



CITY OF MELBOURNE

Future Melbourne Committee

MINUTES

**Meeting Number 31
Tuesday 17 May 2011
5pm**

**Council Meeting Room
Level 2
Melbourne Town Hall**

PRESENT

Lord Mayor, Robert Doyle (Chair) (Left at 7.25pm)
Deputy Lord Mayor, Susan Riley
Councillor Peter Clarke
Councillor Jennifer Kanis
Councillor Kevin Louey
Councillor Cathy Oke
Councillor Ken Ong
Councillor Brian Shanahan

APOLOGIES

Councillor Carl Jetter

Confirmed at the meeting of the Future Melbourne
Committee meeting on Tuesday 14 June 2011.

1. COMMENCEMENT OF MEETING AND APOLOGIES

The meeting commenced at 5pm.

The Chair, Lord Mayor, Robert Doyle, advised that:

- the meeting was being recorded for the purpose of ensuring the accuracy of the minutes of the meeting;
- the agenda comprised 21 Reports from Management, 12 of which were confidential;
- one item of General Business; and
- an apology had been received from Cr Jetter.

2. DISCLOSURES OF CONFLICTS OF INTEREST

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

3. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

Moved: Deputy Lord Mayor, Susan Riley

That the minutes of meeting No 29, held on Tuesday 12 April 2011, be confirmed.

Seconded: Cr Ong

The motion was put and carried unanimously with the Chair Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley and Councillors Clarke, Kanis, Louey, Oke, Ong and Shanahan voting in favour of the motion.

4. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

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

5. REPORTS FROM MANAGEMENT

SUBMISSIONS/ITEMS OF CORRESPONDENCE

The Chair, Lord Mayor, Robert Doyle, advised that as at 3pm the following submissions had been received in accordance with the Council's *Conduct of Meetings Local Law 2010*.

In relation to Agenda Item 5.1: 'Application for Planning Permit: TP – 2010-962, 26 Erskine Street North Melbourne':

Requests to Speak:

- Nicole Elischer, Resident;
- Michael Rigg, Architect; and
- Geoff Leach, Resident.

Items of Correspondence

- Gerard Condon, Resident;
- Michael Rigg, Architect; and
- Christopher Haycs, Resident.

In relation to Agenda Item 5.1a: 'Central City (Hoddle Grid) Built Form review and Planning Scheme Amendment C188':

Item of Correspondence:

- Kurt Wilkinson, Chief Operating Officer – Brookfield Multiplex.

In relation to Agenda Item 5.7, 'Melbourne International Flower and Garden Show Proposed Future Arrangements'.

Requests to Speak:

- Wayne Harvey, CEO – Victoria Farmers Federation;
- Greg Hooton, Manager – Melbourne International Flower and Garden Show;
- Julianne Bell, Secretary – Protectors Public Lands Victoria Inc.;
- Yolande Leonardi, President – Residents 3000;
- Jackie Watts, Coalition of Residents and Business Association (CoRBA) – Melbourne;
- Margaret O'Brien, Carlton Gardens Group;
- Brian Falconer, Carlton Residents Association;
- Elizabeth Alexander, Resident; and
- Tom Keel, Secretary – Fitzroy Residents Association.

Items of Correspondence:

- Peter Matthews, Resident;
- Adam Bandt, MP;
- Yolande Leonardi, President – Residents 3000;
- Karin Dixon, Vice-President – EastEnders Inc.;
- Jackie Watts, CoRBA- Melbourne; and
- Brian Falconer, Carlton Residents Association.

PLANNING PORTFOLIO

Cr Clarke assumed the role of Chair to present the two items for consideration in relation to the Planning Portfolio.

5.1 Application for Planning Permit: TP-2010-962, 26 Erskine Street, North Melbourne

The purpose of this report was to advise the Committee of an application to construct three attached dwellings (refer Attachment 2 – Locality plan and Attachment 3 – Proposed plans in the report from management).

