

**CITY OF MELBOURNE**

## **Future Melbourne Committee**

### **MINUTES**

**Meeting Number 9  
Tuesday 9 April 2013  
5:30pm**

**Council Meeting Room  
Level 2  
Melbourne Town Hall**

#### **PRESENT**

Lord Mayor, Robert Doyle  
Deputy Lord Mayor, Susan Riley  
Councillor Richard Foster  
Councillor Rohan Leppert  
Councillor Kevin Louey  
Councillor Stephen Mayne  
Councillor Cathy Oke  
Councillor Ken Ong  
Councillor Beverley Pinder-Mortimer  
Councillor Arron Wood

#### **APOLOGY**

Councillor Jackie Watts

Confirmed at the meeting of the Future Melbourne  
Committee meeting on Tuesday 7 May 2013

## 1. COMMENCEMENT OF MEETING AND APOLOGIES

The meeting commenced at 5:30pm.

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

- the meeting was being recorded for the purpose of ensuring accuracy of the minutes of the meeting;
- the agenda comprised of:
  - six Reports from Management;
  - one item of General Business; and
- an apology had been received from Cr Watts.

## 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

In relation to the confirmation of minutes of meeting No 7, held on 5 March 2013, the following submission had been received:

### Request to Speak:

- Anthony van der Craats, resident.

### Item of Correspondence:

- Anthony van der Craats, resident.

Anthony van der Craats advised he believes there is a misrepresentation of his comments in the previous minutes and addressed matters relating to his previous submission.

Cr Leppert made the following key comments in response to Mr van der Craats:

- thanked Mr van der Craats for his submission on this matter;
- the minutes are an important document and are an official record of the decisions made by Committee;
- believes that Mr van der Craats concerns are already accurately and consistently reflected in the minutes as a summary; and
- believes that the minutes are accurate, well written and should be supported.

Moved: Cr Leppert

*That the minutes of meeting No 7, held on Tuesday 5 March 2013, be confirmed.*

Seconded: Deputy Lord Mayor, Susan Riley

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer and Wood.

## 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 Chair, Lord Mayor, Robert Doyle invited members of the public to ask questions of the Committee.

Scott Eaton, resident, asked the Committee if considerations had been given to growing food on Council owned buildings as a measure to ensure food security, provide education benefits and sustainability for the City of Melbourne?

Cr Wood made the following key comments in response to Mr Eaton's question:

- the open space strategy and the activation of rooftops is on the agenda for Council;
- a number of studies are underway on structural stability; and
- food security and production of food close to the CBD is very important.

Anthony van der Craats, resident, asked the Committee whether the City of Melbourne had issued a permit for the hoarding sign on the CUB construction site on Swanston Street?

The Lord Mayor, Robert Doyle made the following key comments in response to Mr van der Craats question:

- this is a tragic and very sensitive manner;
- there are four independent inquiries currently being undertaken; and
- Council will comply with whatever is required.

Cr Mayne made the following key comments in response to Mr van der Craats question:

- a statement on this matter has been issued on the City of Melbourne website; and
- it is important not to grandstand on the issue.

Cr Andrew Bond, Councillor for the Junction Ward at City of Port Philip asked the Committee to reject the shift of municipal boundaries of Fishermans Bend Urban Renewal Area to the City Of Melbourne.

Cr Andrew Bond also presented the Committee with a copy of the Montague Precinct Structure Plan for its records.

## **6. REPORTS FROM MANAGEMENT**

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 6.1, "271 Collins Street, Melbourne, Concept for a Rooftop Farm and Restaurant"**:

### **Request to Speak:**

- Joost Bakker, By Joost.

In relation to **Agenda Item 6.2, "Planning Scheme Amendment C196 City North"**:

### **Requests to Speak:**

- Ray Cowling, resident; and
- Resat Bultan, resident.

### **Items of Correspondence:**

- Ray Cowling, resident;
- The Reverend Fredrick James Brady, resident;
- Angela Williams, resident;
- Stan Cooke, resident;
- Dr Kerry Jordan, resident;
- Jennifer Minto, resident; and
- Richard and Margaret Jean Ely, residents.

