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MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 10 November 2025

Released to the public on 12 November 2025



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.



(2)

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.

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**PLANNING COMMITTEE MEETING MINUTES
DAREBIN CITY COUNCIL, HELD IN THE COUNCIL CHAMBER AT
350 HIGH STREET PRESTON, MONDAY 10 NOVEMBER 2025**

THE MEETING OPENED AT 6.31PM.

OPENING OF MEETING

The Chairperson, Mayor Kristine Olaris opened the meeting with the following statement:

“I acknowledge the Wurundjeri Woi-wurrung people who are the Traditional Owners of the land. I recognise their continuing connection to the land, water and culture. I pay my respects to Elders past, present and emerging.”

1. PRESENT

Councillors

Cr. Kristine Olaris OAM (Mayor)
Cr. Emily Dimitriadis (Deputy Mayor)
Cr. Matt Arturi
Cr. Connie Boglis OAM
Cr. Ruth Jelley
Cr. Julie O'Brien
Cr. Alexandra Sangster
Cr. Vasilios Tsalkos
Cr. Angela Villella

Council Officers

Anne Howard - Chief Executive Officer
Vanessa Petrie - General Manager City Sustainability and Strategy
Chad Griffiths - Manager City Development
Neil Cooney - Head of Statutory Planning
Matthew Cullen – Coordinator Statutory Planning
Jolyon Boyle - Coordinator Statutory Planning
Harry Gange - Principal Planner
Harrison Smith - Senior Statutory Planner
Jody Brodribb - Coordinator Governance Services

2. APOLOGIES

Nil.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Cr. Ruth Jelley disclosed a general conflict of interest in Item 5.2 Application for Planning Permit D/204/2025 75 Flinders Street Thornbury Vic 3071, due to a personal relationship with a work colleague.

Cr. Alexandra Sangster disclosed a general conflict of interest in Item 5.2 Application for Planning Permit D/204/2025 75 Flinders Street Thornbury Vic 3071, due to the proximity of her place of residence to the potential development site.

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Committee Decision

MINUTE NO. 25-175**MOVED: Cr. R Jelley****SECONDED: Cr. M Arturi**

That the Minutes of the Planning Committee Meeting held on 13 October 2025 be confirmed as a correct record of business transacted.

CARRIED

For: Cr's: Arturi, Boglis, Dimitriadis, Jelley, O'Brien, Tsalkos, Villella and Olaris (8)

Abstained: Cr. Sangster (1)

5. CONSIDERATION OF REPORTS

5.1 PLANNING APPLICATION D/67/2001/C 323 High Street Northcote

Author: Principal Statutory Planner

Reviewed By: General Manager City Sustainability and Strategy

The following community members made 3 minute verbal submissions in relation to Item 5.1:

1. *Jonathon Yap (Applicant)*
2. *Toby Scott (Objector)*
3. *Nicholas Murphy (attending virtually) (Objector)*
4. *David Tatnall (Objector)*
5. *Vanessa Walker (Objector)*
6. *Andy Miller (Objector)*
7. *Salar Tavakoli Manshadi (Objector)*
8. *Tim Dow (Objector)*
9. *Andrew Mansfield (Objector)*

Applicant	Owner	Consultant
Ratio Consultants Pty Ltd	Lloyd Martin Pty Ltd	Timmins Architecture

SUMMARY

Property Address:	323 High Street NORTHCOTE VIC 3070
Proposal:	The application seeks to amend Planning Permit D/67/2001, to modify the permit preamble, permit conditions and endorsed plans to enable a McDonalds convenience restaurant to operate from the existing premises. The following amendments are proposed: <u>Planning Permit and Conditions:</u> • Use of the land as a convenience restaurant in lieu of the previously approved café/restaurant use. • Deletion of Condition No. 2 in relation to the operating hours of the previous uses on the site. • Deletion of Condition No. 3 in relation to the restriction of rooftop plant equipment being visible from the street or abutting properties. • Deletion of Condition No. 5 in relation to the hours of the closure of the adjoining public walkway to the public. • Deletion of Condition No. 8 in relation to the restriction of the premises to be used as a live band venue or nightclub.