Nicole Elischer addressed the Committee speaking against the proposed development as she believes the Town Planning Scheme exists to protect residents and should be adhered to. This development will undermine the friendly Hotham Hill community.

Michael Rigg addressed the Committee speaking against the proposed development. He expressed concerns as the development was one of three in the area. He advised he believed this building would be the only building on Erskine Street to have four storeys and not complying with the City of Melbourne's Residential Code. Mr Rigg felt that the proposed development was not in keeping with the heritage streetscape.

Geoff Leach addressed the Committee speaking against the development and provided images of his backyard and advised that the proposed development would invade his privacy and his ability to enjoy this space. Mr Leach also provided images of the surrounding streetscape.

Moved: Cr Clarke

That the Future Melbourne Committee defer this item to be considered at the Council meeting on Tuesday 31 May 2011.

Seconded: Lord Mayor, Robert Doyle

The motion was put and carried unanimously with the Chair Cr Clarke, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley and Councillors Kanis, Loucy, Oke, Ong and Shanahan voting in favour of the motion.

5.1a Central City (Hoddle Grid) Built Form Review and Planning Scheme Amendment C188

The purpose of this report was to seek the Committee's endorsement of the Central City (Hoddle Grid) Built Form Review 2011 (refer Attachment 2 of the report from Management) and to request the Minister for Planning's authorisation under the *Planning and Environment Act 1987*, to prepare and exhibit Planning Scheme Amendment C188 Central City (Hoddle Grid) Built Form (refer Attachment 3 of the report from management).

Councillors made comment that:

- the City of Melbourne should review this matter every 25 years as there has been significant growth in the City and a review will assist in dealing with issues that have arisen during this time;
- that they wished it to be noted that Kurt Wilkinson from Brookfield Multiplex had sent an item of correspondence advising they had not had sufficient time to review. The Lord Mayor, Robert Doyle advised that we are not at the end of the process and requested correspondence be sent to Mr Wilkinson regarding this matter; and
- thanks go to Officers involved for their work on developing this report.

Moved: Cr Clarke

1. That the Future Melbourne Committee resolve to:

1.1. endorse the Central City (Hoddle Grid) Built Form Review 2011; and

1.2. request authorisation from the Minister for Planning under the Planning and Environment Act 1987 to prepare and exhibit Planning Scheme Amendment C188 – Central City (Hoddle Grid) Built Form.

Seconded: Lord Mayor, Robert Doyle

The motion was put and carried unanimously with the Chair Cr Clarke, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley and Councillors Kanis, Louey, Oke, Ong and Shanahan voting in favour of the motion.

ECO-CITY PORTFOLIO

Cr Oke assumed the role of Chair to present the one item for consideration in relation to the Eco-City Portfolio.

5.2 Integrated Waste Management Program

The purpose of this report was to seek approval to implement a range of initiatives designed to improve the City of Melbourne's waste management.

In response to questions raised by the Committee, Geoff Robinson, Manager Engineering Services made the following comments:

- there are a number of recycling options being investigated including:
 - alternate waste facilities;
 - rewards programs; and
 - a subterranean vacuum waste facility for Council buildings; and
- a feasibility study will be undertaken for waste management, after which:
 - the data will be analysed; and
 - the process reviewed.

In response to a question as to whether a report on the outcomes and recommendations of the commercial waste and recycling data survey could be submitted to the November 2011 Committee meeting, Mr Robinson stated he was uncertain whether that could be achieved as the scope of the survey was still to be determined.

