

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



**Maribyrnong City Council**

## **CITY DEVELOPMENT DELEGATED COMMITTEE MINUTES**

**Tuesday 26 March, 2024  
6.30pm**

**Community Hall  
Braybrook Community Hub  
107–139 Churchill Avenue  
Braybrook**

### **MEMBERSHIP**

Councillor Anthony Tran (Chair)  
Councillor Sarah Carter  
Councillor Michael Clarke  
Councillor Simon Crawford  
Councillor Cuc Lam  
Councillor Jorge Jorquera  
Councillor Bernadette Thomas

To be confirmed at the City Development Delegated Committee Meeting  
to be held on 30 April, 2024

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

## 1. COMMENCEMENT OF DELEGATED MEETING AND WELCOME

The meeting commenced at 6:33pm.

The Chair, Cr Anthony Tran made the following acknowledgement statement:

*“We acknowledge that we are on the traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples, past and present”.*

### PRESENT

Councillor Anthony Tran (Chair)  
Councillor Sarah Carter  
Councillor Michael Clarke  
Councillor Simon Crawford  
Councillor Cuc Lam  
Councillor Jorge Jorquera  
Councillor Bernadette Thomas

### IN ATTENDANCE

Chief Executive Officer, Celia Haddock  
Director Infrastructure Services, Patrick Jess  
Director Corporate Services, Lisa King  
Director Planning and Environment, Laura Jo Mellan  
Manager Governance and Commercial Services, Phil McQue  
Manager City Development, Ashley Minniti  
Governance Officer, Michelle McCulloch

## 2. APOLOGIES AND LEAVE OF ABSENCE

Cr Sarah Carter requested Leave of Absence from 29 March 2024 to 29 April 2024.

### Committee Resolution

*That Council approve the Leave of Absence for Cr Sarah Carter, commencing 29 March 2024 and concluding 29 April 2024.*

Moved: Cr Cuc Lam  
Seconded: Cr Michael Clarke

**CARRIED**

## 3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

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## 4. PUBLIC QUESTION TIME

Public Question Time commenced at 6:35pm and 18 questions were received.

### **Samantha Meredith asked the following questions:**

1. What infrastructure improvements is the council considering to enhance safety in the Footscray CBD, particularly in areas prone to criminal activities, such as improved lighting and better public spaces?

### **Response:**

*The Chief Executive Officer responded that Council has undertaken several public realm improvements in the Footscray CBD in the past and plans to continue incremental upgrades subject to available budget. Projects completed last financial year include upgrades to Byron Plaza – with new lighting, seating and landscaping, Dalmahoy Street – with a complete reconstruction of the road as a shared space with seating and tree planting and installation of the Nicholson Street Playspace – a temporary installation to attract families with small children to the area. This financial year there will be upgrades to Blackstone Lane to provide a more inviting pedestrian space with a new lighting installation in Nicholson Street, between Paisley and Irving Streets.*

*In terms of longer term projects, Council is working with the State Government to centralise buses in the Footscray CBD along Irving Street, allowing direct connections between buses, trains and trams. Once buses are removed from Paisley Street a complete reconstruction of the street can take place, with new drainage, extended footpaths and more greening. This project is subject to State Government funding for the relocation of buses. Council is also working with the State Government on the upgrade of the Route 82 Tram, which will provide opportunities along the route for more pedestrian friendly streets and tree planting.*

2. Is there a plan to work on urban design elements to deter criminal activities and improve the overall safety of public spaces in Footscray CBD?

### **Response:**

*The Director Planning and Environment responded that the previously mentioned projects all incorporate urban design upgrades which will seek to activate the public realm for both day and night-time activities. Further, Council continues to work with the owners and developers of key sites within the Footscray CBD to commence their approved developments, either through starting construction or to clean up their sites and provide interim uses – like the popular Rudimentary Café on Donald Street. Key sites includes the Forges site, PaintSpot and Little Saigon market site. Council is also working with small business owners to improve shop fronts to deter graffiti and to provide more street level activation.*

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3. How does the Council plan to incorporate urban design elements that enhance safety, particularly in places like Nicholson and Paisley streets in Footscray CBD, to discourage criminal activities after dark?