	• Modifications to Condition No. 9 to update references to EPA noise regulations. <u>Endorsed Plans:</u> • Alterations to the existing building including: ○ Refurbishment of the building interior to facilitate the proposed convenience restaurant. ○ Alterations to the front and rear façade of the building, including installation of new glazing, removal of parapet, construction of a section of wall. ○ Refurbishment of the rear loading bay area, including construction of a waste storage/delivery area, provision of bike parking and fencing. ○ Addition of business identification signage associated with a convenience restaurant (no permit required).
Zoning and Overlay/s:	• Commercial 1 Zone (C1Z). • Design and Development Overlay – Schedule 14 (DDO14). • Development Contributions Plan Overlay – Schedule 1 (DCPO1)
Car Parking:	No car parking is currently provided on the subject site in accordance with the original planning permit. In accordance with Clause 52.06-3 of the Darebin Planning Scheme, the car parking waiver associated with the proposed convenience restaurant use does not require a planning permit.
Is a Developer Contribution required?	No, as the application does not result in a net increase in floor area to the existing building.
Consultation:	• 260 letters were sent to surrounding owners and occupiers (within a 150-metre radius of the subject site). • Two advertising signs were placed on the subject site during the advertising period. One (1) sign was displayed along the High Street frontage and one (1) sign was displayed along the Little Eastment Street frontage.
Objections:	• 110 objections were received against the application, including three (3) petitions. • The key objection grounds raised against the application include: ○ Potential adverse impacts of a convenience restaurant on the cultural identity and character of the surrounding area. ○ Potential economic and social impacts of a convenience restaurants on surrounding businesses and the

	surrounding area. ○ Potential public health and community wellbeing concerns associated with the operation of a convenience restaurant. ○ Potential adverse amenity impacts resulting from the use (and operating hours) on surrounding businesses and residential areas, including noise, lighting, odours, patron management. ○ Potential waste and environmental impacts associated with the operation of a convenience restaurant. ○ Potential traffic congestion and car parking availability concerns resulting from the proposed use.
Key reasons for support:	• Under the Darebin Planning Scheme, and common to the Commercial 1 Zone across metropolitan Melbourne, a 'Convenience restaurant' is an as-of-right use (no permit required). Car parking and business identification signage associated with the proposal are also exempt from requiring planning permission. • The only aspect of this proposal that requires planning permission (and that Council can consider) are the minor buildings and works proposed to the existing premises. • The buildings and works proposed are consistent with the objectives of the Commercial 1 Zone and Design and Development Overlay – Schedule 14, will not result in any appreciable offsite impacts, and are therefore supported. • The proposed modifications to the existing building will significantly improve the currently deteriorated condition. This will ensure that the building does not detract from the vibrancy of the surrounding area within the Northcote Activity Centre. • The proposal for an as-of-right (no permit required) convenience restaurant in Northcote Activity Centre will add to the mixture of uses in the centre and will contribute to the local economy through the provision of additional employment opportunities and the diversification of uses in the commercial precinct. • The buildings and works to the façade of the existing building provide a minimalistic and simplified design that is congruent with other surrounding commercial buildings. This will ensure that the building presents as a positive addition to the streetscape and surrounding area. • The sites locational attributes within the Northcote Activity Centre, including excellent access to public and active transport services support the minimal car parking provision and will promote and encourage future customers to use sustainable modes of transport to get to and from the premises.

Recommendation:

Notice of Decision to Grant an Amended Planning Permit, subject to conditions.

