



**Melbourne City Council  
Planning Committee**

**MINUTES**

**Meeting Number 26  
Tuesday, 6 May 2008  
6.30pm**

**PRESENT**

Cr Ng (Chair)  
Cr Brindley  
Cr Clarke  
Cr Jetter (arrived at 6.45pm)  
Cr Snedden  
Cr Wilson  
Deputy Lord Mayor Gary Singer (departed at 8.46pm)

**APOLOGY**

Cr Shanahan

To be confirmed at the Planning Committee  
meeting on 3 June 2008.

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

The meeting commenced at 6.33pm.

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 of ten Reports from Management; and
- an apology had been received from Cr Shanahan and Cr Jetter was unavoidably delayed.

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

There were no declarations of pecuniary interest or conflicts of interest.

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

Moved: Deputy Lord Mayor Gary Singer

*That the minutes of meeting No 25, held on Tuesday, 8 April 2008, be confirmed.*

Seconded: Cr Brindley

Carried unanimously.

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

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

## 5. REPORTS FROM MANAGEMENT (Agenda Item 5)

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

In relation to **Agenda Item 5.1**, "*Planning Application TP-2007-1217: 46-50 Haig Street, Southbank*":

### Items of Correspondence:

- Jo-Ann Mackenzie, resident; and
- Dr Alan Mackenzie, resident.

### Requests to Speak:

- Mel McLennan, Maria Robbins, Steve Ballengee, Coral-Lee Keep, Elizabeth Cook, Noel Reynolds and Barry Suckling, Clarendon Towers Owner's Corporation;
- Irene Hayes, resident;
- Mr John Guest, Chairman, Owners' Corporation of Rivergarden Condos;
- Mr Michael Sanz and Ms Mary Collins, residents, Rivergarden Condos;
- Malcolm Jack, Principal Planner, F.R. Perry and Associates; and
- Damian Perras, Director, Max Architects Pty Ltd.

In relation to **Agenda Item 5.2**, "*Application for Planning Permit: TP-2007-1179 Carlton Football Club, Princes Park, Royal Parade, Carlton*":

### Requests to Speak:

- Andrew Wootton, resident;
- Trevor Huggard, resident; and
- Greg Swann, Chief Executive Officer, Carlton Football Club.

In relation to **Agenda Item 5.3**, “*Planning Application No. TP-2007-996: 49 Leopold Street, South Yarra*”:

**Request to Speak:**

- Leanna Darvall, resident;
- George Raymond, resident; and
- Ian Baillieu, resident.

In relation to **Agenda Item 5.4**, “*Planning Application TP-2008-129: 109 Chapman Street, North Melbourne*”:

**Request to Speak:**

- CJ Koay, Architect, CJ Architecture.

**Item of Correspondence:**

- Joel Twining, resident.

In relation to **Agenda Item 5.8**, “*David Jones Department Store Redevelopment, Proposed Planning Scheme Amendment*”:

**Request to Speak:**

- Tony Karp, Group General Manager Retail Development, SJB Planning.

In relation to **Agenda Item 5.10**, “*City of Melbourne Toilet Plan 2008-2013*”:

**Items of Correspondence:**

- Michelle Anderson, Chairperson, The Nolan;
- Paul O’Halloran, Chairperson, The Boyd Tower, Palladio, Saint Elia; and
- Roger Gardiner, Chairperson, Arkley.

Copies of written submissions were circulated to Councillors prior to the commencement of the meeting.

## **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 Council Business Officers.

### **5.1 Application for Planning Permit: TP-2007-1217, 46-50 Haig Street, Southbank**

The purpose of this report was to advise the Committee of an application for planning permit for the demolition of the existing building and construction of a 33 storey residential building. This report was presented to the Planning Committee at the request of Councillor Ng.

Mel McLennan, Maria Robbins, Steve Ballengee, Coral-Lee Keep, Elizabeth Cook, Noel Reynolds and Barry Suckling spoke against the item. Concerns raised by submitters included the following:

- lack of on street parking and increased traffic movements related to the proposed development;
- general impact on the amenity of the area;
- the height of the proposed development exceeds the DDO by 3.6 metres;
- overlooking and loss of privacy;
- loss of sunlight;
- noise associated with the use of the laneway for waste removal and loading bay; and
- site is too small for such a development and creates a wind tunnel effect due to close proximity to other towers.

