



**PORT MELBOURNE
AFFORDABLE HOUSING
PROJECT PLANNING
ASSESSMENT PANEL
COMMITTEE**

MINUTES

20 APRIL 2009

**MINUTES OF THE PORT MELBOURNE AFFORDABLE HOUSING
PROJECT PLANNING ASSESSMENT PANEL COMMITTEE
HELD ON 20 APRIL 2009, IN THE PORT MELBOURNE TOWN HALL**

The meeting opened at 6.09pm.

PRESENT

Henry Turnbull (Chairperson), Independent Planning Expert, Judith Klepner, City of Port Phillip, Fiona Costall – Independent Planning Expert, Anthy Akritidia – Resident/Trader, Brad Hooper – Resident/Trader.

IN ATTENDANCE

Geoff Oulton Executive Director Community Development & Planning – City of Port Phillip, George Borg Manager, City Development, Jane Birmingham Coordinator Statutory Planning - Port Melb, Sth Melb & Elwood, Janine Laver Duce Senior Urban Planner.

Henry Turnbull (Chairperson) opened the meeting and introduced members of the committee.

Judith Klepner gave the following indigenous acknowledgement:

Council pays its respects to the people and elders, past and present, of Yalukit Wilam and the Kulin Nation. We acknowledge and uphold their relationship to this land.

Henry Turnbull (Chairperson) made an apology on behalf of the Port Phillip Councillors who were unable to attend the meeting.

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

MOVED Judith Klepner / Brad Hooper

That the minutes of the Port Melbourne Affordable Housing Project Planning Assessment Panel Committee held on 20 October 2008 be confirmed.

A vote was taken and the MOTION was CARRIED.

3. WELCOME

Henry Turnbull (Chairperson) gave a brief history in relation to the planning application:

- Information in relation to this matter has been available on council's website at www.portphillip.vic.gov.au/kyme_place.html
- In October 2008, the original planning application was advertised by council and a preliminary meeting of the Port Melbourne Affordable Housing Project Planning Assessment Panel Committee was held.
- The council planning officers, reviewed the original plans and received and noted a number of submissions received from the community.
- As a result, discussions were held with the applicant.
- The applicant noted the issues raised by council officers and amended plans were prepared in February 2009.
- The amended plans have been advertised and form the current planning application.
- All objections (including original and updated) are before this committee.

4. HEARING OF SUBMISSIONS

The following speakers made verbal submissions against this item:

- Dr Michelle Kenney, Stewart Maiden, Alexandra Boudrie, Michael Boudrie, Malcolm Cooper, Lisa Dubinsky, Anthony Cale, Shane Dowling, Ian Millsom, Michael Williams, Mr J.P. Hall, Karen Mackey, Danielle Woodward, Pat Ryle, Nick Dimitrokallis (speaking on behalf of himself and traders on Bay Street, customers to Bay Street), Annie Austin, Julian Adams, Des Kapogiannis, Bill Forbes.

The aforementioned speakers made the following arguments as reasons for their opposition to the proposal:-

- Lack of community consultation;
- Concerns regarding residents of the proposed rooming house; who are the residents going to be, behaviour of residents (antisocial / violent / psychotic) particularly with young children in the area, drug and alcohol problems, needles in park;
- Security of the development and neighbouring properties;
- Closing in the car park will attract criminal activity, general uncleanliness, up to residents to oversee car park, lighting in car park, loss of open space, lack of airflow and natural light, fumes from vehicles through balcony window, car park hazardous to children who wait at the bus stop and who attend kindergarten;
- Soil and land contamination - impacts; serious health risks, financial feasibility;
- Parking issues;
 - Parking during construction and after construction – customers and staff, parking for small business is crucial, what does council have planned during development, need more parking (not less),
 - Vehicle and pedestrian access, traffic and parking problems, reduction in car parking spaces, emergency service access;
- Relevancy of data collected in 1999-2002;
- Relevance of parking 500m away from homes;
- Concerns with building design, windows overlooking neighbouring properties, could windows be made with special glass to restrict vision;
- Noise from buildings and traffic is terrible at present and will be exacerbated with the development;
- Concerns regarding rear wall of property, noise from development, health issues from debris and dust, flashing light from car park;
- Commercial waste;
- No tender process.

