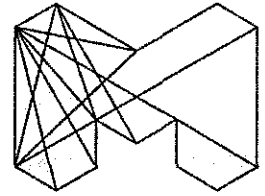


Confirmed minutes



CITY OF MELBOURNE

Future Melbourne Committee

Minutes

Meeting Number 76
Tuesday 19 May 2020
5.30pm

Council Meeting Room
Level 2
Melbourne Town Hall

Present

Lord Mayor, Sally Capp
Deputy Lord Mayor, Arron Wood
Councillor Nicolas Frances Gilley
Councillor Rohan Leppert
Councillor Kevin Louey (arrived 5.31 pm)
Councillor Beverley Pinder-Mortimer
Councillor Nicholas Reece
Councillor Susan Riley
Councillor Jackie Watts

Apology

Councillor Philip Le Liu
Councillor Cathy Oke

Confirmed at the meeting of the Future Melbourne Committee
On Tuesday 2 June 2020

C o n f i r m e d m i n u t e s

1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Lord Mayor, Sally Capp, advised that:

- the meeting was being streamed live and that an audio and video recording would be made available on the City of Melbourne website before close of business tomorrow
- the agenda comprised of four reports from management
- Councillor Riley was attending the meeting remotely via video and audio link
- Apologies had been received from Councillors Philip Le Liu and Cathy Oke.

The Chair, Lord Mayor, Sally Capp, made a statement about the City of Melbourne's response to COVID-19:

As part of our efforts to contain the spread of COVID-19, and pursuant to the provisions of sections 394 and 395 of the *Local Government Act 2020*, Council and Committee meetings will be held virtually until further notice. During the period 1 May 2020 to 1 November 2020 Councils do not need to provide for members of the public to physically attend meetings. Providing public access to livestreamed events satisfies the public attendance test during the prescribed period.

2. Disclosures of conflicts of interest

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

3. Confirmation of minutes of the previous meeting

Moved: Cr Reece

That the minutes of meeting No 75, held on Tuesday 5 May 2020, be confirmed.

Seconded: Lord Mayor, Sally Capp

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Louey, Pinder-Mortimer, Reece, Riley 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

The Lord Mayor, Sally Capp, advised the Committee that three written questions had been received, one of which would be asked via a virtual link.

Peter Cassidy asked a question relating to recent planning permits and the next phase of the Macaulay Structure Plan refresh.

The Lord Mayor, Sally Capp advised that, as the second question related to the same topic, the second question would be read out and a response would then be provided for both questions.

The Chair, Lord Mayor, Sally Capp, noted that the written questions included some statements and, in reading those statements out loud, the Chair is not attesting to the veracity or factual nature of those statements.

Question from Kerrin Rattray

My name is Kerrin Rattray and I live at the residential property almost directly opposite the proposed building with my young family.

The proposed building does not meet the requirements outlined in the City of Melbourne's Design and Development Overlay.

Confirmed minutes

The community benefit of a green façade and roof is questionable against the community dis-benefit of the additional height. Dis-benefits outlined by the many objections, including inappropriate density, building scale and reduction in visible skyline. It is unclear how the benefits outweigh the more direct dis-benefits highlighted by the Kensington Community.

More specifically, the proposal fails to meet the minimum set back requirements as outlined in the relevant Design and Development Overlay. Page 21 of the attached agenda document clearly highlights the failure to meet the DDO setbacks.

Will the committee ensure the minimum setbacks are met by this development, as outlined in the relevant Design and Development Overlay?

The Lord Mayor, Sally Capp advised that:

The City of Melbourne adopted the Arden-Macaulay Structure Plan in 2012 to guide future growth and development in parts of Kensington and North Melbourne. Since adopting the structure plan there have been changes to the planning context affecting the area.

In response to these changes the City of Melbourne is in the process of developing a refreshed structure plan for Macaulay that will remain broadly consistent with the 2012 structure plan while also outlining how the City of Melbourne will plan for the changes that have occurred since 2012.

The refreshed structure plan is considering the inclusion of floor area ratio (FAR) control and updated built form controls. This has been presented as an idea in a discussion paper with a floor area ratio of 3:1 to 4:1 proposed for this area, subject to further built form and feasibility testing.

It should be noted that we as a Council have not endorsed the discussion paper and its content, this was undertaken by management.

The discussion paper was prepared for engagement with the community and stakeholders in November and December 2019. Feedback from the engagement phase has been used to inform the preparation of a draft structure plan.

Public engagement on a draft structure plan is likely to commence in the second half of 2020, following Future Melbourne Committee's consideration. Once the refreshed structure plan is finalised and endorsed by Council, a planning scheme amendment will be prepared.

The subject development would have a FAR in the order of 6:1, however at this point in time, due to the early stage in the strategic planning process, this development can only be assessed against the current planning controls and requirements.

Question from Nikki Gaskell

The updated draft of the Macaulay structure plan proposes to bring in a Floor Area Ratio requirement for new developments. Would this proposed design meet those proposed new FAR requirement?

The Lord Mayor, Sally Capp advised that:

DDO63 specifies a preferred street wall height of four storeys and a setback above this height of 1m for every additional 1m in height. The intent of this provision is to ensure a human scale street edge, and good sunlight and daylight access to streets.

The proposed development's façade is not flat, with balconies of varying depth on all levels, green infrastructure, and a forecourt on the ground level to Bruce Street.

These treatments and articulations will reduce the perceived size of the development, helping the development retain a human scale and ensuring that the street wall remains the principal element of the building.

C o n f i r m e d m i n u t e s

6. Reports from management

The Chair, Lord Mayor, Sally Capp, advised that the following submissions had been received in accordance with the Council's *Meeting Procedures Code*.

