

Applications received by Council for the lots within former Port Phillip Woollen Mills site in Nelson Place Williamstown as at 3 NOVEMBER 2014

Planning application documents (plans, application form and other supporting material) on Council's Greenlight Website & at Council offices between 8.30am and 5.00pm –115 Civic Parade, Altona.

PLANNING REF	Lot Nos	DESCRIPTION OF APPLICATION	ADVERTISED	STATUS/COMMENTS VCAT DECISIONS IN RED - HERITAGE COUNCIL MATTERS GREEN Planning Documents may be viewed at www.hobsonsbay.vic.gov.au/Planning_and_building/Planning_services/Greenlight
DECIDED BY VCAT				
PA1226025 STAGE 2 VCAT review 60 day time limit P1401/2013	Joint Major case STAGE 2 Buildings on Lots 10,11 and 12 STAGE 2	Buildings and Works - 178 dwellings including 11 storey up to 40 metres high on the Nugget Building site, townhouse dwellings in the Worksafe Advisory Area & three storey dwellings on Cecil St	Developer took to VCAT on failure to decide within 60 days	Council SPC held 20 th June 2013 AFTER Developer takes Major Case in VCAT - grounds of Failure to determine VCAT Practice Day Hearing 19 th July 2013 – ADJOURNED to February 2014 . SW Inc represented legally Preliminary hearing on need for Aboriginal Cultural Heritage Management Plan (CHMP) 16 th September – VCAT refused CHMP saying shipyards are culturally significant. Developer must submit Substitute Plans by 18 October (previously 1 October) Practice Day hearing 1 November re Acceptance of substitute plans, & determine if Mobil and Port of Melbourne to be compelled to provide safety case/management documents 15 November Practice Day Hearing – Mobil decided to remove Safety from Statement of Reasons and not have a Safety Expert appear so as not to be compelled to produce the Safety Case to the Developer. VCAT accepted Mobil's change but still required production of redacted Safety Case to Developer's legal team. 29 November Practice Day Hearing – Member determined that if Safety report provided by any party then the developer would have 2 weeks to respond with Safety Expert report. That report could rely on Mobil's Safety Case and be held in closed session in February. Legal Representatives of Save Williamstown and Council would be given access to the Safety Case to respond to developers expert report on Safety. Expert Reports due by 17 th January. Full hearing starts 3 rd February 10am MAJOR CASE Worksafe submitted that the development was too close to a Major Hazard Facility and unsuitable for residential development. Hearing extended after sitting whole of February to further hearing in May 2014 for 4 days. VCAT DECISION HANDED DOWN 25TH JULY 2014. ALL THE DEVELOPER'S AMENDED APPLICATION APPROVED 158 DWELLINGS INCLUDING 34M HIGH RISE APARTMENTS (DDO ADVISORY LIMIT 25M). APARTMENT BUILDING TO HAVE WINDOWS CAPABLE OF WITHSTANDING 6KPA OVERPRESSURE EVEN THOUGH WORKSAFE ADVISED LIKELY OVERPRESSURE BETWEEN 5 AND 8 KPA. DWELLINGS WITH THE WORKSAFE ADVISORY AREA CONTRARY TO WORKSAFE ADVICE. HOBSONS BAY COUNCIL REQUIRED TO ISSUE PERMITS - INCLUDING DEMOLITION OF HERITAGE NUGGET FACTORY UPDATE NOV 2014 - HERITAGE COUNCIL STILL TO CONSIDER NUGGET FACTORY NOMINATION FOR STATE HERITAGE REGISTER WHICH CAN OVERRIDE DEMOLITION PERMIT.
PA1225139 VCAT REF: P3193/2012	Joint Major case STAGE 2 Demolition only Lots 10, 11,12 and 14	To demolish all of the buildings on land generally bounded by Kanowna Street, Cecil Street, Windsor Terrace and Aitken Street Williamstown (excluding the Britannia Hotel). INCLUDES DEMOLISHING HISTORIC NUGGET BUILDING.	Advertised and rejected by HBCC Developer has appealed to VCAT	As at 19/11/12 Council has refused the application. 13 November the developer appealed the application for review to VCAT. If allowed this will mean demolition of the historic Nugget Factory. VCAT Directions Hearing 11 January 2013 – 7 SW objectors. Listed for 15 April. Developer requested adjournment indefinitely Practice Day Hearing 5th April 2013 before VCAT Deputy President Helen Gibson. Adjourned for VCAT MENTION on 31 July 2013 Decision to add to Major Case February 2014 with P1401/2013 DECISION HANDED DOWN 25TH JULY 2014. ALL THE DEVELOPER'S APPLICATION APPROVED. HOBSONS BAY COUNCIL REQUIRED TO ISSUE DEMOLITION PERMIT - INCLUDING DEMOLITION OF HERITAGE NUGGET FACTORY UPDATE NOV 2014 - HERITAGE COUNCIL STILL TO CONSIDER NUGGET FACTORY NOMINATION FOR STATE HERITAGE REGISTER WHICH CAN OVERRIDE DEMOLITION PERMIT.