Recommendation**RECOMMENDATION PART A:**

That Planning Permit Application D/67/2001/C be supported and a Notice of Decision to Amend a Permit be issued for Redevelopment of Northcote Arcade (buildings and works) including the erection of advertising signs and the waiving of car parking requirements in association with the use of the land for the purpose of a convenience restaurant in accordance with the endorsed plans in accordance with the endorsed plans, subject to the following changes to Planning Permit D/67/2001 (as amended):

- (1) The Planning Permit preamble amended from:
'Redevelopment of Northcote Arcade (buildings and works) including the erection of advertising signs and the waiving of car parking requirements in association with the use of the land for the purpose of retail premises, incorporating one shop tenancy, a landscaping gardening supplies tenancy and a 24 hour licenced food and drink premises (café/restaurant with seating for 252 patrons, including alfresco dining to High Street) in accordance with the endorsed plans'
To
'Redevelopment of Northcote Arcade (buildings and works) including the erection of advertising signs and the waiving of car parking requirements in association with the use of the land for the purpose of a convenience restaurant in accordance with the endorsed plans.'
- (2) The inclusion of a new Condition No. 1 to refer to the plans submitted with this amendment application and to include Condition 1 requirements as follows:
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 generally be in accordance with those submitted to Council under Amendment C to Planning Permit D/67/2001 (identified as DA05, DA06, DA07, DA08, DA09 & DA10, Issue A, dated 22 August 2025 and prepared by Timmins Architecture) but modified to show:
 - a) any modifications required as a result of the approved Landscape Plan (Refer to Condition No. 11 of this Permit).
 - b) any modifications required as a result of the approved Waste Management Plan (Refer to Condition No. 12 of this Permit).
- (3) Deletion of Condition No. 2 which states the following:
'Without the prior written consent of the Responsible Authority, the café/restaurant must only operate between the hours of 6.00am to 3.00am seven (7) days a week'.
- (4) Deletion of Condition No. 3 which states the following:
'No exterior plant equipment shall be placed on the roof of the development so as to be visible from the street or abutting properties to the satisfaction of the Responsible Authority'.
- (5) Deletion of Condition No. 5 which states the following:
'The walkway connecting High Street to the car park to the rear is to be secured

(closed off from public access) outside the operating hours of the permitted uses authorised under this permit’.

- (6) Deletion of Condition No. 8 which states the following:

‘The premises must not be operated as a live band venue or nightclub or the like, to the satisfaction of the Responsible Authority’.

- (7) Condition No. 9 amended from:

‘The uses hereby permitted must be operated at all times in a manner that achieves compliance with the requirements of the State Environment Protection Policy (Control of Music Noise from Commerce, Industry and Trade) No. 1 and State Environment Protection Policy (Control of Music Noise from Public Premises) No. N.2’.

To:

‘Noise levels associated with the permitted use/s on the land must not exceed the maximum levels under the Environment Protection Regulations 2021 (Part 5.3) and the Noise Limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (publication 1826 – Noise Protocol).

- (8) Deletion of Condition No. 10, which states:

‘Signs, including advertising detail, shall be the subject of further planning approval under the Darebin Planning Scheme’.

- (9) The inclusion of a new Condition No. 11, which states:

Before amended plans are endorsed under Condition 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority, in relation to the proposed planter boxes at the front of the site. When approved, the landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person, drawn to scale with dimensions, and must incorporate the following:

- a) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- b) A diversity of plant species and forms.
- c) Annotated graphic construction details of the proposed planter boxes.
- d) The location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, tanks, storage, bike racks and the like).
- e) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
- f) Scale, north point and appropriate legend.
- g) Landscape specification notes including general establishment and maintenance requirements.

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.

(10) The inclusion of a new Condition No. 12, which states:

Before amended plans are endorsed under Condition 1 of this Permit, an amended Waste management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will then form part of this Permit. The Waste Management Plan must be generally in accordance with the document identified as (Waste Management Plan, dated 30 July 2025 and prepared by Ratio Consultants) but modified to show:

- a) Waste collection times updated to state that waste collection will only occur between the hours of 7:00am – 10:00am, Monday – Sunday.
- b) Details of the loading and unloading arrangements, to be generally in accordance with the loading management specifications detailed in the document identified as (Transport Impact Assessment, dated 2 September 2025 and prepared by Ratio Consultants), to include the following details:
 - i. Sizes of the delivery vehicles.
 - ii. Types of deliveries that will be undertaken and the frequency of these deliveries.
 - iii. Confirmation that the loading and unloading of goods from delivery trucks will be undertaken only between the hours of 7:00am – 10:00am, Monday – Sunday.
 - iv. Provision of vehicle swept path assessments for all types of delivery trucks proposed to be utilised, demonstrating that B85/B99 percentile vehicles can enter and exit the loading bay area in accordance with Australian Standard AS2890.1:2004.