**Response:**

*The Director Planning and Environment responded that all the projects mentioned have the aim of increasing activity in the Footscray CBD to deter anti-social behaviour and improve activation. Streetscapes upgrades will involve numerous elements that align with Council strategies including the Footscray Structure Plan, Walking Strategy, Urban Forest Strategy and Road Safety Strategy, and include elements such as lighting to improve safety.*

**Sharon Bentley asked the following questions:**

1. Regarding Agenda Item 6.1 - 41 Warrs Road, Maribyrnong Planning Permit Application (Attachment 1)

That all communal facilities must be available to the entire development and not restricted to specific apartments and /or Owners Corporations. Is this part of the regulations governing the development?

**Response:**

*The Chief Executive Officer responded that clause 58 of the Maribyrnong Planning Scheme sets out the minimum requirements for apartment developments. Conditions of permit regulate how the development is used.*

2. I note that there is no solution available for charging of electric vehicles. In view of the growing demand for these, what is being done to provide for this?

**Response:**

*The Director Planning and Environment responded that the Sustainability Management Plan provided with the application states that the development will provide at least 1 car parking space for electric vehicle charging.*

*Condition 8(b) of the proposed planning permit being considered tonight requires that the Sustainability Management Plan be amended to confirm and explain how the car park is designed to allow for 100% Electric Vehicle charging in the future, should further charging stations be installed.*

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3. Can you please explain more about the allocation of affordable housing and how, and by whom, this will be managed?

### **Response:**

*The Chief Executive Officer responded that as required by condition 29 of the recommendation, affordable housing will be allocated and managed through an agreement with an Affordable Housing Provider registered with the State Government.*

*The condition allows for the provision of affordable housing through several ways, including the sale of housing at a discount to the market rate or the transfer of dwellings directly to the nominated housing provider at no cost.*

*If a planning permit is issued, the site owner will be required to work directly with prospective Affordable Housing Providers.*

### **Annamarie Schuller asked the following questions:**

1. Regarding Agenda Item 6.1 - 41 Warrs Road, Maribyrnong Planning Permit Application

If the Council permits the developer to use Horizon Drive for construction vehicle access to the construction site, what measures have the Council established to ensure the developer mitigates and repairs damage caused to the Horizon Drive road, and complex?

### **Response:**

*The Director Planning and Environment responded that condition 28 of the recommendation requires the permit holder to prepare a Construction Management Plan (CMP), prior to the commencement of works. The CMP must provide details on site access, parking and traffic management during construction.*

*Horizon Drive is a private road and the potential for damage arising to the property during construction are outside the scope of the planning process. The owners of the land proposing to build have obligations under the Building Act 1993 to protect adjoining property from potential damage. Necessary protection or rectification works are dealt with by the appointed building surveyor.*

2. What is the garbage management and collection plan for the new development at 41 Warrs Road?

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## **Response:**

*The Director Planning and Environment responded that all waste collection is proposed to be undertaken by a private waste collector and will occur on-site and within the basement and carpark area within the proposed development. All waste collection will occur in accordance with the approved waste management plan.*

*No waste collection will occur within the surrounding or adjoining street network, including Horizon Drive.*

3. We have heard of recent asbestos discovery on the construction site at 41 Warrs Road. If this is so, what treatment has been undertaken?

## **Response:**

*The Director Planning and Environment responded that if any asbestos is found on site, asbestos removal and disposal is regulated by the Environment Protection Authority and WorkSafe. All asbestos must be removed in accordance with Worksafe requirements, and disposed of in accordance with EPA requirements.*

## **Christopher Gallagher asked the following questions:**

1. Regarding Agenda Item 6.1 - 41 Warrs Road, Maribyrnong Planning Permit Application

Where have you allowed for additional visitor car parking spaces when the development will bring in additional traffic? The submitted plans allow for 11 visitor parking spaces, how will this be monitored to prevent residents using those places?

