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MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 10 October 2022

Released to the public on 14 October 2022



ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

Darebin City Council acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and emerging.

Council pays respect to all other Aboriginal and Torres Strait Islander communities in Darebin.

Council recognises, and pays tribute to, the diverse culture, resilience and heritage of Aboriginal and Torres Strait Islander people.

We acknowledge the leadership of Aboriginal and Torres Strait Islander communities and the right to self-determination in the spirit of mutual understanding and respect.



English

These are the Minutes for the Planning Committee meeting. For assistance with any of the items in the minutes, please telephone 8470 8888.

Arabic

هذه هي محاضر اجتماع لجنة التخطيط. للحصول على المساعدة في أي من البنود في المحاضر، يرجى الاتصال بالهاتف 8470 8888.

Chinese

这些是规划委员会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

Αυτά είναι τα Πρακτικά της συνεδρίασης της Επιτροπής Προγραμματισμού. Για βοήθεια με οποιαδήποτε θέματα στα πρακτικά, παρακαλείστε να καλέσετε το 8470 8888.

Hindi

ये योजना समिति की बैठक का सारांश है। सारांश के किसी भी आइटम में सहायता के लिए, कृपया 8470 8888 पर टेलीफोन करें।

Italian

Questo è il verbale della riunione del comitato di pianificazione. Per assistenza con qualsiasi punto del verbale, si prega di chiamare il numero 8470 8888.

Macedonian

Ова е Записникот од состанокот на Одборот за градежно планирање. За помош во врска со која и да било точка од записникот, ве молиме телефонирајте на 8470 8888.

Nepali

यी योजना समितिको बैठकका माइन्युटहरू हुन्। माइन्युटका कुनै पनि वस्तुसम्बन्धी सहायताका लागि कृपया 8470 8888 मा कल गर्नुहोस्।

Punjabi

ਇਹ 'ਪੇਜਨਾਰਬੰਦੀ ਕਮੇਟੀ' (Planning Committee) ਦੀ ਮੀਟਿੰਗ ਵਾਸਤੇ ਸੰਖੇਪ ਸਾਰਾਂਸ਼ ਹੈ। ਸੰਖੇਪ ਸਾਰਾਂਸ਼ ਵਿਚਲੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਸੰਬੰਧੀ ਸਹਾਇਤਾ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਨੂੰ ਟੈਲੀਫੋਨ ਕਰੋ।

Somali

Kuwaani waa qodobada kulanka Guddiga Qorshaynta. Caawimada mid kasta oo ka mid ah qodobada laga wada hadlay, fadlan la xiriiir 8470 8888.

Spanish

Estas son las Actas de la reunión del Comité de planificación. Para recibir ayuda acerca de algún tema de las actas, llame al teléfono 8470 8888.

Urdu

یہ پلاننگ کمیٹی کی میٹنگ کی روداد کے نقاط ہیں۔ روداد کے کسی بھی حصے کے بارے میں مدد کے لیے براہ مہربانی 8470 8888 پر فون کریں۔

Vietnamese

Đây là những Biên bản Hội Ủy ban Quy hoạch. Muốn có người trợ giúp mình về bất kỳ mục nào trong biên bản họp, xin quý vị gọi điện thoại số 8470 8888.

Table of Contents

Item Number	Page Number
1. PRESENT	1
2. APOLOGIES.....	2
3. DISCLOSURES OF CONFLICTS OF INTEREST	2
4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE	2
5. CONSIDERATION OF REPORTS	3
5.1 AMENDMENT C203DARE - HEIDELBERG ROAD HERITAGE - CONSIDERATION OF PANEL REPORT AND ADOPTION	3
5.2 APPLICATION FOR A PLANNING PERMIT D/520/2021	5
102 Perry Street, Fairfield	5
6. OTHER BUSINESS	15
6.1 GENERAL PLANING INFORMATION: SCHEDULED VCAT APPLICATIONS...	15
7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL	15
NIL	15
8. CLOSE OF MEETING.....	15