The provisions, recommendations and requirements of the approved Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Waste storage and collection must not cause interference with the circulation and parking of vehicles on abutting streets.

The waste storage and collection area must not be used for any other purpose and must be maintained in a clean and tidy condition, and free from offensive odour, to the satisfaction of the Responsible Authority.

(11) The inclusion of a new Condition No. 12, which states:

‘The loading and unloading of goods from vehicles must only be carried out on the site within the loading bay area shown on the endorsed plans and must not disrupt the circulation and parking of vehicles on the land or abutting streets’

RECOMMENDATION PART B:

That Council delegates the Manager City Development to instruct Officers and/or Solicitors in appearing for Council at any appeal to the Victorian Civil and Administrative Tribunal (VCAT) and/or in further discussions/consultation with parties.

Motion

MOVED: Cr. J O'Brien

SECONDED: Cr. E Dimitriadis (Deputy Mayor)

PART A:

That the Planning Committee does not support Planning Application D/67/2001/C and issues a Notice of Refusal on the following grounds:

- (1) The proposal is inconsistent with the vision and intent of the local activity centre, pursuant to Clause 11.03-1L-03 Northcote Activity Centre, which seeks to foster diverse and locally distinctive mix of businesses that contribute to a walkable, vibrant community precinct.
- (2) Contrary to Clause 11.03-1L-03 Northcote Activity Centre, the introduction of a large-format fast-food outlet will materially alter the look, feel, and identity of the precinct, replacing the fine-grained, locally driven business character that currently defines the area with a corporate, multi-national, standardised model that does not contribute to local distinctiveness.
- (3) The proposal will result in adverse impacts on the environment and will detrimentally impact on the amenity of the surrounding area, pursuant to Clause 65.01, due to the intensity and scale of the proposed use, including late-night operations, that are not in keeping with the established rhythm, amenity expectations and social fabric of the surrounding neighbourhood and those residents that call it home.
- (4) The proposal will result in unacceptable traffic flow and congestion in relation to the parking of vehicles, loading and unloading of delivery vehicles and waste collection, pursuant to Clause 65.01
- (5) The visibility of the new roof plant equipment will detrimentally impact on the presentation of the building to the streetscape and is contrary to the decision guidelines of the Commercial 1 Zone at Clause 34.01.

PART B:

That the Planning Committee delegates the Manager City Development to instruct Officers and/or Solicitors in appearing for Council at any appeal to the Victorian Civil and Administrative Tribunal (VCAT) and/or in further discussions/consultation with parties.

PART C:

That the Planning Committee:

- (1) Notes the significant level of community concern about the proposal, including its impacts on safety, local character, neighbourhood amenity, the viability of small local businesses, and congestion caused by food delivery services.
- (2) Acknowledges that under current State Planning Provisions, Council's ability to technically refuse or modify such applications is limited, with the planning framework offering insufficient tools to consider or address many of the social, economic and cumulative impacts raised by the community.
- (3) Requests that the Chief Executive Officer write to the Minister for Planning to:
 - a) Convey Council's concern that the current planning framework inadequately captures the community's legitimate amenity, character, health and environmental impacts from fast-food and late-trading outlets; and

- b) Advocate for a review of relevant provisions to provide councils with greater ability to assess these effects in future applications.
- (4) Reaffirms that Council welcomes appropriate commercial investment and job creation in Darebin but expects new developments to positively contribute to local character, sustainability, community wellbeing and the diversity of local enterprise.

