Future Melbourne Committee

Minutes

Meeting Number 27
Tuesday 6 February 2018
5.30pm

Swanston Hall
Ground Floor
Melbourne Town Hall

Present
Acting Lord Mayor, Arron Wood
Councillor Nicolas Frances Gilley
Councillor Philip Le Liu
Councillor Rohan Leppert
Councillor Kevin Louey
Councillor Cathy Oke
Councillor Beverley Pinder-Mortimer
Councillor Nicholas Reece
Councillor Susan Riley
Councillor Jackie Watts

Confirmed at the meeting of the Future Melbourne Committee on Tuesday 20 February 2018
1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Acting Lord Mayor, Arron Wood, 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 eight reports from management, one of which was confidential and three items of general business
- no apologies had been received from Councillors.

Condolence statement for Ronald Joseph ‘Ron’ Walker AC CBE

The Chair, Acting Lord Mayor, Arron Wood, read the following statement:

The City of Melbourne sadly acknowledges the passing of former Lord Mayor, Ron Walker on 30 January 2018.

Ron was first elected to the City of Melbourne on 22 August 1968 to Hoddle Ward and after ten years of service, resigned on 14 August 1978, having served as Lord Mayor from 26 August 1974 to 29 August 1976.

At the age of 34, Ron Walker was one of the youngest to be elected as Lord Mayor of the City of Melbourne.

Ron was committed to reinvigorating the city at a time when development had stalled, remarking that "a plan will achieve little if it does not lead to action". He was an instrumental part of the city's revival at the time, which led to the extension of pedestrian access and open space in Bourke Street and the creation of the Bourke Street Mall. Ron also influenced the development of City Square into a vibrant open space for the community.

Following his time as Lord Mayor, he continued to follow his passion for Melbourne by filling the city's calendar with major events – race meetings, international motor races, cultural festivals and conventions – all of which have helped shape the city's reputation as the events capital of Australia.

In 1981, Ron and his wife Barbara donated to the people of Victoria the iconic jet-water fountain located on the corner of Linlithgow Avenue and St Kilda Road. Its vibrant lighting design is often used to celebrate public events.

The City of Melbourne extends its deepest sympathies to Ron's wife Barbara, family and friends.

Former Councillor Tessa Sullivan

The Acting Lord Mayor, Arron Wood, read the following statement:

I would like to take this opportunity to acknowledge former Councillor Tessa Sullivan who resigned as a Councillor in December 2017.

I thank Tessa for her contribution to Council during her term of office and on behalf of myself and my fellow Councillors, the Chief Executive Officer and the administration of the City of Melbourne wish her well for the future.

Welcome to new Councillor

The Acting Lord Mayor, Arron Wood, read the following statement:

I also take this opportunity to welcome our new Councillor, Beverley Pinder-Mortimer to Council.

Councillor Pinder-Mortimer was declared elected, following a recount conducted by the Victorian Electoral Commission on 15 January 2018.

Councillor Pinder-Mortimer took the Oath of Office and declared she had read and will abide by the Councillor Code of Conduct, before the Chief Executive Officer at a private ceremony on 17 January 2018.

In accordance with the provisions of the Local Government Act 1989, I ask that this be noted in the minutes of this meeting.
Councillor Beverley Pinder-Mortimer is a returning Councillor, and having served on the previous Council from October 2012 to October 2016, will be well known to many of you. We congratulate you on your re-election and wish you a successful and rewarding term in office.

Former Lord Mayor, Robert Doyle AC

The Acting Lord Mayor, Arron Wood, read the following statement:

I take this opportunity to also acknowledge former Lord Mayor Robert Doyle AC who formally resigned yesterday.

Robert Doyle was City of Melbourne’s longest serving Lord Mayor and was first elected to Melbourne City Council in November 2008. In November 2016, Robert Doyle was re-elected as Lord Mayor for a historic third term.

Robert Doyle has made a significant contribution to the City of Melbourne and will leave an indelible mark on our City. He was deeply passionate about creating a vibrant, sustainable and forward-looking city that richly deserved its mantle as the world’s most liveable city.

Request to film/photograph/record meeting

Moved: Cr Leppert

That the Future Melbourne Committee resolves to allow the filming/photography/recording of various segments of this evening’s meeting in accordance with requests made by various media outlets.

Seconded: Cr Frances Gilley

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Arran Wood and Councillors Frances Gilley, Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

2. Disclosure of conflicts of interest

The Chair, Acting Lord Mayor, Arron Wood, 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 26, held on Tuesday 5 December 2017, be confirmed.

Seconded: Cr Riley

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Arron Wood and Councillors Frances Gilley, Le Liu, Leppert, Louey, Oke, 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

Alfredo Malabello, owner of the Vodka Temple in Lygon Street, advised Committee that Lygon Street is suffering a massive depression and assistance is required for businesses, especially those located between Grafton and Queensbury Streets. Mr Malabello indicated Council has not provided answers to questions raised in his correspondence and asked the Committee for assistance.

Acting Lord Mayor, Arran Wood, advised that he would take this item on notice and follow up on the correspondence submitted by Mr Malabello.

Janine Marney expressed concern with regard to what has occurred in recent months at the City of Melbourne, and stated that the City of Melbourne has an obligation to provide a safe workplace. She asked what the Council will do to step up, become the leader and set a benchmark in best practice.