## **Response:**

*The Director Planning and Environment responded that whilst not required under the Maribyrnong Planning Scheme, the proposal does provide visitor car parking.*

*The Owners Corporation and building management will be responsible for ensuring visitor car parking spaces are not used for other purposes. Any on-street parking issues will be investigated and managed by Council as appropriate.*

2. How will construction vehicles and workers gain access to the construction site at 41 Warrs Road? What plans does the developer and/or the Council have to regulate and control the increased traffic around Horizon Drive and Warrs Road?

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## **Response:**

*The Director Planning and Environment responded by advising that Condition 28 of the recommended planning permit requires the permit holder to prepare a Construction Management Plan (CMP). The CMP must provide details on site access, parking and traffic management during construction.*

*In terms of the some of the proposed measures, the Department of Transport and Planning and Council's internal transport and engineering team have reviewed the proposal and both are satisfied that the increase in vehicle movements from the site can be accommodated within the existing road network.*

## **EXTENSION OF PUBLIC QUESTION TIME**

Public Question Time extended at 6:47pm.

A motion was moved by Cr Cuc Lam, seconded by Cr Michael Clarke, That Council extend Pubic Question Time for a further 15 minutes.

## **CARRIED**

3. If the Council permits the developer to use Horizon Drive for access of construction vehicles to the construction site, what measures have been established to ensure the developer mitigates and repairs damage caused to Horizon Drive and environs and that Horizon Drive is kept free of dirt, soil and litter during construction?

## **Response:**

*The Director Planning and Environment responded by referring to the Construction Management Plan required at Condition 28 of the recommendation, in addition to the elements previously mentioned, the CMP requires the permit holder to provide details on the control of sediment, dust and soiling of roadways during the construction period.*

## **Neha Malik asked the following questions:**

1. Regarding Agenda Item 6.1 – Attachment 1  
  
Referencing item 28 on the agenda attachment (Construction Management Plan), the Council is requested to please provide details of contents of the plan for each of the 17 elements (a - q) listed under this item.



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### **Response:**

*The Director Planning and Environment responded that the Construction Management Plan (CMP) is a condition on the permit. The CMP will only be prepared if a permit is granted and once building contractor is appointed.*

2. Currently around 400+ bike spots are planned for 41 Warrs Road. Can some of the bike spots be converted to car spots (in light of two facts/data points - more than 90% of Melbourne's households have at least one car, and in the current Horizon Drive complex with 198 dwellings, there are only approximately 50 bikes owned by residents)?

### **Response:**

*The Director Planning and Environment responded that the development provides both car and bicycle parking in excess of the requirements of the Maribyrnong Planning Scheme. Specifically, there are 433 car parking spaces provided for the apartments, in addition to the bike spaces mentioned.*

*Council's Integrated Transport Strategy, which is currently under review, and the Maribyrnong Planning Scheme both seek to encourage active and public transport to balance the needs of future residents against the capacity of the surrounding road network.*

*The Chair, Cr Anthony Tran, further noted that Councillors are aware of the need to ensure there is a balance of car parking spaces and bike spaces within development proposals.*

3. What allowance has been made for delivery vehicles and delivery management in the completed development at 41 Warrs Road?

### **Response:**

*The Director Planning and Environment responded that a loading bay has been provided within the building to be utilised for loading and unloading of larger vehicles, such as when residents move in or out. There would also be visitor parking provided for smaller deliveries.*

### **Samantha Lenkic asked the following questions:**

1. Regarding Agenda Item 6.1 - 41 Warrs Road, Maribyrnong Planning Permit Application  
  
What traffic management planning has been undertaken for during and post the construction period to manage the additional large volume of vehicles anticipated in the Warrs Road area?

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### **Response:**

*The Director Planning and Environment responded that as mentioned previously, construction traffic will be controlled through the Construction Management Plan required by condition 28 of the recommendation.*

*An assessment of the post-development traffic conditions was previously undertaken as part of the Development Plan approval process. This assessment was based on a higher yield of 500 dwellings and found that the existing road network and intersections will continue to operate efficiently. This includes the Warrs Road/Horizon Drive intersection.*

2. What vegetation planting plan has been established, and how will this allow to preserve views from the development at 41 Warrs Road to the river and surrounds?

