



**CITY OF MELBOURNE**

## **Future Melbourne Committee**

### **Minutes**

**Meeting Number 71  
Tuesday 18 February 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 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

To be confirmed at the meeting of the Future Melbourne Committee  
On Tuesday 3 March 2020

## **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 six reports from management
- no apologies had been received from Councillors.

## **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 Pinder-Mortimer

*That the minutes of meeting No 70, held on Tuesday 4 February 2020, be confirmed.*

Seconded: Cr Oke

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, 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**

Chris Thrum asked if it was the intention of the City of Melbourne to continue to support the 'Songlines - Share the Spirit Festival' held at Treasury Gardens on Australia Day.

Lord Mayor, Sally Capp advised this question would be taken on notice, however responding broadly she advised that the City of Melbourne is very supportive of initiatives that recognise, celebrate and imbed Aboriginal Culture in Melbourne.

Cr Leppert noted that Share the Spirit Festival is run by an external organisation and the City of Melbourne provides a grant together with a lot of other support to make sure that the event is staged. Should this event not be staged, the City of Melbourne would always be looking to continue our support for the expression of Indigenous Culture on that day and throughout the year.

Cr Frances Gilley advised that as a Council we are recognising that we can do more in this space, noting that the Chief Executive Officer has enabled the Aboriginal Melbourne Branch to grow and recognises that it needs more people to create strong links throughout the organisation and this includes the Arts.

Stephen Mayne asked a question in relation to the loss of quorum for the report on Sunlight to Public Parks heard at the Future Melbourne Committee meeting held Tuesday, 4 February 2020. He noted that both Councillors Oke and Reece disclosed the specifics of their conflicts being their employer, but no other Councillor disclosed the identity of the donor that had caused them to declare a conflict.

Deputy Lord Mayor, Arron Wood advised that Brendan Sullivan was his donor and noted that he is not a developer but he wanted to err on the side of caution.

Cr Le Liu noted that his donor was Sue Morfitt who has a property in one of the affected areas. Cr Le Liu noted that she also is not a developer.

Stephen Mayne advised he believed that the Councillors had been too cautious in relation to this matter and asked if it was possible to bring this matter back to the Committee at a future meeting.

Lord Mayor, Sally Capp advised that the Chief Executive Officer would take this matter on notice.

Deputy Lord Mayor, Arron Wood noted that he would leave the decision in relation to conflicts of interests to the Local Government Inspectorate.

Cr Leppert noted that the way to declare a conflict of interest is set out in the *Local Government Act 1989*, Section 79 and there is no choice as to how it should be set out. Cr Leppert advised that a member of his party was a very active volunteer on his campaign and has now become elected to an owner's corporation of a property that abuts Flagstaff Gardens which was a subject of a particular special treatment in the amendment.

Cr Reece noted that he was also frustrated that Quorum was lost, however he agreed with Cr Leppert that the regulations are clear in this matter, noting that it was an unusual item with over 1400 properties affected.

Cr Watts noted that she was not in attendance at the last meeting.

## **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-2019-703, Southbank Promenade, 2 Southgate Avenue, Southbank**':

#### **Requests to speak:**

- Beau Vigushin, Executive Director Customer Experience, Arts Centre Melbourne
- Tony Penna, Southbank Residents Association.

#### **Items of correspondence:**

- Beau Vigushin, Executive Director Customer Experience, Arts Centre Melbourne
- Tony Penna, Southbank Residents Association.

In relation to Agenda item 6.2, '**Planning Scheme Amendment C258 – Heritage Policies Review and West Melbourne Heritage Review**':

#### **Requests to speak:**

- David Beaconsfield on behalf of Owners Corporation, 435 Punt Road, South Yarra
- Karl Hessian
- Michael Butcher, Melbourne South Yarra Residents Group.

#### **Items of correspondence:**

- |                      |  |
|----------------------|--|
| • David Passarella   | • Cat Jardine  |
| • Matthew Pearse     | • David Beaconsfield on behalf of Owners Corporation, 435 Punt Road, South Yarra |
| • Michelle Smith     | • Julie Taylor   |
| • Paul Beekman       | • Sylvia Black   |
| • Jake Bragg         | • Ja-Dee Hall  |
| • Martin Johnson     | • John Peterson  |
| • Rebecca Jepson     | • Ewan Ogilvy  |
| • Sandra Willers     | • Kevin O'Rafferty   |
| • James Levi Hoyling | • Karl Hessian   |
| • Pamela Smith       | • Mary Kehoe   |
| • Lance Smart        | • Felicity Watson, National Trust  |
| • Gail Greatorex     | • John Shinnick  |
| • Veronica Mansueto  |  |

In relation to Agenda item 6.3, **'Draft Heritage Design and draft Heritage Owner's Guide for targeted stakeholder engagement'**:

**Items of correspondence:**

- Felicity Watson, National Trust.

In relation to Agenda item 6.4, **'Managing motorcycle parking on overcrowded footpaths'**:

**Requests to speak:**

- Damien Codognotto, Motorcycle Riders Association
- Darren Bartley
- Stephen Mayne
- Marcus Wigan
- Jodi Ingham, Head of Operations, Deliveroo.
- Wendy Taylor
- Javier Suarez
- Rob Salvatore, Victorian Motorcycle Council.