Irene Hayes spoke against the item, expressing concerns relating to the development's impact on the amenity and liveability of the area. In response to questions raised by Councillors, Ms Hayes made the following comments:

- the area lacked adequate open space; and
- the development opens up the way for similar developments which detract from a sense of belonging, connectedness and community.

John Guest spoke against the item, expressing concerns relating to issues during construction including traffic movement, safety and on street parking.

Michael Sanz spoke against the item, raising concerns with the use of the laneway for waste removal and the associated noise.

Mary Collins spoke against the item, also expressing concerns with the use of the laneway for waste removal and the associated noise.

Malcolm Jack and Damian Parras addressed the Committee on behalf of the applicant, speaking in favour of the development.

The Deputy Lord Mayor Gary Singer left the meeting at 7.44pm.

In response to questions raised by Councillors, Damian Parras advised that car parking for the proposed development includes a total of 165 spaces; three for the offices, six visitor spaces and the balance for residents.

The Deputy Lord Mayor Gary Singer returned to the meeting at 7.46pm.

Maureen Pritchard spoke against the item, expressing concerns with the height of the development and issues of privacy and amenity.

Martin Williams, Executive Officer Planning provided the Committee with a presentation outlining the main aspects of the report.

Martin Williams, Executive Officer Planning tabled a letter received by Clive Jackson, Statutory Planner for and on behalf of the Director of Housing, Department of Human Services dated 28 April 2008.

In response to questions raised by Councillors, Haig Poulson, Principal Engineer Traffic Engineering advised the Committee that:

- 2,000 vehicles per day in Haig Street would be acceptable; and
- a development of this type generates an estimated 400-500 traffic movements per day.

Alternative

Motion: Cr Clarke

1. *That the Planning Committee:*
  - 1.1. *defer consideration of the Application to the May 2008 Council meeting with a further report to be prepared assessing:*
    - 1.1.1. *traffic management (assessment in a peak weekend period);*
    - 1.1.2. *car parking strategy;*
    - 1.1.3. *impacts of amenity and proximity of adjacent buildings; and*
    - 1.1.4. *shadow diagrams; and*
  - 1.2. *the orderly planning of the area and impacts of future development of adjacent sites and open space.*

Seconded: Cr Jetter

Amendment

Moved: Deputy Lord Mayor Gary Singer sought to amend the motion by:

- replacing the words "May 2008 Council" with "June 2008 Planning Committee".

Seconded: The Chair Cr Ng

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

The substantive motion was put and carried unanimously.

Cr Jetter departed the meeting at 8.15pm.

## **5.2 Application for Planning Permit: TP-2007-1179, Carlton Football Club, Princes Park, Royal Parade, Carlton**

### **PART 1**

The purpose of Part 1 of this report 'Planning Application' was to advise the Planning Committee of an application for planning approval for the redevelopment of Carlton Recreation Ground (MC Labour Park) stadium facilities.

Cr Jetter returned to the meeting at 8.17pm.

Andrew Wootton spoke against the item, expressing concerns in relation to the commercialisation and development of the site. Mr Wootton had provided supporting documentation to the Committee prior to the commencement of the meeting.

Former Lord Mayor Trevor Huggard spoke against the item, expressing concerns that the conditions of the lease as listed did not take into account the concerns of the community. Mr Huggard had provided supporting documentation to the Committee prior to the commencement of the meeting.

In response to questions raised by Councillors, Graham Porteous, Manager Recreation and Waterways confirmed that the lease would be the subject of a future report to the Finance and Governance Committee.

Cr Wilson departed the meeting at 8.30pm.

Greg Swann spoke in favour of the item, advising the Committee that the Football Club would have separate facilities that would not impact on the availability of facilities to the community. In response to questions raised by Councillors, Mr Swann confirmed that the Carlton Football Club was in discussions with TabCorp regarding the removal of the 50 gaming machines from the site.

Cr Wilson returned to the meeting at 8.34pm.

Moved: Cr Clarke moved the recommendation contained in the Management Report subject to:

- the addition of a paragraph 3.2, to read "*notes Carlton Football Club's commitment to remove the gaming machines by the end of May 2008.*"

Seconded: Deputy Lord Mayor Gary Singer

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

The motion in its entirety now reads:

1. *That the Planning Committee:*
  - 1.1. *resolve to issue a Notice of Decision to Grant a Planning Permit subject to the conditions specified in Attachment 4 to this report; and*
  - 1.2. *notes Carlton Football Club's commitment to remove the gaming machines by the end of May 2008.*

## PART 2

The purpose of Part 2 of this report 'Leasing and Land Management' was to advise the Planning Committee of the lease and land management issues in the event that the planning permit for the redevelopment application is approved.