In relation to **Agenda Item 6.3, "City of Melbourne Heritage Strategy"**:

### **Request to Speak:**

- Rupert Mann, Melbourne Heritage Action.

### **Items of Correspondence:**

- Angela Williams, resident
- Yolande Leonardi, Residents 3000 Inc;
- Margaret Jungwirth, Committee Member of the Royal Park Protection Group and Member of Protectors of Publics Lands; and
- Julianne Bell, resident.

In relation to **Agenda Item 6.6, "East West Link Project – Council Submission on Environment Protection and Biodiversity Conservation Act Referral"**:

**Request to Speak:**

- Julianne Bell, resident.

**Items of Correspondence:**

- Yolande Leonardi, Residents 3000 Inc;
- Margaret Jungwirth, Committee Member of the Royal Park Protection Group and Member of Protectors of Public Lands; and
- Julianne Bell, resident.

## **PLANNING PORTFOLIO**

Cr Ong assumed the role of Chair to present the three reports from Management for consideration in relation to the Planning Portfolio.

### **6.1 271 Collins Street, Melbourne Concept for Rooftop Farm and Restaurant**

The purpose of this report was to advise the Committee of a concept prepared by Mr Joost Bakker for a sustainable rooftop farm and restaurant at 271 Collins Street, Melbourne.

The Executive Officer Planning, Martin Williams provided a presentation to the Committee making the following key comments:

- the site runs from Collins Street to Flinders Lane;
- the mandatory 40 metre height control is on the western side of the building; and
- these height controls have been in effect for 40 years.

Joost Bakker, of By Joost addressed the Committee making the following key comments:

- this is a real proposal to farm produce on rooftops in Melbourne;
- the anticipated revenue is \$1 - \$2 million per year on produce alone;
- this is an opportunity to employ three full time staff;
- there would be an initial \$5 million in set up costs;
- will be meeting with the Minister of Planning to discuss this matter and seek approval; and
- hopes to prove that food can be grown on city rooftops.

In response to Cr Wood's question as to the nature of the meeting with the Planning Minister, Mr Bakker advised the Committee that the meeting was to discuss the proposed glasshouse exceeding the 40 metre height control.

The Lord Mayor, Robert Doyle made the following key comments:

- thinks the proposal is a great idea but is in the wrong spot;
- the proposal breaches a long dated mandated height limit; and
- wonders if there is another site that could be considered.

In response to a question by Cr Leppert, the Executive Officer Planning, Martin Williams advised that Council does not have the authority to issue a permit for structures exceeding 40 metres at the proposed location.

Moved: Cr Ong

*That the Future Melbourne Committee advise Mr Bakker that it supports his concept in principle but concludes that the amendment of the mandatory 40 metre height limit is not appropriate in this instance.*

Seconded: Lord Mayor, Robert Doyle

The Lord Mayor, Robert Doyle made the following key comments in support of the motion:

- it is a great idea from a proven performer;
- the problem here is a great idea up against a very important principle of height controls;
- while the proposal is attractive to Council, it cannot make exceptions for individual proposals; and
- Council does not have the power to issue a permit over the mandated height limit.

Cr Wood made the following key comments in support of the motion:

- the work that Joost does is great and Council hopes to activate spaces just like this;
- Council needs to stick to its own mandatory height limits;
- would like to work with Joost to find an alternate space; and
- sad to support the motion as the environmental and leadership concepts are excellent.

Cr Leppert made the following key comments in support of the motion:

- Council is unanimous in its support of what is an incredibly exciting project however the precedent of the height limit can not be breached in this instance.
- nothing precludes Council from re-considering this proposal in another location;
- hopes that the temporary pause on this project will not cause an irreparable end to the situation; and
- thanks to Joost Bakker for the proposal.

Cr Mayne made the following key comments in opposition to the motion:

- this structure will only be a temporary structure of 4 metres above the 40 metre limit;
- believes that this is worth supporting as the applicant has looked at every site in Melbourne and has financial backing;
- will not be disappointed if the Minister overruled Committee's recommendation as this is an exceptional proposal; and
- after weighing this up believes that the Committee needs to be bold and stand up for Council's sustainability credentials.