Acting Lord Mayor, Arran Wood, advised that any gaps that have been identified in what are actually excellent processes in the organisation, will be reviewed. He further noted that Council can always do better and that is what it will set out to do.

6. Reports from management

The Chair, Acting Lord Mayor, Arran Wood, 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, ‘West Melbourne Structure Plan 2018’:

Item of correspondence:
• Matthew Williams.

In relation to Agenda item 6.2, ‘Ministerial Referral: TPD-2012-32/A, 731-739 Flinders Street, Docklands’:

Requests to speak:
• Chris Johnson, FK Australia
• Jamie Govenlock, Urbis
• Neil Edwards.

Item of correspondence:
• Neil Edwards.

In relation to Agenda item 6.6, ‘Victorian Government assessment of West Gate Tunnel Project environment effects’:

Requests to speak:
• Bernard Robin
• Gerry McLoughlan, Inner Melbourne Planning Alliance.

Items of correspondence:
• Rose McKenna
• Bernard Robin
• Garry McLoughlan, Inner Melbourne Planning Alliance.

In relation to Agenda item 6.6a, ‘Update on the status of the investigation into allegations regarding the Lord Mayor, Robert Doyle AC and related matters’:

Request to speak:
• Cr Coral Ross, National President of the Australian Local Government Women’s Association.

Items of correspondence:
• Ray Cowling
• Cr Coral Ross, National President of the Australian Local Government Women’s Association
• Rebecca McKenzie, LGPro President.

In relation to Agenda item 7.1, ‘Post travel report by Councillor Rohan Leppert, Hamburg, Brussels and Barcelona, October 2017’:

Item of correspondence:
• Chris Thrum.

In relation to Agenda item 7.2, ‘Notice of Motion, Cr Leppert: Apple store at Federation Square’:

Requests to speak:
• Chris Thrum
• Narelle Lont
• Emily Keating
• Cory Corbett
• Tania Davidge, Citizens for Melbourne Inc.
• Adrian Jackson.

Items of correspondence:
• Ros McCormick
• Rohan Storey
• Chris Thrum
• Simon Ambrose, National Trust of Australia
• Mike Nekcarsov
• Carey Landwehr
• Kate Shannon
• Christophe Mallet
• Rebecca Leslie
• Kate Brooks
• Nikki Cooper
• Sarah Harvey
• Joyce Karkas
• Narelle Lont
• Chris Zissiadis
• Emily Keating
• Brian Kavangh
• Amanda Zivic
• Ben van den Akker
• Cory Corbett
• Justin Szabo
• Paul Buelens
• Andrew Ranieri
• Terry Chadwick
• Tania Davidge, Citizens of Melbourne Inc.
• T Vernes
• Ewoud Bunte
• Kevin Meese
• Charmian Gaud
• Janet Graham.