**Items of correspondence:**

- |   |                         |
|---|-------------------------|
| • Damien Codognotto, Motorcycle Riders Association        | • Wendy Taylor          |
| • Darren Bartley  | • Christopher Gray      |
| • Stephen Mayne   | • Cate Hughes           |
| • Owen Bentley  | • Ernie Sanchez         |
| • Stephen Bardsley  | • Peter DeHaan          |
| • Rodney Brown  | • John Eacott           |
| • Wes Lawton  | • Geengange Weerasuriya |
| • Jodi Ingham, Head of Operations, Deliveroo.             | • Mark Stuart           |
| • Rob Salvatore, Vice Chair, Victorian Motorcycle Council | • Rupam Sharma.         |

In relation to Agenda item 6.5, **'City of Melbourne's response to the Climate and Biodiversity Emergency Declaration'**:

**Requests to speak:**

- Artemis Pattichi, Southbank Sustainability Group
- Chris Thrum
- Raimundo Miralles.

**Items of correspondence:**

- Ewan Ogilvy
- Fiona Armstrong
- Artemis Pattichi, Southbank Sustainability Group
- Chris Thrum
- Raimundo Miralles.

In relation to Agenda item 6.6 **'2019–20 Second Quarter YTD Financial Performance Report'**:

**Request to speak:**

- Stephen Mayne.

## Procedural motion

Moved: Lord Mayor, Sally Capp

*That the Future Melbourne Committee, in accordance with Clause 3.11 of the Conduct of Meetings Local Law 2019, resolve that the order of business be amended to allow the consideration of agenda items 6.5 City of Melbourne's response to the Climate and Biodiversity Emergency Declaration and 6.6 2019-20 Second Quarter YTD Financial Performance Report, prior to consideration of the other reports from management.*

Seconded: Deputy Lord Mayor, Arron Wood

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

## Environment Portfolio

Cr Oke assumed the role of Chair for the Committee to consider one report from management in relation to the Environment Portfolio.

### 6.5 City of Melbourne's response to the Climate and Biodiversity Emergency Declaration

The purpose of this report was to seek Committee's endorsement of management's response to the Climate and Biodiversity Emergency Declaration made on 16 July 2019.

The following people addressed the Committee:

- Artemis Pattichi
- Chris Thrum.

Raimundo Miralles, who had requested to address the Committee, did not attend the meeting.

Moved: Cr Oke

*That the Future Melbourne Committee endorses management's review and response to the Climate and Biodiversity Emergency, and the acceleration of the ten priority actions, subject to future annual plan and budget processes.*

Seconded: Deputy Lord Mayor, Arron Wood

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

## Finance and Governance Portfolio

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

### 6.6 2019-20 Second Quarter YTD Financial Performance Report

The purpose of this report was to inform the Committee of the financial performance of the Council for the second quarter ending 31 December 2019, in accordance with the *Local Government Act 1989* and to provide information on supplementary valuations adopted by the Chief Executive Officer under delegation.

Cr Frances Gilley left the meeting at 6.37pm and returned at 6.39pm.

Cr Pinder Mortimer left the meeting at 6.39pm and did not return.

Stephen Mayne addressed the Committee.

Moved: Deputy Lord Mayor, Arron Wood

1. *That the Future Melbourne Committee:*

1.1. *Accepts the quarterly financial performance report as at 31 December 2019.*

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

Seconded: Cr Oke

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

Deputy Lord Mayor, Arron Wood left the meeting at 6.47pm and did not return.

Cr Le Liu left the meeting at 6.47pm.

### **Planning (General) Portfolio**

Cr Reece assumed the role of Chair for the Committee to consider one report from management in relation to the Planning (General) Portfolio.

#### **6.1 Planning Permit Application: TP-2019-703, Southbank Promenade, 2 Southgate Avenue, Southbank**

The purpose of this report was to advise the Committee of a planning permit application seeking approval for partial demolition and carrying out works to facilitate expansion and refurbishment of a portion of the Southbank Promenade.

Cr Le Liu returned to the meeting at 6.49pm.

The following people addressed the Committee:

- Beau Vigushin
- Tony Penn.

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 of the report from management) subject to an addition to condition 8 to read as follows:*

*Consultation must be undertaken with the Victorian Arts Centre Trust trading as Arts Centre Melbourne and other affected parties at Southgate prior to the construction management plan being submitted to the responsible authority.*

Seconded: Cr Leppert

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

Moved: Cr Reece

*That the Future Melbourne Committee, as proponent, determines that the planning permit once issued not be acted upon until such time as the Future Melbourne Committee or Melbourne City Council specifically resolves to do so.*

Seconded: Cr Leppert

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

## Planning (Heritage) Portfolio

Cr Leppert assumed the role of Chair for the Committee two reports from management in relation to the Planning (Heritage) Portfolio.