**MINUTES – PORT MELBOURNE AFFORDABLE HOUSING PROJECT PLANNING
ASSESSMENT PANEL COMMITTEE – 20 APRIL 2009**

The following speakers made a verbal submission to this item:

- Tanya Armstrong, speaking on behalf of Port Phillip Housing Association (PPHA) provided information in relation to the proposed residents for the housing and similar developments that the PPHA has successfully done and continue to manage.
- Rob McGauran - MGS Architects (applicant) provided information in relation to the plans and various issues raised in the public submissions.

The meeting adjourned at 8.30pm.

The meeting resumed at 8.45pm.

5. CONSIDERATION OF REPORT

121 Liardet Street and Kyme Place Laneway, Port Melbourne

Purpose

To consider an application for a planning permit and associated car parking waiver for a 4 storey rooming house development and use.

The meeting adjourned at 10.20pm.

The meeting resumed at 10.40pm.

MOVED Judith Klepner / Henry Turnbull

1. RECOMMENDATION A

That the Port Melbourne Affordable Housing Project Planning Assessment Panel issue a Notice of Decision to Grant a Planning Permit for the proposed construction of a 4 storey building for use as a residential building (rooming house for 31 units) above the existing public car park and a waiver of the car parking requirements Under Clause 52.06 of the Port Phillip Planning Scheme at 121 Liardet Street and Kyme Place Laneway, Port Melbourne.

1. Amended Plans Required

Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with plans dated February 2009 but modified to show:

- a) Introduction of the circular motif that is utilised on the west elevation to the sloping roof material on the east elevation to achieve a more co-ordinated aesthetic.
- b) The cladding of the lift shaft with timber to match the north and west elevations of the building.
- c) Deletion of the front two bays to the pergola over the third level terrace.
- d) Deletion of the large glass sheet to the second floor balcony façade 2 on the north elevation and replacement with the composite timber product as per the first floor.
- e) Enlargement of the bin storage area within the ground floor lobby area to accommodate 18 x 240 rubbish bins without the loss of any bicycle storage space.
- f) The installation of a convex mirror on the main supporting column (to Kyme Place) of the approved building and positioned in a manner that provides clear views of vehicles exiting the car park and Kyme Place to pedestrians travelling from Bay Street along Liardet Street.