MINUTES OF THE MEETING OF THE PLANNING COMMITTEE OF THE DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE, 350 HIGH STREET PRESTON ON MONDAY 10 OCTOBER 2022

THE MEETING OPENED AT 6.32 PM

WELCOME

The Chairperson, Mayor Messina opened the meeting with the following statement:

DAREBIN CITY COUNCIL ACKNOWLEDGES THE WURUNDJERI WOI-WURRUNG PEOPLE AS THE TRADITIONAL OWNERS AND CUSTODIANS OF THE LAND AND WATERS WE NOW CALL DAREBIN AND PAYS RESPECT TO THEIR ELDERS, PAST, PRESENT AND EMERGING.

COUNCIL PAYS RESPECT TO ALL OTHER ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN.

COUNCIL RECOGNISES, AND PAYS TRIBUTE TO, THE DIVERSE CULTURE, RESILIENCE AND HERITAGE OF ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE.

WE ACKNOWLEDGE THE LEADERSHIP OF ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES AND THE RIGHT TO SELF-DETERMINATION IN THE SPIRIT OF MUTUAL UNDERSTANDING AND RESPECT.

1. PRESENT

Councillors

Cr. Lina Messina (Mayor) (Chairperson)

Cr. Trent McCarthy (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Gaetano Greco

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Susan Rennie

Council Officers

Rachel Ollivier – General Manager City Sustainability & Strategy

Jodie Watson - General Manager Governance and Engagement

Kathryn Pound – Manager City Development

Chad Griffiths – Manager City Futures

Hamish Jacobson – Senior Strategic Planner City Futures

Matthew Cullen - Coordinator Statutory Planning

Beth Lamb – Senior Statutory Planner

Jody Brodribb - Coordinator Governance Services

Rachna Gupta Singh – Senior Governance Services Officer

Michelle Martin - Governance Services Officer

Nalaka Medagoda – IT Support Officer

2. APOLOGIES

Apologies were received from Councillor Susanne Newton and Councillor Julie Williams.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Officer Recommendation

That the Minutes of the Planning Committee Meeting held on 12 September 2022 be confirmed as a correct record of business transacted.

Committee Decision

MOVED: Cr. T Hannan
SECONDED: Cr. T McCarthy

That the Minutes of the Planning Committee Meeting held on 12 September 2022 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

5. CONSIDERATION OF REPORTS

5.1 AMENDMENT C203DARE - HEIDELBERG ROAD HERITAGE - CONSIDERATION OF PANEL REPORT AND ADOPTION

EXECUTIVE SUMMARY

The Heidelberg Road Corridor Project involves a review of planning provisions for land on the northern side of Heidelberg Road, including a draft built form framework, land use studies and heritage controls. Following consultation in 2021, Council received an application for demolition of 331-333 Heidelberg Road and prioritised the heritage component of the project to protect the properties from demolition.

Amendment C203dare proposes to apply a permanent Heritage Overlay to seven individual places of heritage significance along the corridor. The amendment was publicly exhibited, and submissions invited, from 11 November to 13 December 2021.

At the Planning Committee meeting on 11 April 2022, Council considered submissions received, referred them to an independent Planning Panel and resolved to commission an independent heritage consultant to undertake a further review of the potential heritage significance of four commercial/industrial properties along the Heidelberg Road corridor.

On 16 August 2022, Council received the Panel report (**Appendix A**) from the independent Planning Panel appointed to consider the amendment. In summary, the Panel considers the amendment strategically justified, supported by a rigorous and comprehensive heritage assessment and should be adopted as exhibited subject to minor changes.

This report considers the recommendations of Panel and recommends Council adopt the amendment with minor changes to apply a permanent heritage overlay to all seven individually significant heritage properties along the Heidelberg Road Corridor.

