Special Planning Committee Meeting

Minutes

Tuesday 27 November 2018
Commencing at 6pm

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

HOBSONS BAY CITY COUNCIL

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Special Planning Committee Meeting Minutes 27 November 2018

THE COUNCIL'S MISSION

We will listen, engage and work with our community to plan, deliver and advocate for Hobsons Bay to secure a happy, healthy, fair and sustainable future for all.

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

Council acknowledges the peoples of the Kulin nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past and present.

Chairperson:

Cr Jonathon Marsden	Strand Ward

Councillors:

Cr Angela Altair	Strand Ward
Cr Michael Grech	Wetlands Ward

Minutes of Special Planning Committee held on Tuesday 27 November 2018 at 6pm in the Council Chamber, Hobsons Bay Civic Centre, 115 Civic Parade, Altona

PRESENT

Chairperson:	Cr Jonathon Marsden	Strand Ward
Councillors:	Cr Angela Altair	Strand Ward
	Cr. Michael Grech	Wetlands Ward

Officers:	Brendan Murphy	Manager Planning, Building and Health Services
	Sue Gauci	Major Projects and Policy Planner

a) Apologies

None

b) Disclosure of Interests

In accordance with Sections 77A, 77B, 78 and 79 of the *Local Government Act* 1989 Councillors are required to disclose a "conflict of interest" in a decision if they would receive, or could be reasonably perceived as receiving a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

In accordance with Section 79B of the *Local Government Act* 1989 Councillors who consider that they have a personal interest that is in conflict with their public duty in relation to a matter may, if they do not have a conflict of interest as described above, apply to the Council to be exempted from voting on the matter.

Disclosure must occur immediately before the matter is considered or discussed.

Cr Altair declared an interest but not a conflict of interest. AVJennings is a sponsor of the Williamstown Literary Festival and Councillor Altair is a voluntary committee member for the Festival. Cr Altair's ability to participate on the Special Planning Committee had been confirmed by legal advice that had been sought on this issue prior to the meeting.

c) **Business**

Application: PA1840032

Address: 3-39 Nelson Pl, Williamstown (Lot 5)

Proposal: Construction of 14 dwellings and fencing exceeding 1.5m within 3 metres of a street and a reduction in the statutory parking requirement under Clause 52.06 of the Hobsons Bay Planning Scheme in accordance with the endorsed plans.

Meeting Commenced: 6.05pm

Introduction: Cr Jonathon Marsden

Officer's Presentation: Outline of the application by Sue Gauci

Objectors' Concerns:

- Concern was expressed at Cr Altair having a potential conflict of interest. In particular that there is a potential for the apprehension of bias. Cr Marsden indicated that the interest that was declared was not a conflict of interest and that it was procedural matter had already been dealt with. He advised the speakers to concentrate their focus on their planning related concerns.
- The MHF Advisory Committee Report raises concerns.
- The idea of having a precautionary boundary around a MHF is applied everywhere around the world.
- WorkSafe have changed their tune relating to this site.
- The Council should take this land back to the Minister for rezoning.
- We are dealing with a MHF that is not defined in the schedule to Clause 52.10 because it involves a Port related fuel transfer facility.
- There should be a 1000 metre buffer from the tank farm.
- The Minister's Direction applies to this application and therefore the Minister should be consulted prior to a decision being made.
- The purpose of the Ministerial Direction 20 was read out to the Committee. It was contended that the Minister's statement was relevant to all development within a major hazard buffer area.
- All additional development adds to the problem.
- 2000 residents are being added to a 2.7ha area of land.
- These town houses are in the MHF danger zone.
- Parking is a problem depending on what time you go.
- Parking is an issue because we all park on the street.
- Weeknight parking is a problem.
- There are lots of events that cause parking problems and this hasn't been taken into account.
- Parking assessments can be a bit of a white wash.

Applicant's Response:

- The application involves 14 well designed homes.
- This site has been earmarked for renewal.

- This development aligns well with all of Council's strategic and statutory strategies.
- This is a completely compliant development proposal.
- We are compliant on height and the only dispensation that is being sought is two visitor car parking spaces.
- Noise conditions on the permit go above and beyond previous permits.
- We will be making social and infrastructure contributions, along with an open space contribution.
- In relation to the MHF issue, this is a site that has gone through an in depth planning process, that all relevant parties have been involved in, including Worksafe and the Port of Melbourne and Mobil.
- The existing planning scheme controls for this site require that the Council seeks the views of WorkSafe before deciding an application. This requirement is the same as the Ministerial Direction.
- The permit conditions are very detailed and will ensure a high quality outcome: one that will make a valuable contribution to Williamstown.
- The assessment process for this application has been rigorous.