**MINUTES – PORT MELBOURNE AFFORDABLE HOUSING PROJECT PLANNING
ASSESSMENT PANEL COMMITTEE – 20 APRIL 2009**

- g) Accurate detail of the material and opacity of the horizontal privacy screening devices to Unit Nos. 1.01, 1.02, 2.01 and 2.02 on the south elevation, as well as a detailed cross section of the screen demonstrating that the screens are 75% obscure in an even spacing across the screen to protect neighbouring privacy.
- h) Installation of fixed and obscure glass to the south westernmost window to Unit No. 3.01 window to a minimum height of 1.7m above the finished floor level to protect neighbouring privacy.
- i) Installation of fixed and obscure glass to the recessed windows on the west elevation to Unit Nos. 1.04, 1.05, 1.06, 1.07, 2.03, 2.04, 2.05, 2.06, 3.02, 3.03, 3.04 and 3.05 to a minimum height of 1.7m above the finished floor level to protect neighbouring privacy.
- j) Installation of fixed and obscure glass to the bathroom window on the west elevation to Unit No. 2.01 to protect the privacy of the occupier of that unit.
- k) Installation of fixed and obscure glass to the studio room window on the west elevation to Unit No. 2.01 to a minimum height of 1.7m above the finished floor level or installation of the window with a lower sill height of a minimum of 1.7m above the finished floor level or the deletion of the window in its entirety to protect neighbouring privacy.
- l) The deletion of the designated disabled car parking space within the car park and its relocation to space No. 24 on Liardet Street as shown on advertised plan No. TP16 rev B.
- m) As a result of the deletion of the disabled car parking space within the car park, as required by Condition 1(l), space No. 22 should be widened to 3.2m wide space and space No. 20 narrowed accordingly.
- n) The vehicular accessway to the car park (adjacent to space No. 7) widened to be a minimum of 5.5m wide to allow for a two way entrance/egress to/from the car park. This necessitates the repositioning or shortening of the pedestrian accessway ramp on the west side of the entry/lobby so that it does not project into the widened vehicle accessway.
- o) The installation of 0.6m wide and 0.15m high kerbing within the car park on the south side of the lift/entry/lobby area to protect the wall of the ground floor building from vehicular damage.
- p) Provision of screening to prevent downward views to the car park of 1 and 3 Kyme Place from units 1.01, 1.02, 1.03, 2.02 and 2.01
- q) Provision of barrier fencing (acoustic if required following assessment by an acoustic engineer) along the eastern boundary to a minimum height of 1.8m measured from the natural ground level on the adjacent sites. Such fence to be constructed in the first stage of construction.
- r) The widened section of laneway and car spaces 4 to 7 be constructed of asphalt

2. No Alterations

The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

3. Environmental Features

The developer shall implement the environmental features detailed as part of the endorsed plans and endorsed sustainable design statement to the satisfaction of the Responsible Authority prior to occupation of the building.

4. Construction Management Plan

Prior to commencement of the development hereby permitted, a Construction Management Plan must be submitted to, approved by and be to the satisfaction of the Responsible Authority. The Plan must include details of (but not be limited to):

- a) Construction hours;
- b) Control of construction noise to minimise impact on neighbouring properties;
- c) Maintaining cleanliness in abutting streets;
- d) Minimising disruption to pedestrian access along footpaths;
- e) Management of parking of construction worker vehicles (including construction machinery), management of site deliveries and traffic management;
- f) The waste removal process and duration, including the positions of trucks, equipment and rubbish bins, including the on-site storage of waste construction bins as much as practicable during the project's construction stages.

Once submitted and approved the works detailed by the Construction Management Plan must be carried out to the satisfaction of the Responsible Authority.

5. Civil Works Plan

Prior to commencement of the development hereby permitted, a Civil Works Plan must be submitted to, approved by and be to the satisfaction of the Responsible Authority. The works must be undertaken prior to the completion of the development and prior to the commencement of the uses on site at the developer's cost. The civil works must include (but is not limited to):

- a) The reconstruction of the vehicle crossing to Kyme Place Crescent to Council's standard (Concrete vehicle crossing SD4101 Rev C.) to highlight pedestrian priority and in accordance with Condition 6.
- b) The method of treatment and discharge of stormwater to the nominated point. The stormwater treatment works must incorporate water sensitive urban design principles (including re-use) to improve stormwater discharge quality and minimise any increase in runoff as a result of the approved development. The system must be maintained to the satisfaction of the Responsible Authority. (Council's Development Engineer can advise on treatment options).

Once submitted and approved the works detailed by the Civil Works Plan must be carried out to the satisfaction of the Responsible Authority.

6. Vehicle Crossings

Prior to the completion of the development the developer must do the following things to the satisfaction of the responsible authority:

