

Confirmed minutes



Future Melbourne Committee Minutes

**Meeting Number 53
Tuesday 4 April 2023
6.00pm**

**Melbourne Connect
700 Swanston Street, Carlton**

Present

Acting Lord Mayor Nicholas Reece (Chair)
Councillor Dr Olivia Ball
Councillor Jason Chang
Councillor Elizabeth Doidge
Councillor Davydd Griffiths
Councillor Jamal Hakim
Councillor Philip Le Liu
Councillor Rohan Leppert
Councillor Kevin Louey (via Zoom)

Apologies

Lord Mayor Sally Capp
Councillor Roshena Campbell

Confirmed at the meeting of the Future Melbourne Committee
On Tuesday 2 May 2023

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 6.00pm.

The Chair, Acting Lord Mayor Nicholas Reece advised that:

- the meeting was being streamed live and a recording will be made available on the City of Melbourne website before close of business Wednesday, 5 April 2023.
- apologies were received from Lord Mayor Sally Capp and Councillor Campbell.

Condolence Statement – Yunupingu

The Acting Lord Mayor read the following statement:

Vale Yunupingu

The City of Melbourne acknowledges the passing of Yunupingu on Yolngu country in north-east Arnhem Land on 3 April 2023. The Council would like to extend the City of Melbourne's condolences to the family, friends and community on his passing.

A pioneer of the Land Rights movement and Aboriginal rights more broadly, he spoke for Aboriginal and Torres Strait Islander people when they were voiceless, working with leaders from throughout the country to return Indigenous people to their rightful place.

His name is synonymous with some of the nation's most significant events – the Yirrkala Bark Petitions, the Gove Land Rights case, the Land Rights Act, the Barunga Statement, the Native Title Act and most recently, the Voice.

Yunupingu was universally recognised as a leader in the City of Melbourne. He was Australian of the Year in 1978 and was invested with an Honorary Doctor of Law by the University of Melbourne in 2015.

Yunupingu's achievements and leadership leave a lasting legacy.

2. Disclosures of conflicts of interest

The Acting Lord Mayor advised that conflicts of interest should be disclosed as they arise.

3. Confirmation of minutes of the previous meeting

Moved: Cr Griffiths

That the minutes of meeting No 52 held on Tuesday 21 March 2023 be confirmed.

Seconded: Cr Chang

The motion was put and carried unanimously with the following Councillors present: Acting Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu and Leppert.

4. Matters arising from the minutes of the previous meetings

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

Cr Louey arrived at the meeting via Zoom at 6.06pm.

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

Presentation for Carlton community

The Acting Lord Mayor asked the Committee to temporarily suspend the Governance Rules to allow for presentations from officers on the Carlton neighbourhood.

Moved: Cr Dr Ball

That the Governance Rules be suspended to enable presentations from officers on the Carlton Neighbourhood Priorities.

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: Acting Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

The Governance Rules were suspended at 6.08pm.

The Committee received presentations from Nas Mohamud, Neighbourhood Partner and Tom Robertson, Acting Director City Safety, Security and Amenity.

Moved: Cr Griffiths

That the Governance Rules be resumed.

Seconded: Cr Doidge

The motion was put and carried unanimously with the following Councillors present: Acting Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

The Governance Rules were resumed at 6.19pm.

5. Public questions

LGBTIQA+ community

Cr Dr Ball, Health, Wellbeing and Belonging Portfolio Lead read a summary of four written public questions received in relation to the LGBTIQA+ community following the events of 18 March 2023.

Daisy Brenecki:

Will Council issue a public statement of support for trans and gender diverse Melburnians?

Cr Dr Ball thanked Daisy for the question and advised that City of Melbourne unambiguously abhors transphobia and neo-Nazi activities. Cr Dr Ball advised that Council stands in solidarity with the trans and gender diverse community and any group targeted by the far right and spoke to some of the ways that City of Melbourne has expressed support for the trans and gender diverse community alongside celebrating Transgender Day of Visibility on 31 March 2023, including:

- A night of conversation and celebration with local trans and gender diverse authors at our libraries
- Lighting of the Town Hall in rainbow colours on 21 March in response to the rally and again on 31 March for Transgender Day of Visibility
- The Acting Chief Executive Officer and Executive Sponsor of Council's Pride Network, which is a staff organisation, sent an email to all staff to reiterate the organisation's support for its transgender community members and the broader LGBTIQA+ community and to share resources to support staff safety and wellbeing
- The Pride Committee hosting a special screening of 'The Dreamlife of Georgie Stone' documentary to increase transgender visibility.