Cr Oke made the following key comments in support of the motion:

- is pleased to speak after Cr Mayne as she doesn't want people to think this decision has anything to do with Council being against sustainability as this is not the case;
- it is an incredibly exciting concept however Council must be consistent with its planning scheme rules;
- if adopted, a review in the Council Plan this year is specific to what city roofs can hold; and
- would like Joost Bakker to be part of the broader conversation regarding sustainability as Council is committed to sustainability.

Cr Ong made the following key comments:

- note that there is significant innovation in this proposal;
- Council's role is to uphold the rules which are constantly challenged by developers;
- disappointed that Cr Mayne is willing to break a mandatory planning control for individual projects;
- planning in the city is constantly under attack;
- congratulates Joost for the proposal however Council cannot amend mandatory height controls; and
- if Joost Bakker can build something within the 40 metre height limit then suggest the proposal be put forward again.

The motion was put and carried with the following Councillors voting in favour of the motion: The Chair, Councillor Ong, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Oke, Pinder-Mortimer and Wood.

Cr Mayne voted against this motion.

## **6.2 Planning Scheme Amendment C196 City North**

The purpose of this report was to present the outcomes of the public exhibition of Melbourne Planning Scheme Amendment C196 and request the Minister for Planning to appoint a panel to consider the submissions.

Cr Leppert declared an indirect conflict of interest in this matter because she was in receipt of an applicable gift under Section 78C of the *Local Government Act 1989*. Cr Leppert received a campaign donation from a property owner in the area to be rezoned. Cr Oke left the meeting at 6.05pm.

Cr Oke declared an indirect conflict of interest in this matter because he was in receipt of an applicable gift under Section 78C of the *Local Government Act 1989*. Cr Oke received a campaign donation from a property owner in the area to be rezoned. Cr Leppert left the meeting at 6.05pm.

Ray Cowling, resident, addressed the Committee and made the following key comments:

- has concerns about Capel Street, Peel Street and William Street being turned into a mixed use zone;
- needs to be kept residential to maintain heritage;
- concerned that some existing venues do not discourage urination in laneways; and
- believes that it is a broken promise by Council as an agreement has been signed which states this area would be for habitable buildings.

Resat Bultan addressed the Committee and made the following key comments:

- believes that Capel Street is the busiest street for parking in the CBD;
- for such a busy area there are three licensed venues where people use the laneways to urinate;
- believes that mixed use zoning will cause more problems because the existing problems of litter, urination, loud music as well as parking, have not been resolved; and
- strongly reject mixed use as it will make it more difficult for families and residents in the area.

Moved: Cr Cr Mayne

1. *That the Future Melbourne Committee resolve to:*

1.1. *note management's assessment of the submissions as set out in Attachments 3 of the report from management;*

1.2. *request the Minister for Planning appoint an Independent Panel to consider submissions to the Melbourne Planning Scheme Amendment C196; and*

1.3. *approve changes to the Amendment in accordance with Attachment 3 but with the following additional changes to Attachment 3:*

1.3.1 *in Table 1 to Schedule 61 to the Design and Development Overlay, under Areas 1, 2 and 4 delete the following:*

1.3.1.1 *on the street edge of laneway frontages, any part of the building above 10.5 metres must be setback 4 metres; and*

1.3.1.2 *'ensures laneways have appropriate access to daylight and sunlight'.*

1.3.2 *at the end of the table insert the following:*

1 - 7	<i>On the street edge of laneway frontages, any part of the building above 10.5 metres must be setback 4 metres.</i>	<i>Ensures laneways have appropriate access to daylight and sunlight.</i>
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1.3.3 *in each of Sections 3.0, 4.0 and 5.0 of the proposed Schedule 5 to the Capital City Zone, delete the sub-section titled "Exemption from Notice and Review"; and*

1.4 *note that the version of the Amendment to be presented to the Independent Panel will be presented in accordance with the changes made above.*