- a) Remove all redundant vehicle crossovers (including the Liardet Street crossover to the existing car park) and reconstruct the pavement, kerb and channel prior to the occupation of the dwellings.
- b) Construct the new crossovers (and any other associated works) including the reconstruction of the Kyme Place crossover in accordance with Council's current 'vehicle crossing specifications' that provide pedestrian priority at a cost to the applicant/owner prior to the occupation of the dwellings. Any surplus bluestone pitchers must be returned to Council's depot.
- c) Undertake any road/on-street parking space line marking/signage works that are required as a result of this development (notably creation of and line marking to 2 spaces along Liardet Street in lieu of the existing crossover) in life long materials.
- d) Install a convex mirror on the main supporting column (to Kyme Place) of the approved building positioned in a manner that provides clear views of vehicles exiting the car park and Kyme Place to pedestrians travelling from Bay Street along Liardet Street.
- e) Obtain relevant written approval from Council's Local Laws Department for any road/footpath alterations/reinstatements (including the construction of new crossovers) prior to the commencement of the development.
- f) Ensure that the new crossovers have satisfactory clearance of any side-entry pit, power or telecommunications pole, manhole cover or marker, or street tree prior to the commencement of the development. Any relocation, alteration or replacement required must be in accordance with the requirements of the relevant Authority, and undertaken prior to the commencement of the development at the developer's expense.
- g) Comply with conditions (if any) required by any Council department or other relevant authority in respect of road alteration/reinstatement.
- h) Pay the costs of all alterations/ reinstatement of Council and Public Authority assets necessary and required by such authorities for development.

7. Car Parking Areas

Prior to the completion of the development, the public car park and access lanes as shown on the endorsed plans must be:

- a) Constructed;
- b) Properly formed to such levels that may be used in accordance with the plans;
- c) Surfaced with an all weather surface or seal coat (as appropriate);
- d) Drained and maintained;
- e) Line marked to indicate each car space, loading bay and/or access lane; and
- f) Clearly marked to show the direction of traffic along access land and driveways.

**MINUTES – PORT MELBOURNE AFFORDABLE HOUSING PROJECT PLANNING
ASSESSMENT PANEL COMMITTEE – 20 APRIL 2009**

- g) Signage must also be included to car parking spaces 4 and 5 (provided in Kyme Place) indicating that the two spaces are 'reserved for garbage bin storage and collection' on days/times specified by Council's Coordinator for Waste Management to the satisfaction of the Responsible Authority.
- h) Ceiling lights must also be installed throughout the car park and must be managed to light up in the evening hours only and be light sensitive operation during the day.
- i) The erection of signage to the vehicular entry points to the car park indicating the vehicle clearance height with a minimum clearance of 2.3m.
- j) Provide and maintain baffled lighting to the Kyme Place laneway.

All of the above matters must be done to the satisfaction of the Responsible Authority and to the cost of the developer.

8. Street Tree Protection

Root pruning of the Liardet Street street tree (*Platnus Averifolia*) planted in front of the subject site must be carried out to the satisfaction of the Responsible Authority prior to the construction of the crossover and the proposed works must not cause any damage to the existing street tree.

9. Street tree protection during construction

Prior to the commencement of the development, a tree protection fence must be erected around the Liardet Street street tree (*Platnus Averifolia*) at a minimum radius of 1 metre from the base of the trunk to define a 'Tree Protection Zone' and at the cost to be borne by the developer. The fence must be constructed of 1.8m high x 1.8m wide fencing panels arranged in diamond formation to prevent intrusion into the tree protection zone to the satisfaction of the responsible authority. The tree protection fence must remain in place until construction is completed. The ground surface of the Tree Protection Zone must be covered by a 100mm deep layer of mulch before the development starts and be watered regularly to the satisfaction of the responsible authority.

10. Regulation of activities in Tree Protection Zone

No vehicular or pedestrian access, trenching, storage of materials or equipment or soil excavation is to occur within the Tree Protection Zone without the written consent of the responsible authority.

11. Provision of Bicycle Parking

Prior to the completion of the development the developer must install of 8 x standard City of Port Phillip bike hoops within the frontage of the development as indicated on Plan No. TP16 rev B at a cost to be borne by the developer.