Bianca Gibson:

Will the City of Melbourne meet with the LGBTIQA+ community to discuss measures to improve community safety following the events that occurred in the city on 18 March 2023?

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

Cr Dr Ball thanked Bianca for the question and advised that Council will not be progressing a separate meeting at this time, in the hope that the rally on 18 March 2023 was a one-off response to the visit of a particular figure. Cr Dr Ball assured that Council will continue to engage with LGBTIQ+ stakeholders to ensure their voice, aspirations and needs continue to be represented and incorporated into Council's work.

Cr Dr Ball noted that City of Melbourne's Project Night Justice aims to ensure that women, trans and gender diverse people feel safe, confident and welcome at night, and advised that Queerspace and Pride in Diversity representatives are on the partnership steering committee of that project. Cr Dr Ball advised that community engagement on projects such as the Royal Park Master Plan will include targeted consultation with women, trans and gender diverse communities to ensure their voices and concerns are heard and included. Cr Dr Ball advised that Council officers will reach out to Bianca to understand further if there are any specific concerns to be raised.

Apsara Sabaratnam:

Will Council commit to creating an LGBTIQ+ action plan so that LGBTIQ+ residents in the city can feel safe and valued, especially in relation to the Inclusive Melbourne Strategy?

Cr Dr Ball thanked Apsara for the question and advised that the Inclusive Melbourne Strategy is currently up for review, and advised that a similar question was asked and answered at the Future Melbourne Committee meeting on 21 March 2023. Cr Dr Ball noted that the question was also the subject of a petition received by Council, of which Apsara was a signatory, and that all signatories will receive the response to that petition in due course.

Dale Park:

Why has Council not issued any infringement notices under its local laws (particularly clauses 2.1(f) and (g) of the Activities Local Law) in response to the behaviour at the rally on 18 March 2023?

Cr Dr Ball thanked Dale for the question and advised that rallies of this kind on the steps of Parliament are the responsibility of Victoria Police, who assess large gatherings and public safety in those circumstances. Cr Dr Ball added that the powers of Victoria Police are more extensive than those of Council's local laws officers, however Council does cooperate with Victoria Police as necessary.

Amenity of a West Melbourne property

Karl Hessian submitted a written question:

Can the city please contact the owner of the vacant properties at [redacted] Adderley Street, West Melbourne, and ask them to: secure all four doors to Adderley and Roden Streets; make the gates at the corner of Roden Street and Hampson Lane impassable; and ensure that rubbish is cleared from the site?

Cr Dr Ball, Health, Wellbeing and Belonging Portfolio Lead thanked Karl for the question and advised that officers attended the site on 1 April 2023 and noted that at the time of inspection, the property was secured and was free from rubbish and there was no breaches of the Activities Local Law 2019 that could be identified. Cr Dr Ball further advised that given the property is vacant, Council officers will continue to patrol it regularly to ensure it remains secure and compliant.

Confirmed minutes

TP-2021-110 95-101 Powlett Street, East Melbourne

Sally Sheppard asked a question:

We emailed Councillors on 20 March about VCAT's decision in relation to application TP-2021-110. I am disappointed in the way the planners dealt with the application when it was before Council and I am disappointed in the advice they gave to Councillors. We are very disappointed in having spent time emailing Councillors to ask them to look at the process that was undertaken and not one Councillor has acknowledged receipt of the letter. When I ring Council staff to find out if the email has been stuck in the junk folder and if it will ever be dealt with, I'm told maybe it's a 90 day turnaround period, maybe it's a 15 day period, or maybe it's a 10 business day period. We are past 10 business days. I am not feeling like anybody pays attention to this, but for us as individuals, it's important.

The Acting Lord Mayor, City Planning Portfolio Lead thanked Sally for the question and advised that the case in Powlett Street raised a number of significant issues concerning the Melbourne Planning Scheme, and some of the questions required a technical response. The Acting Lord Mayor apologised for the lack of communication and the delay in responding to Sally, and advised that a comprehensive response will be sent shortly.

Alison Leighton, Acting Chief Executive Officer advised that Council's usual process is to acknowledge incoming correspondence within three to five business days and noted that Councillors receive many emails and support staff assist Councillors in acknowledging incoming communications. The Acting Chief Executive Officer advised that officers will investigate why the acknowledgement did not occur and put in place steps to ensure that it does not happen again.

