



CITY OF MELBOURNE

Future Melbourne Committee

Minutes

**Meeting Number 5
Tuesday 7 February 2017
5.30pm**

**Swanston Hall
Ground Floor
Melbourne Town Hall**

Present

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

Non-attendance

Councillor Le Liu

Confirmed at the meeting of the Future Melbourne Committee meeting
on Tuesday 21 February 2017

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 six reports from management.

2. Disclosures of conflicts of interest

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

Condolences in relation to Bourke Street

On behalf of the City of Melbourne the Lord Mayor, Robert Doyle extended condolences to the families and friends of the victims of the recent Bourke Street tragedy.

There was a moment of silence to reflect and pay respect to those who died, those who were injured, those who were affected and their loved ones.

Filming of the meeting

A number of requests to film and photograph the meeting had been received from media outlets.

Moved: Deputy Lord Mayor, Arron Wood

That the Future Melbourne Committee resolves to allow filming of the Future Melbourne Committee meeting in accordance with the request made by the media outlets.

Seconded: Cr Oke

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, Leppert, Louey, Oke, Reece, Sullivan and Watts.

3. Confirmation of minutes of the previous meeting

Moved: Deputy Lord Mayor, Arron Wood

That the minutes of meeting No 4, held on Tuesday 13 December 2016, be confirmed.

Seconded: Cr Caiafa

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, 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

Shane Scanlon from CBD news, asked a question relating to the vacant 11th Councillor position, in particular a conversation The Lord Mayor, Robert Doyle had with the Victorian Electoral Commissioner, Warrick Gatley on 6 December 2016.

The Lord Mayor, Robert Doyle responded by confirming he spoke with the Electoral Commissioner but did not provide his position on the matter.

Ty Snotear made comments about homelessness but did not ask a public question.

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*.

Submissions/Correspondence

In relation to Agenda item 6.1, "**Metro Tunnel Project and Management of Burke and Wills Memorial**":

Requests to Speak:

- David Dodd on behalf of the Burke and Wills Historical Society Inc
- Chris Thrum
- Mike Flattley, the Royal Society of Victoria.

Items of Correspondence:

- David Dodd on behalf of the Burke and Wills Historical Society Inc
 - Chris Thrum
 - Mike Flattley, the Royal Society of Victoria.
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In relation to Agenda item 6.2, "**Homelessness and Public Amenity**":

Requests to Speak:

- David Tweed (did not address the Committee)
- Andrew Klein
- Dave Burrows (did not address the Committee)
- Duncan Storrar (did not address the Committee)
- Kate Hamley
- David Wilson, Urban Seed
- Kate Colvin
- Rebecca Temple
- Mark Towler
- Homeless Persons Union Victoria
- Lisa Peterson
- Rachel Zbukvic (did not address the Committee)
- Lucy Adams, Manager and Principal Lawyer, Homeless Law
- Ty Snotear
- Kate Browne, Law Institute of Victoria.

Items of Correspondence:

- David Tweed
- Andrew Klein
- Lauren Sanford
- Hannah Aroni
- Ken Date
- Anna McCauley
- Chris Honig
- Dave Burrows, Duncan Storrar and Kate Hamley, Human Rights Activists for Freedom from Poverty
- David Wilson, Urban Seed
- Fiona Ross
- Jess Gonzo
- Kate Colvin
- Victoria Zurek
- Rebecca Temple
- Mark Towler
- Daniel Scoullar

- Homeless Persons Union Victoria
- Lisa Peterson
- Rachel Zbukvic
- Meghan Fitzgerald, Fitzroy Legal Service
- Lucas Heenan
- Lucy Adams, Manager and Principal Lawyer, Homeless Law
- Ty Snotear
- Belinda Wilson, Law Institute of Victoria
- Heather Moody.

In relation to Agenda item 6.3, “**Ministerial referral: TPM-2016-4, 51-65 Clarke Street, Southbank**”:

Request to Speak:

- Tony Penna, Southbank Residents Association.

In relation to Agenda item 6.5, “**Planning Permit Application:TP-2016-225, 69 Hardiman Street, Kensington**”:

Requests to Speak:

- Peter Sweeny
- John Glossop.