12. Waste Management Plan

Prior to the commencement of the development, a Waste Management Plan prepared by a Waste Management Engineer or Waste Management Planner and based on the draft "Best Practice Guidelines for Kerbside Recycling at Multi-Occupancy Residential Developments (Sustainability Victoria June 2006) must be submitted to, approved by and be to the satisfaction of the Responsible Authority. The Plan must include but not be limited to reference to the following:

- The collection service requirements, including the frequency of collection.

**MINUTES – PORT MELBOURNE AFFORDABLE HOUSING PROJECT PLANNING
ASSESSMENT PANEL COMMITTEE – 20 APRIL 2009**

- The location of, proximity, screening of and space allocated both to the garbage and recycling storage areas and collection points (in line with Condition No. 1(e) of the permit).
- The path of access for both users and collection vehicles.
- How noise, odour and litter will be managed and minimised.
- Approved facilities for washing bins and storage areas.
- Who is responsible for each stage of the waste management process.
- How tenants and residents will be regularly informed of the waste management arrangements.

The occupier of this site must ensure that the Waste Management Plan approved under this condition is implemented at the commencement of the use and continuously complied with to the satisfaction of the Responsible Authority.

13. External Lighting

Any external lighting, particularly to communal terrace areas must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents or alternatively must be screened or provided with approved baffles, so that no direct light or glare is emitted outside the site.

14. No Equipment or Services

No equipment, services and/or architectural features other than those shown on the endorsed plan are permitted on the exterior of the building (including on the roof) or over the laneway boundary unless otherwise agreed to in writing by the Responsible Authority. Any building or individual apartment plant and equipment, television antenna and/or satellite dishes must be visually and acoustically screened (as applicable) from view as far as practicable and located to the satisfaction of the Responsible Authority.

15. Piping and Ducting

All piping and ducting above the ground floor level of the building (except for downpipes and rainwater heads) must be concealed.

16. Utility Services

All basic services to the property including water, electricity, gas, sewerage, telephone and telecommunications (whether by means of a line or cable) must be installed underground and located in a position approved by the Responsible Authority.

17. New Boundary Walls

Prior to the occupation of the building allowed by this permit, all new or extended walls on or facing the boundary of adjoining properties and/or the laneway must be cleaned and finished to a uniform standard to the satisfaction of the Responsible Authority. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed to the satisfaction of the responsible authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the responsible authority.

18. Laneway to be kept clear

During the construction of the buildings and works allowed by this permit, the Kyme Place laneway adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.

19. Privacy Screens must be installed

Privacy screens as required in accordance with the endorsed plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority thereafter.

20. Satisfactory Completion

Once the development has started it must be continued and completed to the satisfaction of the responsible authority.

21. Time for Starting and Completing

This permit will expire if one of the following circumstances applies:

- a) The development is not commenced within two (2) years of the date of this permit.
- b) The development is not completed within three (3) years of the date of commencement of works.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

22. Road Reserve (new condition no. 22)

Prior to the commencement of the use hereby permitted, the developer of the land is responsible for the cost of preparing, processing and registering a plan of subdivision which designates the part of the site that allows for the increased width of Kyme Place road as a Road.

23. Environmental Audit

Prior to the commencement of construction or carrying out works (other than site investigation works to determine the level of contamination if any on the land) pursuant to this permit, or any works associated with a sensitive use, or where no works are proposed, prior to the commencement of the permitted use, either:

A Certificate of Environmental Audit for the land must be issued in accordance with Section 53Y of the Environment Protection Act 1970 and provided to the Responsible Authority; or,

An Environmental Auditor appointed under Section 53S of the Environment Protection Act 1970 must make a Statement in accordance with Section 53Z of that Act that the environmental conditions of the land are suitable for the use and development that are the subject of this permit

and three copies (3 copies) of the certificate of environmental audit and or statement, complete audit report and audit area plan must be submitted to the Responsible Authority.

MINUTES – PORT MELBOURNE AFFORDABLE HOUSING PROJECT PLANNING ASSESSMENT PANEL COMMITTEE – 20 APRIL 2009

Where a Statement of Environmental Audit is issued for the land, the buildings and works and the use(s) of the land that are the subject of this permit must comply with all directions and conditions contained within the Statement.

