



# Merri-bek City Council

## Minutes of the Planning and Related Matters Meeting

Held at the Council Chamber, Merri-bek Civic Centre,  
90 Bell Street, Coburg  
on Wednesday 22 February 2023

The Mayor opened the meeting at 6.32 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

Present	Time In	Time Out
Cr Angelica Panopoulos, Mayor	6.32 pm	8.12 pm
Cr Helen Davidson, Deputy Mayor	6.32 pm	8.12 pm
Cr Adam Pulford	6.32 pm	8.12 pm
Cr Annalivia Carli Hannan	6.48 pm	8.12 pm
Cr Helen Pavlidis	6.32 pm	8.12 pm
Cr James Conlan	6.32 pm	8.12 pm
Cr Lambros Tapinos	6.34 pm	8.12 pm
Cr Mark Riley	6.32 pm	8.12 pm
Cr Monica Harte	6.32 pm	8.12 pm
Cr Oscar Yildiz JP	6.32 pm	8.12 pm
Cr Sue Bolton	6.32 pm	8.12 pm

### OFFICERS

Director Place and Environment – Joseph Tabacco  
Acting Group Manager City Development – Mark Hughes  
Planning Coordinator – Ryan Hay  
Unit Manager Governance – Troy Delia  
Team Leader Governance – Naomi Ellis

### APOLOGIES/LEAVE OF ABSENCE

Nil.

## DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

## MINUTE CONFIRMATION

### Resolution

**Cr Riley moved, Cr Pulford seconded -**

**The minutes of the Planning and Related Matters Meeting held on 25 January 2023 be confirmed.**

**Carried**

6.36 pm *Cr Tapinos left the meeting.*

## COUNCIL REPORTS

### 5.1 CITY DEVELOPMENT ACTIVITY REPORT - DECEMBER QUARTER 2022

#### Executive Summary

The City Development Urban Planning and Planning Enforcement Units are managing to produce positive results with outstanding caseloads, that resulted from high staff turnover in 2021 now returned to manageable levels. Pleasingly both the planning application caseload awaiting a decision and the planning compliance caseloads awaiting resolution have continued to reduce in the December quarter. Reducing the outstanding caseloads and improving customer service timeframes, remains a focus area for these service units.

It is evident that in the second half of 2022, there has been a reduction in the number of planning applications being received by Council. If compared to 2021, there has been a 7 per cent reduction in applications received by calendar year. Pleasingly the number of decisions made in 2022, is the highest since 2018. If compared to 2021, there has been a 5 per cent increase in the number of planning decisions being made. It is noted the team has implemented several initiatives to improve effectiveness.

The area of focus for the team is to improve the timeliness of planning permit decisions, acknowledging that decision making within the 60 statutory days continues to be slightly below the metropolitan average. It is anticipated with individual planning officer caseloads now reduced, there will be an improvement to the timeliness of planning decisions. Pleasingly Vic Smart timeframes, for mostly minor matters, remains above the metropolitan average.

Planning compliance new case numbers are around the average expected for the quarter and the number of open cases remains steady. The proactive enforcement program is on track to achieve the end of year targeted number of developments audited.

VCAT activity, remains at a lower level when compared to the pre-COVID-19 case numbers.

#### Officer Recommendation

That Council notes the City Development Activity Report – December Quarter 2022.