Motion: Cr Clarke moved the recommendation contained in the Management Report subject to:

- the addition of the following words to paragraph 65.3, to read "*deliver an outcome not less than that proposed in the key lease principles in paragraph 71 of the report recognising Council's intent to delineate the community use areas on the lease documents in accordance with the currently presented scheme*".

Seconded: Deputy Lord Mayor Gary Singer

Cr Brindley sought to amend Cr Clarke's motion by replacing the words "*Planning Committee*" with "*Finance and Governance Committee*" in paragraph 65.4.

Cr Clarke as mover and the Deputy Lord Mayor Gary Singer as seconder of the motion agreed to incorporate Cr Brindley's suggested amendment.

The motion was put and carried unanimously.

The motion in its entirety now reads:

1. *That the Planning Committee recommends that Council:*
  - 1.1. *subject to the consent of the Minister responsible for Crown Lands ("the Minister");*
    - 1.1.1. *pursuant to the existing lease under the Carlton (Recreation Ground) Land Act 1966 ("existing lease"), consents to the proposed works ("proposed works"); and*
    - 1.1.2. *for those parts of the proposed works outside of the existing boundary established under the Carlton (Recreation Ground) Land Act 1966, agrees to negotiate a lease with the Carlton Football Club under the Crown Land (Reserves) Act 1978 ("new lease");*
  - 1.2. *requests the Minister:*
    - 1.2.1. *consent to the proposed works and the new lease; and*
    - 1.2.2. *commence the process to amend the existing boundaries under the Carlton (Recreation Ground) Land Act 1966 to include the area of the proposed works outside of the existing boundary established under the Carlton (Recreation Ground) Land Act 1966, enabling the consolidation into one lease of the existing lease and the new lease; and*
  - 1.3. *notes that Management will negotiate with the Carlton Football Club in respect to the terms of the amendment of the existing lease and the new lease; and deliver an outcome not less than that proposed in the key lease principles in paragraph 71 of the report recognising Council's intent to delineate the community use areas on the lease documents in accordance with the currently presented scheme; and*
  - 1.4. *notes that a further report will be presented to a future cycle of the Finance and Governance Committee on the results of the negotiations referred to in sub-paragraph 1.3.*

The Deputy Lord Mayor Gary Singer departed the meeting at 8.46pm and did not return.

### 5.3 Planning Application No. TP-2007-996: 49 Leopold Street, South Yarra

The purpose of this report was to advise the Committee of an application for planning approval for the partial rear demolition, and construction of a three-storey addition to the existing dwelling, façade alterations and the construction of a new front fence. This report was presented to the Planning Committee at the request of Councillor Snedden.

Leanna Darvall spoke against the item, expressing concerns with the height and bulk of the proposed development, and issues affecting sunlight and amenity. Ms Darvall had provided supporting documentation to the Committee prior to the commencement of the meeting.

George Raymond spoke against the item, citing issues with the visual bulk of the development and privacy. Mr Raymond had provided supporting documentation to the Committee prior to the commencement of the meeting.

Ian Ballieu spoke against the item, expressing concerns regarding the impact of the excessive size of the proposed development on the streetscape.

Martin Williams, Executive Officer Planning provided the Committee with a presentation outlining the main aspects of the report. In response to questions raised by Councillors, Mr Williams provided clarification on the overshadowing of adjoining properties and made the following comments:

- reducing the roof extension would impact on the internal layout of the dwelling; and
- the balcony area did not form part of the open space requirement.

Discussion ensued.

Motion: Cr Brindley moved the recommendation contained in the Management Report subject to:

- the addition of a paragraph 3.2, to read “*increased setbacks to the third level to better align with the existing dwelling features and neighbouring setbacks*”.

Seconded: Cr Wilson

The motion was put and carried unanimously.

The motion in its entirety now reads:

1. *That the Planning Committee determine to issue a Notice of Decision to Grant a Planning Permit subject to:*
  - 1.1. *the conditions at Attachment 1 of the Management Report; and*
  - 1.2. *increased setbacks to the third level to better align with the existing dwelling features and neighbouring setbacks.*

## **6. ADJOURNMENT OF MEETING**

Cr Snedden moved the following motion:

*That the Planning Committee adjourn at 9.18pm and resume at 9.25pm.*

Cr Brindley seconded Cr Snedden’s motion. The motion was put and carried unanimously.