Seconded: Cr Wood

Cr Ong moved an amendment to the motion to include an additional paragraph and requested the inclusion of:

1.5 *to remove the proposed rezoning of 16-86 Capel Street, West Melbourne from RZ1 to MUZ referred to in Map 5 and 8 of the C196 Report.*

Seconded; The Lord Mayor, Robert Doyle

Cr Ong made the following key comments:

- moving this amendment after reviewing the submissions and looking at the current use, noted that businesses of mixed use have already crept in to Capel St;

- it is primarily a residential zone; and
- support this amendment due to the section 173 agreements which were agreed to by Council and people purchased in the area due to this agreement.

The Lord Mayor, Robert Doyle made the following key comments:

- agrees with Cr Ong in relation to honouring the section 173 agreements with residents;
- from the submissions, it is clearly a residential area; and
- based on comments from submitters note that the behavioural issues in the area will need to be addressed with Victoria Police and Liquor Licencing Victoria.

Cr Wood made the following key comments:

- this is a case to encourage residents that their submissions and submitters build a strong case which assist Council in making decisions; and
- the strength of submissions warrants the support of this amendment.

Cr Pinder-Mortimer made the following key comments:

- knows this area very well and believes that Capel Street is residential area; and
- concurs with Cr Ong's sentiments.

Cr Mayne made the following key comments:

- concerned that Council is setting a precedent by cherry picking streets and the message this sends to other areas;
- most of the issues raised are actually more about enforcement and not about the issues of mixed use; and
- worried that elected representatives are interfering where officers have made a recommendation.

The amendment was put and carried with the following Councillors voting in favour of the motion: The Chair, Councillor Ong, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Louey, Pinder-Mortimer and Wood.

Cr Mayne voted against the amendment.

The substantive motion is as follows:

1. *That the Future Melbourne Committee resolve to:*
  - 1.1. *note management's assessment of the submissions as set out in Attachments 3 of the report from management;*
  - 1.2. *request the Minister for Planning appoint an Independent Panel to consider submissions to the Melbourne Planning Scheme Amendment C196; and*
  - 1.3. *approve changes to the Amendment in accordance with Attachment 3 but with the following additional changes to Attachment 3:*
    - 1.3.1 *in Table 1 to Schedule 61 to the Design and Development Overlay, under Areas 1, 2 and 4 delete the following:*
      - 1.3.1.1 *on the street edge of laneway frontages, any part of the building above 10.5 metres must be setback 4 metres; and*
      - 1.3.1.2 *'ensures laneways have appropriate access to daylight and sunlight'.*
    - 1.3.2 *at the end of the table insert the following:*

1 - 7	<i>On the street edge of laneway frontages, any part of the building above 10.5 metres must be setback 4 metres.</i>	<i>Ensures laneways have appropriate access to daylight and sunlight.</i>
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- 1.3.3 *in each of Sections 3.0, 4.0 and 5.0 of the proposed Schedule 5 to the Capital City Zone, delete the sub-section titled "Exemption from Notice and Review."*
- 1.4 *note that the version of the Amendment to be presented to the Independent Panel will be presented in accordance with the changes made above.*
- 1.5 *to remove the proposed rezoning of 16-86 Capel Street, West Melbourne from RZ1 to MUZ referred to in Map 5 and 8 of the C196 Report.*

Cr Mayne made the following key comments:

- the motion proposes amendments to the documentation published on the web as Council made these amendments to consistently reflect the treatment of laneways in Planning Scheme amendments;
- it is important to retain third party appeal rights once this is implemented by the Minister; and
- this amendment will help negotiate good outcomes for communities and all stakeholders in the permit process.

Cr Wood made the following key comments:

- supports this motion as it does not compromise the City North Structure Plan;
- it is a key point to note that this will go to an independent panel; and
- also note the third party appeal rights in such a changing area.

Cr Ong made the following key comments:

- thanks to all the submitters; there is a theme amongst the submitters in relation to the Capel Street area;
- the amendment will respect neighbouring properties when considering new developments; and
- the inclusion of third party appeal rights is important for new developments.

