



CONFIDENTIAL MEETING OF THE PLANNING COMMITTEE

MINUTES

24 OCTOBER 2018



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**MINUTES OF THE CONFIDENTIAL MEETING OF THE PLANNING
COMMITTEE OF THE PORT PHILLIP CITY COUNCIL HELD 24
OCTOBER 2018 IN ST KILDA TOWN HALL**

The meeting opened at 6:30pm.

PRESENT

Cr (Chairperson), Cr Baxter, Cr Brand, Cr Copsey, Cr Crawford, Cr Gross, Cr Pearl, Cr Simic, Cr Voss

IN ATTENDANCE

Lili Rosic, General Manager City Strategy and Sustainable Development, George Borg Manager City Development, Donna D'Alessandro Planning Coordinator Gateway Ward.

8. CONFIDENTIAL BUSINESS

8.1 253-273 Normanby Road, South Melbourne

PURPOSE

- 1.1 To determine Council's position on the upcoming Victorian Civil and Administrative Tribunal (VCAT) hearing regarding condition 3(d) of Planning Permit 1146/2017 which was issued by Council, in light of the recently updated planning controls for the Fishermans Bend Urban Renewal Area.

MOVED Crs Gross/Voss

- 3.1 That Council adopt Recommendation "Part A" and "Part B" to advise VCAT that it supports the amended wording of Condition 3(d) and in the event that VCAT determines to amend the permit, that it should incorporate the amended condition 3(d)
- 3.2 Authorise the Manager City Development to instruct Council's Statutory Planners and / or Solicitors on the VCAT application for review.

RECOMMENDATION "PART A":

- 3.3 That the Responsible Authority advise VCAT and other parties to the appeal, that on the basis of the amended planning controls for Fishermans Bend, that Council changes its position and now supports amended wording for condition 3(d):

3 Agreement under Section 173 of the Planning and Environment Act 1987. (Carparking)

Prior to the issue of the statement of compliance for any stage of the subdivision, the applicant must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority.



The agreement must be in a form to the satisfaction of the Responsible Authority, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expense (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:-

- (a) The car park lots (appended with the letter C) must only be sold to the owner or purchaser of a lot containing a hotel room, retail space or a dwelling;
- (b) The store lots (appended with the letter S) must only be sold to the owner or purchaser of a lot containing a dwelling;
- (c) The car park lots must only be leased to the occupier of a lot containing a hotel room, retail space or a dwelling;
- (d) **No more than two car park lots may be owned or leased in conjunction with any lot containing a three or more bedroom dwelling and not more than one car park lot may be owned or leased in conjunction with any lot containing a one or two bedroom dwelling. The number of car park lots allocated to dwellings must not exceed the total of 0.83 car spaces per dwelling specified in condition 15 of Planning Permit PA170223;**
- (e) No more than 1 car space per 100m² of retail/commercial floor area (including the residential hotel) may be owned or leased in conjunction with such a lot; and
- (f) It shall pay the Responsible Authority's Solicitor/client costs in respect to the preparation and registration of the agreement.

The agreement will be registered on Title in accordance with Section 181 of the Planning and Environment Act 1987. A dealing number must be provided to the Responsible Authority

RECOMMENDATION "PART B":

- 3.4 Authorise the Manager City Development to instruct Council's Statutory Planners and/ or Solicitors on the VCAT application for review

RECOMMENDATION "PART C":

- 3.5 Council makes public this resolution following the determination of the Victorian Civil and Administrative Tribunal matters for P1248/2018 and P1249/2018.

A vote was taken and the MOTION was CARRIED unanimously.

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PLANNING COMMITTEE - 24 OCTOBER 2018



MOVED Crs Voss/Baxter

That the meeting be reopened to members of the gallery.

A vote was taken and the MOTION was CARRIED.

Confirmed: 14 November 2018

Chairperson _____