ATET planning permit

Gene Servadei submitted a written question:

In Council's Delegate Report for planning application TP-2021-620 it was noted that "the proposed licenced premises does not present as high risk or introduce concern relating to cumulative [amenity] impact as it relates to a function centre rather than a bar or nightclub." Why was this land use explicitly approved as a 'function centre' when the venue operates multiple times per week and almost-exclusively as a 'nightclub' — as defined by Melbourne Planning Scheme Clause 73.03 — and not as a 'function centre'?

The Acting Lord Mayor, City Planning Portfolio Lead thanked Gene for the question and referred to Julian Edwards, Director Planning and Building, who advised that the planning application lodged was for a 'place of assembly' which is defined as land where people congregate for entertainment, and includes various uses such as a function centre or nightclub.

The Director Planning and Building advised that the venue was not specifically classified as one use or the other as there are a number of different events, functions and forms of entertainment that can occur under the 'place of assembly definition' which is the permission granted on the planning permit and further advised that all events held on the site are managed under the permit conditions and venue management plan which applies irrespective of the event type.

At this point in the meeting the time for consideration of questions expired and resumed at the end of the meeting.

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

6. Reports from management

The Acting Lord Mayor advised that the following submissions had been received.

Submissions/Correspondence

In relation to Agenda item 6.1, **Planning Permit Application: TP-2022-195 186-190 Lygon Street, Carlton:**

Requests to speak:

- Johan Moylan, Planning & Property Partners
- Simon Topliss, Warren & Mahoney.

Items of Correspondence:

- Mark Cleary
- Dylan Heywood
- Simon Topliss.

In relation to Agenda item 6.2, **Planning Permit Application: TP-2022-229 6-10 MacArthur Place North, Carlton:**

Request to speak:

- Hamish Balzan, Urban Edge Consultants
- Dominic Fitzjohn (via Zoom).

Items of Correspondence:

- Dominic Fitzjohn
- Irene Caleb
- Daniel Soussan, Tract.

In relation to Agenda item 6.3, **Carlton Heritage Review and Punt Road Oval Heritage Review – Melbourne Planning Scheme Amendment C405 (Panel Report and Final Adoption):**

Requests to speak:

- Katie Roberts
- Einar Dan Schlossberg (via Zoom)
- Hugo Whiteman.

Items of Correspondence:

- | | |
|-------------------------|--|
| • Katie Roberts | • Evan Mulholland MP |
| • Einar Dan Schlossberg | • Joe Molloy |
| • Matthew Seymour | • Fergus McKinnon |
| • Daniel Mead | • Ben Martin |
| • Tristan Layton | • Adam Musa |
| • John Cunningham | • Ewan Ogilvy, Carlton Residents Association |
| • Jacob Flanagan | • James Riley |
| • Perry Fraser | • William Keating |
| • Joseph Moloney | • Daniel Webb |
| • Dylan Heywood | • Hugo Whiteman |
| • Nick Epstein | • Brad Peters. |

In relation to Agenda item 6.4, **Little Streets Shared Zone Review:**

Request to speak:

- Dave Jones, External Affairs Director, Polar Enviro.

Items of Correspondence:

- Jeremy Burge
- Nick Hall
- Owen Bentley
- Rachel Lee
- Daniel Mead
- Dave Jones
- Daniel Webb.

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

In relation to Agenda item 6.5, **Greenline Project Update - Master Plan Consultation:**

Request to speak and item of correspondence:

- Chris Thrum.

Planning Section

The Acting Lord Mayor advised that there were three reports from management where Council exercises its responsibilities under the *Planning and Environment Act 1987*.

6.1 Planning Permit Application: TP-2022-195 186-190 Lygon Street, Carlton

The purpose of this report was to advise the Future Melbourne Committee of planning permit application TP-2022-195 for the land located at 186-190 Lygon Street, Carlton.

The following people addressed the Committee:

- Johan Moylan, Planning & Property Partners
- Simon Topliss, Warren & Mahoney.

Moved: Acting Lord Mayor Nicholas Reece

That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Planning Permit subject to the conditions set out in the delegate report (refer to Attachment 4 of the report from management).

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: Acting Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

6.2 Planning Permit Application: TP-2022-229 6-10 MacArthur Place North, Carlton

The purpose of this report was to advise the Future Melbourne Committee of a planning permit application seeking approval for partial demolition, external alterations, and buildings and works to construct three dwellings on a lot at 6-10 MacArthur Place North, Carlton.

