

The motion was put and lost with Councillors Clarke, Snedden and Wilson voting in favour of the motion and the Chair Cr Ng, the Deputy Lord Mayor Gary Singer, and Councillors Brindley, Jetter and Shanahan voting against the motion.

- Moved: Cr Brindley moved an amendment to include the following additional paragraphs:
- *“note the participation of the Department of Infrastructure and the Department of Sustainability and Environment in informal consultation meetings;*
 - *request the Lord Mayor write to the Premier and the Minister for Roads informing them of the Department of Infrastructure and the Department of Sustainability and Environment’s participation in the informal consultation meetings and requesting that they suspend decision on the Draft Masterplan until the completion of Council’s consultation process; and*
 - *broaden the consultation process to also seek views on the replacement of elm trees with more drought tolerant trees and or water efficient median strips”.*

Seconded: Cr Shanahan.

The amendment was put and lost with Councillors Brindley, Shanahan and Wilson voting in favour of the motion and the Chair Cr Ng, the Deputy Lord Mayor Gary Singer and Councillors Clarke, Jetter and Snedden voting against the motion.

- Moved: Incorporating Councillor comments, Cr Ng moved the recommendation contained in the Management Report, subject to following:
- the deletion of the words *“make a formal approach to VicRoads requesting for speed limits in St Kilda Road to be reduced from 60 to 50 kph”*; and
 - the addition of the following paragraphs:
 - *“note the participation of the Department of Infrastructure and the Department Sustainability and Environment in informal consultation meetings;*
 - *request the Lord Mayor write to the Premier and the Minister for Roads informing them of the Department of Infrastructure and the Department Sustainability and Environment’s participation in the informal consultation meetings and requesting that they suspend decision on the Draft Masterplan until the completion of Council’s consultation process;*

- *broaden the consultation process to also seek views on the replacement of elm trees with more drought tolerant trees and or water efficient median strips;*
- *request Council commission a traffic management study assessing the impact of the proposed Masterplan; and*
- *acknowledge submissions to the Masterplan and make known to submitters the future availability of the traffic management study.*

Seconded: Cr Brindley.

The motion in its entirety reads:

1. *That the Planning Committee:*
 - 1.1. *note the preparation of the Draft St Kilda Road Masterplan;*
 - 1.2. *approve the release of the Draft Masterplan for public and key stakeholder consultation;*
 - 1.3. *note the participation of the Department of Infrastructure and the Department Sustainability and Environment in informal consultation meetings;*
 - 1.4. *request the Lord Mayor write to the Premier and the Minister for Roads informing them of the Department of Infrastructure and the Department Sustainability and Environment's participation in the informal consultation meetings and requesting that they suspend decision on the Draft Masterplan until the completion of Council's consultation process;*
 - 1.5. *broaden the consultation process to also seek views on the replacement of elm trees with more drought tolerant trees and or water efficient median strips;*
 - 1.6. *request Council commission a traffic management study assessing the impact of the proposed Masterplan; and*
 - 1.7. *acknowledge submissions to the Masterplan and make known to submitters the future availability of the traffic management study.*

The motion was put and carried with the Chair Cr Ng, the Deputy Lord Mayor Gary Singer and Councillors Brindley, Jetter, Shanahan and Wilson voting in favour of the motion and Councillors Clarke and Snedden voting against the motion.

5.4. Spruiking Policy

The purpose of this report was to provide an update on the progress with issuing spruiking permits, consider the draft criteria guidelines for assessing permits and to present an application to spruik with amplification.

Moved: Cr Brindley.

The Deputy Lord Mayor Gary Singer left the meeting at 9.13pm.

Steve Axis of Carrington Jewellers, addressed the Committee in relation to amplified spruiking expressing his concerns that not all retailers were being treated equally in relation to amplified spruiking.

The Committee made it clear that all amplified spruiking was to cease unless the spruiker had a permit approved by the Planning Committee.

The Deputy Lord Mayor Gary Singer returned to the meeting at 9.16pm.

- Moved: Cr Clarke moved an amendment to the recommendation contained in the Management Report as follows:
- that the words "*with the deletion of paragraphs 5.1 and 5.4 of the criteria guidelines*" be added to paragraph 1.2 below; and
 - that the words "*refuse the application to spruik with amplification from*" be deleted and the words "*be advised of the criteria guidelines for application to spruik with amplification*" at paragraph 1.3 below.

Cr Brindley withdrew his moving of the motion.

Moved: Cr Clarke.