Moved: Cr Ong

1. *That the Future Melbourne Committee:*
 - 1.1. *endorse the Integrated Waste Management Program;*
 - 1.2. *note that the associated costs of year one of the program have been included in the proposed financial year 2011-12 budget;*
 - 1.3. *note that a report with outcomes and recommendations from the commercial waste and recycling data survey will be provided by 15 November 2011 meeting of the Future Melbourne Committee; and*
 - 1.4. *request that initiative three of the implementation plan contained in the report be the subject of a further report to Future Melbourne Committee at the 15 November 2011 meeting which details a compressed stake holder consultation site identification and budget impact assessment.*

Seconded: Lord Mayor, Robert Doyle

Cr Oke suggested the inclusion of paragraph 1.5 '*request that a further report is received regarding initiative seven and early implementation of William Street.*'

Lord Mayor, Robert Doyle and Cr Ong as mover and seconder of the motion agreed to incorporate Cr Oke's addition.

The motion was put and carried unanimously with the Chair Cr Oke, Lord Mayor, Robert Doyle, Deputy Lord Mayor, Susan Riley and Councillors Kanis, Louey, Ong and Shanahan voting in favour of the motion.

The motion in its entirety reads:

1. *That the Future Melbourne Committee:*
 - 1.1. *endorse the Integrated Waste Management Program;*
 - 1.2. *note that the associated costs of year one of the program have been included in the proposed financial year 2011-12 budget;*
 - 1.3. *note that a report with outcomes and recommendations from the commercial waste and recycling data survey will be provided by 15 November 2011 meeting of the Future Melbourne Committee;*
 - 1.4. *request that initiative three of the implementation plan contained in the report be the subject of a further report to Future Melbourne Committee at the 15 November 2011 meeting which details a compressed stake holder consultation site identification and budget impact assessment; and*
 - 1.5. *request that a further report is received regarding initiative seven and early implementation of William Street.*

PEOPLE AND CREATIVE CITY PORTFOLIO

Cr Kanis assumed the role of Chair to present the one item for consideration in relation to the People and Creative City Portfolio.

The Lord Mayor, Robert Doyle left the meeting at 5.54pm.

5.3 Pathways: City of Melbourne Homelessness Strategy 2011-13

The purpose of this report was to seek final endorsement for *Pathways: City of Melbourne Homelessness Strategy 2011-13*.

Moved: Cr Clarke

1. *That the Future Melbourne Committee endorses the Pathways: City of Melbourne Homelessness Strategy 2011-13.*
2. *That Council meet with Victorian Minister for Housing to discuss options for a coordinated response to create pathways out of homelessness.*

Seconded: Deputy Lord Mayor, Susan Riley

The Committee commended the work of the Officers on the strategy.

Lord Mayor, Robert Doyle returned to the meeting at 5.58pm.

The motion was put and carried unanimously with the following Councillors present: The Chair Cr Kanis, Lord Mayor Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Clarke, Louey, Oke, Ong and Shanahan.

FINANCE AND GOVERNANCE PORTFOLIO

Cr Shanahan assumed the role of Chair to present the five items for consideration in relation to the Finance and Governance Portfolio.

Moved: Cr Shanahan

That the Committee allow the consideration of agenda item 5.7 prior to the consideration of agenda items 5.4 to 5.6.

Seconded: Cr Clarke

The motion was put and carried unanimously with the following Councillors present: The Chair Cr Shanahan, Lord Mayor Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Clarke, Kanis, Louey, Oke, and Ong.

5.7 Melbourne International Flower and Garden Show – Proposed Future Arrangements

The purpose of this report was to seek Council's agreement via the Future Melbourne Committee on matters relating the Melbourne International Flower and Garden Show (MIFGS) including future licence agreement, funding arrangements and changes to the event structure specified under the *Melbourne Parks and Gardens (Joint Trustee Reserves) Regulations 1994*.

Wayne Harvey addressed the Committee speaking in favour of the matter with the following comments:

- the show is a positive branding for Melbourne both nationally and internationally;
- there has been minimal impact on trees and soil impaction;
- the event has a strong environmental message; and
- the licence should be seen as a positive for Melbourne.

