

**1 ESPLANADE HOTEL**

Cr Gross left the meeting at 7.55pm.

Cr Gross returned to the meeting at 8.00pm.

Cr Hill left the meeting at 8.00pm.

Cr Hill returned to the meeting at 8.05pm.

Cr Hutchens left the meeting at 8.07pm.

Cr Hutchens returned to the meeting at 8.11pm.

Cr Johnstone left the meeting at 8.46pm.

Cr Johnstone returned to the meeting at 8.50pm.

**Purpose**

Council's direction is sought in relation to the offer from Becton in the context of the upcoming VCAT appeal.

**MOVED Crs Gross/Hutchens**

That this Council request and authorize the officers to finalise settlement negotiations to generally support Bectons planning application as outlined in Section 1 of the officers report, on the following conditions:

- 1) That the contract and permits bind successors in title to the applicant as far as possible.
- 2) That Council advisers and officers merely remain silent on heritage matters arising in the course of the tribunal hearing.

**MOVED Gross/Hutchens – SUBSTANTIVE MOTION**

That this Council request and authorize the officers to finalise settlement negotiations to generally support Bectons planning application as outlined in Section 1 of the officers report, on the following conditions:

- 1) That the contract and permits bind successors in title to the applicant.
- 2) That Council advisers and officers merely remain silent on heritage matters arising in the course of the tribunal hearing.

**A vote was taken and the SUBSTANTIVE MOTION was CARRIED.**

Crs Johnstone and Brand voted AGAINST the motion.

**MOVED Crs Brand/Johnstone – AMENDMENT**

That this Council request and authorize the officers to finalise settlement negotiations to generally support Bectons planning application as outlined in Section 1 of the officers report, on the following conditions:

- 1) That the contract and permits bind successors in title to the applicant.
- 2) That Council advisers and officers merely remain silent on heritage matters with the exception of:
  - 2.1 That a credible street presence for Baymor flats be retained and incorporated into the development.
    - 2.1.1 The retained section of Baymor to include the entire street frontage on Victoria Street, and the return on Pollington Street to the width of the two existing garages, all to a depth into the site of at least the existing ridge line of the building on those frontages.
    - 2.1.2 Any new building form rising immediately behind the retained section of Baymor, and visible from the street, to be set back from the street, double the distance of the existing ridge line from the street façade.
    - 2.1.3 All external visible features and surfaces to generally be repaired and restored to original appearance (under suitable, qualified expert heritage guidance)
    - 2.1.4 The restored structure may, however, include interventions such as conversion of the garages to a private courtyard, insertion of a new and sympathetically designed entrance lobby to the residential tower block, and the like, all as long as the original architecture of the building remains unified and clearly predominant.

**A vote was taken and the AMENDMENT was LOST.**