Items of Correspondence:

- Carolyn Sebastian
- Paul and Andrea McAlpine
- John Glossop
- Peter Sweeny.

Arts, Culture and Heritage Portfolio

Cr Leppert assumed the role of Chair for the Committee to consider the one report from management in relation to the Arts, Culture and Heritage Portfolio.

6.1 Metro Tunnel Project and Management of Burke and Wills Memorial

The purpose of this report was to advise Council that the Metro Tunnel Project work around the City Square will require the temporary removal of the Burke and Wills Memorial and to seek Council endorsement for its subsequent management including conservation while in storage and return to the current site.

The following people addressed the Committee:

- David Dodd on behalf of the Burke and Wills Historical Society Inc
- Chris Thrum
- Mike Flattley, Royal Society of Victoria.

Moved: Cr Leppert

1. *That the Future Melbourne Committee:*

- 1.1 *notes that the Burke and Wills Memorial needs to be removed by specialist conservators from the current location at the City Square site both for its protection and to facilitate Metro Tunnel Project works*
- 1.2 *approves the Memorial being stored during the Metro Tunnel Project works and being thoroughly conserved*
- 1.3 *approves the Memorial being returned to its current location when the Metro Tunnel Project works are complete.*

Seconded: Deputy Lord Mayor, Arron Wood

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

Finance and Governance Portfolio

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

6.2 Homelessness and Public Amenity

The purpose of this report was to provide an update on strategies to address homelessness in the City of Melbourne and seek support for the draft Activities (Public Amenity and Security) Local Law 2017 which would broaden the definition of camping and better respond to items left unattended in a public place.

The following people addressed the Committee:

- Andrew Klein
- Kate Hamley spoke on behalf of Dave Burrows and Duncan Storrar
- David Wilson, Urban Seed
- Kate Colvin
- Rebecca Temple
- Mark Towler
- Kelly from Homeless Persons Union Victoria
- Lisa Peterson
- Lucy Adams, Manager and Principal Lawyer, Homeless Law
- Bill Swanny, spoke on behalf of Kate Browne, Law Institute of Victoria.

Moved: Deputy Lord Mayor, Arron Wood

1. *That the Future Melbourne Committee:*
 - 1.1. *pursuant to Part 5 of the Local Government Act 1989, proposes to make the Activities (Public Amenity and Security) Local Law 2017 at Attachment 2 for the purposes of the statutory public notice and submission process*
 - 1.2. *notes that an assessment will be made in respect to the Amending Local Law and its compatibility with the human rights set out in part 2 of the Charter of Human Rights and Responsibilities Act 2006*
 - 1.3. *notes that a communication campaign will be developed to inform and educate the public about the impact of donating to people sleeping rough*
 - 1.4. *notes that the matter of additional resourcing will be referred to 28 February 2017 Council meeting for consideration*
 - 1.5. *appoints Mr Bernie Geary to support Council in relation to homelessness initiatives as outlined in the report*
 - 1.6. *requests management to draft a policy with the purpose of guiding the work of Local Law enforcement officers when implementing the Local Law in relation to people who are or appear to be homeless, which codifies requirements around enforcement officers being accompanied by homelessness support providers on such occasions, and that this policy be considered alongside the Council report considering submissions on the Activities (Public Amenity and Security) Local Law 2017.*

Seconded: Cr Sullivan

Amendment

Councillor Leppert moved the following amendment:

That the following words be added to paragraph 1.1, after the words "Attachment 2": "*but with clause 2.3 removed (that is, without the broadening of current restrictions on camping in public places),*"

Seconded: Cr Oke

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The amendment was put and lost with the following Councillors voting for of the motion: Councillors Caiafa, Leppert, Oke and Watts and the following Councillors voting against the motion: The Chair, Deputy Lord Mayor, Arron Wood, Lord Mayor, Robert Doyle, Councillors Louey, Reece and Sullivan.

The substantive motion was put and carried with the following Councillors voting for the motion: The Chair, Deputy Lord Mayor, Arron Wood, Lord Mayor, Robert Doyle, Councillors Louey, Reece and Sullivan and the following Councillors voting against the motion: Councillors Caiafa, Leppert, Oke and Watts.

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 six members of the Committee and accordingly the referral notice process was triggered.