### Resolution

**Cr Riley moved, Cr Yildiz seconded -**

**That Council notes the City Development Activity Report – December Quarter 2022.**

**Carried**

## 5.2 255-259 ALBERT STREET, BRUNSWICK - PLANNING APPLICATION MPS/2020/528/A



<b>Property:</b>	255-259 Albert Street, BRUNSWICK			
<b>Proposal:</b>	Amend planning permit MPS/2020/528, to include the adjoining land parcel and increase dwelling yield from 16 to 35 dwellings, increase commercial space and part retention of existing heritage dwelling.			
<b>Zoning and Overlay/s:</b>	<ul style="list-style-type: none"> <li>• Mixed Use Zone</li> <li>• Development Contributions Plan Overlay (DCPO1)</li> <li>• Parking Overlay (PO1)</li> <li>• Heritage Overlay (HO149)</li> <li>• Design and Development Overlay (DDO18)</li> </ul>			
<b>Strategic setting:</b>	<table border="1"> <tr> <td>Minimal change</td> <td>Incremental change</td> <td>Significant change</td> </tr> </table>	Minimal change	Incremental change	Significant change
Minimal change	Incremental change	Significant change		
<b>Objections:</b>	<ul style="list-style-type: none"> <li>• 10 objections received</li> <li>• Key issues:             <ul style="list-style-type: none"> <li>– Car parking waiver</li> <li>– Traffic impacts on Albert Street</li> <li>– Building height</li> <li>– Noise impacts on residents</li> </ul> </li> </ul>			
<b>Planning Information and Discussion (PID) Meeting:</b>	<ul style="list-style-type: none"> <li>• Date: 17 January 2023</li> <li>• Attendees: Three objectors, three supporters, the applicant and two Council Officers.</li> <li>• No changes were agreed to, however the meeting provided an opportunity for the objectors concerns to be discussed and better understood which has also helped to inform this report.</li> </ul>			
<b>ESD:</b>	<ul style="list-style-type: none"> <li>• Minimum average NatHERS rating of 7 stars (subject to condition)</li> <li>• Gas-free development</li> <li>• 12KW Solar PV System</li> <li>• Targeted 80 per cent construction and demolition materials diverted from landfill (with stretch target of 90 per cent)</li> <li>• External shading, rainwater harvesting and low VOC</li> </ul>			
<b>Accessibility:</b>	<ul style="list-style-type: none"> <li>• Adaptable apartments comprise 85 per cent of the proposal.</li> </ul>			

<b>Key reasons for support</b>	<ul style="list-style-type: none"> <li>• High quality architectural response</li> <li>• Positive ESD response, subject to conditions</li> <li>• High proportion of accessible and affordable dwellings</li> <li>• Strikes an acceptable balance between providing increased housing density and responding to heritage buildings</li> <li>• The car parking reduction is supported subject to conditions that require two on site car share spaces. It is noted that the site is well serviced by alternative transport and the proposal has a high provision of bicycle facilities.</li> </ul>
<b>Recommendation:</b>	It is recommended that a Notice of Decision to Grant an Amendment to a Planning Permit be issued for the proposal subject to conditions.

## Officer Recommendation

That a Notice of Decision to Grant an Amendment to Planning Permit No. MPS/2020/528/A be issued for the construction of a multi storey building, including the partial demolition of the existing buildings with a reduction in car parking at **255-259 Albert Street, BRUNSWICK**, subject to the following conditions:

*(Permit condition amendments are indicated in bold)*

### Amended Plans

1. Before the development commences, 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 must be generally in accordance with the plans prepared by Studio Markli **advertised 27 October 2022 (Revision B)** and must show:
  - a) **Deletion of Unit's 006 and 007 and replacement with two on-site car share parking spaces. These spaces must be designed to comply with the requirements of Clause 52.06-9 of the Moreland Planning Scheme.**
  - b) **The demolition plan and development plans to match, whilst ensuring the extent of external walls/roof demolition is unaltered.**
  - c) **Public access and directional signage from Albert Street to the car share area.**
  - d) The tiled section of the shop facade retained, with openable glazed doors which complement the heritage place above providing access to the fire booster.
  - e) The cabinetry enclosing the fire booster to consist of a clear material including fire rated glazing **or** similar and to be identified in the materials legend.
  - f) **External lighting provided at ground floor lighting the public footpath, the thoroughfare through the site to the car share area, and rear laneway. Lighting can be integrated into the façade, awning, or front landscaping design.**
  - g) Any changes to the **plans** arising from the:
    - i. Landscape Plan in accordance with Condition 3 of the permit.
    - ii. ESD initiatives included in Condition 6.b) of the permit.
    - iii. Accessibility Report in accordance with Condition 9 of this permit.