Items of correspondence received from https://dogooder.co/:
• Brett DeHoedt
• Jessica Singh
• Emma Barvich
• Aiyi Yang
• Andrew Garton
• Mark Thomas
• Joshua Caine
• Heath Miller
• Shelley Watson
• Kristian Beckett
• Tzu-Pei Chen
• Penelope Clay
• Jessica Wynne
• Elysia Harrow
• David O'halloran
• Philippa Randles
• Max Savill-Bentley
• Rose Parlan
• Sonya Jeffery
• Bronwen Meredith
• Beryl Langer
• Thomas Kerrigan
• Teresa Blake
• Nicholas Pollock
• Gary Schmidt
• Mercedes Bredin
• Michael Green
• Dorian Hill
• Claire Churchward
• Terry Keeling
• Bill Runting
• Howard Bredin
• Aaron Gray
• David Mccaw
• Glen Clancey
• Brian Visser
• Irene Stapleton
• Shona Arber
• Soon-Tzu Speechley
• Adrian Wallace
• Kathryn Chandler
• Blair Harris
• Eispth Ellis
• George Kourdelis
• Christa -
• Stephen Feitsma
• Tane Piper
• Arjie Elias
• Erin Watson
• Jobe Williams
• Mark Hunter
• Margaret Richardson
• Faith Anderson
• Hrisanthi Tomaszewski
• Ian Marshall
• Kathleen Donegan
• Robin
• Fran Mccnerney
• Varun Simons
• Michael Hornblow
• Will T
• Alex Mckay
• Wj Jobling
• Dorothy Berry
• Des Horton
• Lauren Piko
• Leonie Makovec
• Simon Fergusson
• Patricia Chiuariu
• Patrick Greer
• Michael Glen-Norman
• Issa Bonifacio
• Ron Cruickshank
• Frances Sullivan
• Nyssa Zelman
• Dianne Cooke
• Heather Sebo
• David Seignior
• Liam Delaney
• Fiona Tribe
• Jenny Williamson
• Melinda Ovens
• Claudia Keenan
• Carol Porter
• Marian Dowling
• Harry Howard
• Derry Nicholas
• Rhonda Newberry
• Lisa Bell
• Banhock Toh
• Cari Crawfordprovan
• Eliza Metcalfe
• Barbara Rogers
• Peter Baird
• Renee Mccredden
• Eve Strano
• Amy Saunders
• Patricia Jessen
• Mercedes Stringer
• Steffanie Chatelier
• Mark Freeman
• Kirsty Pittman
• Liz Zetzmann
• Laura Bulmer
• Dayelle Fitzgerald
• Anne Stleoncain
• Darcie White
• Dimple Nathani
• Andrew Stansbury
• David Lennox
• Krit Nikhomthat
• Paul Csarics
• Robert Trenchard-Smith
• Glen Maddern
• Sue Mcelhinney
• Yvonne Lockett
• Kelsey M
• Julie Bain
• Genevieve Caffin
• Cameron Rosenbrock
• Carol Berry
• Chris Rodda
• Sally Zarb
• Marsha Emerman
• Kerry Ross
• Michael Smith
• Laura Couttie
• Mark Sorensen
• Kirsten Bak
• Robyn Aldrick
• Bron Batten
• Bev Miller
• Mark Avellino
• Ryan Pither
• Andrew Zile
• Tania Ennor
• Holly Alexander
• Tess Molaren
• Glenda Burden
• Ricardo Jost
• Oliver Berkowitz
• Jan Scheurer
• Harry Jacobs-Lim
• Leeyong Soo
• Claire Tighe
• Kimberly Arellano
• Paul Hauff
• Noel Wyndon
• Ignacio Guzman
• Philip Martin
• Kieran Mckerman
• David Wickwar
• Celia Pollock
• Tracy Christall
• Cathy Segan
• Linda Black
• Brendan Borg
• Vanita Hayzelle
• Dale Rowley
• Finny Iakovidis
• Robert Pease
• Chandresh Viradia
• Derek Marsden
• Nathalie Bourgeois
• Maximilian Decourten
• Isabel Nalato
• Matt Drysdale
• Alex West
 Alison Petrou  
 Nathan Jenkins  
 Emma White  
 Kruno Martinac  
 Scott Mcewan  
 Mary Laws  
 Jane Hayes  
 Fiona Martin  
 Nikhil Ramesh  
 Max Foster  
 Fiona Collyer  
 Elizabeth Sadler  
 Andrew Eberhard  
 Wendy Nikolajew  
 Ann Pool  
 Wendy Pollock  
 Paul Collins  
 Rodney Hunter  
 Chris Fealy  
 Iain Radvan  
 Anthony Ungless  
 Joanne Lee  
 Tim Richards  
 Annabelle Hudson  
 Mary Dykes  
 Elizabeth Mcmahon  
 Lynne Bennett  
 Madelaine Johnson-Woodhouse  
 Fredrick White  
 Bazza Lambert  
 Diane Segall  
 Mary Steel  
 Antoinette George  
 Sara Thorn  
 Megan McIntyre  
 Cherry Horan  
 Leisa Franklin  
 Ann Wilson  
 Campbell Phillips  
 Jacinta Wernert  
 Ben Morgan  
 John Tucker  
 Michael Holmes  
 Heather Truskingher  
 Julie Plunkett  
 Victoria Ratcliff  
 Eugenia Mocnay  
 Gill Cashion  
 Jo Peake  
 Graeme Kaufman  
 Peter Giudice  
 Crystal Legacy  
 Patrick Kelly  
 Sonya Pemberton  
 Shqipe Memishi  
 Farid Ahmed  
 Nicole Oke  
 Christopher Hart  
 Paris Hadfield  
 Graham Finnie  
 Kevin Murray  
 Matt Bolton  
 Jackie Moscovitch  
 Kate Mcmahon  
 Sarah Goldberg  
 Wendy Kelly  
 Tara Fearn  
 Andrew Smith  
 Amanda Douglas-Smith  
 Darian Michaud  
 Sally Holbrook  
 Maryanne Borg  
 Deborah Hogg  
 Lisa Mills  
 Ravenna Keller  
 Margaret Rush  
 Jacqueline Berry  
 Merlin Sykes  
 Melissa Harvey  
 Hilary Jay  
 Carol-Anne Croker  
 C Dandy  
 Allan Campion  
 Ian Millar  
 Nerada Stern  
 Pablo Brait  
 Artem Bourov  
 Neroli Rush  
 Hazel Todd  
 Gosia Suchorska  
 Gareth Wane  
 Susan Hull  
 Annemarie Allan  
 Katherine Sundermann  
 Kenneth Williams  
 Dee Millar  
 Sarah Hunter  
 Lain Langton  
 Teresa Lipson  
 Sharyn Harriz  
 Rebecca Lloyd-Jones  
 Finlay White  
 Dave Cooper  
 Sharon Kent  
 Kim Allen  
 Molly Wilson  
 Alan Noy  
 Kirsten Bauer  
 Michelle Majoons  
 Adrian Marshall  
 Christopher Criddle  
 David Ewings  
 Julie Butler  
 Damian Holmes  
 Nathaniel Poynter  
 Marion Crooke  
 Rebecca Neill  
 Luke Upton  
 Tanya Court  
 Robert Fisher  
 Can Edwards  
 Oliver Smith  
 Tina Cordell  
 Max Denton  
 Stephan Overbeek  
 Brenda Hubber  
 Paul Lowes  
 John Grant  
 Nick Eckstein  
 Jo Hall  
 Lan Nguyen  
 Paul Kneebone  
 Brandon Lancheros  
 Eliza Gilchrist  
 Pia Hughes  
 Marco Leoncelli  
 Gerard Butera  
 Paul Reynolds  
 Gary Wilson  
 Natasha Jones  
 Leigh Greenaway-Lock  
 Antonio Suico  
 Chris Shelly  
 Judy Horacek  
 Lisa Gleeson  
 Sarah Hornick  
 Sara Curtain  
 Jessica Tsiakis  
 Jacob Sussmanmoss  
 T Vernes  
 Barbara Welton  
 Sarah Gibson  
 Tania Thomas

