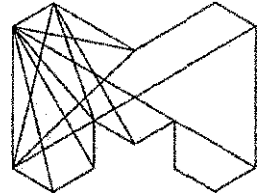


Confirmed minutes



CITY OF MELBOURNE

Future Melbourne Committee Minutes

**Meeting Number 40
Tuesday 2 August 2022
5.30pm**

Town Hall Commons

Present

Acting Lord Mayor Nicholas Reece
Councillor Dr Olivia Ball
Councillor Roshena Campbell
Councillor Davydd Griffiths
Councillor Jamal Hakim
Councillor Philip Le Liu
Councillor Rohan Leppert
Councillor Kevin Louey

Apologies

Lord Mayor Sally Capp
Councillor Jason Chang
Councillor Elizabeth Doidge

To be confirmed at the meeting of the Future Melbourne Committee
On Tuesday 16 August 2022

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1. Commencement of meeting and apologies

The meeting commenced at 5.30pm.

The Chair, Acting Lord Mayor Nicholas Reece, advised that:

- the meeting is 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 comprises five reports from management
- apologies were received from Lord Mayor Sally Capp, Cr Doidge and Cr Chang
- Councillors Dr Ball and Louey were participating in the meeting virtually.

2. Disclosures of conflicts of interest

The Chair, Acting Lord Mayor Nicholas Reece, 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 39, held on Tuesday 19 July 2022, be confirmed.

Seconded: Cr Hakim

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

4. Matters arising from the minutes of the previous meetings

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

5. Public questions

Request to review the operation of a hammerhead tower crane

Karl Hessian submitted the following written question:

Can councillors please direct Site Services to review the operation of the hammerhead tower crane at 205-211 Roden Street, West Melbourne, and satisfy themselves that the developer is generally conforming with section 20 of the Code of Practice for Building, Construction and Works, and specifically, that: (1) The crane has been properly certified by an independent party; and (2) Appropriate written agreements are in place with the owners of neighbouring properties?

In asking this I should like to note that I am very aware of the extensive demands on Site Services time at present and that this request is not made lightly.

Acting Lord Mayor Nicholas Reece, City Planning Portfolio Lead read out the following response provided by Julian Edwards, Director Planning and Building:

Thank you for your question. Councillors have made enquiries with the relevant officers and advise as follows in relation to your questions.

The Crane concrete foundation and structure have been signed off by an independent structural engineer and provided to Council.

The requirement for a written agreement between the builder and adjoining properties was only introduced in the new Construction Code (March 2022). The CMP for this development was issued

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under the old Code, which did not require these written agreements, however the builder has obtained formal written consent from some (not all) of the affected neighbouring properties.

The builder has indicated that they are willing to engage with all adjoining owners from the remainder of affected properties.

The passing of Archie Roach

Chris Thrum submitted the following written question:

Archie Roach, the Gunditjmarra/ Bundjalong songman, the great Songman, partner of Ruby Hunter, had a deep commitment to creating opportunities for First Nations artists across all creative platforms. His music gives healing to people. There is a tremendous sense of loss at his passing. What are your thoughts on Archie Roach?

Cr Dr Ball, Aboriginal Melbourne Deputy Portfolio Lead read out the following response provided by Jason Eades, Director Aboriginal Melbourne:

Thank you for your question.

The City of Melbourne agrees that there is a tremendous loss with the passing of Archie Roach. In a recent social media post we said:

"Gunditjmarra and Bundjalong musician, songwriter and artist Archie Roach had many gifts, but his special gift of music and language meant he was able to give a voice to so many who remained unheard.

Archie made his mark on Melbourne in countless ways. We were privileged to see him perform, to hear him speak and to know his story.

He will live on through his songs, words and the lives he changed.

Our deepest sympathies to his family and those who knew him best."

6. Reports from management

The Chair, Acting Lord Mayor Nicholas Reece, advised that the following submissions had been received in accordance with the Council's Governance Rules.

Submissions/Correspondence

In relation to Agenda item 6.2, **Inundation Overlays and the Good Design Guide - Amendment C384:**

Requests to speak:

- Keat Lee
- Ron Jorgensen
- Julie McLennan
- Annette Sloan
- Rob Moore, President, Parkville Residents Association.

Items of correspondence:

- Keat Lee
- Russell Smith, Melbourne Water
- Paul Little, Planning & Property Partners Pty Ltd
- Ron Jorgensen
- Julie McLennan
- Annette Sloan.

In relation to Agenda item 6.3, **Protection of Exceptional Trees (Amendment C379):**

Item of correspondence:

- Billy Rebakis, Urbis.