THE MOTION WAS PUT AND CARRIED AND BECAME THE COMMITTEE DECISION AS FOLLOWS:

Committee Decision

MINUTE NO. 25-176

MOVED: Cr. J O'Brien
SECONDED: Cr. E Dimitriadis

PART A:

That the Planning Committee does not support Planning Application D/67/2001/C and issues a Notice of Refusal on the following grounds:

- (1) The proposal is inconsistent with the vision and intent of the local activity centre, pursuant to Clause 11.03-1L-03 Northcote Activity Centre, which seeks to foster diverse and locally distinctive mix of businesses that contribute to a walkable, vibrant community precinct.
- (2) Contrary to Clause 11.03-1L-03 Northcote Activity Centre, the introduction of a large-format fast-food outlet will materially alter the look, feel, and identity of the precinct, replacing the fine-grained, locally driven business character that currently defines the area with a corporate, multi-national, standardised model that does not contribute to local distinctiveness.
- (3) The proposal will result in adverse impacts on the environment and will detrimentally impact on the amenity of the surrounding area, pursuant to Clause 65.01, due to the intensity and scale of the proposed use, including late-night operations, that are not in keeping with the established rhythm, amenity expectations and social fabric of the surrounding neighbourhood and those residents that call it home.
- (4) The proposal will result in unacceptable traffic flow and congestion in relation to the parking of vehicles, loading and unloading of delivery vehicles and waste collection, pursuant to Clause 65.01
- (5) The visibility of the new roof plant equipment will detrimentally impact on the presentation of the building to the streetscape and is contrary to the decision guidelines of the Commercial 1 Zone at Clause 34.01.

PART B:

That the Planning Committee delegates the Manager City Development to instruct Officers and/or Solicitors in appearing for Council at any appeal to the Victorian Civil and Administrative Tribunal (VCAT) and/or in further discussions/consultation with parties.

PART C:

That the Planning Committee:

- (1) Notes the significant level of community concern about the proposal, including its impacts on **safety**, local character, neighbourhood amenity, the viability of small local businesses, and congestion caused by food delivery services.
- (2) Acknowledges that under current State Planning Provisions, Council's ability to

technically refuse or modify such applications is limited, with the planning framework offering insufficient tools to consider or address many of the social, economic and cumulative impacts raised by the community.

- (3) Requests that the Chief Executive Officer write to the Minister for Planning to:
- a) Convey Council's concern that the current planning framework inadequately captures the community's legitimate amenity, character, health and environmental impacts from fast-food and late-trading outlets; and
 - b) Advocate for a review of relevant provisions to provide councils with greater ability to assess these effects in future applications.
- (4) Reaffirms that Council welcomes appropriate commercial investment and job creation in Darebin but expects new developments to positively contribute to local character, sustainability, community wellbeing and the diversity of local enterprise.

CARRIED

For: Crs Boglis, Dimitriadis, Jelley, O'Brien, Sangster, and Villella (6)

Against: Crs Arturi, Tsalkos, and Olaris (3)

7.35pm – The meeting adjourned for a break.

7.41pm – The meeting resumed.

5.2 APPLICATION FOR PLANNING PERMIT D/204/2025 - 75 Flinders Street THORNBURY VIC 3071

Author: Senior Statutory Planner

Reviewed By: General Manager City Sustainability and Strategy

Cr. Ruth Jelley disclosed a general conflict of interest in Item 5.2 Application for Planning Permit D/204/2025 75 Flinders Street Thornbury Vic 3071, due to a personal relationship with a work colleague.

Cr. Alexandra Sangster disclosed a general conflict of interest in Item 5.2 Application for Planning Permit D/204/2025 75 Flinders Street Thornbury Vic 3071, due to the proximity of her place of residence to the potential development site.

7.42pm - Cr. Jelley and Cr. Sangster left the meeting.

The following community members made 3 minute verbal submissions in relation to Item 5.2.