### 6.2 Planning Scheme Amendment C258 - Heritage Policies Review and West Melbourne Heritage Review

The purpose of this report was to provide an assessment of the independent planning panel's recommendations regarding Amendment C258 Heritage Policies Review and West Melbourne Heritage Review (Amendment) and to recommend that the Future Melbourne Committee seeks Council adoption of the Amendment with changes.

Councillors Oke and Reece declared an indirect conflict of interest in relation to this item and left the meeting at 7.17pm. The conflict of interest was due to a conflicting duty under section 78B of the *Local Government Act 1989*. Both Councillors are employed by the University of Melbourne who is affected by the proposed Amendment.

The following people addressed the Committee:

- David Beaconsfield
- Karl Hessian
- Michael Butcher, Melbourne South Yarra Residents Group.

Moved: Cr Leppert

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

- 1.1. *Adopts Amendment C258 as shown in Attachment 6 of the report from management with the following changes: remove 431-439 Punt Road, South Yarra and 441-459 Punt Road, South Yarra from Amendment C258 and retain their gradings in the existing Heritage Places Inventory (renamed Heritage Places Inventory 2020 Part B).*
- 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.*
- 1.4. *Notes that a new amendment will be prepared to convert the remaining A to D graded properties to the Significant / Contributory classification system.*

Seconded: Cr Le Liu

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

Cr Oke returned to the meeting at 8.07pm after the vote was taken.

### 6.3 Draft Heritage Design Guide and draft Heritage Owner's Guide for targeted stakeholder engagement

The purpose of this report was to seek the Committee's endorsement of two draft heritage guidance documents for key targeted stakeholder consultation: the Heritage Design Guide and Heritage Owner's Guide.

Moved: Cr Leppert

1. *That the Future Melbourne Committee:*

- 1.1. *Endorses the draft Heritage Design Guide (refer Attachment 2 of the report from management) for targeted stakeholder engagement.*

- 1.2. *Endorses the draft Heritage Owner's Guide (refer Attachment 3 of the report from management) for targeted stakeholder engagement.*
- 1.3. *Notes that the final versions of the guides will be presented to the Future Melbourne Committee following the gazettal of Amendment C258 by the Minister for Planning.*
- 1.4. *Authorises the Acting General Manager, Strategy Planning and Climate Change to make any further minor editorial changes to the guides if required.*

Seconded: Cr Le Liu

Cr Reece returned to the meeting 8.08pm.

Cr Frances Gilley left at 8.08pm and returned to the meeting at 8.09pm.

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

Cr Oke left the meeting at 8.11pm and did not return.

## **Transport Portfolio**

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

### **6.4 Managing motorcycle parking on overcrowded footpaths**

The purpose of this report was to seek endorsement to relocate motorcycle parking from overcrowded footpaths to improve pedestrian safety and amenity in selected locations.

The following people addressed the Committee:

- Damien Codognotto
- Stephen Mayne
- Marcus Wigan
- Rob Salvatore, Victorian Motorcycle Council.

The following people who had requested to address the Committee did not attend the meeting:

- Darren Bartley
- Jodi Ingham
- Wendy Taylor
- Javier Suarez.

Moved: Cr Frances Gilley

#### **1. That the Future Melbourne Committee resolves to:**

- 1.1. *Prohibit motorcycle parking on footpaths at the following locations as shown in Attachment 4 of the report to management:*
  - 1.1.1. *Bourke Street between Spencer and William streets*
  - 1.1.2. *William Street between Bourke and La Trobe streets*
  - 1.1.3. *Flinders Street between Queen and Elizabeth streets*
  - 1.1.4. *Elizabeth Street between Collins and Flinders streets*
  - 1.1.5. *Collins Street between Spencer and King streets*
  - 1.1.6. *Flinders Lane between Elizabeth and Swanston streets*



1.1.7. *Lt Bourke Street between Queen and Swanston streets*

1.1.8. *Lt Collins Street between Queen and Elizabeth streets*

1.2. *Convert 36 kerbside and centre of road paid parking bays to 150-190 free motorcycle parking spaces.*

Seconded: Cr Leppert

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

The Lord Mayor, Sally Capp, 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**

Damien Codognotto asked what the City of Melbourne is going to do about offering an alternative to long term footpath parkers of motorcycles and scooters in off street commercial car parks.

Lord Mayor, Sally Capp advised that the question would be taken on notice.

Stephen Mayne noted that he read in the Citywide Annual Report that the Board and management had moved away from disclosing of how much the individual directors and senior executives are paid and asked if Council step in and fix this lack of transparency.

Chief Executive Officer, Justin Hanney advised that he will take this question on notice.

Stephen Mayne asked if the Lord Mayor, Sally Capp had commenced any discussions and considerations on who will be members of her ticket for the upcoming elections and if there was a chance of a first ever all female leadership ticket.

Lord Mayor, Sally Capp advised she has no further details to share at this time.

## **10. Closure of meeting**

The Chair, Lord Mayor, Sally Capp, declared the meeting closed at 8.54pm.

To be confirmed at the meeting of the Future Melbourne Committee on Tuesday 3 March 2020.



Chair  
Future Melbourne Committee