Seconded: Cr Brindley.

The motion in its entirety reads:

1. *That the Planning Committee:*
 - 1.1. *note the progress relating to management of spruiking permits performed to date including the interim code of conduct;*
 - 1.2. *adopt the criteria guidelines for assessing applications for spruiking with amplification with the deletion of paragraphs 5.1 and 5.4 of the criteria guidelines; and*
 - 1.3. *that Peter Ferne Management Pty Ltd be advised of the criteria guidelines for application to spruik with amplification.*

The motion was put and carried unanimously.

5.5. Future Melbourne

The purpose of this report was to seek endorsement to proceed with the development of a new strategic plan for Melbourne to be known as Future Melbourne and to be carried out in partnership with the University of Melbourne and other key organisations.

Resolved:

1. *That the Planning Committee recommends that Council endorse:*
 - 1.1. *the proposal to partner with the University of Melbourne as 'Principal Partner' in the development and implementation of Future Melbourne;*
 - 1.2. *the appointment of a reference group of eminent thinkers and civic leaders to champion and help guide the development of Future Melbourne;*
 - 1.3. *the draft governance structure at attachment 1 for further development in consultation with the University of Melbourne and other prospective partners;*
 - 1.4. *the proposed timeframe at attachment 2 for the completion of Future Melbourne; and*
 - 1.5. *receiving a further report to the Planning Committee on the detailed project plan for Future Melbourne at its 1 May 2007 meeting.*

Moved: Cr Clarke

Seconded: Deputy Lord Mayor Gary Singer

Carried unanimously

6. GENERAL BUSINESS (Agenda Item 6)

There were two items of General Business.

6.1. Notice of Motion: Cr Clarke Bourke Street Tram Stops

Cr Clarke moved the following motion.

1. *That Planning Committee rescind its resolution of 6 February 2007, which reads:*
 - 1.1. *'That Planning Committee endorse the concepts outlining the installation of platform tram stops at the following sites in Bourke Street, allowing for some adjustment to specific locations as engineering issues arise:*
 - 1.1.1. *William Street Intersection: The installation of a paired platform tram stop arrangement on the western approach to the intersection;*
 - 1.1.2. *Queen Street Intersection: The installation of a paired platform tram stop arrangement 30 metres west of the intersection; and*
 - 1.1.3. *Russell Street Intersection: The installation of two separate platform stops, with the westbound stop on the approach side at the intersection and the eastbound platform 50 metres east of the intersection.'*

Seconded: Cr Brindley.

The motion was put and lost with Councillors Brindley, Clarke and Snedden voting in favour of the motion and the Chair Cr Ng, the Deputy Lord Mayor Gary Singer and Councillors Jetter, Shanahan and Wilson voting against the motion.

**6.2. Notice of Motion: Cr Brindley
Issues Arising from the Carlton and Parkville Community Forum**

Cr Brindley moved the following motion.

1. *That a report be brought to the April Planning Committee on the way forward for the following issues arising from the Carlton and Parkville Community Forum:*
 - 1.1. *greening of Faraday Street, Carlton median strips; and*
 - 1.2. *traffic control in Gatehouse Street, Parkville.*

Seconded: Cr Wilson.

The motion was put and carried unanimously.

7. URGENT BUSINESS (Agenda Item 7)

There were no items of Urgent Business.

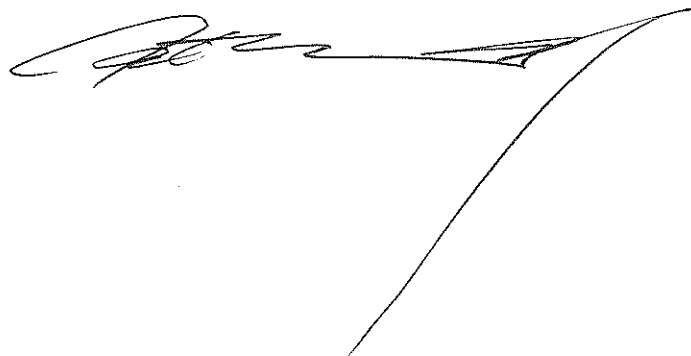
8. PUBLIC QUESTIONS (Agenda Item 8)

There were no Public Questions.

9. CLOSURE OF MEETING (Agenda Item 9)

The meeting concluded at 9.29pm.

To be confirmed at the Planning Committee meeting on 3 April 2007.



Chair
Planning Committee
Town Hall
Melbourne