The substantive 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 Foster, Louey, Mayne, Pinder-Mortimer and Wood.

Cr Leppert and Cr Oke returned to meeting at 6:31pm after the vote was taken.

### **6.3 City of Melbourne Heritage Strategy**

The purpose of this report was to inform Committee on the public consultation on the draft Heritage Strategy undertaken in November 2012 and to present a revised draft Heritage Strategy 2013 for adoption.

The Coordinator Local Policy, Robyn Hellman, provided a presentation to the committee making the following key comments:

- the Heritage Strategy has been put out for consultation and included input from key stakeholders including the National Trust;
- this is a comprehensive strategy that will meet the City of Melbourne's requirements in the future; and
- the strategy includes actions for protection and City of Melbourne's responsibilities.

In response to a question from Cr Leppert, Coordinator Local Policy, Robyn Hellman, advised that a way for individual building owners to manage and protect the heritage of their assets would be for Council to broaden their incentive schemes.

Rupert Mann, of Melbourne Heritage Action addressed the Committee making the following key comments:

- congratulates Council as the draft Heritage Strategy is a great step;
- there are gaps in the study and there is no mention of interiors;
- under C186, Council moved to protect 12 interiors however the panel advises not to protect them and they are now at extreme risk of being unprotected completely;
- it is important to note that City of Melbourne has no heritage interior controls;
- encourages City of Melbourne in rate relief to encourage further owners to invest in the buildings;
- believes that the process is entirely academic unless the Minister for Planning signs off on this; and
- encourages Council to approach the Minister for Planning to sign this off.



Moved: Cr Leppert

*That the Future Melbourne Committee adopt the revised City of Melbourne Heritage Strategy 2013 with the insertion of an additional action after action 3.8 investigate the feasibility of other mechanisms available to Council which would provide incentives to property owners – financial or otherwise – for ongoing heritage preservation.*

Seconded: Cr Ong

Cr Leppert made the following key comments:

- would like to ensure the issue of interiors is addressed;
- believe that it is feasible to include an extra action in part 3.8 of the Strategy which investigates other mechanisms to provide incentives for property owners of ongoing heritage preservation; and
- this amendment is about exploring all options and hopes this additional inclusion is not too onerous on officers.

Cr Ong made the following key comments:

- thanked officers for bringing this to Council;
- would like to put in place an awareness program to communicate the Strategy and educate people;
- thanks to the submitters for their input; and
- note that the Melbourne Heritage Fund has strict guidelines and Council needs to tread carefully.

The Lord Mayor, Robert Doyle made the following key comments:

- supports this motion and the additional action, however want to issue a note of caution, as offering incentives to owners would not enable Council to tell whether owners are shifting costs which should have been worn themselves; and
- Council does not want to create a market for potential buyers of heritage property who factor in public funding to support private ownership.

Cr Oke made the following key comments:

- supports the Strategy and thanked the officers as supporting the heritage in this city is very important; and
- on the point of incentives do not feel like it has to effect the public purse as there may be other mechanisms for funding.

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 Foster, Leppert, Louey, Mayne, Oke, Pinder-Mortimer and Wood.

#### **6.4 Planning Application: 130-154 Dudley Street, West Melbourne**

This agenda item was withdrawn.

### **ENVIRONMENT PORTFOLIO**

Cr Wood assumed the role of Chair to present the two items for consideration in relation to the Environment Portfolio.

The Lord Mayor, Robert Doyle left the meeting 6:52pm.

#### **6.5 Public Lighting Strategy 2013**

The purpose of this report was to present the Draft Public Lighting Strategy 2013 (Draft PLS) and to seek approval from the Future Melbourne Committee to release the Draft PLS for a period of community and stakeholder engagement.

In response to questions asked by Cr Ong, Manager Engineering Services, Geoff Robison made the following key comments:

- the strategy looks at more efficient LED approved lighting and is not targeting the impact on private lighting; and
- a number of residents and facility holders were consulted in the strategy, however the Bicycle Users Group have not been consulted as specific road related regulations apply to this group.

