

U N C O N F I R M E D M I N U T E S



CITY DEVELOPMENT DELEGATED COMMITTEE MINUTES

**Wednesday 11 December, 2024
6.30pm**

**Council Chamber
Level 1
Footscray Town Hall
61 Napier St, Footscray**

MEMBERSHIP

Councillor Bernadette Thomas (Chair)
Councillor Cuc Lam
Councillor Samantha Meredith
Councillor Elena Pereyra
Councillor Mohamed Semra
Councillor Pradeep Tiwari
Councillor Susan Yengi

To be confirmed at the City Development Delegated Committee Meeting
to be held on 25 February, 2025

UNCONFIRMED MINUTES

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1. COMMENCEMENT OF DELEGATED MEETING AND WELCOME

The meeting commenced at 6.35pm.

The Chair, Cr Bernadette Thomas made the following acknowledgement statement:

“Maribyrnong City Council acknowledges the Traditional Custodians of the land, the Wurundjeri Woi Wurrung and Boon Wurrung Bunurong Peoples of the Kulin Nation and pays its respects to their Elders, past, present and emerging”.

PRESENT

Councillor Bernadette Thomas (Chair) (online)
Councillor Cuc Lam (online)
Councillor Samantha Meredith
Councillor Elena Pereyra
Councillor Mohamed Semra
Councillor Pradeep Tiwari
Councillor Susan Yengi

IN ATTENDANCE

Chief Executive Officer, Celia Haddock
Director Community Services, Lucas Gosling
Director Planning and Environment, Mike McIntosh
Director Infrastructure Services, Patrick Jess
Director Corporate Services, Lisa King
Manager City Development, Ashley Minniti
Manager Governance and Commercial Services, Phil McQue
Coordinator City Planning, Michael Alexander
Governance Officer, Jessica Abela

2. APOLOGIES

Nil.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Cr Samantha Meredith declared a Material Conflict of Interest in relation to agenda item 6.1 Planning Application TP53/2023(1) at 295 Whitehall Street Yarraville, due to lodging a previous objection to the planning permit, prior to being elected as a Maribyrnong Councillor.

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4. PUBLIC QUESTION TIME

Public Question Time commenced at 6.37pm and four questions were received.

Lisel Thomas asked the following question:

1. Given the considerable investment of time and effort that community members have made in considering and responding to the Steel Cement proposal being presented tonight, do Councillors believe that it is sufficient that the entirety of the objector input appears to have been summarised and presented to Council as “A total of 109 objections were received. In summary, the grounds of objection primarily relate to air pollution, noise and increased truck traffic.”

Response:

Councillor Thomas stated the Planning and Environment Act 1987 requires Council to consider all objections and submissions received regarding a planning permit application. Council officers read and considered all objections received and considered points raised when preparing their report for Councillors to consider. Councillors were also provided a copy of each objection.

While a large number of objections were received, the points raised were similar and accordingly the key themes have been summarised at section 6 of the report with responses to these themes contained at section 7 of the report.

Martin Wurt asked the following questions:

1. Are Councillors aware that MTAG has suggested that if Council was inclined to approve the Steel Cement application, any permit issued should include conditions relating to trucks, curfews, bans, telematics and Euro V standards?

Response:

Councillor Thomas stated the suggested conditions from MTAG formed part of their submission to the planning forum on 28 November 2024 which all Councillors were invited to attend.

The permit applicant and Council officers responded to MTAG’s submission during the planning forum and the permit applicant followed up with written responses to the questions raised. These written responses were circulated to all attendees on 3 December 2024.

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2. If Council decides to support the Steel Cement proposal, would it be prepared to add the permit conditions proposed by MTAG, including a written condition that trucks accessing the site not use Francis Street between Roberts Street and Hyde Street once the West Gate Tunnel ramps are open?

Response:

Councillor Thomas advised the applicant has supplied a proposed truck route for all trucks accessing the site. This is shown at Figure 4 on page 31 of this evening's Agenda.