Cr Le Liu left the meeting at 6.59pm, and returned at 7.03pm.

The following people addressed the Committee:

- Hamish Balzan, Urban Edge Consultants
- Dominic Fitzjohn
- Daniel Soussan, Tract (responded to questions from the Committee).

Due to technical difficulties, Cr Louey left the meeting at 7.18pm.

Moved: Acting Lord Mayor Nicholas Reece

1. *That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Planning Permit subject to the conditions outlined in the Delegate Report (refer Attachment 4 of the report from management), with the following amendment:*

- 1.1. *Add a Condition 2 reading: "Prior to the commencement of the development, a test patch shall be undertaken and the details submitted to the Responsible Authority of the street façade and its return walls and parapet. If such test patch reveals that there is original intact brickwork and bluestone elements, they must be cleaned of non-original render and paint and any damaged elements made good to the satisfaction of the Responsible Authority unless otherwise agreed by the Responsible Authority", and renumber all other conditions accordingly.*

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: Acting Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu and Leppert.

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

Variation to order of business

Noting that a number of Councillors intended to declare conflicts of interest to agenda item 6.3, a procedural motion to consider agenda item 6.4 prior to agenda item 6.3 was proposed to allow time for Cr Louey to reconnect to the meeting.

Moved: Acting Lord Mayor Nicholas Reece

That the Future Melbourne Committee allows the consideration of agenda item 6.4 prior to the consideration of agenda item 6.3.

Moved: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: Acting Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu and Leppert.

6.4 Little Streets Shared Zone Review

The purpose of this report was to respond to the Future Melbourne Committee resolution from 7 June 2022 for management to prepare a report:

- on the extent to which the objectives of the 'Little Streets transformations' project have succeeded,
- as well as any recommendations for improvements to the Little Streets treatments over time consistent with the 'Future Streets Framework', be presented to this Committee for consideration by March 2023.

Cr Louey returned to the meeting at 7.22pm.

Dave Jones, External Affairs Director at Polar Enviro addressed the Committee.

Moved: Cr Griffiths

1. *That the Future Melbourne Committee:*

- 1.1. *Notes the findings of the Little Streets Shared Zone Review, and refers them to the development of Council's Future Streets Framework to inform permanent design changes for the medium and long term.*
- 1.2. *Requests that management pursue the short and medium term interventions identified in the report to further improve pedestrian safety and accessibility, including a refresh of the treatments to improve streetscapes.*
- 1.3. *Supports the 20km/h speed limit in Little Streets and requests that management seek the Department of Transport and Planning's approval to make this speed limit permanent.*

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: Acting Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

6.3 Carlton Heritage Review and Punt Road Oval Heritage Review – Melbourne Planning Scheme Amendment C405 (Panel Report and Final Adoption)

The purpose of this report was to present the Carlton Heritage Review and Punt Road Oval Heritage Review, Amendment C405 Planning Panel Report for consideration, set out management's response to the Panel's recommendations and supplementary corrections to Amendment C405, and propose that the Future Melbourne Committee recommends that Council adopts Amendment C405 with changes.

Cr Leppert declared a material conflict of interest in this matter pursuant to section 128(3)(h) of the *Local Government Act 2020* due to receiving a disclosable gift in the form of an election campaign donation from a party affected by the matter, and left the meeting at 7.33pm prior to discussion taking place.

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

Cr Dr Ball declared a material conflict of interest in this matter pursuant to section 128(3)(h) of the *Local Government Act 2020* due to receiving a disclosable gift in the form of an election campaign donation from a party affected by the matter, and left the meeting at 7.34pm prior to discussion taking place.

The Acting Lord Mayor Nicholas Reece declared a material conflict of interest in this matter pursuant to section 128(3)(d) of the *Local Government Act 2020* due to his employment by University of Melbourne, who is affected by the proposal, and left the meeting at 7.34pm prior to discussion taking place.

Election of a temporary Chair

In the absence of a Chair due to declared conflicts of interest, Alison Leighton, Acting Chief Executive Officer called for a Councillor to move a motion to elect a temporary Chair.

Moved: Cr Doidge

That Cr Griffiths be elected temporary Chair.

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: Chang, Doidge, Griffiths, Hakim, Le Liu and Louey.

Cr Griffiths assumed the role of Chair.

Katie Roberts addressed the Committee.