Officer Recommendation

That the Planning Committee:

- (1) Considers the Amendment C203dare Panel Report (**Appendix A**), pursuant to section 27 of the *Planning and Environment Act 1987*.
- (2) Adopts Amendment C203dare and the Heidelberg Road Heritage Assessment – Final Report September 2020 (Amended September 2022) in accordance with section 29 of the *Planning and Environment Act 1987*, with changes reflected in **Appendix B** and **C** in accordance with the Panel's recommendations.
- (3) Authorise the Manager City Futures to make any further minor changes to the amendment documents where these are insubstantial but required for correctness, clarity or the like, including changes after approval of the Amendment by the Minister for Planning to ensure consistency with the approved planning provisions.
- (4) Submit the adopted Amendment C203dare, together with the prescribed information, to the Minister for Planning for approval pursuant to section 31 of the *Planning and Environment Act 1987*.
- (5) Write to all submitters thanking them for their submission and advising them of Council's decision.
- (6) Note the recommendations of the Heidelberg Road Alphington Heritage Assessment – Peer Review (Extent Heritage, September 2022, **Appendix D**) that none of the additional properties investigated are suitable for inclusion in a Heritage Overlay.

Committee Decision

MOVED: Cr. T Hannan

SECONDED: Cr. S Rennie

That the Planning Committee:

- (1) Considers the Amendment C203dare Panel Report (**Appendix A**), pursuant to section 27 of the *Planning and Environment Act 1987*.
- (2) Adopts Amendment C203dare and the Heidelberg Road Heritage Assessment – Final Report September 2020 (Amended September 2022) in accordance with section 29 of the *Planning and Environment Act 1987*, with changes reflected in **Appendix B** and **C** in accordance with the Panel’s recommendations.
- (3) Authorise the Manager City Futures to make any further minor changes to the amendment documents where these are insubstantial but required for correctness, clarity or the like, including changes after approval of the Amendment by the Minister for Planning to ensure consistency with the approved planning provisions.
- (4) Submit the adopted Amendment C203dare, together with the prescribed information, to the Minister for Planning for approval pursuant to section 31 of the *Planning and Environment Act 1987*.
- (5) Write to all submitters thanking them for their submission and advising them of Council’s decision.
- (6) Note the recommendations of the Heidelberg Road Alphington Heritage Assessment – Peer Review (Extent Heritage, September 2022, **Appendix D**) that none of the additional properties investigated are suitable for inclusion in a Heritage Overlay.

CARRIED UNANIMOUSLY

5.2 APPLICATION FOR A PLANNING PERMIT D/520/2021 102 Perry Street, Fairfield

SUMMARY

- The application relates to the proposed construction of three (3) double storey dwellings, each with three bedrooms, ground floor secluded private open space and two (2) onsite car parking spaces per dwelling.
- The site is zoned General Residential Zone – Schedule 1 (GRZ1) and is affected by the Development Contributions Plan Overlay – Schedule 1 (DCPO1 – currently expired).
- The mandatory garden area requirement is 30%. The proposal would achieve a garden area of 41.2%.
- Eight (8) objections were received against this application on the key grounds of overdevelopment, car parking impacts, additional vehicle crossovers, impact to street trees, orientation of dwellings, setbacks, and neighbourhood character.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme, subject to minor variations in relation to Standard B8 (Site Coverage) and B28 (Private Open Space).
- Overall, the design of the proposal interprets elements of inter-war era architecture in a contemporary way and appropriately responds to the preferred neighbourhood character of Precinct D4.
- It is recommended that the application be supported, subject to conditions.

CONSULTATION:

- Public notice was given via two (2) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred to the following units and officers: Tree Management Unit, Assets and Capital Delivery, City Design and City Designer.
- This application was not required to be referred to external authorities.

