



Future Melbourne Committee

Minutes

**Meeting Number 2
22 November 2016
5.30pm**

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

Present

Lord Mayor, Robert Doyle
Deputy Lord Mayor, Arron Wood
Councillor Michael Caiafa
Councillor Philip Le Liu
Councillor Rohan Leppert
Councillor Kevin Louey
Councillor Cathy Oke
Councillor Nicholas Reece
Councillor Tessa Sullivan
Councillor Jackie Watts

Confirmed at the meeting of the Future Melbourne Committee meeting
on Tuesday 6 December 2016

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 and the audio would be made available on the City of Melbourne website before close of business tomorrow
- the agenda comprised of three reports from management and one item of general business
- no apologies had been received from Councillors.

2. Disclosures of conflicts of interest

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

3. Confirmation of minutes of the previous meeting

Moved: Deputy Lord Mayor, Arron Wood

That the minutes of meeting No 1 held on Tuesday 15 November 2016, be confirmed.

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Arron Wood, Councillors Caiafa, Le Liu, Leppert, Louey, Oke, Reece, Sullivan and Watts.

4. Matters arising from the minutes of the previous meeting

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

5. Public questions

There were no public questions.

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 6.2, '**Planning Application TP-2016-537, 109-111 Little Lonsdale Street, Melbourne**':

Requests to speak:

- Bill Allan
- Dr Stan Capp
- Pamela Lyons
- Maureen Capp OAM, Wesley Historic Precinct Action Group.

Items of Correspondence:

- Bill Allan
- Dr Stan Capp
- Pamela Lyons
- Maureen Capp OAM, Wesley Historic Precinct Action Group.

In relation to Agenda item 6.3, '**Ministerial Referral TPM-2016-17, 135-139 Sturt Street, Southbank**':

Requests to speak:

- Christopher Puxty
- Christina Arbuckle
- Phillip Arbuckle, Sunday Apartments
- Eileen Vamos
- Shaun Evans
- Tony Penna, Southbank Residents Association.

Items of Correspondence:

Christopher Puxty	Jackie Arbuckle	Jeanette Payne	Vicki
Kate Sadler	Brad Dekkers	Phillip Arbuckle	Paula Holian
Shaun McCarthy	Christina Arbuckle	Karen Rollings	Sophie McDonald
Laura Vamos	Joy Burman	Simon Karoussos	Judith Tchia
Misa Yoshida	Wilson Beer	Jill Nowotna	Mrs Lynette and Mr Arthur
Laura Holian	Jenny Darling	Selena Simmons	Gregory Llatse
Jessica Butler	Dr A Olinsky	Chris Wilson	Reah Armstrong MBA
Stephen Wong	Lumsden	David Macrae	Julie Walker
Liesl Chuah	Gideon James	Anthony Condina	Mark Potter
Ronald Chung	Belinda Nitschke	Alister McPherson	Patricia Rust
Marg Bernardi	Paul Semenov	Jerry and Jenny Lee	Shaun Evans
Todd Lucas	Dor Son Tan	Kate Newstead	Michael Tonta
Mira Levy	Katrina Sorrenson	Peter Osmond	Lynette Bellwood
Chloe Smith	Elaine Collins	Clair Richards	Will Osmond
George Osmond	Eileen Vamos	J and C Boag	Dorothy
Barbara Jackson	Levi Mcdonald	Robyn Osmond	Dr Robert Holian
Dr Eifion Thomas and Ms TA Wojcik		Tony Penna, Southbank Residents Association	
Patricia J Martin and Barry Moreland		Pat and Valerie Condina	
Steven and Annette Lamandé		Phillip Arbuckle, Chairperson, Sunday Apartments.	

In relation to Agenda item 7.1, '**Proposal to travel by Councillor Cathy Oke, CBD COP13, Mexico, December 2016 and ICLEI Board meeting, Germany, January**':

Request to speak:

- Chris Thrum.