Future Melbourne Committee – Tuesday 6 February 2018
East
Angela
Fisher
Rapp
Cec
Crook
Cathy
Mclean
Anne
Higgins
Finn
Foster
Yvonne
Rizzetti
Dean
Russell
Jovic
David
Ken
Cook
Tony
John
Tori
Viv
Tony
Reyesbeltran
Alisha
Barrett
Esen
Tiana
J
Claire
Bartholomew
Halliday
O’donovan
Dieter
Aude
Tanya
Tom
Samantha
Marlon
Fatima
Ivan
Jessica
Jack
David
Tanya
Mario
Laurence
Ian
Steve
Viv
Chris
Bernadette
Willa
K D
David
Rosie
Mark
Ena
Georgia
Rayna
Roslyn
Kym
Susie

Angela
Cathy
Yvonne
Tori
Jane
Jill
John
Troy
Geoff
Katie
David
Emma
Marianela
Kate
Troy
Scott
Charlotte
Cassandra
Darren
Garryck
Philip
Helen
Michelle
Megan
Gabriela
Patrick
Bryan
John
Jan
Jane
Darren
Emilu
Jane
Jenny
J
Branden
Brandon
Ena
Mark
Willa

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Andrew Bieby
Kelly Lenehan
Sophia Deng
Jenny Lobato
Olya Nikitina
Charles Paine
Amp Rich
Martin Burns
David Fairbairn
Oscar Lemmekesullivan
Mohammed Ali
Karolina Biel
Jennifer Foord
Katherine Mylius
Matt Lich
Abdul Wajid
Ed Swindells
Max Thomas
David Brand
Muzaffar Khusro
Ave Jones
Zhipeng Cai
Polina Toloraya
Irina Dumitrescu
Stuart Rowley
Yvonne Mecchi
Leonids Spilbergs
Anita Mccrohan
Lucia Macali
Geraldine Coridon
Owen Woodman
Joseph Pellone
Graeme Lovell
Joshua Foley
Amielouise Ward
Martin Jacobson
Kate Williams
Sharna C
Olwyn Jones
Ken Crawford-Condie
Jocelyn Wood
John Trentini
Anne Smith
Gael Phillips
Brian Salter-Duke
Joe Lenzo
Craig Schmidt
Jane Goode
Liliana Clube
Alan Lees
Rhiann Mattinson
Melizabeth Bjerkhamn
Peter Long
Glenda Scalise
John Randall
Jacek Koman
Ruth Andrews
Sandra Zambon
Judy Davies
Monica Macdonald
Mandy Gunn
Katica Pedisic
Jayszun Vanderwerff
Denise Webber
Rod Hall
Jamuna Gurung
Katherine Martin
Glen Hannah
Ruth Wachtel
Rita Davey
Paul Davey
Lachlan Colgrave
Angela Stur
Lin Walden
Louise Keene
Rachael Lanigan
Michelle Berry
L Z
Anthony Richardson
Bettina Crimmins
Harry Grounds
Jacqueline Winter
Michelle Kusch
Tomas Vandermeer
Fenella Whittaker
Susannah Ilic
Monica Duffy
Martin Friendship
Jo Crabbe
Liz Teare
Jan Getson
Leanne Parry-Roberton
Judith Toohey
Francesco Ramigni
Claire Nettley
Hyacinth Jimenez
Sue Morgan
Maxwell Affleck
Nabil Issa
Hugh Whittaker
Sarah Kahn
Mohammed Ali
Vanessa Disney
Simon Setter
Josh Mcfarlane
Elizabeth Meredith
Jamal Ibrahim
Paul Coffey
Dan Doherty, Àos
Sandy Sondreal
Kristin Stegley
Christine Haines
Derek Fierst
Glen Boyce
Michael Sanders
Scott Burchell
Caz Forstet
Elliot Spring
Elanna Nolan
Tatjana Plitt
David Pond
Nina Peheim
Antoni Skoraczynski
Daniel Kruihoff
Sophie Vasilidis
Rachael Deason
Rebecca Port
Diana Ambrozie
Amanda Stewart
Ben Robertson
Sandra Bruce
Suzie Cockle
Nicholas Zilber
Joanne Moore
Dariusz Skoraczynski
Henry Tinsley
Monica Quijano
Jacek Skoraczynski
Joy Rosario
Matt Tanner
Sarah Hobday-North
Anne Donaldson
Lisa Kuspira
Fiona Johnson
Daniel Hurren
Ben Thomas
Mark Fenollar
Peter Williams
Nana Bilus
Hannah Zhu
Colin Hocking
Kali Myers
Henry Travers
Order of business

Moved: Acting Lord Mayor, Arron Wood

That the Future Melbourne Committee change the order of business to allow consideration of agenda item 6.6a prior to the consideration of the other reports from management.

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Arron Wood and Councillors Frances Gilley, Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

Finance and Governance Portfolio

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

6.6a Update on the status of the investigation into allegations regarding the Lord Mayor, Robert Doyle AC and related matters

The purpose of this report was to update the Committee on the status of Dr Freckelton QC’s investigation into serious allegations against the Lord Mayor, and related matters.