In relation to Agenda item 6.5, **City of Melbourne Design and Construction Standards:**

Item of correspondence:

- Augustus Brown.

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City Planning Portfolio

There were three reports from management for consideration in relation to the City Planning Portfolio.

6.1 Ministerial Planning Referral: TPM-2022-3 473-505 Docklands Drive, Docklands - Lot G

The purpose of this report was to advise the Future Melbourne Committee (FMC) of a Ministerial Planning Referral seeking approval for the construction of a 24 storey residential apartment building on the land located at 473-505 Docklands Drive, Docklands.

Moved: Acting Lord Mayor Nicholas Reece

That the Future Melbourne Committee resolves to advise the Department of Environment, Land, Water and Planning that the Melbourne City Council supports the application, 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: The Chair, Acting Lord Mayor Nicholas Reece and Councillors Dr Ball, Campbell, Griffiths, Hakim, Le Liu, Leppert and Louey.

6.2 Inundation Overlays and the Good Design Guide - Amendment C384

The purpose of this report was to present the submissions received during exhibition of the Amendment for consideration and to recommend that the Future Melbourne Committee requests an independent planning panel be appointed to consider the submissions.

Cr Dr Ball experienced technical connection issues and left the meeting at 6.06pm.

The following people addressed the Committee:

- Keat Lee
- Annette Sloan
- Ron Jorgensen
- Julie McLennan
- Rob Moore.

Moved: Acting Lord Mayor Nicholas Reece

1. *That the Future Melbourne Committee:*

- 1.1. *Notes management's assessment of the submissions and key themes in respect to Melbourne Planning Scheme Amendment C384: Inundation Overlays and the Good Design Guide (the Amendment) as set out in Attachments 2 and 3 of the reports from management.*
- 1.2. *Requests the Minister for Planning appoint a Panel to consider all submissions and refers all submissions to the appointed Panel in accordance with section 23 of the Planning and Environment Act 1987.*
- 1.3. *Notes that the form of the Amendment to be referred to the Panel will be generally in accordance with the Amendment as exhibited, subject to references to 'Nominated Flood Protection Level (NFPL)' being replaced with 'Nominal Flood Protection Level (NFPL)'.*

Seconded: Cr Leppert

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

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6.3 Protection of Exceptional Trees – Planning Scheme Amendment C379

The purpose of this report was to present the submissions received during public exhibition of the Protection of Exceptional Trees Planning Scheme Amendment C379 (Amendment) and recommend a path forward.

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. Acting Lord Mayor Nicholas Reece works at the University of Melbourne where the trees are subject to amendment C379 changes.

The Acting Lord Mayor Nicholas Reece left the meeting at 6.19pm, prior to any discussion taking place. The Deputy Portfolio Lead, Cr Leppert, assumed the Chair.

Cr Dr Ball returned to the meeting at 6.20pm

Moved: Cr Leppert

1. *That the Future Melbourne Committee:*

1.1. *Considers the submissions received following the exhibition of Amendment C379 and notes management's responses as set out in Attachment 3 of the reports from management, that includes recommended changes to the Amendment as requested in Submissions 3 and 10 to:*

1.1.1. *exclude 287-293 Exhibition Street Melbourne from the Tree Protection Zone of Tree No 171*

1.1.2. *remove the Bhutan Cyprus Trees numbered 133/1-133/11 at 120W Toorak Road South Yarra and the adjoining property at 128W-130W Toorak Road from ESO2 and ETR 2019.*

1.2. *Requests the Minister for Planning appoint an Independent Planning Panel and refer all submissions to the Panel for its consideration in accordance with s 23(1) of the Planning and Environment Act 1987.*

1.3. *Authorises the General Manager, Strategy, Planning and Climate Change to make any further minor editorial changes to the Amendment.*

1.4. *Notes that management continue discussions with Submitter 2 in respect of their submission.*

Seconded: Cr Griffiths

The motion was put and carried unanimously with the following Councillors present: The Chair, Cr Leppert and Councillors Dr Ball, Campbell, Griffiths, Hakim, Le Liu and Louey.

The Acting Lord Mayor Nicholas Reece returned to the meeting at 6.24pm and resumed the Chair.

6.4 Munro Library and Community Hub Schematic Design

The purpose of this report was to seek endorsement by the Future Melbourne Committee:

- of the Schematic Design for the new Munro Library and Community Hub (Munro) in the Queen Victoria Market Precinct
- to progress the project to procurement of the construction contractor.