Item of Correspondence:

- Chris Thrum.

Finance and Governance

Deputy Lord Mayor, Arron Wood assumed the role of Chair for the Committee to consider one report from management in relation to the Finance and Governance Portfolio.

6.1 2016-17 First Quarter September 2016 YTD Financial Performance Report

The purpose of this report was to inform the Committee of the financial performance of the Council for the first quarter ending 30 September 2016, in accordance with the *Local Government Act 1989*.

Moved: Deputy Lord Mayor, Arron Wood

The Future Melbourne Committee accepts the quarterly financial performance report as at 30 September 2016.

Seconded: Cr Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Deputy Lord Mayor, Arron Wood, Lord Mayor, Robert Doyle, Councillors Caiafa, Le Liu, Leppert, Louey, Oke, Reece, Sullivan and Watts.

Planning Portfolio

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

6.2 Planning Application: TP-2016-537, 109-111 Little Lonsdale Street, Melbourne

The purpose of this report was to advise the Committee of a Planning Application at 109-111 Little Lonsdale Street, Melbourne.

The Lord Mayor, Robert Doyle, Deputy Lord Mayor, Arron Wood and Councillor Louey each declared an indirect conflict of interest in relation to this item. The conflict of interest was due to receipt of an applicable gift under section 78C of the *Local Government Act 1989*, as they had received election campaign donations in 2012 from the applicants or others associated with the application.

Cr Le Liu declared an indirect conflict of interest in relation to this item. The conflict of interest was due to impact on residential amenity under section 78E of the *Local Government Act 1989*. Cr Le Liu resides near the subject site.

Cr Watts declared an indirect conflict of interest in relation to this item. The conflict of interest was due to having received an applicable gift under section 78C of the *Local Government Act 1989*. Cr Watts received a campaign donation from a person that owns property opposite the subject site.

The Lord Mayor, Robert Doyle, Deputy Lord Mayor, Arron Wood and Councillors Le Liu, Louey and Watts all left the meeting at 5.39pm, prior to any discussion taking place.

Due to the number of Councillors declaring conflicts of interest for Agenda item 6.2 the quorum for the meeting was lost and this agenda item will now be dealt with by an officer under delegation.

The Lord Mayor, Robert Doyle, Deputy Lord Mayor, Arron Wood and Councillors Le Liu, Louey and Watts returned to the meeting at 5.41pm.

6.3 Ministerial Planning Referral: TPM-2016-17, 135-139 Sturt Street, Melbourne

The purpose of this report was to advise the Committee of a Planning Application at 135-139 Sturt Street, Melbourne.

The following people addressed the Committee:

- Christopher Puxty
- Christina Arbuckle
- Phillip Arbuckle, Sunday Apartments
- Eileen Vamos
- Shaun Evans
- Tony Penna, Southbank Residents Association.

Moved: Cr Leppert

The Future Melbourne Committee resolves to advise Department of Environment, Land, Water and Planning that the Melbourne City Council does not support the proposal subject to the recommended reasons outlined in the delegate report (refer Attachment 4 of the report from Management).

Seconded: Lord Mayor, Robert Doyle

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Reece, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Arron Wood, Councillors Caiafa, Le Liu, Leppert, Louey, Oke, Sullivan and Watts.

The Lord Mayor, Robert Doyle, resumed the role of Chair for the remainder of the meeting.

7. General business

There was one item of General business for consideration.

7.1 Proposed travel by Councillor Cathy Oke, CBD COP13, Mexico, December 2016 and ICLEI Board meeting, Germany, January 2017

The purpose of this report was to seek Committee approval for Councillor Cathy Oke to participate in the following:

- The 13th meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD COP13), 5 to 12 December 2016 to be held in Cancun, Mexico.
- The 5th Global Biodiversity Summit of Cities and subnational Governments – a parallel event to CBD COP13.
- The ICLEI e.V. Board meeting and Membership Assembly of the World Secretariat to be held in Bonn, Germany, 23 to 27 January 2017 at the invitation from ICLEI WS Secretary General, Gino Van Begin.