Coral Ross addressed the Committee.

Moved: Acting Lord Mayor, Arron Wood

1. That the Future Melbourne Committee:

   1.1. Notes the status of Dr Ian Freckelton QC’s investigation into serious allegations against the Lord Mayor.

   1.2. Notes that the Chief Executive Officer has advised that to date, no concerns about the conduct of any person other than the Lord Mayor have been identified as requiring investigation.

   1.3. Notes that management has commenced productive discussions with the appropriate Victorian Government department and the Victorian Human Rights and Equal Opportunity Commissioner about matters identified in the framework provided under the current Local Government Act 1989 for handling serious allegations against a Councillor, such as sexual harassment.

   1.4. Notes management is reviewing all corporate policies that refer to Councillor conduct or purport to cover Councillor conduct.

   1.5. Recommends to Council that it agrees to review its Councillor Code of Conduct.

Seconded: Cr Frances Gilley

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Arron Wood and Councillors Frances Gilley, Le Liu, Leppert, Louey, Oke, Pinder-Mortimer, Reece, Riley and Watts.

The Committee took an informal break from 6.15pm to 6.18pm.

Cr Oke left the meeting at 6.17pm and did not return.

Planning Portfolio

Cr Reece assumed the role of Chair for the Committee to consider the five reports from management in relation to the Planning Portfolio.
6.1 West Melbourne Structure Plan 2018

The purpose of this report was to seek endorsement of the final West Melbourne Structure Plan 2018.

Moved: Cr Reece

1. That the Future Melbourne Committee:
   1.1. Endorses the West Melbourne Structure Plan 2018.
   1.2. Authorises the Acting Director City Strategy and Place to make any further minor editorial changes to the West Melbourne Structure Plan prior to publication.

Seconded: Cr Leppert

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

6.2 Ministerial Referral: TPD-2012-32/A, 731-739 Flinders Street, Docklands

The purpose of this report was to advise the Committee of a referral of an application to amend a Ministerial Planning Permit 2012/002229 which seeks approval for the development of the land at 731-739 Flinders Street, Docklands.

The following people addressed the Committee:
- Jamie Govenlock
- Chris Johnson
- Nigel Porteous, Vice President, Seafarers Mission.

Moved: Cr Reece

That the Future Melbourne Committee resolves to advise the Department of Environment, Land, Water and Planning that the Melbourne City Council does not object to the amended application 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, Acting Lord Mayor, Arron Wood and Councillors Frances Gilley, Le Liu, Leppert, Louey, Pinder-Mortimer, Riley and Watts.

6.3 Ministerial Referral: TPM-2016-27, 557-591 Swanston Street, Carlton

The purpose of this report was to advise the Committee of a Ministerial planning application made in October 2016 seeking approval to develop land at 557-591 Swanston Street, Carlton. The site is located within the old Carlton United Brewery (CUB) site.

Moved: Cr Reece

That the Future Melbourne Committee resolves to advise all parties to the VCAT proceeding that the Melbourne City Council does not support the application for the reasons 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, Acting Lord Mayor, Arron Wood and Councillors Frances Gilley, Le Liu, Leppert, Louey, Pinder-Mortimer, Riley and Watts.
6.4 Ministerial Referral: TPM-2017-5, 512-542 and 544 Spencer Street, West Melbourne

The purpose of this report was to advise the Committee of a notice of a Ministerial Planning Permit Application PA1600194, which seeks approval for the development of the land at 512-542 and 544 Spencer Street, West Melbourne.

Moved: Cr Reece

That the Future Melbourne Committee resolves to advise the Department of Environment, Land, Water and Planning that the Melbourne City Council objects to the application subject to the grounds 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, Acting Lord Mayor, Arron Wood and Councillors Frances Gilley, Le Liu, Leppert, Louey, Pinder-Mortimer, Riley and Watts.

6.5 Planning Scheme Amendment C320: 154-160 Leicester Street, Carlton (former Corkman Irish Pub)

The purpose of this report was for the Committee to endorse the form of Amendment C320 for land at 154-160 Leicester Street, Carlton (known as the former Carlton Inn, or Corkman Irish Pub).

Cr Reece declared an indirect conflict of interest in this matter due to conflicting duties under Section 78B of the Local Government Act 1989. Cr Reece is employed by the University of Melbourne who is a neighbour to the development. Cr Reece left the meeting at 7.11pm, prior to discussion on the matter.

Cr Leppert assumed the role of Chair of the meeting.

Moved: Cr Leppert

1. That the Future Melbourne Committee:

   1.1. Endorses Amendment C320 planning documentation (refer Attachment 2 of the report from management) and supporting expert heritage and planning reports (refer Attachments 3 and 4 of the report from management).

   1.2. Authorises the Director City Strategy and Place to make any further minor changes to the amendment if required.

Seconded: Acting Lord Mayor, Arron Wood

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

Cr Reece returned to the meeting at 7.15pm, after the vote had been taken.

Transport Portfolio

Cr Frances Gilley assumed the role of Chair for the Committee to consider the one report from management in relation to the Transport Portfolio.

6.6 Victorian Government assessment of West Gate Tunnel Project environmental effects

The purpose of this report was to present a review of the Victorian Government response to the Environment Effects Statement assessment process for the West Gate Tunnel Project (the Project), including how it has addressed Council’s concerns, and seek endorsement for the proposed approach to the Project following its approval by the Victorian Government in December 2017.
The following people addressed the Committee:
• Bernard Robin
• Gerry McLoughlan.