The following people addressed the meeting in relation to Item 5.2 Application for a Planning Permit D/520/2021 102 Perry Street, Fairfield

- **Kim Belfield (Applicant)**
- **Marshall Toohey (Objector)**
- **Mark Casey (Objector)**

The Coordinator Statutory Planning advised Councillors that the officer recommendation had been updated to include an additional point 1(t). The revised officer recommendation is shown below:

Revised Officer Recommendation

That Planning Permit Application D/520/2021 be supported and a Notice of Decision to Grant a Permit be issued for the development of the land for three (3) double storey dwellings in accordance with the endorsed plans at 102 Perry Street Fairfield subject to the following conditions:

- 1) Before the development starts, 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 this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the advertised plans (plans identified as TP-00, TP-01, TP-02, TP-03, TP-04, TP-05, TP-06, TP-07, TP-08, TP-09, TP-10, TP-11, TP-12, TP-13, TP-14, TP-15, TP-16 and TP-17, prepared by YBL Remmus Dated May 2022) but modified to show:
 - (a) The fence enclosing the Secluded private open space to Dwelling 1 must be a maximum of 1.8 metres in height and be of a solid material (not raw timber palings) in a colour and style that matches the design of the development. The sliding gate providing security to Dwelling 1's carport must remain at 50% visual permeability.
 - (b) A comprehensive schedule of construction materials, external finishes, colours (including colour samples).
 - (c) The first floor north and east facing habitable room windows provided with either:
 - (i) a sill with a minimum height of 1.7 metres above finished floor level;
 - (ii) a fixed external screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level; or
 - (iii) fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties. Screens must be constructed of durable materials and be integrated with the design of the development. A notation stating this must be clearly delineated on the elevation plans.
 - (d) The provision of 6 cubic metres of accessible, secure storage space for each dwelling. The storage cages must be shown with useable dimensions.
 - (e) Modifications to the garages of Unit 2 and 3 to allow for adequate bicycle parking space in accordance with Condition 5(e) of this permit. Front and side setbacks must not be reduced as a result.
 - (f) The existing redundant crossover at the corner of Perry and Kennedy Street being removed and reinstated with Curb and Channel to the satisfaction of the Responsible Authority.
 - (g) The existing speed hump on Perry being relocated and reinstated to the satisfaction of the Responsible Authority.
 - (h) External operable sun shading devices (excluding roller shutters to windows that face the street or common areas at Ground Floor) to all east and west facing habitable room windows/ glazed doors. Where sun shading devices are used a dimensioned section diagram or photograph must be provided.
 - (i) Fixed external sun shading devices to all north facing habitable room windows/ glazed doors where not located directly under an eave or overhang. Where sun shading devices are use a dimensioned section diagram or photograph must be

- provided. Shading must not extend within 1 metre of a property boundary.
- (j) All habitable room windows to be operable. Window operation must not increase overlooking of adjoining secluded private open space and/or habitable room windows. Casement, sliding and sash windows must be used for habitable room windows.
 - (k) Details of the fence on the eastern most boundary of Unit 3's Secluded private open space in accordance with Condition No.16 of this Permit.
 - (l) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
 - (i) co-located where possible;
 - (ii) located or screened to be minimally visible from the public realm;
 - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
 - (iv) integrated into the design of the building.
 - (m) The location of gas, water and electricity meters. Where meters would be visible from the public realm, these are to be:
 - (i) co-located where possible;
 - (ii) positioned on a side boundary or adjacent to the accessway; and
 - (iii) screened from view using either landscaping or durable screening that integrates with the development.
 - (n) Any fencing visible from the street, other than fencing along common boundaries shared with an adjoining site, is to be of a design, colour and quality of material that matches the character of the development.
 - (o) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
 - (p) Annotations detailing Tree Protection Measures in accordance with the requirements of Condition No. 4 of this Permit.
 - (q) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 5 of this Permit.
 - (r) Any modifications required by the Stormwater Management System Plan and Water Sensitive Urban Design (WSUD) Plan required by Condition No. 6 of this Permit.
 - (s) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
 - (t) **Compliance with Standard B8 (Site Coverage) at Clause 55.03-3 of the Darebin Planning Scheme.**

When approved, the plans will be endorsed and form part of this Permit.