Submissions/Correspondence

In relation to Agenda item 6.1, '**Planning Permit Application: TP-2019-587, 14-26 Bruce Street, Kensington**':

Requests to speak:

- Phil Gleeson, Urbis
- Jock Gammon, Junglify
- Chris McCue, Carr Design
- Simon Harvey, Kensington Association.

Items of correspondence:

- Simon Harvey, Kensington Association
- Nikki Gaskell
- Maree Cornito
- Peter Cassidy.

In relation to Agenda item 6.3, '**Ensuring Safety of Children at Places of Worship in our Municipality**':

Request to speak:

- Clare Leaney, CEO, In Good Faith Foundation.

Item of correspondence:

- Clare Leaney, CEO, In Good Faith Foundation.

Planning Portfolio

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

6.1 Planning Permit Application: TP-2019-587 14-26 Bruce Street, Kensington

The purpose of this report was to advise the Future Melbourne Committee of a planning permit application seeking approval for the construction of an eight storey office building and a reduction of car parking requirements.

The following people addressed the Committee:

- Simon Harvey, Kensington Association
- Chris McCue, Carr Design
- Jock Gammon, Junglify and
- Phil Gleeson, Urbis.

Moved: Cr Reece

That the Future Melbourne Committee resolves that a Notice of Decision to Grant a Permit be issued subject to the conditions set out in the Delegate Report (refer Attachment 4 to the Report from management).

Seconded: Deputy Lord Mayor, Arron Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Reece, Lord Mayor, Sally Capp, Deputy Lord Mayor, Arron Wood and Councillors Frances Gilley, Leppert, Louey, Pinder-Mortimer, Riley and Watts.

C o n f i r m e d m i n u t e s

6.2 Melbourne Planning Scheme Amendment C323 Arts Precinct

The purpose of this report was to recommend that the Future Melbourne Committee, having considered the planning panel's report, recommend that Council adopt Amendment C323.

Moved: Cr Reece

1. That the Future Melbourne Committee recommends Council:

- 1.1. Adopts Melbourne Planning Scheme Amendment C323 as shown in Attachment 5 of the report from management.*
- 1.2. Submits the adopted Amendment to the Minister for Planning for approval.*
- 1.3. Authorises the General Manager Strategy, Planning and Climate Change to make any further minor editorial changes to the Amendment documents prior to submitting to the Minister for Planning for approval.*

Seconded: Cr Leppert

Deputy Lord Mayor, Arron Wood left the meeting at 6:39pm and did not return.

The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Reece, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Pinder-Mortimer, Riley and Watts.

People City Portfolio

Cr Pinder-Mortimer assumed the role of Chair for the Committee to consider one report from management in relation to the People City Portfolio.

6.3 Ensuring safety of children at places of worship in our municipality

The purpose of this report was to inform the Committee on the actions taken by management in response to the Notice of Motion from Councillor Nicolas Frances Gilley at the Future Melbourne Committee meeting held on 15 October 2019.

The following people addressed the Committee:

- Clare Leaney, CEO, In Good Faith Foundation

Moved: Cr Pinder-Mortimer

1. That the Future Melbourne Committee notes:

- 1.1 The response from the Commissioner for Children and Young People to the letter from the Chief Executive Officer that states: 'that except in very limited circumstances, The Child Wellbeing and Safety Act 2005 prohibits the Commission from disclosing specific information about its regulatory activities and is therefore unable to comment on the Catholic Archdiocese of Melbourne, its compliance with the Child Safe Standards or its policies in relation to children and young people.'*
- 1.2 Management sought independent legal advice on what regulatory or other legal powers may be available to Council to seek organisations' compliance with mandatory reporting laws including any ability to make a new law.*
- 1.3 The legal advice informed that the planning regime is not available or appropriate to address the issue and a new local law would not be within Council's law making powers under section 111 of the Local Government Act 1989, nor consistent with policy directives in relation to local laws.*

Seconded: Cr Riley

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The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Pinder-Mortimer, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Reece, Riley and Watts.

The Lord Mayor, Sally Capp, resumed the role of Chair for the remainder of the meeting.

Finance and Government Portfolio

6.4 2019–20 Third Quarter YTD Financial Performance Report

The purpose of this report was inform the Future Melbourne Committee of the financial performance of the Council for the third quarter ending 31 March 2020, in accordance with the Local Government Act 1989 and to provide information on supplementary valuations adopted by the Chief Executive Officer under delegation.

Moved: Lord Mayor, Sally Capp

1. *That the Future Melbourne Committee:*

1.1. *Accepts the quarterly financial performance report as at 31 March 2020.*

1.2. *Resolves not to refer any matters to the Audit and Risk Committee.*

Seconded: Cr Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Lord Mayor, Sally Capp and Councillors Frances Gilley, Leppert, Louey, Pinder-Mortimer, Reece, Riley and Watts.

7. General business

There was one item of General business for consideration.

Councillor Leppert referred to the process whereby if a person submitted a written public question in advance of the meeting, a response is currently being drafted by officers and read out by the Chair during the meeting.

Councillor Leppert noted that clause 3.15J of Council's Meeting Procedures Code governs the way in which public questions are to be considered and requested clarification around how this process is being managed.

The Chair, Lord Mayor, Sally Capp advised the questions would be taken on notice.

8. Closure of meeting

The Chair, Lord Mayor, Sally Capp, declared the meeting closed at 7:43pm.

Confirmed at the meeting of the Future Melbourne Committee on Tuesday 2 June 2020.



Chair
Future Melbourne Committee