Moved: Cr Frances Gilley

1. That the Future Melbourne Committee:

1.1. Agrees that the West Gate Tunnel Project (WGTP) is contrary to long established State and City policy and practice, has significant negative effects and therefore is not supported.

1.2. Acknowledges the Victorian Government’s willingness to commit to mitigate some of the negative effects of the project as raised in the Environmental Effects statement.

1.3. Requests management continue their work to obtain formal commitment, funding and delivery of the following 10 legacy projects and actions:

1.3.1. Improving traffic and access including funding streetscape upgrades on Spencer and Franklin Streets, funding other traffic mitigation works in North Melbourne, West Melbourne, Docklands and the CBD and funding works to improve airport bus services by delivering a high level of on-road priority on the freeway and arterial road networks connecting to the Southern Cross Station terminal.

1.3.2. No further expansion of road capacity or change to the status of local roads in North Melbourne, West Melbourne and Docklands to accommodate extra traffic from the Project.

1.3.3. Conversion of Spencer and Clarendon Streets from arterial to local roads between Dryburgh Street and Normanby Road to facilitate improvements to pedestrian safety and urban amenity especially near Southern Cross Station and in West Melbourne.

1.3.4. Modification of the CityLink concession deed to remove the limitation on changes to King, Spencer and William Streets.

1.3.5. Investment in Moonee Ponds Creek, including expansion of the masterplan to cover an area from Mt Alexander Road to the Yarra River, and funding for land and works to fully deliver the masterplan. Development of a masterplan for the creek between Footscray Road and Dynon Road is a requirement of the Minister’s Assessment.

1.3.6. Supporting urban renewal in Arden and Macaulay by identifying and facilitating an alternative Citywide site in either the Dynon Road area or Fishermans Bend, to service the needs of the expanding central city.

1.3.7. Commitment to work with the City of Melbourne to ensure that the operation of the new intersection between the Wurundjeri Way extension and the Dynon Road connection does not have unintended negative consequences, such as increased traffic on the Dynon Road Bridge Link and in local streets.

1.3.8. Commitment to delivering connections between West Melbourne and Docklands through E-Gate to realise the vision of the West Melbourne Structure Plan.

1.3.9. Commitment to maintaining viable trees wherever possible, and to replace and increase canopy cover by a rate of 5:1 within the City of Melbourne.

1.3.10. Commitment to work with the Council to achieve the best possible outcomes in line with the Minister’s Assessment and for funding for a full time City of Melbourne team to service the project through to completion. In line with the successful Metro tunnel support team and funding.

Seconded: Cr Le Liu
The motion was put and carried unanimously with the following Councillors present: The Chair, Councillor Frances Gilley, Acting Lord Mayor, Arron Wood and Councillors Le Liu, Leppert, Louey, Pinder-Mortimer, Reece, Riley and Watts.

The Acting Lord Mayor, Arron Wood, resumed the role of Chair for the remainder of the meeting.

Adjournment of meeting

Moved: Acting Lord Mayor, Arron Wood

That the Future Melbourne Committee adjourn the meeting at 7.38pm, for two minutes.

Seconded: Cr Riley

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

Resumption of meeting

The meeting resumed at 7.41pm with the following Committee members present: The Chair, Acting Lord Mayor, Arron Wood and Councillors Frances Gilley, Le Liu, Leppert, Louey, Pinder-Mortimer, Reece, Riley and Watts.

7. General business

There were three items of General business for consideration.

7.1 Post travel report by Councillor Rohan Leppert, Hamburg, Brussels and Barcelona, October 2017

The purpose of this report was to report to the Committee on travel undertaken by Councillor Rohan Leppert as part of a City of Melbourne led delegation to Hamburg, Brussels and Barcelona to explore opportunities for exchange and collaboration.

Moved: Cr Leppert

That the Future Melbourne Committee notes the report by Councillor Rohan Leppert on travel undertaken as part of the City of Melbourne led delegation to Hamburg, Brussels and Barcelona in October 2017.

Seconded: Cr Riley

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

7.2 Notice of Motion, Cr Leppert: Apple store at Federation Square

The following people addressed the Committee:

- Chris Thrum
- Tania Davidge, Citizens for Melbourne Inc.
Moved: Cr Leppert

1. That the Future Melbourne Committee:

1.1. Notes the decision of the State Government to approve the demolition of the Yarra Building and construction of a new Apple Global Flagship Store at Federation Square, facilitated by an amendment to the Melbourne Planning Scheme made without public exhibition.

1.2. Welcomes a new Apple Global Flagship Store in the City of Melbourne, but expresses serious concerns about the way that this particular decision was made to fundamentally change the design, purpose and use of Melbourne's premier civic meeting place without public consultation.

1.3. Notes requests by the City of Melbourne in January 2018 to Apple and the State Government that they commit to a significant redesign of the Apple Global Flagship Store at Federation Square to avoid 'pavilion' or 'temple-like' design that is out of context in Federation Square and poorly integrated with the square's existing architecture, better contain the public square, achieve a six star green star rating and undergo a public consultation process – which ideally could take in more of Federation Square given proposals for the new Metro Tunnel entrance – before resubmitting an amendment to the Melbourne Planning Scheme.