- iv. Acoustic Assessment in accordance with Condition 11 of the permit.
- v. Waste Management Plan in accordance with Condition 14 of this permit.
- vi. Conservation and facade works in accordance with Conditions 16 and 17.

### **Compliance with Endorsed Plans**

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.02-1 and 62.02-2 of the Moreland Planning Scheme unless specifically noted as a permit condition.

### **Landscaping**

- 3. Prior to the endorsement of plans, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the plan prepared by Amanda Oliver Gardens ('AOG') **advertised 27 October 2022** but amended to show:
  - a) Any changes required by Condition 1.
  - b) **Deletion of one *Corymbia citriodora* 'Scentuous' from the ground floor front setback**
  - c) **Specify media and drainage system for all garden beds and planter boxes.**
  - d) **Include automatic irrigation system including controller and taps for connection of irrigation systems for all garden bed/planter box and near areas with pots.**
  - e) **Specify automatic irrigation details (volumes, frequency, application process and maintenance).**
  - f) **Mature canopy spreads of trees to be shown.**
  - g) **Modify maintenance program:**
    - i. **Pruning frequency of trees (e.g. to maintain building clearance from trees and creepers), and specify that all pruning of trees be done by a qualified arborist (AQF Level 3+) in accordance with AS4373-2007 Pruning of Amenity Trees).**
    - ii. **How media moisture will be monitored (e.g. moisture probes).**
    - iii. **If/when media is to be replaced for pots and planter boxes.**
    - iv. **Maintenance staff to be suitably qualified (AQF Level 3+), and have demonstrated experience managing container systems (e.g. planter boxes and pot plants) and indoor gardens (e.g. lighting, pest/disease control).**
  - h) **Specify media for all garden areas.**
  - i) Attachment of the AOG Maintenance Manual detailing the maintenance of all proposed trees, shrubs and ground covers.
  - j) Any water sensitive urban design initiatives, in accordance with the Sustainable Management Plan required by Condition 6 of this permit.

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

4. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works, including installation of automatic irrigation, must be completed in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.
5. All landscaping and irrigation systems must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Responsible Authority.

#### **Environmentally Sustainable Design (ESD)**

6. Prior to the endorsement of plans, an amended Sustainable Management Plan (SMP) and plans must be submitted to the satisfaction by the Responsible Authority. The SMP must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the SMP prepared by **Norman Disney & Young (dated 2 August 2022) advertised 27 October 2022** but modified to include the following changes:
  - a) **Relating to the Green Star self-assessment:**
    - i. **Provide evidence that the project will be registered and approved by the Green Building Council of Australia, including contracts with ESD Consultants engaged to perform these tasks.**
    - ii. **Provide an updated Green Star assessment which confirms all targeted credits and confirms the methodology for achieving a minimum 5 star building.**  
**Should the Green Star confirmation be unable to be provided, an alternative tool such as the Built Environment Sustainability Scorecard (BESS) is required.**
  - b) **Show the following ESD initiatives on the development plans:**
    - i. **The 12kW solar pV system**
    - ii. **The colour and material schedule altered to include the low VOC materials and other materials within the SMP.**
    - iii. **The 10,000L rainwater harvesting tank and its reuse within the proposal**
    - iv. **A stormwater catchment plan as per the SMP**
    - v. **Confirmation that the stairwells and naturally ventilated / operable.**
  - c) **Preliminary NatHERS ratings for all dwellings demonstrating a 7 star average, which is performed by an accredited NatHERS assessor and contains complete cooling load, heating loads, star ratings and proposed building fabric.**

Where alternative ESD initiatives are proposed to those specified in the conditions above, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes.