- 2) The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3) Before plans are endorsed under Condition No. 1 of this Permit, the submitted landscape plan must be amended and re-submitted to the Responsible Authority for approval. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan submitted with the application must be amended to incorporate:

- (a) Tree protection measures in accordance with Condition No. 4 of this Permit.
- (b) The inclusion of a greater diversity of native and indigenous trees.
- (c) Climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including the communal outdoor open space.
- (d) Two (2) medium sized canopy trees in the private open space of the proposed development, with a minimum mature height of 8m.
- (e) Four (4) small sized canopy trees in the private open space of the proposed development, with a minimum mature height of 4m.
- (f) All irrigation methods are to be clearly labelled and added to the landscape plan.
- (g) Annotated details are required to specify raised planter beds, planter boxes, climbing structures, surface materials such as all pavers and concrete and all tree and shrub planting applications.
- (h) All landscape applications, irrigation methods, WSUD treatments, maintenance and installation and those items relating to landscaping as part of the SMP are to be added to the landscape plan.
- (i) The landscape plan must clearly demonstrate how trees within 'confined' POS areas will successfully establish and remain viable for the long-term (adequate soil volumes, irrigation etc).
- (j) Any modifications relating to landscaping required as a result of the Sustainable Design Assessment required by Condition No. 5 of this Permit.
- (k) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 6 of this Permit.
- (l) Details of all existing trees to be removed and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
- (m) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- (n) A diversity of plant species and forms.
- (o) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter beds and decking.
- (p) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
- (q) Hard paved surfaces at all entry points to dwellings.
- (r) The location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, clotheslines, tanks, storage, bike racks and the like).
- (s) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
- (t) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
- (u) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must

be avoided.

- (v) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, ground covers and climbers.

The requirements of the endorsed Landscape Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

The development must not be occupied, unless otherwise approved by the Responsible Authority in writing, until the landscaping works shown on the endorsed Landscape Plan are completed to the satisfaction of the Responsible Authority.

No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.

The landscaping shown on the endorsed Landscape Plan must be maintained to the satisfaction of the Responsible Authority, including by replacing any dead, diseased, dying or damaged plants to the satisfaction of the Responsible Authority.

All landscaped areas must be provided with an appropriate irrigation system to the satisfaction of the Responsible Authority.

- 4) Before plans are endorsed under Condition 1 of this permit, and before demolition begins on site, a Tree Protection Management Plan (TPMP) prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Darebin City Council. This report must be made available to all relevant parties involved with the site.
 - a) The TPMP must include:
 - i) Details of Tree Protection Zones, as per AS4970-2009, for Trees 1, 2, 3, 4, 5, 6 and 7 as defined in the arborist report prepared by TMC Reports received 18/08/2021, and the NDRI report prepared by Bluegum received 29/03/2022
 - ii) Protection measures to be utilised and at what stage of the development they will be implemented;
 - iii) Appointment of a project arborist detailing their role and responsibilities;
 - iv) Stages of development at which the project arborist will inspect tree protection measures and;
 - v) Monitoring and certification by the project arborist of implemented protection measures.
 - b) Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.
 - c) Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.
 - d) The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites. The TPP must:
 - i) Be legible, accurate and drawn to scale;
 - ii) Indicate the location of all tree protection measures to be utilised and;
 - iii) Include the development stage (demolition, construction, landscaping) of all tree protection measures to be utilised and;
 - iv) Include a key describing all tree protection measures to be utilised.

- e) All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
- f) Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified Arborist.

The requirements of the endorsed Tree Protection Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