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PA1225057 STAGE 1A SW objected to VCAT P74/2013 Dev conditions case P398/2013	Joint Major case STAGE 1A Buildings only on Lot 1 STAGE 1A	Construction of seven three-storey dwellings on Ann St with associated road works and landscaping plus a reduction in the statutory car parking rate	Advertising closed 27 September	SPC 17/12/12 - 147 objectors in total COUNCIL approved PA1225057 & PA1225059 & deferred PA1225060 Save Williamstown and Cecil/Ann/Kanowna/Aitken Residents and others have formally objected to VCAT. VCAT Section 82B appeal - case numbers are P74/2013 (C Gaud and others) & P73/2013 (V Green and others) Re Lot 3 - Developer objection to conditions - Section 80 appeal P401/2013 Practice Day Hearing 5 th April & 24 May 2013 Major Case heard for 10 days from 24 June 2013 P74/2013; P398/2013; P625/2013; P73/2013; P401/2013 & P611/2013 ADJOURNED to October 14 for 5 days VCAT Practice Day Hearing 13 September 2013 accepted BAE as a party to the hearings BAE Systems submitted agreement with developer and council to limit noise complaints to inside the buildings despite SEPP-N1 noise requirements including balconies and opening windows/doors. Condition will be disputed by SW APPROVED BY VCAT 10 DEC 2013 - 7 & 12 TOWNHOUSES - INCL NOISE CONDITIONS RE NOT INTERFERING WITH EXISTING BAE SYSTEMS & COMMERCIAL BUSINESSES COMPLIANCE WITH SEPP-N1 ADDED
PA1225059 STAGE 1A SW objected to VCAT P73/2013 Dev conditions case P401/2013	Joint Major case STAGE 1A Buildings only on Lot 3 Alternative STAGE 1A	Construction of 12 dwellings on Nelson Place ranging in height from three to four storeys with associated road works and landscaping plus a reduction in the statutory car parking rate.	Council SPC to be convened 17 December 2012 at 6pm at Council	
PA1225060 STAGE 1A Alternative VCAT review council refusal P611/2013	Joint Major case STAGE 1A Buildings only on Lot 3 STAGE 1A	Construction of a four storey building comprising 51 dwellings on Nelson Place with basement parking, associated road works and landscaping, plus a reduction in the statutory car parking rate.	Advertising closed 27 September SPC 21 st Feb 13	PA1225056 - demolition of Oriental Hotel at Council Special Planning Committee - 21 st February - 135 Original Objectors - 21/2/13 - Council has refused the application on grounds of heritage and density. Developer has appealed VCAT Section 77 Appeal Practice Day Hearing 5 th April 2013 decided this to be heard with 4 cases Lot 1 and 3 - heard together Decision by VCAT Dep President Helen Gibson. Second Practice Day Hearing 24 May 2013 Major Case heard for 10 days from 24 June 2013 P74/2013; P398/2013; P625/2013; P73/2013; P401/2013 & P611/2013 ADJOURNED to October 14 for 5 days VCAT Practice Day Hearing 13 September 2013 accepted BAE as a party to the hearings BAE Systems agreement with developer and council - see above APPROVED BY VCAT 10 DEC 2013 - 51 APARTMENTS - INCL NOISE CONDITIONS RE NOT INTERFERING WITH EXISTING BAE SYSTEMS & COMMERCIAL BUSINESSES COMPLIANCE WITH SEPP-N1 ADDED
PA1225056 STAGE 1A VCAT review council refusal P625/2013	Demolition & Buildings on Lot 2 STAGE 1A	Demolition of the existing former Oriental Hotel and construction of a six storey building comprising two commercial tenancies and 83 dwellings with associated road works and landscaping plus a reduction in the statutory car parking rate (LOT 2)	Advertising closed 27 September SPC 21 st Feb 13	PA1224762 VCAT REF: P2126/2012 APPROVED BY VCAT 10 DEC 2013 4-5 AUGUST 2014 - FULL HEARING IN HERITAGE COUNCIL TO CONSIDER ORIENTAL NOMINATION FOR STATE HERITAGE REGISTER. SAVE WILLIAMSTOWN ARGUED THAT IT WAS A RARE (EVEN UNIQUE) EXAMPLE OF PRE SEPARATION 3 STOREY BUILDING USED AS A DWELLING AND POSSIBLE COMMERCIAL USES IN REGENCY STYLE WITH ITALIANATE INFLUENCES MAKING IT THE OLDEST SUCH BUILDING IN THE SATE. 31ST OCTOBER 2014 DECISION BY VICTORIAN HERITAGE COUNCIL NOT TO ENTER INTO THE STATE HERITAGE REGISTER. - ONE DAY PRIOR TO STATE GOVERNMENT GOING INTO CARETAKER MODE. THE DEVELOPER CAN NOW DEMOLISH THE BUILDING WHEN ALL HERITAGE RECORDING IS PREPARED TO THE SATISFACTION OF HOBSONS BAY COUNCIL AND HERITAGE VICTORIA.