Greg Hooton addressed the Committee speaking in favour of the matter with the following comments:

- that the maximum amount of attendees is 32,500 on the Sunday and the minimum is 14,000 on the Wednesday;
- MIFGS meets the World Heritage Citation for the Carlton Gardens;
- the lock down period of the gardens is requested to be extended due to Work Safe issues as the park is still accessible to the public for the first three days of works; and
- MIFGS has run at a loss for the past three years.

Jackie Watts addressed the Committee speaking opposed to the matter with the following comments:

- CoRBA have sought information from Council Officers but have not received;
- Melbourne should have a Flower and Garden Show but it should not be held in the Carlton Gardens;
- Council should review and research further before making a decision; and
- it is the Council's responsibility to not damage the gardens.

Tom Keel addressed the Committee speaking opposed to the matter with the following comments:

- he has reviewed other World Heritage listed sites and doesn't believe events were held on these sites they had events held;
- the Committee should consider the long term future of the Carlton Gardens;
- the Gardens should be used more appropriately for other purposes; and
- there were other sites that would benefit from holding the event.

Julianne Bell provided the Committee with an item of correspondence and addressed the Committee speaking opposed to the matter with the following comments:

- the agreement needs to call for independent reports showing the impact of 2011 MIFGS;
- the Royal Exhibition Buildings are where original exhibitions were held and not the Carlton Gardens;
- there was no Heritage Measurement plan in place; and
- that MIFGS should be moved to another location as the Carlton Gardens is not suitable.

Yolande Leonardi addressed the Committee speaking opposed to the matter with the following comments:

- the event would affect the site by only allowing for maintenance and not allowing the gardens to flourish;
- the scope for exhibitors is getting broader and not part of the original meaning of the Flower and Garden Show (ie: conservation, environment and gardening).

Brian Falconer addressed the Committee speaking opposed to the matter with the following comments:

- he supports MIFGS but believes it should not be held in the Carlton Gardens, and that the forecourt of the Museum would be a better site;
- due to the damage recovering mode always being in place at the Carlton Gardens they are not able to flourish; and
- the original use of the Carlton Gardens was not intended to have structures built on it.

Margaret O'Brien addressed the Committee speaking opposed to the matter with the following comments:

- the Australian Gazette does not advise there were to be exhibitions held in Carlton Gardens South;
- World Heritage obligation should be reviewed and an alternative site sought;
- the committee report needs to provide more information; and
- the exhibition detracts from the World Heritage listed gardens both nationally and internationally.

Elizabeth Alexander addressed the Committee speaking opposed to the matter with the following comments:

- she is in favour of the event moving to the Melbourne Showgrounds as this site has had vast amounts of money spent on it; and
- when she has spoken to people in the gardens the most popular part of the gardens in the large trees.

In response to comments made by submitters the Committee made the following comments:

- that the World Heritage Citation on how we use and occupy the space is being met;
- the ability to have events in Carlton Gardens South was decided in 2007;
- the decision of the license is not a decision on moving the event;
- that in the 1880's there were less gardens, as it has since been developed;
- many new trees have been planted and this will continue to ensure the continuance of the gardens for the future;
- nothing in the Citation prevents the licensing of the event; and
- should the event not receive a licence it may request the event be taken over by the State Government and the perception is that the State Government would keep the event in the Carlton Gardens South.

Lord Mayor, Robert Doyle left the meeting at 7.04pm.

Lord Mayor Robert Doyle returned to the meeting at 7.05pm.

Moved: Cr Shanahan

That the Future Melbourne Committee defer this item to be heard at the Future Melbourne Committee to be held 14 June 2011.

Seconded: Cr Oke

The motion was put and lost with the Chair Cr Shanahan and Cr Oke voting in favour of the motion. The Lord Mayor, Robert Doyle, Lord Mayor, Susan Riley, Councillors Clarke, Kanis, Louey, and Ong voted against the motion.