- 5) Before plans are endorsed under Condition No. 1 of this Permit, the submitted Sustainable Design Assessment (SDA) must be amended and re-submitted to be approved by the Responsible Authority. When approved, the SMP will be endorsed and will then form part of this Permit. The SMP must be amended to address:
 - (a) Meet the minimum 50% overall score and minimums in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS to demonstrate best practice in sustainable design.
 - (b) To claim the Water 3.1 Water Efficient Landscaping BESS credit, indicate on plans water efficient irrigation, connection of irrigation system to rainwater tank or water efficient plant selection including drought-tolerant turf/lawn.
 - (c) To claim the Energy 3.3 External Lighting BESS credit, plans need to indicate a commitment that all external lighting will be controlled by a motion detector.
 - (d) Indicate on plans a commitment to specifying heating and cooling system type and minimum efficiency to reflect what has been entered into BESS assessment.
 - (e) Indicate on plans a commitment to specifying hot water system type and minimum efficiency to reflect what has been entered into BESS assessment.
 - (f) The Transport 1.1 Bicycle parking – residential BESS credit for resident parking is not available for mounted bicycle parking above car bonnets and spaces that are exposed to the weather due to access difficulties. If a bike rack/hook on the long garage long wall of each dwelling it must allow for clear access paths and minimum car parking space requirements. Please amend current locations for Units 2 & 3.
 - (g) The Urban Ecology 2.1 Vegetation BESS credit must include only turfed or planting areas and cannot include other landscaping elements such as hard paving/pavers (including permeable paving), loose pavers/stepping stones aggregate/pebbles, synthetic grass, decks, pool, RW tanks, storage sheds etc. This area must be demarcated on landscape plan accurately and entry in BESS must be updated accordingly.

The requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority.

- 6) Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report and Water Sensitive Urban Design Plan (WSUD) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
 - (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines

(Victorian Stormwater Committee, 1999), including;

- (i) An assessment using an industry recognised stormwater tool;
 - (ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
 - (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
 - (iv) A plan illustrating where all impervious surfaces will be treated and drained;
 - (v) A construction and maintenance schedule.
- 7) Before plans are endorsed under Condition No. 1 of this Permit, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of this Permit. The Site Management Plan must be generally in accordance with Melbourne Water's *Keeping Our Stormwater Clean – A Builder's Guide* (2002) and must describe how the site will be managed prior to and during the construction period, including requirements for:
- (a) Erosion and sediment.
 - (b) Stormwater.
 - (c) Litter, concrete and other construction wastes.
 - (d) Chemical contamination.
- The requirements of the endorsed Site Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 8) At the completion of the constructed ground floor level(s), and before the starting of the building frame or walls, a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority, confirming the ground floor level(s). The report must be submitted to the Responsible Authority no later than 7 days from the date of the inspection.
- The development must not be occupied until a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority is submitted to the Responsible Authority, confirming the floor level(s).
- 9) Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.
- The external lighting must be designed, baffled and located to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.
- 10) The land must be drained to the satisfaction of the Responsible Authority.
- 11) Prior to the occupation of the development, the existing redundant crossover at the corner of Perry and Kennedy Street is to be removed and reinstated with Curb and Channel to the satisfaction of the Responsible Authority.
- 12) Prior to the occupation of the development, the existing speed hump on Perry is to be relocated and reinstated to the satisfaction of the Responsible Authority.
- 13) All guttering, rainheads, pipes including downpipes, fixtures, fittings and vents servicing any building on the site including those associated with a balcony must be:
- (a) concealed in service ducts or otherwise hidden from view; or
 - (b) located and designed to integrate with the development,

to the satisfaction of the Responsible Authority.

- 14) No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- 15) The clothesline to each dwelling must not be visible from Perry Street or Kennedy Street.
- 16) Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.
- 17) Before occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - (a) Constructed;
 - (b) Properly formed to such levels that they can be used in accordance with the plans;
 - (c) Surfaced with an all-weather sealcoat;
 - (d) Drained;to the satisfaction of the Responsible Authority.

- 18) The development must not be occupied until a fence/s to a minimum height of 1.8 metres above natural ground level are erected along the northern and eastern boundaries (including the southern boundary of Unit 3 Private open space). The fence/s must be constructed to the satisfaction of the Responsible Authority.

If an existing fence/s on the northern and eastern boundaries with a height less than 1.8 metres is structurally sound, the fence height may be increased by the addition of a free-standing, self-supporting trellis adjacent to the fence to the required height. If used, such trellis must be a maximum of 25% visually permeable and be fixed, permanent, durable and of materials, finishes and colour that will blend in with the development.