### **Response:**

*The Director Planning and Environment responded that condition 4 of the recommendation requires the preparation of a detailed Landscape Plan for the development. Pages 51 and 55 of the Agenda show indicative locations for landscaping including areas for canopy tree and deep soil planting in excess of the Planning Scheme requirement for apartment development.*

*Views from the subject site towards the Maribyrnong River are limited by existing development, including apartment buildings along Horizon Drive.*

3. What are the planned locations and area allocations for the water management infrastructure and maintenance shed/storage for the development at 41 Warrs Road?

### **Response:**

*The Director Planning and Environment responded that the rain water tanks that provide for on-site collection and reuse of stormwater and located within the basement. Specific drainage matters will be addressed through the Legal Point of Discharge and Building Permit approval process.*

The Chair, Cr Anthony Tran, declared Public Question Time closed at 6:53pm.

# UNCONFIRMED MINUTES

## 5. CONFIRMATION OF MINUTES

### 5.1. Confirmation of the Minutes of the City Development Delegated Committee Meeting - 27 February 2024

To present for confirmation the minutes of the City Development Delegated Committee Meeting held on 27 February 2024.

#### Committee Resolution

*That the City Development Delegated Committee confirms the minutes of the City Development Delegated Committee Meeting held on 27 February 2024.*

Moved: Cr Cuc Lam  
Seconded: Cr Michael Clarke

**CARRIED**

## 6. OFFICER REPORTS

### 6.1. 41 Warrs Road, Maribyrnong Planning Permit Application

To present for consideration a planning application at 41 Warrs Road Maribyrnong which has an estimated cost of development of \$95M.

- *Annamarie Schuller addressed the Committee on this item.*
- *Paul Little, Planning and Property Partners, addressed the Committee on this item.*

#### Committee Resolution

*That the City Development Delegated Committee:*

1. *Issue a Planning Permit for the building and works to construct a 10 storey building at 41 Warrs Road Maribyrnong subject to conditions contained in Attachment 1.*
2. *Note the delegation of the Manager City Development the authority 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 Sarah Carter  
Seconded: Cr Simon Crawford

**CARRIED**

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## **6.2. 204 Churchill Avenue Braybrook (Caroline Chisholm Catholic College)**

To present for consideration a planning permit application which has been lodged with the Minister for Planning pursuant to Clause 53.19 of the Maribyrnong Planning Scheme for 204 Churchill Avenue, Braybrook.

### **Committee Resolution**

*That the City Development Delegated Committee:*

- 1. Resolve to advise the Minister for Planning that it supports the proposed VET and STEM building at 204 Churchill Avenue, Braybrook subject to the conditions outlined in Attachment 1.*
- 2. Note that the Manager City Development will forward this decision and internal referral comments to the Minister for Planning via the Department of Transport and Planning.*

Moved: Cr Cuc Lam  
Seconded: Cr Bernadette Thomas

**CARRIED**

*Cr Crawford left the meeting at 7:25pm.*

*Cr Crawford returned to the meeting at 7:28pm.*

## **6.3. Heritage Victoria Nomination Yarraville Railway Station Complex**

To seek Council endorsement of a submission to the Heritage Council of Victoria regarding the nomination of the Yarraville Railway Station Complex to the Victorian Heritage Register.

### **Committee Resolution**

*That the City Development Delegated Committee:*

- 1. Note the nomination of Heritage Victoria that the Yarraville Railway Station Complex be included on the Victorian Heritage Register (VHR) as a place of State-level cultural heritage significance (Attachment 1).*
- 2. Endorse the submission to the Heritage Council of Victoria in support of the Yarraville Railway Station Complex nomination to the VHR as per Attachment 2.*

Moved: Cr Michael Clarke  
Seconded: Cr Simon Crawford

**CARRIED**

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## 7. COUNCILLOR QUESTION TIME

Nil.

## 8. URGENT BUSINESS

Nil.

## 9. DELEGATED MEETING CLOSURE

The Chair, Cr Anthony Tran, declared the meeting closed at 7:35pm.

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To be confirmed at the City Development Delegated Committee Meeting  
to be held on 30 April, 2024.

Chair, Cr Anthony Tran