Moved: Cr Hakim

1. *That the Future Melbourne Committee:*

1.1. *Endorses the schematic design for the new Munro Library and Community Hub (Project) as set out in attachment 2 of the reports from management*

1.2. *Approves the Project progressing to procurement of the construction contractor.*

Seconded: Cr Dr Ball

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

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6.5 City of Melbourne Design and Construction Standards

The purpose of this report was to present feedback on the draft Design and Construction Standards (the Standards) received from community consultation, respond to remaining items of the Council Resolution and seek endorsement of the revised Standards.

Cr Le Liu left the meeting at 6.46pm and returned at 6.48pm.

Moved: Cr Leppert

1. *That the Future Melbourne Committee:*
 - 1.1. *Notes the feedback received during community consultation and resultant updates to the draft Design and Construction Standards.*
 - 1.2. *Adopts the draft Design and Construction Standards (Attachment 4 of the report from management), noting these will undergo publication, graphics and branding:*
 - 1.2.1. *In Standard D3.5 on page 64, add the words "or a higher-quality pavement material, as approved" after the words "paved with asphalt" and remove the words "although in approved locations a higher-quality pavement material may be employed".*
 - 1.2.2. *In Standard D3.5 on page 64, add the following paragraph: "Continuous footpath treatments are being trialled in the municipality and this standard is expected to undergo update as a greater evidence base is built for continuous footpaths that can withstand the rigours of high foot traffic, vehicle use and inundation."*
 - 1.3. *Authorises the General Manager, Property Infrastructure and Design to make minor formatting and branding changes to the draft Design and Construction Standards prior to publication.*
 - 1.4. *Notes the amended draft Design and Construction Standards will not come into effect until notice is published in the Victorian Government Gazette.*

Seconded: Cr Campbell

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

7. General business

There was one item of general business for consideration.

7.1 Councillor question to an officer

Cr Leppert asked a question to Evan Counsel, General Manager, Strategy, Planning and Climate Change in relation to the Arden Structure Plan:

Last week the State Government gazetted final versions of new planning provisions for Arden, and published a final version of the Arden Structure Plan. At first glance, the approved planning provisions have ignored most of the VPA Projects Standing Advisory Committee's recommendations and, therefore, most of the work undertaken by the City of Melbourne. This brings into question the value of the Council MOU with the VPA, the ability for the Arden planning controls to deliver on the Arden vision, and whether there will be any affordable and social housing in Arden. What can we do to analyse how we got here, to understand the differences between Council's position and the approved provisions, to understand the costs incurred by our ratepayers in prosecuting Council's position, and to learn from this bleak experience?

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Evan Counsel, General Manager, Strategy, Planning and Climate Change provided the following response:

Through you chair - thank you Cr Leppert for the question in the best interests of realising the unique opportunity and role Arden presents as an emerging and anticipated leading innovation precinct.

As you have mentioned, the Arden Structure Plan and Melbourne Planning Scheme Amendment C407 including the Development Contributions Plan have been approved by the Minister for Planning and were gazetted last Thursday, 28 July.

I can confirm that Management has already commenced analysis and preparation of a report for consideration by this Committee, intended for 6 September 2022. The report will cover the matters you have raised including:

1. Process

- 1. Working in partnership with the Victorian Planning Authority (VPA).*
- 2. The Special Advisory Committee as distinct from a Planning Panel.*
- 3. Costs incurred and resources expended.*

2. Outcomes

- 1. Comparison of various versions and recommendations that have led to the final decision.*
- 2. The report will also take a closer look at: social and affordable housing (inc. planning controls and State's commitment outside the planning process), developer contributions (inc the State's commitment to underwrite the funding gap), development density (inc the decision for discretionary floor area controls, rather than mandatory) and broader planning framework (inc. third party notice and appeal rights, parking, drainage, ESD, Sunlight to Parks).*

The report will also make appropriate recommendations to this Committee that I won't pre-empt here and now.

Importantly, we are engaging with senior executives at the Victorian Planning Authority, DELWP and DoT to seek an understanding and reasoning of the decision. Particularly where the Ministers decision has not aligned with the recommendations of the independent expert committee.

8. Urgent business

There were no items of proposed urgent business for consideration.

9. Public questions

There were no public questions.

10. Closure of meeting

The Chair, Acting Lord Mayor Nicholas Reece, declared the meeting closed at 6.53pm.

To be confirmed at the meeting of the Future Melbourne Committee on Tuesday 16 August 2022.



Chair
Future Melbourne Committee