1.4. Resolves that, in the event of no commitment as outlined in paragraph 1.3 being made, members of the Legislative Council should be encouraged to:

1.4.1. Disallow Melbourne Planning Scheme amendment C314.

1.4.2. Require cabinet to facilitate a new process, inclusive of public consultation, for the approval of the location and design of an Apple Global Flagship Store within the central city.

Seconded: Cr Frances Gilley

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

7.3 Notice of Motion, Cr Leppert: Electronic gaming machine licence renewals

Moved: Cr Leppert

1. That the Future Melbourne Committee:

1.1. Notes the endorsement of the draft Electronic Gaming Decision-Making Framework by this committee on 17 October 2017 and its findings relating to the significant social and economic harms to the City of Melbourne's citizens and communities caused by electronic gaming machines.

1.2. Makes it policy in relation to the upcoming 28 February 2018 deadline for applications to renew existing electronic gaming machine entitlements for 20 years from 2022 to 2042 that all venues with existing entitlements are encouraged to apply for a substantially lower number than are currently operating at the venue.

1.3. Requests that the CEO write to all incumbent venues in the municipality with a licence to operate electronic gaming machines (as listed at attachment 1 to the notice), as well as the CEO of each AFL club based in the municipality that operate venues with electronic gaming machines within the state (being Carlton, Richmond, Melbourne and Collingwood), by 9 February 2018, requesting that they respond to the policy of the City of Melbourne as stated above.
1.4. Requests that management make a media statement by mid March 2018 listing all venues and AFL clubs as defined above with their current and known requested future electronic gaming machine entitlements, acknowledging those that applied for an entitlement below the number of machines currently operating, listing the most recent expenditure data as published by the VCGLR for those that did not, and generally setting out the current state of electronic gaming machine entitlements and impacts in the municipality.

1.5. Reiterates the position of the City of Melbourne that the central city, currently the only part of the state without a cap on the number of electronic gaming machines, should be brought into the municipal cap.

1.6. Requests that, following the action taken in paragraph 1.4, the CEO write to the leader and gaming spokesperson of all parties currently represented in the Legislative Assembly informing them of Council’s position and requesting that each party make specific election commitments prior to the 2018 general election including bringing the uncapped areas of the municipality into the municipal cap and reducing the state cap commensurate with the permanent retirement of all non-renewed entitlements.

Seconded: Acting Lord Mayor, Arron Wood

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

In accordance with Council’s Meeting Procedures Code, Councillor Watts made a personal explanation in respect of public comment made that personally affected her.

8. Urgent business

There was one item of urgent business for consideration in the open session.

8.1 City of Melbourne business and civic mission leader to Japan and China – 20 to 30 March 2018

Moved: Acting Lord Mayor, Arron Wood

That the Future Melbourne Committee resolves that the matter of City of Melbourne business and civic mission leader to Japan and China 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 Future Melbourne Committee or Council meeting.

Seconded: Cr Riley

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

Moved: Acting Lord Mayor, Arron Wood

That the Future Melbourne Committee nominates Councillor Kevin Louey, Chair of the Prosperous City Portfolio as the City of Melbourne business and civic mission leader to Japan and China in March 2018 and nominates Councillor Susan Riley, Deputy Chair of the Prosperous City Portfolio as the third Councillor to attend the mission.

Seconded: Cr Reece

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Arron Wood and Councillors Frances Gilley, Le Liu, Leppert, Louey, Pinder-Mortimer, Reece, Riley and Watts.
9. Public questions

Shane Scanlon, Docklands News asked if it was reasonable to conclude that the West Gate raised freeway extension, by converting local road to arterials, comes at the expense of Docklands with the extra traffic expected via the Wurundjeri Way extension.

Acting Lord Mayor, Arron Wood advised that the Council had prosecuted this case solidly and Harbour Esplanade is a critical consideration. He also noted that he is on record as saying the West Gate tunnel will not be good for Docklands. The City of Melbourne will continue to prosecute the argument of any roads other than Wurundjeri Way not being widened, and that he himself had the Chief Executive Officer's support in continuing this argument.

Shane Scanlon asked what the Council's understanding and process of the timing is in relation to a by-election.

Keith Williamson, Manager Governance and Legal advised that pursuant to the Local Government Act 1989 a by-election has to be held within 100 days of the resignation of the Lord Mayor and it is also required that it be held on a Saturday. The election will be held on the 12 May 2018 or earlier, but he noted that a date had not been set yet as it is the role of the Minister for Local Government to set the date.

Shane Scanlon further asked if Councillors had to resign from their position to run in the by-election.

Keith Williamson advised that Councillors were not required to resign from their position to run in the by election. The City of Melbourne Act advises that any of the Councillors can run for the position that is now vacant. Should they be unsuccessful they will revert back to their original position.

John O'Brien advised that a restaurant on the corner Exhibition and Little Lonsdale Streets continues to omit exhaust fan smoke six metres high. City of Melbourne staff have attended but it continues to happen (has been over a year). The building beside the exhaust fan is unable to open its windows due to the smoke and smell. He further noted that there is currently an issue in Haywood Lane with cigarette butts, beer barrels and cardboard.