Meeting Adjourned: 6.55pm

Meeting Resumed: 7.25pm

Special Planning Committee Decision:

Moved: Cr Michael Grech –

That the Special Planning Committee resolve to:

Issue a Notice of Decision to Grant a Planning Permit in respect to Planning Application PA11840032 at 3-39 Nelson Place (Lot 5) for the construction of 14 dwellings and fencing exceeding a height of 1.5m within 3 metres of a street and a reduction in the statutory parking requirement under Clause 52.06 of the Hobsons Bay Planning Scheme in accordance with the endorsed plans, subject the conditions contained in the Draft Notice of Decision in Appendix 2.

Seconded: Cr Angela Altair

Motion Carried Unanimously

Meeting adjourned: 7.51pm

Confirmation of the Minutes:

Cr Jonathon Marsden (Dec 31, 2018)

Dec 31, 2018

Cr. Jonathon Marsden **Date**

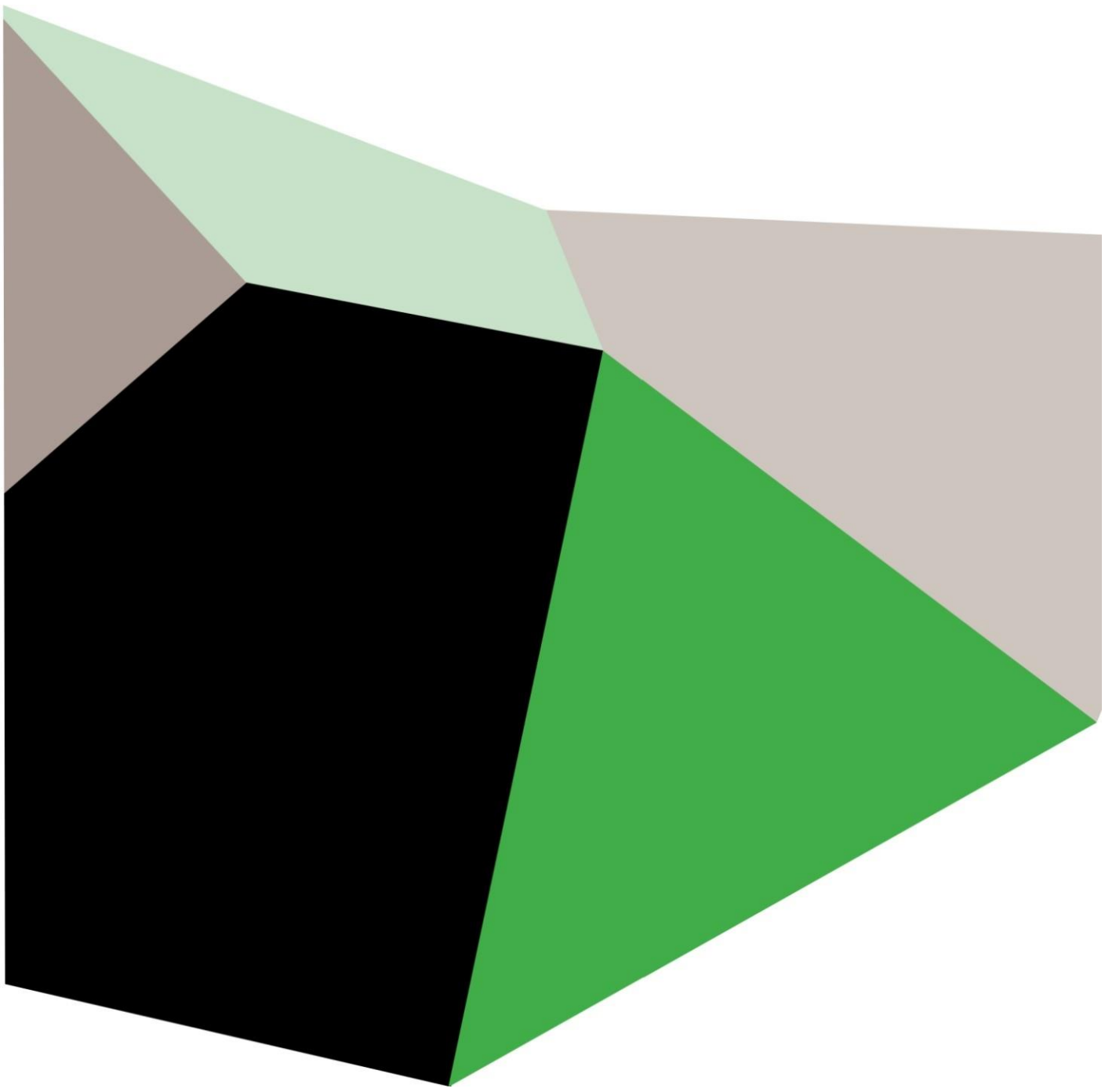
Dec 11, 2018

Cr. Angela Altair **Date**

Michael Grech (Dec 5, 2018)

Dec 5, 2018

Cr. Michael Grech **Date**



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SPC Minutes 27 November 2018#2

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