Resolved:

1. *That the Future Melbourne Committee:*
 - 1.1. *pursuant to Part 5 of the Local Government Act 1989, proposes to make the Activities (Public Amenity and Security) Local Law 2017 at Attachment 2 for the purposes of the statutory public notice and submission process*
 - 1.2. *notes that an assessment will be made in respect to the Amending Local Law and its compatibility with the human rights set out in part 2 of the Charter of Human Rights and Responsibilities Act 2006*
 - 1.3. *notes that a communication campaign will be developed to inform and educate the public about the impact of donating to people sleeping rough*
 - 1.4. *notes that the matter of additional resourcing will be referred to 28 February 2017 Council meeting for consideration*
 - 1.5. *appoints Mr Bernie Geary to support Council in relation to homelessness initiatives as outlined in the report*
 - 1.6. *requests management to draft a policy with the purpose of guiding the work of Local Law enforcement officers when implementing the Local Law in relation to people who are or appear to be homeless, which codifies requirements around enforcement officers being accompanied by homelessness support providers on such occasions, and that this policy be considered alongside the Council report considering submissions on the Activities (Public Amenity and Security) Local Law 2017.*

Deputy Lord Mayor, Arron Wood, left the meeting at 7pm and returned at 7.02pm.

Planning Portfolio

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

6.3 Ministerial referral: TPM-2016-4, 51-65 Clarke Street, Southbank

The purpose of this report was to advise the Committee of a Ministerial Planning Permit Application for the development of 70 level mixed use development for residential apartments and business centre.

The following person addressed the Committee:

- Tony Penna, Southbank Residents Association.

Moved: Cr Leppert

That the Future Melbourne Committee resolves that a letter be sent to the Department of Environment, Land, Water and Planning advising that the Melbourne City Council offers in principle support for the proposal subject to the conditions (other than condition 1(b) and with other conditions renumbered accordingly) outlined in the delegate's report (refer Attachment 4 of the report from management).

Seconded: Cr Reece

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, Leppert, Louey, Oke, Sullivan and Watts.

6.4 Ministerial referral: TPM-2016-26, 552-578 Lorimer Street, Port Melbourne

The purpose of this report was to advise the Committee of a Ministerial Planning Application to use and develop the land at 552 – 578 Lorimer Street for a data centre.

Moved: Cr Reece

That the Future Melbourne Committee resolves that a letter be sent to the Department of Environment, Land, Water and Planning advising that the Melbourne City Council offers in principle support for the proposal subject to the conditions outlined in the Delegate's report (refer Attachment 4 of the report from management).

Seconded: Cr Leppert

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

6.5 Planning Permit Application: TP-2016-225, 69 Hardiman Street, Kensington

The purpose of this report was to advise the Committee of a Planning Application for a Planning Permit to develop the land at 69 Hardiman Street, Kensington.

Moved: Cr Reece

That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Permit to Planning application TP-2016-225, subject to the conditions outlined in the Delegate's Report (refer Attachment 4 of the report from management).

Seconded: Cr Leppert

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

6.6 Liquor Enquiry LIQENQ-2016-183, European Bier Café, 118-122 Exhibition Street, Melbourne

The purpose of this report was to advise the Committee of a request by Erik Hopkinson of Hopkins & Associates for a letter of support from the Council for an increase in trading hours allowed under an existing late night (on-premises) liquor licence for Euro Exhibition Pty Ltd, which trades as the European Bier Café.

The following people addressed the Committee:

- Peter Sweeny
- John Glossop.

Moved: Cr Reece

That the Future Melbourne Committee resolves that a letter be sent to the applicant advising that the Melbourne City Council supports the application for a variation of the existing liquor licence to allow increased trading hours consistent with the documentation provided in the liquor enquiry request.

Seconded: Cr Leppert

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, 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 were no items of General business for consideration.

8. Urgent business

There were no items of proposed Urgent business for consideration.

9. Public questions

There were no public questions.

10. Closure of meeting

The Chair, Lord Mayor, Robert Doyle, declared the meeting closed at 7.17pm.

Confirmed at the meeting of Future Melbourne Committee on Tuesday 21 February 2017.



Chair
Future Melbourne Committee