- 19) Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
- 20) Prior to the occupation of the development, the speed hump on Perry Street must be removed and relocated to the satisfaction of the Responsible Authority.
- 21) Before the occupation of the development, all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority.
- 22) This Permit will expire if either:
 - (a) The development does not start within three (3) years from the date of this Permit; or
 - (b) The development is not completed within five (5) years of the date of this Permit.As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
 - (a) Before this Permit expires;
 - (b) Within six (6) months after the expiry date; or
 - (c) Within twelve (12) months after the expiry date if the request relates to the

completion of the development or a stage of the development.

NOTATIONS

(These notes are provided for information only and do not constitute part of this permit or conditions of this permit)

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal (VCAT).
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the development, they must be brought to the attention of Council as additional planning assessment may be required through separate planning approval.
- N4. This Planning Permit represents the planning approval for the use/and or development of the site and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the use/and or development allowed by this planning permit starts.
- N5. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- N6. This planning permit is to be attached to the "statement of matters affecting land being sold", under Section 32 of the Sale of *Land Act 1962* and any tenancy agreement or other agreement under the *Residential Tenancies Act 1997*, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.

Alternate Motion**MOVED: Cr. E Dimitriadis****SECONDED: Cr. T Laurence**

That Council does not support Planning Application D/520/2021 on the following grounds:

1. The proposal does not adequately respond to the preferred neighbourhood Character of the area under Clause 21.03-4 and as specified in the Neighbourhood Character Guidelines (Precinct D4 Interwar), specifically:
 - a. The proposal does not respect the predominant front setback of the dwelling to the north.
 - b. The proposal requires a high front fence on Perry Street to provide privacy to Dwelling 1's private open space and therefore does not respond to keeping fences to a low-medium height and preferably transparent.
2. The proposed buildings' site coverage does not comply with Clause 55.01-3 (Site Coverage) as varied by the General Residential Zone Schedule 1 (50%).
3. The upper level of the development is not sufficiently setback and will cause unreasonable visual bulk impacts when viewed from the street and adjoining properties.

The alternate motion was put and carried.

Committee Decision**MOVED: Cr. E Dimitriadis****SECONDED: Cr. T Laurence**

That Council does not support Planning Application D/520/2021 on the following grounds:

1. The proposal does not adequately respond to the preferred neighbourhood Character of the area under Clause 21.03-4 and as specified in the Neighbourhood Character Guidelines (Precinct D4 Interwar), specifically:
 - a. The proposal does not respect the predominant front setback of the dwelling to the north.
 - b. The proposal requires a high front fence on Perry Street to provide privacy to Dwelling 1's private open space and therefore does not respond to keeping fences to a low-medium height and preferably transparent.
2. The proposed buildings' site coverage does not comply with Clause 55.01-3 (Site Coverage) as varied by the General Residential Zone Schedule 1 (50%).
3. The upper level of the development is not sufficiently setback and will cause unreasonable visual bulk impacts when viewed from the street and adjoining properties.

CARRIED

For: Cr's. Dimitriadis, Greco, Laurence, McCarthy and Messina (5)

Against: Cr's. Hannan and Rennie (2)

6. OTHER BUSINESS

6.1 GENERAL PLANING INFORMATION: SCHEDULED VCAT APPLICATIONS

The General Planning Information attached at **Appendix A** contains lists of:

- Scheduled VCAT appeals for the information of the Planning Committee. The table includes appeals heard as well as those scheduled for the coming months (but does not include mediations and practice day hearings).

Officer Recommendation

That the General Planning Information attached as **Appendix A** be noted.

Committee Decision

MOVED: Cr. T McCarthy
SECONDED: Cr. S Rennie

That the General Planning Information attached as **Appendix A** be noted.

CARRIED UNANIMOUSLY

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil

8. CLOSE OF MEETING


The meeting closed at 7.16 pm .

**CITY OF
DAREBIN**

274 Gower Street, Preston
PO Box 91, Preston, Vic 3072
T 8470 8888 F 8470 8877
E mailbox@darebin.vic.gov.au
darebin.vic.gov.au

 **National Relay Service**
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If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service.

 **Speak your language**
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