Once the West Gate Tunnel Project is complete, the proposed truck route shows that no trucks will use Francis Street between Roberts and Hyde Street.

Council does not regulate heavy vehicle routes, with this being the responsibility of the National Heavy Vehicle Regulator and the State Government.

3. Do Council officers perceive any issues with the wording and enforcement of MTAG's proposed conditions?

Response:

The Director of Planning and Environment advised that conditions have been considered and do not form part of the officer recommendation. Should a permit issue, conditions of permit need to be enforceable, unambiguous, and related to the activities occurring on-site.

5. CONFIRMATION OF MINUTES

5.1. Confirmation of Minutes - 11 September 2024

To present the minutes of the City Development Delegated Committee Meeting held on 11 September 2024 for confirmation.

Committee Resolution

That the City Development Delegated Committee confirms the minutes of the City Development Delegated Committee Meeting held on 11 September 2024.

Moved: Cr Susan Yengi
Seconded: Cr Elena Pereyra

CARRIED

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6. OFFICER REPORTS

6.1. Planning Application TP53/2023(1) at 295 Whitehall Street Yarraville

To present for consideration a planning application for 295 and 325 Whitehall Street and 2A Francis Street, Yarraville which has received 109 objections. The estimated cost of development is \$180M.

Cr Meredith left the meeting at 6:44pm prior to consideration of this item due to having a Material Conflict of Interest.

Committee Resolution

That the City Development Delegated Committee, with respect to Planning Permit Application TP53/2023(1), issue a Notice of Refusal to Grant a Planning Permit for the "Use and development of the land for Industry (cement processing) where the threshold distance at Clause 53.10 is not met, to reduce the statutory car parking requirement, to waive the bicycle parking requirements and to alter access to a road in Transport 2 Zone" at 295 and 325 Whitehall Street and 2A Francis Street, Yarraville, on the following grounds:

- 1. The proposal fails to satisfy the objective and strategies at Clause 13.07-1S 'Land use compatibility' of the Maribyrnong Planning Scheme and will result in unacceptable adverse off-site impacts.*
- 2. The proposal fails to satisfy the purpose of the Industrial 1 Zone at Clause 33.01 and the decision guidelines at Clause 33.01-2 of the Maribyrnong Planning Scheme for the follow reasons:*
 - a. The adverse effect of traffic to be generated on roads.*
 - b. The adverse off-site industrial effects on nearby sensitive uses*

Moved: Cr Elena Pereyra
Seconded: Cr Susan Yengi

CARRIED

Cr Meredith returned to the meeting at 7:04 pm.

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6.2. Planning Application TP177/2024(1) at 341-351 Francis Street Yarraville (Bradmill Precinct)

To present for consideration a planning permit application for 341-351 & 355-359 Francis Street Yarraville, being the development of the Neighbourhood Activity Centre (NAC) – Apartment component of the Bradmill Development.

Committee Resolution

That the City Development Delegated Committee:

1. *Issue a Planning Permit for:*
 - *Use of the land for Dwellings in a Commercial 1 Zone*
 - *Construction of a building or construct or carry out works in a Commercial 1 Zone*
 - *Construction of a building or construct or carry out works in a Special Building Overlay*
 - *Construction of a building or construct or carry out works in a Heritage Overlay*
 - *Reduce the number of car parking spaces required under Clause 52.06 at 341-359 Francis Street Yarraville subject to conditions contained in Attachment 1.*

2. *Note the delegation of the Manager City Development to settle any matter before the Victorian Civil and Administrative Tribunal which may arise as a result of the issuing of this planning permit.*

Moved: Cr Susan Yengi
Seconded: Cr Samantha Meredith

CARRIED

7. COUNCILLOR QUESTION TIME

Nil.

8. URGENT BUSINESS

Nil.

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9. DELEGATED MEETING CLOSURE

The Chair, Cr Bernadette Thomas, declared the meeting closed at 7.18pm.

To be confirmed at the City Development Delegated Committee Meeting
to be held on 25 February, 2025.

Chair, Cr Bernadette Thomas