## **7. RESUMPTION OF MEETING**

The meeting resumed at 9.25pm with the following Committee members present; the Chair Cr Ng and Councillors Brindley, Clarke, Jetter, Snedden and Wilson.

### **5.4 Planning Application TP-2008-129: 109 Chapman Street, North Melbourne**

The purpose of this report was to advise of an application for planning approval to construct a single storey rear dwelling addition including a new crossover to Abbotsford Street. This report is presented to the Committee at the request of Councillor Brindley.

CJ Koay addressed the Committee in support of the application. In response to questions raised by Councillors, Mr Koay commented that the applicant is generally happy with the conditions with the exception of 1B.

Motion: Cr Brindley moved the recommendation contained in the Management Report subject to:

- the addition of a paragraph 2.2, to read “*the removal of crossover and on site parking*”.

Seconded: Cr Snedden

In response to questions raised by Councillors, Martin Williams, Executive Officer Planning made the following comments:

- the gate to the onsite parking was inward opening;
- the reduced width of the crossover had minimum impact on on-street parking; and
- the onsite car park could go further into the property to allow for the inward opening gate.

Cr Brindley’s motion was put and lost with Cr Brindley voting in favour of the motion and the Chair Cr Ng and Councillors Clarke, Jetter, Snedden and Wilson voting against the motion.

Motion: Cr Clarke moved the recommendation contained in the Management Report subject to:

- the addition of a paragraph 3.2, to read “*delete condition 1B*”; and
- the addition of a paragraph 3.3, to read “*setback the rear fence 600mm from the Abbotsford street boundary and include a landscape component on the Abbotsford street elevation on either side of the door entry*”.

Seconded: Cr Jetter

The motion was put and carried unanimously.

The motion in its entirety now reads:

1. *That the Planning Committee determine to issue a Notice of Decision to Grant a Planning Permit subject to:*
  - 1.1. *the conditions stipulated in Attachment 1 to the Management Report;*
  - 1.2. *delete condition 1B; and*
  - 1.3. *setback the rear fence 600mm from the Abbotsford street boundary and include a landscape component on the Abbotsford street elevation on either side of the door entry.*

## **ORDER OF BUSINESS**

Cr Wilson moved the following motion:

*That the Committee, in accordance with Clause 11 of the Conduct of Meetings Local Law 2001, resolve that the Order of Business be amended to allow the consideration of agenda item 5.8 as the next item of business.*

Cr Snedden seconded Cr Wilson’s motion. The motion was put and carried unanimously.

### **5.8 David Jones Department Store Redevelopment, Proposed Planning Scheme Amendment**

The purpose of this report was to provide the Committee with an assessment of the key issues relating to the proposed planning scheme amendment for the redevelopment of the David Jones department store.

Tony Karp, on behalf of the applicant, addressed the Committee in support of the development.

In response to questions raised by Councillors, Vanessa Turner of SJB Planning made the following comments:

- the pedestrian bridge is part of the second phase of the development and is partially subject to development on the opposite side of the street;
- the bridge will not impede views along Little Bourke Street;
- the existing two level pedestrian bridge is to be demolished and replaced with the proposed three level bridge; and
- the redevelopment includes an additional three storeys bringing the total development to six storeys.

Moved: Cr Snedden moved the recommendation contained in the Management Report, subject to:

- the deletion of paragraph 2.2, which reads “*the additional 3rd level to the proposed new pedestrian bridge*”.

Cr Snedden’s motion lapsed for want of a seconder.

Moved: Cr Clarke moved the recommendation contained in the Management Report subject to:

- the addition of the following words to paragraph 2.2, to read “*be subject to a further report to Council once details of the visual impact is known*”.

Seconded: Cr Wilson

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

The resolution in its entirety now reads:

1. *That the Planning Committee resolve that the Minister for Planning be advised of the Council’s support for the proposed planning scheme amendment for the David Jones Redevelopment and the redevelopment process generally subject to the following:*
  - 1.1. *the proposed addition to 310 Bourke Street achieving a high quality architectural outcome that respects the heritage façade and streetscape and that the resolution of the final design is subject to a condition in the Incorporated Document that requires consultation with the City of Melbourne;*
  - 1.2. *the additional 3rd level to the proposed new pedestrian bridge be subject to a further report to Council once details of the visual impact is known;*
  - 1.3. *no advertising or ‘naming’ rights signage be permitted on any new pedestrian bridge structure; and*
  - 1.4. *the conditions at Attachment 4 be included in the approved Incorporated Document.*

## 5.5 North and West Melbourne Resident Parking Scheme

The purpose of this report was to advise on the progress of the introduction of the modified North and West Melbourne Resident Parking Scheme, which includes changes to the eligibility criteria for residential parking permits. This report has been requested by Councillor Clarke.