Chris Thrum addressed the Committee.

Moved: Lord Mayor, Robert Doyle

1. *That the Future Melbourne Committee*
 - 1.1. *Approves Councillor Cathy Oke's participation in the 13th meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD COP13) in Cancun, Mexico from 5 to 12 December 2016 and the 5th Global Biodiversity Summit of Cities and Subnational Governments.*
 - 1.2. *Approves an amount of up to \$AUD 3900 to cover airfare and incidental costs.*
 - 1.3. *Approves Councillor Oke's proposal to travel to Bonn, Germany to attend an ICLEI e.V. Board Meeting and Membership Assembly between 23 and 27 January 2017 at no cost to Council*
 - 1.4. *Note that Councillor Oke will prepare a report to the Future Melbourne Committee or Council within 60 days of return from travel.*

Seconded: Deputy Lord Mayor, Arron Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Arron Wood, Councillors Caiafa, Le Liu, Leppert, Louey, Oke, Reece, Sullivan and Watts.

8. Urgent business

There were no items of proposed urgent business for consideration.

9. Public questions

Dr Stan Capp asked if it was possible to approve secondary consent when there is no valid planning permit, noting that the planning permit for 113 Little Lonsdale Street, Melbourne expired on 4 November.

Jane Birmingham, Practice Leader Statutory Planning advised that it was not possible to grant secondary consent on an expired permit, however in relation to the planning permit for 113 Little Lonsdale Street, Council was advised that works had commenced. As the permit has been acted upon it is a valid permit and a secondary consent has been approved.

Dr Stan Capp asked if it was possible for the delegated officer to consult with residents.

Jane Birmingham Practice Leader Statutory Planning advised that this planning permit application is not subject to formal notification or appeal rights under the Capital Cities Zone and there are no formal rights for consultation.

Dr Stan Capp asked what Council was doing to enable better rights to residents in relation to planning matters.

The Lord Mayor, Robert Doyle advised that the Council always listens, however appeal rights is a matter for State Government.

Tony Penna asked if it was possible that, if the Minister rejected the 135 Sturt Street, Southbank permit, it could go to a compulsory conference, and they get something that they didn't want.

Jane Birmingham, Practice Leader Statutory Planning advised that if the Minister did refuse the application the applicant could take the matter to the Victorian Civil and Administrative Tribunal (VCAT).

Tony Penna asked if it was possible to introduce third party notice rights into the City of Melbourne.

The Lord Mayor, Robert Doyle advised it is difficult as the State Government has no intention of recognising these rights should they be introduced.

Pamela Lyons asked if it was possible for the City of Melbourne to negotiate with the State Government and reintroduce appeal rights for residents.

The Lord Mayor, Robert Doyle advised that the Council has asked regularly but are continually rebuffed.

Cr Leppert advised that he believed there were currently six or seven schedules to the Capital City Zone, all of which are variable on proposal by the City of Melbourne. He noted that the Minister would have to decide whether to allow the proposal for a change to the schedule and allow third party rights. The Planning Minister has undergone a review and has made it clear that the reinstatement of third party appeal rights is not something that will be picked up as part of the 'central city built form review'.

Con Angelatos asked if a planner could add a special condition to a planning permit, obligating the developer to produce the specified treatments to the outside of the building.

Jane Birmingham, Practice Leader Statutory Planning advised that the recommended conditions and amended plans require changes to the materials and a full schedule and sample of all material colours and finishes are to be supplied. Council is also able to undertake a proactive enforcement process if there is non-compliance.

10. Closure of meeting

The Lord Mayor, Robert Doyle thanked members of the public, Management and staff for the attendance and declared the meeting closed at 6.40pm.

Confirmed at the meeting of Future Melbourne Committee on Tuesday 6 December 2016.



Chair
Future Melbourne Committee