When submitted and approved to the satisfaction of the Responsible Authority, the amended Sustainability Management Plan and associated notated plans will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority

7. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority.

8. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Sustainability Management Plan (SMP) approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm (with documented evidence) that all measures specified in the SMP have been implemented in accordance with the approved plan.

### **Accessibility**

9. Prior to the endorsement of plans, an amended Accessibility Report prepared by a suitably qualified person must be submitted to the satisfaction of the Responsible Authority. The report must be generally in accordance with the Accessibility Report prepared by Before Compliance Pty Ltd dated **28 July 2022** but modified to:
  - a) Align with the plans for endorsement;
  - b) Confirm that **85 per cent of apartments within the** development incorporate design features in accordance with Standard D17 (Accessibility) of Clause 58 of the Moreland Planning Scheme, including the detailed design of the adaptable bathrooms (e.g. confirmation of hobless showers and removable hinges to doors).

When submitted and approved to the satisfaction of the Responsible Authority, the Accessibility Report will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority. The recommendations of the report must be implemented to the satisfaction of the Responsible Authority prior to the occupation of the development.

10. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Accessibility Report, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Accessibility Report have been implemented in accordance with the approved report.

### **Acoustic Attenuation**

11. Prior to the endorsement of plans, an amended Acoustic Report prepared by a qualified Acoustic Engineer must be submitted to the satisfaction of the Responsible Authority. The report must be generally in accordance with the Acoustic Report prepared by Stantec Australia Pty Ltd dated **28 July 2022 (Revision 3)** but modified to:
  - a) Align with the plans for endorsement.

When submitted and approved to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit. No alterations to the Acoustic Report may occur without the written consent of the Responsible Authority.

12. The building must be constructed and thereafter maintained in accordance with the recommendations contained within the approved Acoustic Report to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
13. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Acoustic Report approved pursuant to this permit or similarly qualified person or company must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Acoustic Report have been implemented in accordance with the approved Acoustic Report.

## **Waste Management**

14. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority. The WMP must be generally in accordance with the WMP prepared by One Mile Grid dated **28 September 2022** but modified to:

- a) Align with the plans for endorsement

When submitted and approved to the satisfaction of the Responsible Authority, the WMP will be endorsed to form part of this permit. No alterations to the WMP may occur without the written consent of the Responsible Authority.

15. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

## **Heritage Conservation**

16. Prior to the endorsement of plans, an amended Heritage Impact Assessment must be submitted to the satisfaction of the Responsible Authority. The Heritage Impact Assessment must be generally in accordance with the Heritage Impact Assessment prepared by Bryce Raworth dated **August 2022** but modified to:

- a) Align with the plans for endorsement.

When submitted and approved to the satisfaction of the Responsible Authority, the Heritage Impact Assessment will be endorsed to form part of this permit. No alterations to the Heritage Impact Assessment may occur without the written consent of the Responsible Authority.

17. Prior to the endorsement of plans, a full schedule of conservation works for the retained portions of the buildings, including the façade, must be submitted to the Responsible Authority. The schedule must be prepared by a suitably qualified and experienced heritage consultant, to the satisfaction of the Responsible Authority and when approved will be endorsed to form part of the permit.
18. The conservation works detailed in the endorsed schedule of works for 255-259 Albert Street must be carried out concurrently or in advance of the redevelopment of the remainder of the site.

## **3D Model**

19. Prior to the commencement of the development, a 3D digital model of the approved development which is compatible for use on Council's Virtual Moreland tools and software for Council and community must be submitted to the satisfaction of the Responsible Authority. The model should be prepared in accordance with Moreland City Council's 3D model submission guidelines. A copy of the 3D model submission guidelines and further information on the Virtual Moreland Project can be found at <https://www.moreland.vic.gov.au/planning-building/3D-Guidelines/>. In the event that substantial modifications to the building envelope are approved under an amendment to this planning permit, a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority.