Where a Statement of Environmental Audit is issued for the land, prior to the commencement of the use, and prior to the issue of an Occupancy Permit under the Building Act 1993, a letter prepared by an Environmental Auditor appointed under Section 53S of the Environment Protection Act 1970 must be submitted to the Responsible Authority to verify that the directions and conditions contained within the Statement have been satisfied.

Prior to any remediation works being undertaken in association with the Environmental Audit, a 'remediation works' plan must be submitted to and approved by the Responsible Authority. The plan must detail all excavation works as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed in the approved remediation works plan are permitted to be carried out prior to the issue of a Certificate or Statement of Environmental Audit.

24. Management call out availability

That the managers of the site ensure that a logged 24 hour per day call out service be available to occupants and the local community for emergency response to the satisfaction of the Responsible Authority.

Notations:

Building Approval Required

This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

Building Works to Accord with Planning Permit

The applicant/owner will provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with this planning permit.

Due Care

The developer shall show due care in the development of the proposed extensions so as to ensure that no damage is incurred to any dwelling on the adjoining properties.

Air Conditioning Plant

Any air conditioning plant must be screened and baffled and/or insulated to minimise noise and vibration to other residences in accordance with Environmental Protection Authority Noise Control Technical Guidelines as follows:

- i) Noise from the plant during the day and evening (7.00am to 10.00pm Monday to Friday, 9.00am to 10.00pm Weekends and Public Holidays) must not exceed the background noise level by more than 5 dB(A) measured at the property boundary;
- ii) Noise from the plant during the night (10.00pm to 7.00am Monday to Friday, 10.00pm to 9.00am Weekends and Public Holidays) must not be audible within a habitable room of any other residence (regardless of whether any door or window giving access to the room is open).

Days and Hours of Construction Works

Except in the case of an emergency, a builder must not carry out building works outside the following times, without first obtaining a permit from Council's Local Laws Section:

- Monday to Friday: 7.00am to 6.00pm; or
- Saturdays: 9.00am to 3.00pm.

An after hours building works permit cannot be granted for an appointed public holiday under the Public Holidays Act, 1993.

MINUTES – PORT MELBOURNE AFFORDABLE HOUSING PROJECT PLANNING ASSESSMENT PANEL COMMITTEE – 20 APRIL 2009

Drainage Point and Method of Discharge

The legal point of stormwater discharge for the proposal shall be to the satisfaction of the responsible authority. Engineering construction plans for the satisfactory drainage and discharge of stormwater from the site must be submitted to and approved by the responsible authority prior to the commencement of any buildings or works.

Roads and laneways to be kept clear

During the construction of the buildings and works allowed by this permit, the roads and/or laneway(s) adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.

Council contacts

Approval may be required from other Council Departments (where relevant) before the proposal may commence. And discussion with Council's Development Engineer is recommended prior to the submission of plans for standards of construction of crossovers and stormwater drains.

The following contact details are provided for your assistance:

- Building Department 9209.6253
- Health Department (Community Amenity) 9209.6262
- Local Laws 9209.6852
- Development Engineer 9209.6774

No resident or visitor parking permits

The owners and occupiers of the development allowed by this permit will not be eligible for Council resident or visitor parking permits.

2. RECOMMENDATION B

That the Port Melbourne Affordable Housing Project Planning Assessment Panel Committee resolve to advise the Council that direction signs should be erected within the public realm identifying the location of the Kyme Place car park subsequent to the completion of the residential building (rooming house) approved as per Recommendation A (above).

A vote was taken and the MOTION was CARRIED.

** Note - Anthy Akritidia and Brad Hooper voted against the motion.*

6. GENERAL BUSINESS

Nil.

7. MEETING CLOSE

As there was no further business the meeting closed at 11.11pm.

Confirmed: (next meeting date to be confirmed).

Chairperson: _____