Moved: Cr Wood

1. *That the Future Melbourne Committee:*

1.1 *endorse the Draft Public Lighting Strategy 2013 for community consultation until 8 May 2013; and*

1.2 *note that the final Public Lighting Strategy 2013 will be presented for adoption by the Future Melbourne Committee in July 2013.*

Seconded: Deputy Lord Mayor, Susan Riley

Cr Wood made the following key comments:

- this strategy is actually endorsed to go out for public comment;
- lighting is one of those things that people take for granted but it is a highly visual image of our city;
- the cost of this strategy is approximately \$20.3 million with the replacement of non efficient lights;
- this replacement will be an annual energy cost saving of \$1.8 million and reduces the city's contribution of greenhouse gases by 8,000 tonnes;
- it will also look at the number of offsets Council will have to buy; and
- there will be 40 per cent reductions in emissions which will be benefit the environment and also in cost reductions.

The Deputy Lord Mayor, Susan Riley thanked management for a productive strategy.

Cr Ong made the following key comments:

- commends officers for the report as it is extensive and covers lots of areas;
- is impressed by the inclusion of low emission technology and would like to see more use of solar technology;
- street level and ground level lighting is important for people that use the city at night as a safety measure; and
- hopes this feedback will help get a better outcome for lighting use.

Cr Mayne made the following key comments:

- commends an excellent report;
- given this is a major strategy would have liked a briefing session prior to the Committee meeting to allow more questions on the matter; and
- perhaps a session needs to be scheduled with Councillors when submissions come back.

The Lord Mayor, Robert Doyle returned to the meeting at 6:58pm.

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Wood, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong and Pinder-Mortimer.

## **6.6 East West Link Project – Council Submission on Environment Protection and Biodiversity Conservation Act Referral**

The purpose of this report was to seek Committee's endorsement of the Council's submission to the Commonwealth Department of Sustainability, Environment, Water, Population and Communities on the Linking Melbourne Authorities referral under the *Environment Protection and Biodiversity Conservation Act 1999* on the assessment of potential impact at the National level on the environment, heritage or biodiversity significance of the area affected by the proposed East West Link Eastern Section.

Julianne Bell, resident addressed the Committee making the following key comments:

- welcomes the fact that the City of Melbourne has made a public statement on this matter;
- worried about damage to Royal Park and surrounding suburbs;
- Linking Melbourne Authority have not provided a detailed plan on the East West Link and that is concerning; and
- would like this to be declared a controlled action so that all relevant parties can participate.

Moved: Cr Leppert

*That the Future Melbourne Committee endorse the Council's submission to the Department of Sustainability, Environment, Water, Population and Communities on the Linking Melbourne Authorities referral under the Environment Protection and Biodiversity Conservation Act 1999 on the assessment of potential impact at the national level on the environmental, heritage, or biodiversity significance of the area affected by the proposed East West Link Eastern Section.*

Seconded: The Lord Mayor, Robert Doyle

Cr Leppert made the following key comments:

- the advice that is being provided to the Department of Sustainability and Environment is excellent and goes to the heart of the flaws of the submission that was presented to the Minister by the Linking Melbourne Authority;
- the Linking Melbourne Authority's assessment has no design plans of substance or the route;
- there is no evidence of its impacts on flora and fauna; and
- there is incomplete information as to how the Linking Melbourne Authority is going to go about the planning processes.

The Lord Mayor, Robert Doyle made the following key comments:

- the submission from the Linking Melbourne Authority is incomplete and this motion points that out;
- for the confidence of the public Council needs to follow process whether they agree with the project or not; and
- it is apparent that this Linking Melbourne Authority referral does not do that and is a faulty submission.

Cr Oke made the following key comments:

- thanks to officers for acting on this submission;
- the report clearly highlights flaws in the submission document; and
- this submission requires public scrutiny and public debate.

Cr Mayne made the following key comments:

- the quality of material coming from Linking Melbourne Authority is not good; and
- it is great that City of Melbourne officers have pointed out the flaws in the Authority's submission.