1. Sue Zhang (Applicant) (attending virtually)
2. Shane Mullenger (Objector)
3. Angela Bourke (Objector)
4. Bayram Kiani (Objector)
5. Jennifer Green on behalf of Carmel Hussey (Objector)
6. Thomas Freeman (Objector)

Applicant	Owner
Planning Property Partners LEVEL 13/1 Collins St, MELBOURNE VIC 3000	Giuseppina Barca 970 Plenty Rd, SOUTH MORANG VIC 3752

EXECUTIVE SUMMARY

Property Address:	75 Flinders Street THORNBURY VIC 3071
Proposal:	- Clause 32.07-6: Construction of two or more dwellings on a lot. - Clause 52.06-3: Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5.
Zoning and Overlay/s:	- General Residential Zone – Schedule 2 (GRZ2). - Development Contributions Plan Overlay – Schedule 1 (DCPO1).
Car Parking:	Six (6) car parking spaces are provided on site, which represents a reduction of eight (8) car parking spaces, compared to the required 14 spaces under Clause 52.06 (Car Parking) of the Darebin Planning Scheme. Dwelling 7, which includes two (2) bedrooms is proposed to have no on-site car parking, while Dwellings 1-6 will be

	provided with one (1) space each. Access to the car parking is via the rear Right of Way (ROW).
Is a Developer Contribution required?	Yes. The proposal is subject to a levy in accordance with Schedule 1 of Clause 45.06 (Development Contributions Plan Overlay) of the Darebin Planning Scheme. A planning permit condition requiring payment of the levy would be applied to any approval issued for this application.
Consultation:	- Letters sent to surrounding owners and occupiers. - A public notice to the front of the property.
Objections:	Twelve (12) objections were received against the application. The key grounds of objection include: - Traffic congestion, insufficient on-site parking provision. - Overdevelopment and neighbourhood character. - Scale/bulk. - Overlooking. - Overshadowing. - Overshadowing of solar panels. - Walls on boundary. - Noise. - Insufficient private open space to support vegetation. - Insufficient landscaping. - Sustainability of the proposed development. - Inadequate bin storage.
Key reasons for support:	- The proposal has been suitably designed in accordance with the standards and objectives of Clause 55. - The proposal provides an appropriate response to the purpose of the zone which seeks residential infill development of up to three storeys. - The dwelling typology, which comprises a row of attached townhouses oriented east-west is consistent with the surrounding context that includes both earlier examples of medium density housing and more recent infill housing of a similar scale and layout. On this basis, the proposal provides an appropriate response to neighbourhood character. - The proposal accords with local policy at Clause 18.02-4L (Car Parking) of the Darebin Planning Scheme whereby vehicle access is via the rear right of way (ROW), with no crossovers to Flinders Street. - The site is conveniently located near train, tram and bus routes and in proximity to local services, supporting a reduction in the statutory car parking requirement.

Recommendation:	Notice of Decision to Grant a Planning Permit, subject to conditions.
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Recommendation

That Planning Permit Application on D/204/2025 be supported and a Notice of Decision to Grant a Permit be issued for the construction of seven (7) dwellings and reduction in the car parking requirement, in accordance with the endorsed plans at 75 Flinders Street THORBURY VIC 3071, 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 plans submitted with the application (identified as TP_03-05, Revision B, dated 12 August 2025 and prepared by Taouk Architects) but modified to show:
 - (a) Tap and drain for bin washing located adjacent the shared bin area.
 - (b) Notations and references to gas connections removed from the plans.
 - (c) A notation that all screening measures to windows and balconies must be no more than 25% open in accordance with standard B4-4 of Clause 55.
 - (d) A separate roof plan.
 - (e) Any modifications required as a result of the Landscape Plan required by Condition No. 4 of this Permit.
 - (f) Any modifications required as a result of the Stormwater System Management Report and Water Sensitive Urban Design (WSUD) Plan required by Condition No. 5 of this Permit.
 - (g) 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. 6 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. Any new dwellings allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the Darebin Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
4. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be generally in accordance with the Landscape Plan identified as TP01-02, Revision D and prepared by John Patrick Landscape Architects, but modified to show:
 - (a) Any modifications relating to landscaping required as a result of the Stormwater Management System Report and Water Sensitive Urban Design Plan required by Condition No. 5 of this Permit.