Moved: Cr Griffiths

1. *That the Future Melbourne Committee recommends Council:*

- 1.1. *Considers the independent Planning Panel's report for Carlton Heritage Review and the Punt Road Oval Heritage Review Amendment C405 at Attachment 2 of the report from management.*
- 1.2. *Endorses the recommendations set out in Attachment 3 of the report from management.*
- 1.3. *Adopts the Carlton Heritage Review and Punt Road Oval Heritage Review Amendment C405 in accordance with section 29(1) of the Planning and Environment Act 1987 with the changes in the amendment documentation as shown in Attachment 4 of the report from management.*
- 1.4. *Directs management to submit the adopted amendment to the Minister for Planning for approval in accordance with section 31(1) of the Planning and Environment Act 1987.*
- 1.5. *Directs management to submit the information referred to as prescribed information under section 31(1) of the Planning and Environment Act 1987 with the adopted amendment, including the reasons why any recommendations of the Panel were not adopted as set out in Attachment 3 of the report from management.*
- 1.6. *Authorises the General Manager Strategy, Planning and Climate Change to make any administrative changes required to correct any typographic, grammar and referencing errors to the amendment documentation prior to lodging the amendment with the Minister for Planning for approval.*

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: Chang, Doidge, Griffiths, Hakim, Le Liu and Louey.

The Acting Lord Mayor and Councillors Dr Ball and Leppert returned to the meeting at 8.07pm.

The Acting Lord Mayor resumed the Chair for the remainder of the meeting.

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

6.5 Greenline Project Update - Master Plan Consultation

The purpose of this report was to provide an update on the Greenline Project and to outline the stakeholder and community engagement approach for development of the Greenline Project Master Plan.

Chris Thrum addressed the Committee.

Moved: Cr Griffiths

1. *That the Future Melbourne Committee:*
 - 1.1. *Notes the update on the Greenline Project; and*
 - 1.2. *Endorses the Stakeholder and Community engagement approach (Attachment 2 of the report from management) for development of the Greenline Project Master Plan.*

Seconded: Acting Lord Mayor Nicholas Reece

The motion was put and carried unanimously with the following Councillors present: Acting Lord Mayor Nicholas Reece and Councillors Dr Ball, Chang, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

7 General business

There were no items of general business.

8 Urgent business

There were no items of urgent business.

9 Public questions

Rubbish bins in Southbank

Tony Penna thanked Council for dealing with the issue of overflowing rubbish bins in Southbank during Moomba, and asked what is Council's policy on rubbish bins and their placement? Along Kavanagh Street, there is a rubbish bin almost every 50 metres, whereas on City Road, which is a high pedestrian count street, you would be lucky to find a rubbish bin.

The Acting Lord Mayor thanked Tony for the question and advised that the question would be taken on notice and a response provided after the meeting.

Southbank Structure Plan

Tony Penna asked for clarity to be provided to Southbank residents on what is or isn't happening with the CityLink decking discussed at the Southbank Residents' Association Annual General Meeting.

The Acting Lord Mayor thanked Tony for the question and advised that the question would be taken on notice and a response provided after the meeting.

Confirmed minutes

Royal Women's Hospital Carpark

Fergus McKinnon asked a question:

My question is in relation to the carpark that is going to be heritage listed. We are in a cost-of-living and rental affordability crisis. If you polled the average person on the street, 99 per cent or more wouldn't care about the architectural significance of a carpark. Does heritage listing this particular carpark pass the 'pub test'?

Cr Leppert, Heritage Portfolio Lead thanked Fergus for the question, noted that he had declared a conflict of interest in the matter before the Committee and advised that the question considered by the Committee tonight was along the lines of 'Should the Carlton Heritage Review be adopted in the form recommended to Council by the consultants and planning panel?'

Cr Leppert noted that the Carlton Heritage Review proposal was sent to residents throughout the suburb and was open for consultation before public exhibition and during the formal public exhibition and advised that heritage overlay does not prohibit a building from being demolished as there are exceptional circumstances that apply.

Examples of demolished heritage-listed buildings

Katie Roberts asked a question:

What are the examples of buildings that have been allowed to be demolished, that have been contributory or significant? What were the circumstances and how many buildings are there?

The Acting Lord Mayor thanked Katie for the question and advised that the question would be taken on notice and a response provided after the meeting.

10 Closure of meeting

The Acting Lord Mayor declared the meeting closed at 8.30pm.

Confirmed at the meeting of the Future Melbourne Committee on Tuesday 2 May 2023.

Chair
Future Melbourne Committee