Moved: Cr Clarke

1. That the Future Melbourne Committee recommend Council:

- 1.1. subject to all necessary approvals from the Minister responsible for the Crown Land (Reserves) Act 1978 first being obtained and the incremental rises referred to in the following sub-paragraph, grant to Flower and Garden Show Limited ('Company') a licence to use the Carlton Gardens for the running of the Melbourne International Flower and Garden Show for a period of three years with an option to extend for a further three years, otherwise on terms and conditions generally consistent with the previous licence;*
- 1.2. set the licence fee at Year 1 \$110,000, Year 2 \$114,000 and Year 3 \$118,000;*
- 1.3. consider the Company's request to:*
 - 1.3.1. increase the lock down period of Carlton Gardens South from 14 to 18 days in order to comply with recommendations from WorkSafe;*
 - 1.3.2. increase the entry fee from the existing \$20 to \$30 per person (over a period of time); and*
- 1.4. if in agreement with the Company's request, instruct the Chief Executive Officer to seek the approval from the State Government for the necessary changes to the Melbourne Parks and Gardens (Joint Trustee Reserves) Regulations 1994.*

Seconded: Lord Mayor, Robert Doyle

Cr Shanahan moved amendment to the motion with the inclusion of 1.5 '*that the Licensing fee be increased by 50 per cent*'.

Seconded: Cr Clarke

The amendment was not accepted by the Mover Cr Clarke or Seconder Lord Mayor, Robert Doyle.

The original motion was put and carried with the following Councillors voting in favour of the resolution: Lord Mayor Robert Doyle, Deputy Lord Mayor, Susan Riley, Councillors Clarke, Kanis, Louey, Oke and Ong and Councillors Oke and Shanahan voted against the resolution.

The motion in its entirety reads:

1. That the Future Melbourne Committee recommend Council:

- 1.1. subject to all necessary approvals from the Minister responsible for the Crown Land (Reserves) Act 1978 first being obtained and the incremental rises referred to in the following sub-paragraph, grant to Flower and Garden Show Limited ('Company') a licence to use the Carlton Gardens for the running of the Melbourne International Flower and Garden Show for a period of three years with an option to extend for a further three years, otherwise on terms and conditions generally consistent with the previous licence;*
- 1.2. set the licence fee at Year 1 \$110,000, Year 2 \$114,000 and Year 3 \$118,000;*

- 1.3. *consider the Company's request to:*
 - 1.3.1. *increase the lock down period of Carlton Gardens South from 14 to 18 days in order to comply with recommendations from WorkSafe;*
 - 1.3.2. *increase the entry fee from the existing \$20 to \$30 per person (over a period of time); and*
- 1.4. *if in agreement with the Company's request, instruct the Chief Executive Officer to seek the approval from the State Government for the necessary changes to the Melbourne Parks and Gardens (Joint Trustee Reserves) Regulations 1994.*

The Lord Mayor, Robert Doyle left the meeting at 7.25pm and did not return.

ENBLOC

Cr Shanahan moved the recommendations contained in the Reports from Management with respect to agenda items 5.4, 5.5, 5.8 and 6.1.

Cr Ong seconded Cr Shanahan's motion.

The motion was put and carried unanimously with the following Councillors present the Chair Cr Shanahan, Deputy Lord Mayor, Susan Riley and Councillors Clarke, Kanis, Louey, Oke and Ong voting in favour of the motion.

The relevant information in relation to each of these agenda items, including the Committee resolutions, is detailed below.

5.4 2010-11 Third Quarter March 2011 Year to Date Financial Performance Report

The purpose of this report was to inform the Future Melbourne Committee of the financial performance for the Council for the third quarter ended March 2011, in accordance with the *Local Government Act 1989* ('the Act').

That the Future Melbourne Committee accept the quarterly financial performance report as at 31 March 2011.

Carried.

5.5 Allocation of Discretionary Funds: Third Quarter 2010-11

The purpose of this report was to advise the Future Melbourne Committee of the projects supported through the allocation of discretionary funding for the third quarter of the 2010-11 financial year, in accordance with Future Melbourne Committee requirements.