Cr Foster made the following key comments:

- thanks to Council officers for their excellent work on this report; and
- this is an excellent example of how local government can put the brakes on a bad State Government project.

Cr Wood made the following key comments:

- the officers sum it up well with their comments about it not impacting on the environment when there is no strategy offered as how Linking Melbourne Authority will do that; and
- as this has been previously highlighted, this is a way to put a controlled action on that.

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Wood, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong and Pinder-Mortimer.

Cr Ong left the meeting at 7:16pm

## **FINANCE AND GOVERNANCE PORTFOLIO**

Cr Mayne assumed the role of Chair to present the one item for consideration in relation to the Finance and Governance Portfolio.

### **6.7 Participation in Upcoming Local Government Forum**

The purpose of this report was to provide for City of Melbourne participation in the following upcoming local government forums:

- 1.1 Municipal Association of Victoria State Council Meeting to be held in Melbourne on 16 May 2013. Member councils have the opportunity of submitting motions for consideration on matters which are of state-wide significance to local government; and
- 1.2 Australian Local Government Association National General Assembly to be held at the National Convention Centre, Canberra between 16 and 19 June 2013. The Assembly's theme is Foundations of the Future-Twenty13. Member councils have the opportunity of submitting motions of national significance to local government.

Moved: Cr Leppert

1. *That the Future Melbourne Committee:*
  - 1.1 *approve the motions outlined in Attachments 2 and 3 for consideration at the MAV State Council meeting and ALGA National General Assembly respectively;*
  - 1.2 *nominate Councillor Mayne to represent the City of Melbourne at the ALGA National General Assembly in Canberra between 16 and 19 June 2013 at an estimated cost of \$3115 per Councillor; and*
  - 1.3 *note that the Councillor nominated to travel to Canberra for the ALGA National General Assembly will prepare a report to the Future Melbourne Committee within 14 days of the finalisation of travel costs.*

Seconded: Cr Mayne

Cr Leppert made the following key comments:

- MAV board has for the first time a majority female board;
- this is a good opportunity to get some reform into this institution;
- the Forum that the MAV is convening at the end of April has only two female speakers, which is low; and
- would like to see more opportunities for female Councillors and prospective Councillors to attend.

Cr Mayne made the following key comments:

- there are a number of reforms that the City of Melbourne are putting to the MAV; and
- interested in putting forward to the whole sector that they disclose their lease registers online as a good transparency measure.

Cr Wood stated he would like to see Environmental Upgrade Agreements expanded.

Cr Ong returned to the meeting at 7.20pm.

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Mayne, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Oke, Ong, Pinder-Mortimer and Wood.

## **7 GENERAL BUSINESS**

The Lord Mayor, Robert Doyle assumed the role of Chair to present the one item for consideration in relation to General Business.

### **7.1 Notice of Motion: Rio Tinto**

Moved: Cr Mayne

1. *The Future Melbourne Committee:*
  - 1.1 *notes with concern that Rio Tinto has almost completed a restructuring of its Melbourne corporate office, reducing it from approximately 300 people to as little as 25 people;*
  - 1.2 *calls on all sides of Australian politics at the state and federal level, along with Australian-based shareholders of Rio Tinto, to advocate for the company to relocate its global head office from London to Australia; and*

1.3 reaffirms council's commitment to secure and retain regional and global corporate headquarters within the City of Melbourne.

Seconded: Cr Ong

Cr Mayne made the following key comments:

- Australia is unique in that no other company owns \$1 billion in equity in this country but administers that in another country;
- it is a shame that Rio Tinto went from 300 staff in Melbourne and now only has 25 staff;
- this motion is to create some political momentum to pressure the Rio Tinto board to bring their headquarters to Australia;
- there is a lot of support from many people such as Gina Reinhart and Peter Costello; and
- hopes that in a few years there will be less staff in the London office and all the jobs returned to the City of Melbourne.

Cr Ong stated it is important to put pressure on some Australian companies to have more global headquarters here in Melbourne.

Cr Leppert stated Rio Tinto is another example where Australian companies are offshoring their profits and they should be in Australia.