Alternative

Motion: The Chair Cr Ng

*That the Planning Committee note this report and refer the costs of the implementation of the North and West Melbourne Wheels and Heels Plan to the 2008/09 Budget for consideration.*

Seconded: Cr Clarke

Carried unanimously.

## 5.6 Future Melbourne 2020 Draft Plan

The purpose of this report was to report on the progress of the Future Melbourne project and the timelines and program for the completion of the project and to present the draft Future Melbourne plan seeking Committee’s endorsement to take this draft to a final round of public consultation in May/June 2008. The Plan is at Attachment 1 and online at [www.futuremelbourne.com.au/wiki](http://www.futuremelbourne.com.au/wiki).

Moved: Cr Clarke moved the recommendation contained in the Management Report subject to:

- the addition of a paragraph 2.3, to read “*that Council hold a one day Future Melbourne Review Forum for Councillors and Directors to discuss the current findings*”.

Seconded: The Chair Cr Ng

Carried unanimously.

The motion in its entirety now reads:

1. *That the Planning Committee:*
  - 1.1. *endorse taking the draft Future Melbourne to a final round of public consultation in May/June 2008 in accordance with the attached consultation plan;*
  - 1.2. *note that the final draft Future Melbourne, incorporating the outcomes of the May/June consultation, will be submitted for consideration by the Planning Committee at its meeting in September 2008; and*
  - 1.3. *request that Council hold a one day Future Melbourne Review Forum for Councillors and Directors to discuss the current findings.*

The Chair Cr Ng commended the officers involved for their work on the plan.

## 5.7 Proposed New Residential Zones for Victoria

The purpose of this report was to consider the new residential zones proposed by the Department of Planning and Community Development (DPCD) and to provide a written response on the recently released discussion paper “*New Residential Zones for Victoria*”.

Alternative

Motion: The Chair Cr Ng

1. *That the Planning Committee:*
  - 1.1. *resolve that a written submission responding to the Department of Planning and Community Development discussion paper “New Residential Zones for Victoria” be provided to the Department of Planning and Community Development which includes the following:*
    - 1.1.1. *that the City of Melbourne strongly opposes the proposed changes to permit application notification and review by VCAT to allow limited or no notice requirements;*
    - 1.1.2. *that the City of Melbourne supports the application of the proposed new residential zones subject to the Council being able to determine where the zones will be applied;*
    - 1.1.3. *that the Council can specify the design standards with which development must comply with in the different zones; and*
    - 1.1.4. *that further investment in transport infrastructure, utility service infrastructure and social services needed to sustain increased densities within the municipality will be outlined prior to the application of the proposed new zones; and*
  - 1.2. *note that a further written submission be provided to the DPCD once more detail of the draft zones is released by the DPCD for public comment, anticipated to be on or around July 2008.*

Seconded: Cr Clarke

Amendment

Moved: Cr Brindley sought to amend the Chair Cr Ng’s motion by deleting the words “*and review by VCAT*” in paragraph 1.1.1 of the motion above.

Discussion ensued.

Seconded: Cr Snedden

The amendment was put and lost with Councillors Brindley and Snedden voting in favour of the amendment and the Chair Cr Ng and Councillors Clarke, Jetter and Wilson voting against the amendment.

The substantive motion was put and carried with the Chair Cr Ng and Councillors Clarke, Jetter and Wilson voting in favour of the motion and Councillors Brindley and Snedden 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:*
  - 1.1. *resolve that a written submission responding to the Department of Planning and Community Development discussion paper "New Residential Zones for Victoria" be provided to the Department of Planning and Community Development which includes the following:*
    - 1.1.1. *that the City of Melbourne strongly opposes the proposed changes to permit application notification and review by VCAT to allow limited or no notice requirements;*
    - 1.1.2. *that the City of Melbourne supports the application of the proposed new residential zones subject to the Council being able to determine where the zones will be applied;*
    - 1.1.3. *that the Council can specify the design standards with which development must comply with in the different zones; and*
    - 1.1.4. *that further investment in transport infrastructure, utility service infrastructure and social services needed to sustain increased densities within the municipality will be outlined prior to the application of the proposed new zones; and*
  - 1.2. *note that a further written submission be provided to the DPCD once more detail of the draft zones is released by the DPCD for public comment, anticipated to be on or around July 2008; and*
  - 1.3. *note that this decision is being made by the Committee under delegation from the Council and is subject to the referral notice process.*