That the Future Melbourne Committee receives the report on the allocation of discretionary funds for the third quarter of the 2010-11 financial year.

Carried.

5.8 Supplementary Valuation

The purpose of this report was to summarise and seek endorsement of supplementary valuations, which have occurred due to physical changes to property, changes to rateability of land and amended valuations resulting from the objection/appeal process.

1. *That the Future Melbourne Committee:*
 - 1.1. *endorse the attached supplementary valuation return; and*

- 1.2. *agree that the Supplementary Valuations, with the net effect of decreasing revenue by \$24,818.39 for the 2010-11 rating year, be adopted.*

Carried.

6. GENERAL BUSINESS

6.1 Proposed Travel by Lord Mayor Robert Doyle to: C40 Conference in Brazil; and 27th Mayors Conference in Israel.

The purpose of this report was to seek Committee approval for the Lord Mayor to attend the C40 Large Cities Climate Summit in Brazil and the 27th Mayors Conference in Israel.

1. *That the Future Melbourne Committee:*
 - 1.1. *approve the Lord Mayor's participation at C40 Large Cities Climate Summit in Brazil and at the 27th Mayors Conference in Israel;*
 - 1.2. *note that there will be no cost to Council associated with the Lord Mayor's travel proposal; and*
 - 1.3. *note that the Lord Mayor will prepare a report to the Future Melbourne Committee on his return.*

5.6 2010-11 Third Quarter Council Works Program Report

The purpose of this report was to inform the Future Melbourne Committee of the third quarter financial performance of the 2010-11 Council Works Program and to seek endorsement to the adjustments outlined in the report and to a program of works to be brought forward from 2011-12.

Moved: Cr Clarke

1. *That the Future Melbourne Committee recommend Council:*
 - 1.1 *accepts the 2010-11 Third Quarter Council Works Program Report;*
 - 1.2 *notes the forecast in relation to carry forward funding at the end of the financial year;*
 - 1.3 *approves the program adjustments outlined in the report, including the projects proposed to be brought forward from 2011-12; and*
 - 1.4 *asked Management to present an interim report at the 14 June 2011 Future Melbourne Committee which reports progress on all capital works over \$500K and greater than 20per cent behind schedule for completion.*

Seconded: Cr Ong

In response to questions raised by Committee Bob Rosen, Manager Capital Works advised the spending variations in the report are due to some projects being ahead of schedule and others being multi year projects.

The motion was put and carried unanimously with the following Councillors present the chair Councillor Shanahan, Deputy Lord Mayor, Susan Riley and Councillors Clarke, Kanis, Louey, Oke and Ong voting in favour of the motion.

The Deputy Lord Mayor, Susan Riley assumed the role of Chair.

7. URGENT BUSINESS

There were no items of Urgent Business for consideration in the open session.

8. PUBLIC QUESTIONS

There were no public questions.

9. CLOSURE OF OPEN MEETING

Moved: Deputy Lord Mayor, Susan Riley

That pursuant to sections 89(2)(d)(h) and (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 Items 5.9, 5.10, 5.12, 5.13, 5.15 and 5.19, because they contain information which if released, could prejudice the Council or any person;*
- *agenda Items 5.11, 5.14, 5.16, 5.17 and 5.18 because they contain information about contractual matters; and*
- *agenda item 5.20 because it contains information about proposed development matters.*

Seconded: Cr Ong

The motion was put and carried unanimously with the following Councillors present the Chair Deputy Lord Mayor, Susan Riley and Councillors Clarke, Kanis, Louey, Oke, Ong and Shanahan voting in favour of the motion.

The Chair, Deputy Lord Mayor, Susan Riley, declared the open meeting closed at 7.29pm.

Confirmed at the meeting of Future Melbourne Committee on Tuesday 14 June 2011.


Chair
Future Melbourne Committee