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.

5. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report (SMSR) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SMSR 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;
 - (b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
 - (c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;

The requirements of the endorsed Stormwater Management System Report 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 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.

7. Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to the common car parking area and car parking spaces 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.

8. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
9. The land must be drained to the satisfaction of the Responsible Authority.
10. 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.
11. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the buildings without the prior written consent of the Responsible Authority.
12. The plant and equipment proposed on the roof of the building must be located to be minimally visible from the public realm or screened in a manner that integrates with the design of the development, to the satisfaction of the Responsible Authority.
13. 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; and
 - (e) line-marked to indicate each car space.to the satisfaction of the Responsible Authority.
14. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose unless with the prior written consent from the Responsible Authority.
15. Before the development is occupied the disused or redundant vehicle crossing to Flinders Street must be removed and the area reinstated with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
16. Prior to the issue of a Building Permit in relation to the development approved by this permit, a Community Infrastructure Levy and/or Development Infrastructure Levy must be paid to Darebin City Council in accordance with the approved Development Contributions Plan Overlay.
17. Prior to the issue of a Building Permit for the development, an establishment fee for a car share pod must be paid to Darebin City Council in accordance with Council's *Car Share Policy*.
18. 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.
- 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.
- N7. Please note the Development Contribution Plan levy will be invoiced separately.
- N8. This property may not be eligible to receive a Parking Permit for on street parking.
Council's Parking Permit Policy (Revised 2023) outlines eligibility for on-street parking permits. Under the Policy, for properties developed before 20 December 2004, the number of permits a property is eligible for varies. Most new developments approved after this date are not eligible to receive a parking permit. Residents of such developments are expected to accommodate all parking needs on their property and/or comply with existing on-street parking restrictions.

The policy is subject to Council review from time to time. Council advises property purchasers to check the policy prior to purchase.

For further information please contact Customer Service on (03) 8470 8888 or visit www.darebin.vic.gov.au to view a copy of the policy.

Motion

MOVED: Cr. E Dimitriadis (Deputy Mayor)

SECONDED: Cr. M Arturi

PART A:

That the Planning Committee support Planning Permit Application on D/204/2025 and a Notice of Decision to Grant a Permit be issued for the construction of **six (6)** dwellings and reduction in the car parking requirement, in accordance with the endorsed plans at 75 Flinders Street THORNBURY VIC 3071, 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 plans submitted with the application (identified as TP_03-05, Revision B, dated 12 August 2025 and prepared by Taouk Architects) but modified to show:
 - (a) **Dwelling 7 deleted and the built-form associated with Dwelling 7 removed.**
 - (b) Tap and drain for bin washing located adjacent the shared bin area.
 - (c) Notations and references to gas connections removed from the plans.
 - (d) A notation that all screening measures to windows and balconies must be no more than 25% open in accordance with standard B4-4 of Clause 55.
 - (e) A separate roof plan.
 - (f) Any modifications required as a result of the Landscape Plan required by Condition No. 4 of this Permit.
 - (g) Any modifications required as a result of the Stormwater System Management Report and Water Sensitive Urban Design (WSUD) Plan required by Condition No. 5 of this Permit.
 - (h) 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. 6 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. Any new dwellings allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the Darebin Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
4. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be generally in accordance with the Landscape Plan identified as TP01-02, Revision D and prepared by John Patrick Landscape Architects, but modified to show:
 - (a) Any modifications relating to landscaping required as a result of the Stormwater Management System Report and Water Sensitive Urban Design Plan required by Condition No. 5 of this Permit.

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.

5. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report (SMSR) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SMSR 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;
- (b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
- (c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;

The requirements of the endorsed Stormwater Management System Report 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 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:

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

7. Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to the common car parking area and car parking spaces 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.

8. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
9. The land must be drained to the satisfaction of the Responsible Authority.
10. 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.
11. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the buildings without the prior written consent of the Responsible Authority.
12. The plant and equipment proposed on the roof of the building must be located to be minimally visible from the public realm or screened in a manner that integrates with the design of the development, to the satisfaction of the Responsible Authority.
13. 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;
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16. Prior to the issue of a Building Permit in relation to the development approved by this permit, a Community Infrastructure Levy and/or Development Infrastructure Levy must be paid to Darebin City Council in accordance with the approved Development Contributions Plan Overlay.
17. Prior to the issue of a Building Permit for the development, an establishment fee for a car share pod must be paid to Darebin City Council in accordance with Council's *Car Share Policy*.
18. This Permit will expire if either:
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As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:

- (a) Before this Permit expires;
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Council’s Parking Permit Policy (Revised 2023) outlines eligibility for on-street parking permits. Under the Policy, for properties developed before 20 December 2004, the number of permits a property is eligible for varies. Most new developments approved after this date are not eligible to receive a parking permit. Residents of such developments are expected to accommodate all parking needs on their property and/or comply with existing on-street parking restrictions.

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For further information please contact Customer Service on (03) 8470 8888 or visit www.darebin.vic.gov.au to view a copy of the policy.

PART B:

That the Planning Committee delegates the Manager City Development to instruct Officers and/or Solicitors in appearing for Council at any appeal to the Victorian Civil and Administrative Tribunal (VCAT).

THE MOTION WAS PUT AND CARRIED AND BECAME THE COMMITTEE DECISION AS FOLLOWS:

Committee Decision

MINUTE NO. 25-177

MOVED: Cr. E Dimitriadis (Deputy Mayor)
SECONDED: Cr. M Arturi

PART A:

That the Planning Committee support Planning Permit Application on D/204/2025 and a Notice of Decision to Grant a Permit be issued for the construction of six (6) dwellings and reduction in the car parking requirement, in accordance with the endorsed plans at 75 Flinders Street THORNBURY VIC 3071, subject to the following conditions:

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- (c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;

The requirements of the endorsed Stormwater Management System Report must be implemented and complied with to the satisfaction of the Responsible Authority.

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- As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
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- Council's Parking Permit Policy (Revised 2023) outlines eligibility for on-street parking permits. Under the Policy, for properties developed before 20 December 2004, the number of permits a property is eligible for varies. Most new developments approved

after this date are not eligible to receive a parking permit. Residents of such developments are expected to accommodate all parking needs on their property and/or comply with existing on-street parking restrictions.

The policy is subject to Council review from time to time. Council advises property purchasers to check the policy prior to purchase.

For further information please contact Customer Service on (03) 8470 8888 or visit www.darebin.vic.gov.au to view a copy of the policy.

PART B:

That the Planning Committee delegates the Manager City Development to instruct Officers and/or Solicitors in appearing for Council at any appeal to the Victorian Civil and Administrative Tribunal (VCAT).

CARRIED UNANIMOUSLY

8.12pm - Cr. Jelley and Cr. Sangster returned to the meeting.

6. OTHER BUSINESS

6.1 APPLICATIONS DETERMINED BY VCAT - REPORT FOR PLANNING COMMITTEE

EXECUTIVE SUMMARY

The General Planning Information attached at Appendix A contains:

- A summary of decisions by VCAT to date in financial year 2025-2026, at Table 1; and
- A summary of decisions issued since last reported to Council (financial year 2025-2026) at Table 2.

Committee Decision

MINUTE NO. 25-178

MOVED: Cr. R Jelley
SECONDED: Cr. V Tsalkos

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

CARRIED UNANIMOUSLY

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil.

8. CLOSE OF MEETING

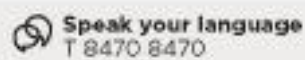
The meeting closed at 8.15pm.

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