### **5.9 Melbourne Planning Scheme Amendment C123 – Cook Street, Port Melbourne (Fishermans Bend)**

The purpose of this report was to seek the adoption of Melbourne Planning Scheme Amendment C123 now that exhibition of the amendment has been completed. The Amendment applies to a site within Port Melbourne that is bounded by Cook Street to the north and the Westgate Freeway to the south. The amendment proposes to rezone the land from Road Zone 1 to an Industrial 1 Zone.

Moved: Cr Wilson

1. *That the Planning Committee recommend Council:*
  - 1.1. *adopt Melbourne Planning Scheme Amendment C123 pursuant to section 29 of the Planning and Environment Act 1987 and as presented in Attachment 1; and*
  - 1.2. *submit Melbourne Planning Scheme Amendment C123 to the Minister for Planning for approval.*

Seconded: Cr Jetter

Carried unanimously.

## 5.10 Public Toilet Plan 2008-2013

The purpose of this report was to re-submit the Public Toilet Plan 2008-2013 for approval. The Plan is the same as was originally considered at the April 2008 Planning Committee meeting.

Alternative

Motion: Cr Clarke

1. *That the Planning Committee recommend that Council adopt the Public Toilet Plan 2008-2013 as detailed at Attachment 1; with the following amendments:*
  - 1.1. *that where new toilet facilities are needed on streets, the options of placing these within planned new developments or assessing if an existing privately operated toilet facility can be made available for broader public use will be considered;*
  - 1.2. *that the actions from the report be amended as follows:*
    - 1.2.1. *to correct 10.7 to reflect the current circumstances;*
    - 1.2.2. *that Council agrees to take on the maintenance and cleaning of the owners corporation public toilets in New Quay and funding be considered in the 2008/09 budget;*
    - 1.2.3. *that protocols be in place to ensure that staff are advised to install syringe management when new toilets are built;*
    - 1.2.4. *that the street based toilets opening hours be extended to 9pm during daylight savings periods;*
    - 1.2.5. *that Council resolves to close the underground toilet in Elizabeth and Bourke street as soon as an alternative at grade alternative is found;*
    - 1.2.6. *that the opportunities to create health messages to be displayed on cubicle doors be brought forward to 2008/09; and*
    - 1.2.7. *that the King Street Flinders Street relocated toilet cubicles be located where possible in adjacent at grade buildings; and*
  - 1.3. *that the toilet cleaning regime be increased to reflect the community standards outlined from the survey conducted in the toilet plan report; and*
  - 1.4. *to install a public toilet in the Errol Street Precinct in North Melbourne.*

Seconded: Cr Brindley

Discussion ensued.

Cr Clarke's motion was put and carried unanimously.

## 8. GENERAL BUSINESS (Agenda Item 6)

There were no items of General Business.

## 9. URGENT BUSINESS (Agenda Item 7)

There was one item of Urgent Business.

### 7.1 Appeal of the Victorian Civil And Administrative Tribunal (VCAT) Decision Of Permit Application TP-2006-1213 For 169 Domain Road, South Yarra (Botanical Hotel)

Moved: Cr Snedden

*That the matter of the Appeal of the VCAT Decision of Permit Application TP-2006-1213 for 169 Domain Road, South Yarra (Botanical Hotel) meets the criteria for consideration as an item of urgent business.*

Seconded: Cr Clarke

Carried unanimously.

Moved: Cr Snedden

*That Council resolve to seek legal advice on an appeal, to the Supreme Court of Victoria, of the 15 April 2008 VCAT decision to grant a permit for application TP-2006-1213 to be issued for 169 Domain Rd, South Yarra on the basis that the decision is not in compliance with the Melbourne Planning Scheme.*

Seconded: Cr Clarke

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

**10. PUBLIC QUESTIONS (Agenda Item 8)**

There were no Public Questions.

**11. CLOSURE OF MEETING (Agenda Item 9)**

The meeting concluded at 10.51pm.

To be confirmed at the Planning Committee meeting on 3 June 2008.



Acting Chair  
Planning Committee  
Town Hall  
Melbourne