Cr Foster made the following key comments:

- this motion is about Melbourne jobs and local government needs to stand up for this; and
- capital city governments need to have something to say about companies leaving.

The Lord Mayor, Robert Doyle made the following key comments:

- Melbourne does have a large number of Australian mining companies headquarters; and
- not just about mining companies, other large companies have ancillary businesses which cluster around and create more opportunities.

Cr Mayne stated Melbourne does have a range of smaller mining companies based here however it is an anomaly that an Australian company such as Rio Tinto is directing control from London.

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Mayne, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Oke, Ong, Pinder-Mortimer and Wood.

## 8. URGENT BUSINESS

There was one item of proposed urgent business for consideration

### 8.1 Fisherman's Bend Governance

Moved: Lord Mayor, Robert Doyle

*That the Fishermans Bend Governance meets the criteria for consideration as an item of Urgent Business as it has arisen since the distribution of the agenda, and cannot safely or conveniently be deferred until the next Council meeting.*

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 Foster, Leppert, Louey, Mayne, Oke, Ong, Pinder-Mortimer and Wood.

The Lord Mayor, Robert Doyle made the following key comments:

- became aware that there was an immediate proposal for Fisherman's Bend to be developed much in the same way of Docklands; and
- will be meeting with the Mayor of the City of Port Philip shortly to discuss the matter.

Cr Leppert stated he accepts the rationale for this to be urgent however he is not convinced that this item could not wait and be discussed next week and is content with agreeing that the item is urgent but reserves the right to move a deferral motion during the substantive debate.

Moved: Lord Mayor, Robert Doyle

*That the Future Melbourne Committee resolves that the Lord Mayor write to the Premier requesting that the Victorian Government consider including the Fishermans Bend Urban Renewal Area within the municipal boundaries of the City of Melbourne and make the Melbourne City Council the sole Planning Authority and Responsible Authority under the Planning and Environment Act 1987.*

Seconded: Cr Ong

Cr Leppert moved a procedural motion:

*That the Future Melbourne Committee defers this item to be heard at the Future Melbourne Committee meeting to be held Tuesday 16 April 2013.*

Seconded: Cr Mayne

Cr Leppert stated that with this deferral the public will know that this item will be considered in a week's time and they will have time to share their opinions with their Councillors.

Cr Oke left the meeting at 7:35pm.

Cr Mayne made the following key comments:

- need to defer this item so there is ample time to consider such a substantial proposal such as boundary change;
- in light of the response from the City of Port Philip today deferring this motion will ultimately be a retreat from this issue being presented in this way; and
- the delicate issue of boundary changes needs to be handled carefully.

The Lord Mayor, Robert Doyle made the following key comments:

- this is not about Port Philip this is about the Minister and a signal to him;
- anything over 10,000 metres is a decision made by the Minister of Planning; and
- supports the deferral because meeting with the Mayor of Port Phillip and will discuss with her the reasons.

Cr Ong made the following key comments:

- happy to support this deferral as we need to control how we do planning in the future; and
- support it to give further thought on the matter.

Cr Foster made the following key comments:

- would like to acknowledge the City of Port Philip Councillors who attended the meeting;
- spoke with the Mayor of Port Philip twice and she has expressed her concerns about the suggestions in the media; and
- believes that it is appropriate to defer this item.

Cr Oke returned to the meeting at 7:39pm

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Foster, Leppert, Louey, Mayne, Oke, Ong Pinder-Mortimer and Wood.

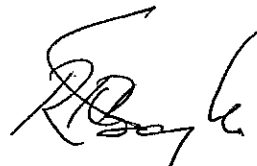
## 9. PUBLIC QUESTIONS

There were no public questions.

**10. CLOSURE OF MEETING**

The Chair, Lord Mayor, Robert Doyle, declared the meeting closed at 7:43pm.

Confirmed at the meeting of Future Melbourne Committee on Tuesday 7 May 2013.

A handwritten signature in black ink, appearing to read 'R Doyle', is positioned above the printed name of the Chair.

Chair  
Future Melbourne Committee