## **Development Contributions**

20. Prior to the issue of a Building Permit in relation to the development approved by this permit, a Development Infrastructure Levy and Community Infrastructure Levy must be paid to Moreland City Council in accordance with the approved Development Contributions Plan.

If an application for subdivision of the land in accordance with the development approved by this permit is submitted to Council, payment of the Development Infrastructure Levy can be delayed to a date being whichever is the sooner of the following:



- For a maximum of 12 months from the date of issue of the Building Permit for the development hereby approved; or
- Prior to the issue of a Statement of Compliance for the subdivision;

When a staged subdivision is sought, the Development Infrastructure Levy must be paid prior to the issue of a Statement of Compliance for each stage of subdivision in accordance with a Schedule of Development Contributions approved as part of the subdivision.

### **Engineering Matters**

21. Any ramp providing access from the public footpath to the retail floor must be contained within the site.
22. Prior to the occupation of the development all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.

### **Stormwater**

23. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority (Note: Please contact Moreland City Council, City Infrastructure Department).
24. The surface of all balconies are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

### **General**

25. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.
26. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views. This does not include external guttering or associated rainwater down pipes.
27. The shopfront window must not be painted or blocked out in any way to the satisfaction of the Responsible Authority.
28. All external lighting, other than balcony lighting, must be no higher than 1.2 metres above ground level with automatic or sensor-controlled lighting installed and maintained on the land to illuminate pedestrian access between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of the Responsible Authority.
29. Lighting on each balcony must be designed to not emit light direct onto any adjoining property to the satisfaction of the Responsible Authority.

### **Car Share**

30. **The two car spaces accessed via the laneway are to be reserved for carshare operation at no charge to the carshare operator to use them and:**
  - a) **These spaces must be available to all members of the carshare scheme 24 hours, 7 days per week, with safe, well-lit pedestrian access;**
  - b) **Prior to occupancy of the development, these spaces must be contracted to an operator (a car-share provider that has been approved by the Responsible Authority) with evidence of agreement submitted to Council; and**
  - c) **The agreement must ensure appropriate insurance and vehicle maintenance is in place including public liability;**

- d) The carshare must be in place and operating within 4 weeks of issue of the Occupation Certificate.

#### Public works

31. Prior to the commencement of the development, a Public Works Plan and associated construction drawing specifications detailing the works to the land must be submitted to the satisfaction of the Responsible Authority. The Plan must include:

- a) All construction details in accordance with the Moreland City Council Technical Notes July 2019 (or any updated version);
- b) A detailed level and feature survey of the footpaths and roads.
- c) The upgrade of the footpath adjacent to the site. Public footpaths are to be reinstated to the previous levels with a maximum cross fall slope of 1 in 40 (2.5 per cent).
- d) Any Council or service authority pole or pit within 1 metre of the proposed vehicle crossing, including the 1 metre splays on the crossings, relocated or modified.
- e) For any vehicle crossing not being used, the kerb, channel and footpath reinstated.
- f) Any necessary drainage works.
- g) The relocation or replacement of existing and installation of new street furniture and infrastructure, such as parking and traffic signs, public seating, bicycle parking and similar.
- h) The provision of new street tree planting or landscaping along Albert Street in appropriate locations in consultation with the Responsible Authority (Open Space Department).
- i) Any other works to the public land adjacent to the development.

When submitted and approved to the satisfaction of the Responsible Authority, the Public Works Plan will be endorsed to form part of the permit. No alterations to the Public Works Plan may occur without the written consent of the Responsible Authority.

#### Permit Expiry

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

- a) the development is not commenced within **three (3) years** from the date of issue of this permit;
- b) the development is not completed within **five (5) years** from the date of issue of this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- within six months after the permit expires to extend the commencement date.
- within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

6.44 pm Cr Tapinos returned to the meeting.

6.48 pm Cr Carli Hannan entered the meeting.

6.49 pm Cr Tapinos left the meeting.

6.52 pm Cr Tapinos returned to the meeting.