Acting Lord Mayor, Arron Wood advised that he was aware of the exhaust fan issue, and that City of Melbourne officers have found the exhaust fan to comply with current standards. He advised that officers will again inspect the exhaust fan, however, if the exhaust fan complies there is not a lot that Council can do. He further suggested that Council officers may be able to work with the owner of the premises to facilitate a voluntary outcome. In relation to the waste issue as there are nearly 1 million people coming into the city per day the Council does extremely good job in relation to waste removal. He advised that he is happy to ask officers where the Council is at with this issue and get back to Mr O'Brien.

James Lesh, Citizens for Melbourne, asked if the Councillors would be willing to lead the debate over the future of Federation Square and commit to holding a public forum at the Town Hall by the end of the month.

Acting Lord Mayor, Arron Wood advised he is mindful of running a proxy public consultation process which has no impact on the final outcome. He advised that he believes Council should continue to advocate strongly for a second revision of the State Government's master plan for Federation Square.

Cr Watts left the meeting at 8.42pm and did not return.

10. Closure of meeting

Moved: Cr Riley

That pursuant to section 89(2)(e) of the Local Government Act 1989, the meeting of the Future Melbourne Committee be closed to members of the public for the consideration of Agenda item 6.7, as it contains information about a proposed development.

Seconded: Acting Lord Mayor, Arron Wood

The motion was put and carried unanimously with the following Councillors present: The Chair, Acting Lord Mayor, Arron Wood and Councillors Frances Gilley, Le Liu, Leppert, Louey, Pinder-Mortimer, Reece, Riley and Watts.
The Chair, Acting Lord Mayor, Arron Wood, declared the meeting closed at 8.43pm.

Confirmed at the meeting of Committee on Tuesday 20 February 2018.

Chair
Future Melbourne Committee
PERSONAL EXPLANATION: CR JACKIE WATTS

Response in relation to:

The recent allegations by two female Councillors and media reports have served to remind me of my own experience six years ago when I made a complaint against Robert Doyle for bullying. Common causal factors within the workplace culture gave rise to these allegations. I find this distressing.

Statement

Recent research is unequivocal – significant costs arise from workplace harassment. Consider the immense costs associated with current allegations – personal, professional, legal, lost productivity, and reputational damage. Regardless of the outcome of the Freckelton investigation, unless underlying causal factors are faced, the problems at my workplace Town Hall will persist.

To quote journalist Tracey Spicer “A culture wide, generations long, epidemic of workplace sexual harassment and assault doesn’t persist without a broad network of complicity, composed of individuals with varying degrees of knowledge and culpability.”

The City of Melbourne Act is itself a causal factor; spawning a Council culture of entitlement, elitism and impunity shaped by those playing political games and those with economic influence, leaving local constituent concerns at the margins. A gerrymander designed to prioritise ‘the big end of town’ above residents and small businesspeople.

In my opinion, led by Robert Doyle, over three terms the workplace culture resembles the political milieu of Spring Street; characterised by ‘risk management’, ‘confidentiality’, media optics, unanimity and expediency rather than optimal transparency and disclosure and service to constituents.

Consider the flow-on effect of Team Doyle Cabinet-style caucus meetings which are inherently exclusive; an absence of robust Council-wide debate; and an extraordinarily pattern of unanimity in bloc voting, compounded this term an absolute majority.

We are aware of what has divided the Doyle Council but, given that ALL Councillors sign the ostensibly binding Councillor Conduct Code, I am deeply dismayed to reflect that if any Councillor, aware of this alleged misconduct, had promptly fulfilled their obligations under the Local Government Act, the OH&S Act, and the Councillor Code, then the current miserable situation for all concerned and the damage to our City may well have been averted. I gather that the scope of the Freckelton investigation may not reveal whether or not any Councillors stood idly by, over the months during which Tessa Sullivan’s distress grew.

Turning now to the Administration’s role in shaping workplace culture.

I am personally and professionally aghast that six years after my bullying complaints, processes remain seriously deficient.

Consider the absurdity of the reporting processes faced by Tessa Sullivan:

- Initially a formal complaint had to be made to the CEO, who was then required to immediately inform the Lord Mayor.

- Under Councillor Code of Conduct, any complaint against the Lord Mayor must first be reported to the Deputy Lord Mayor (member of Team Doyle) who must then meet with the complainant and the Lord Mayor to resolve the complaint.
Protection for alleged victims, where those with power are involved, is as inadequate today as it was six years ago. Distressed councillors can opt to endure, face a daunting and costly complaints process, or ultimately, as in Tessa Sullivan’s case, resign.

It is heartening that the Administration is now set to tackle deficiencies in relevant Acts and Code. Yet, it persists with a defensive and political stance that it already models best practices in transparency and disclosure, and in workplace harassment which are inappropriate in the current context.

Changes within Council may be more problematic. The status quo has served the Team Doyle well until now. Entrenched allegiances, established routines and retaining a large voting bloc remain. Time will tell – but my hope this appalling episode at least triggers change – greater collegiality and trust, genuine debate and a proper balance between the conduct of this Local Council and its role as State capital.

Signed:

[Signature]

Cr Watts

Date: 6 February 2018

Councillor Code of Conduct: section 8

Local Government Act: section 105(a)(i)

Melbourne City Council Act:
OATH OF OFFICE

I, Beverley Pinder-Mortimer, swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Melbourne and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.

Councillor Beverley Pinder-Mortimer

Sworn before the
Chief Executive Officer
this seventeenth day of
January in the year 2018

Ben Rimmer
Chief Executive Officer