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PA1224762 VCAT P2126/2012	Alterations Lot 13	Heritage Britannia Hotel address 2-10 Nelson Pl, ALSO 14 Kanowna Street, Williamstown . Proposed use as display/marketing suite with associated demolition works and to waiver parking	Advertised No SPC held Council refused	16/07/12 Council has refused the application on grounds of heritage and density. Developer has appealed to VCAT Section 77 Appeal – Marketing Suite to accommodate 4 staff. Heritage Report for Council & Developer consider windows. SW objections traffic, noise, numbers at events (300?) In DD011 Worksafe Advisory Area – neither Emergency Evacuation Plan nor wall strengthening. Objectors matters never heard by Council and then ignored – objectors should have objected separately to be hear - Council reduced their objection to heritage 2 windows on Kanowna St side. VCAT hearing 18th March 2013 – decision 10 April – allow Marketing Suite, disallow change of windows ignored SW objections about DD011 requirements Worksafe Advisory Issues. See link below to VCAT decision and Save Williamstown objections which were ignored
DECIDED BUT Section87A CONDITIONS APPEAL VCAT Decision PA1124005 VCAT REF: P785/2012 APPEAL by Developer P385/2013	Demolition only of Lots 1,2,3,4, 5,6,7,8	An application to demolish Former Port Phillip Woollen Mill buildings (excluding heritage listed buildings) on the site along Nelson Place and Ann Street, Williamstown. Decided by VCAT – conditions appeal re walls removal Council made SECONDARY CONSENT and removed requirements for MAN-MADE SURFACE from conditions in Archaeological requirements BUILDINGS DEMOLISHED SEPTEMBER OCTOBER 2013	Advertised about 30 objections received. All original objectors and VCAT objectors to be notified of appeal	Refused by Council's SPC meeting 8th March 2012. VCAT hearing - 5 th December 2012 VCAT DECISION see January 2013 VCAT Decisions <u>Nelson Place Village Pty Ltd v Hobsons Bay CC & Ors [2013] VCAT 7 (3 January 2013)</u> – DEMOLITON APPROVED BUT ARCHAEOLOGIST MUST DO RECORD CULTURAL HERITAGE BEFORE DEMOLITION AND THE WALLS OF THE EXISTING WOOLLEN MILLS MUST BE RETAINED UNTIL BUILDING PLANS ARE APPROVED AND READY. NEIGHBOURS MUST NOT BE ADVERSELY EFECTED. **** CONDITION on Walls VCAT Section 87A appeal by Developer P385/2013 VCAT Hearing 6 th June 2013 2.15pm Determination of Member Baird – walls can be replaced with 3m Wooden fence and building demolished to FLOOR level. The 3m Wooden Fence is SUPPOSED to provide acoustic protection to existing residents – the basis for BAE not objecting. NB Archaeological Study as determined by Member Code in P785/2012 still applies – NO CHANGE Council made SECONDARY CONSENT and removed requirements for MAN-MADE SURFACE from conditions in Archaeological requirements Existing Residents experiencing sleep disturbance with removal of buildings. Noise from Titanic permitted unt 3am now causing complaints by residents to authorities. DEMOLITION OF WHOLE SITE SEPTEMBER TO DECEMBER 2013. TRUCKS WITH WASTE FROM SITE TRAVELLED PAST EXISTING RESIDENTS, SCHOOLS AND CHILD CARE CENTRES WITHOUT COVERS AND DUST RISING UNTIL COUNCIL TOLD DEVELOPER TO WET THE MATERIAL. WORKSAFE REQUIREMENTS APPARENTLY MEANT DEMOLITION WORKERS WERE NOT ALLOWED TO CLIMB UP AND COVER (Question why not use smaller trucks). ASBESTOS WORKERS ON SITE 13 DECEMBER 2013 COLLECTING LOOSE ASBESTOS – RESIDENTS TOLD WORKSAFE HAS NO OBLIGATION TO INFORM RESIDENTS – ONLY WORKERS NEARBY. ABORIGINAL AFFAIRS NEVER REPLIED TO COUNCIL ABOUT ARCHAEOLOGICAL SURVEY REQUIREMENTS AND NEVER SIGNED OFF ON THIS SITE BUT THE DEVELOPER WAS ALLOWED TO PROGRESS.
DECIDED BY HOBSONS BAY COUNCIL				
PA1326357	Around PPWM SItte	Buildings and works for the purpose of a fence	APPROVED by Council NO ADVERT	MAY NOT BE ADVERTISED. Illegal 3m Fence construction. Greenlight documents lack detail. Query Acoustic properties and not planned for perimeter adjacent to Oriental Hotel – write to council Council decided to permit retrospectively without reference to objectors 28 June 2013
PA1326546	Nugget Land	Illegal removal of tank	APPROVED by Council NO ADVERT	Council issued stop work for illegal work which required a permit Council decided to permit without reference to objectors – 18 July 2013