6.54 pm Cr Tapinos left the meeting.

6.55 pm Cr Tapinos returned to the meeting.  
6.57 pm Cr Tapinos left the meeting.  
7.03 pm Cr Carli Hannan left the meeting.  
7.08 pm Cr Carli Hannan returned to the meeting.  
7.12 pm Cr Carli Hannan left the meeting.  
7.15 pm Cr Carli Hannan returned to the meeting.  
7.19 pm Cr Carli Hannan left the meeting.  
7.28 pm Cr Carli Hannan returned to the meeting.  
7.28 pm Cr Tapinos returned to the meeting.

## **Meeting Adjournment**

### **Resolution**

**Cr Panopoulos moved, Cr Davidson seconded -**

**That the meeting be adjourned at 7.29 pm for 15 minutes.**

**Carried**

*The Special Council meeting adjourned at 7.29 pm.*

## **Meeting Resumption**

### **Resolution**

**Cr Bolton moved, Cr Pavlidis seconded -**

**That the meeting resumes at 7.44 pm.**

**Carried**

*The Special Council meeting resumed at 7.44 pm with 10 Councillors present. Cr Carli Hannan was absent.*

7.45 pm Cr Tapinos left the meeting.

7.46 pm Cr Carli Hannan returned to the meeting.

### **Resolution**

**Cr Davidson moved, Cr Bolton seconded -**

**That a Refusal to Grant Planning Permit No. MPS/2020/528/A be issued for the construction of a multi storey building, including the partial demolition of the existing buildings with a reduction in car parking at 255-259 Albert Street, BRUNSWICK on the following grounds:**

- 1. The waiver of the car parking requirements does not meet the purpose of Clause 52.06 as the provision of no car parking:**
  - a) would not ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality; and**
  - b) would not ensure that car parking does not adversely affect the amenity of the locality.**

2. **The development fails to meet the following building setback and separation strategies of Clause 15.01-2L (Apartment developments in Merri-bek) of the Merri-bek Planning Scheme:**
  - a) **The ground level and Level 1 apartments would not have access to adequate daylight as a result of future development opportunities of the site to the north.**
  - b) **The potential daylight impacts to the ground level and Level 1 apartments would not enable the reasonable future development opportunities of the site to the north.**
3. **The development fails to satisfy the following requirements and objectives of Schedule 18 to the Design and Development Overlay at Clause 43.02 of the Merri-bek Planning Scheme:**
  - a) **The building height fails to complement the valued built form and heritage character and respect the form, design and context of buildings of individual heritage significance in the precinct.**
4. **The development fails to satisfy the following standards and objectives of Clause 58 (Apartment Developments) of the Merri-bek Planning Scheme:**
  - a) **Clause 58.05-3 – Private Open Space (Standard D20) – Only one dwelling is provided with private open space failing to provide adequate private open space for the reasonable recreation and service needs of residents.**
  - b) **Clause 58.07-1 – Functional Layout (Standard D26) – Due to the small size of the studio apartments the living area dimensions are less than the requirements of the standard, impacting on the useability, functionality and amenity of habitable rooms.**
5. **The development fails to provide adequate internal amenity for a number of apartments due to vulnerable provisions of daylight access, small apartment layouts, lack of private open space and inadequate provisions of communal open space to support co-living housing.**

7.52 pm *Cr Carli Hannan left the meeting.*

7.52 pm *Cr Carli Hannan returned to the meeting.*

7.59 pm *Cr Tapinos returned to the meeting.*

8.01 pm *Cr Riley left the meeting.*

8.02 pm *Cr Riley returned to the meeting.*

8.03 pm *Cr Tapinos left the meeting.*

8.11 pm *Cr Tapinos returned to the meeting.*

**Carried**

8.12 pm *Cr Tapinos left the meeting.*

## **URGENT BUSINESS REPORTS**

Nil.

The meeting closed at 8.12 pm.