



the place  
to live

# MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 15 June 2020

Released to the public on Monday 22 June 2020



## **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

---

<b>Item Number</b>		<b>Page Number</b>
<b>1.</b>	<b>PRESENT .....</b>	<b>1</b>
<b>2.</b>	<b>APOLOGIES.....</b>	<b>1</b>
<b>3.</b>	<b>DISCLOSURES OF CONFLICTS OF INTEREST .....</b>	<b>1</b>
<b>4.</b>	<b>CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE .....</b>	<b>2</b>
<b>5.</b>	<b>CONSIDERATION OF REPORTS .....</b>	<b>3</b>
5.1	AMENDMENT TO DEVELOPMENT PLAN POD/1/2006 205 Bell Street Preston .....	3
5.2	PLANNING PERMIT APPLICATION D/827/2018 26 ELLIOT STREET RESERVOIR VIC 3073 .....	5
<b>6.</b>	<b>OTHER BUSINESS .....</b>	<b>26</b>
6.1	GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS .....	26
<b>7.</b>	<b>CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL .....</b>	<b>26</b>
<b>8.</b>	<b>CLOSE OF MEETING.....</b>	<b>26</b>

---

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE OF  
THE DAREBIN CITY COUNCIL HELD AT COUNCIL CHAMBER  
DAREBIN CIVIC CENTRE,  
350 HIGH STREET PRESTON ON MONDAY 15 JUNE 2020**

---

**THE MEETING OPENED AT 6.00 PM**

## **WELCOME**

The Chairperson, Mayor Rennie 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. Susan Rennie (Mayor) (Chairperson)

Cr. Susanne Newton (Deputy Mayor)

Cr. Steph Amir

Cr. Gaetano Greco

Cr. Trent McCarthy

Cr. Julie Williams

### ***Council Officers***

Sue Wilkinson - Chief Executive Officer

Rachel Ollivier - General Manager City Sustainability and Strategy

Stephen Mahon - Acting Coordinator Governance, Council Business and Civic Services

Lisa Thomas Bates - Council Business Officer

Darren Rudd – Manager City Development

Peter Rollis – Coordinator Statutory Planning

## **2. APOLOGIES**

Cr. Tim Laurence

Cr. Kim Le Cerf

Cr. Lina Messina

## **3. DISCLOSURES OF CONFLICTS OF INTEREST**

Nil

#### 4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

<b>Committee Decision</b>
---------------------------

**MOVED:** Cr. S Newton  
**SECONDED:** Cr. G Greco

**That** the Minutes of the Planning Committee Meeting held on 11 May 2020 be confirmed as a correct record of business transacted.

**CARRIED**

**5. CONSIDERATION OF REPORTS**

**5.1 AMENDMENT TO DEVELOPMENT PLAN POD/1/2006  
205 Bell Street Preston**

**Author:** Senior Planner

**Reviewed By:** General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
GC (Bell) Pty Ltd	Asian Pacific Property Investments Pty Ltd	Urban Habitat MALA Studio Cardno

**SUMMARY**

- The proponent (Asia Pacific Building Corporation Pty Ltd) of the Bell Centre (formerly PANCH site) is proposing to amend the approved Development Plan
- The proponent seeks to make a minor amendment to Stage 3B and Stage 3C of the development plan comprising the following:
  - Change of use of the former nurses building and former hospital building, removing student accommodation and dwelling to consolidate the predominant use across the site and addition of a bus/ pickup/ drop of area towards Hotham Street frontage of the former nurses building
  - Temporary Landscape Works north of the former nurses building
- This is a minor amendment with no adverse amenity impacts and notice of the application was not required
- Recommendation – that Planning Committee approve the amendment to the Development Plan

**CONSULTATION:**

- Formal notification of amendments to development plans is not a requirement under the Planning and Environment Act 1987 (as amended)
- As the amendment is considered minor in nature, and generally in accordance with the purpose of the Development Plan and the Development Plan Overlay – Schedule 5, no informal notification has occurred
- The application has been referred internally to Council’s Climate Emergency and Sustainable Transport Department

The following people addressed the meeting in relation to Item 5.1 Amendment to Development Plan POD/1/2006 205 Bell Street Preston and were thanked for their presentations by the Chairperson, Mayor Rennie:

- 1) Ben Micallef from Human Habitats (Applicant)

**Recommendation**

**THAT** Planning Committee approve the amendment to the Development Plan

**Motion**

**MOVED: Cr. T McCarthy**  
**SECONDED: Cr. S Newton**

**That** Council not support the amended Development Plan POD/1/2006 with the grounds as follows:

1. The proposal does not comply with Clause 21.04-4 of the Darebin Planning Scheme which encourages affordable student housing near major educational institutions.
2. In this instance student housing is to be removed from the proposal which is contrary to Council's Housing Strategy which seeks to *Encourage student housing in identified Substantial and Incremental Change Areas*.
3. The wholesale removal of student accommodation is not justified taking into account the consideration guidelines of the Development Plan Overlay, Schedule 5, and the provision of student housing on the originally approved Development Plan.

The motion was put and carried

**Committee Decision**

**MOVED: Cr. T McCarthy**  
**SECONDED: Cr. S Newton**

**That** Council not support the amended Development Plan POD/1/2006 with the grounds as follows:

1. The proposal does not comply with Clause 21.04-4 of the Darebin Planning Scheme which encourages affordable student housing near major educational institutions.
2. In this instance student housing is to be removed from the proposal which is contrary to Council's Housing Strategy which seeks to *Encourage student housing in identified Substantial and Incremental Change Areas*.
3. The wholesale removal of student accommodation is not justified taking into account the consideration guidelines of the Development Plan Overlay, Schedule 5, and the provision of student housing on the originally approved Development Plan.

**CARRIED UNANIMOUSLY**



**5.2 PLANNING PERMIT APPLICATION D/827/2018  
26 ELLIOT STREET RESERVOIR VIC 3073**

**Author:** Statutory Planner

**Reviewed By:** General Manager City Sustainability and Strategy

<b>Applicant</b>	<b>Owner</b>	<b>Consultant</b>
Ms Designer Living	Future Investings Pty Ltd	Architectural Home Designs

**SUMMARY**

- It is recommended that the application be supported and that a Notice of Decision be issued subject to conditions
- The proposal is to construct three (3) new double storey dwellings on a corner site. The existing single storey dwelling on the site is to be demolished
- As detailed in the assessment report the proposal complies with the objectives of the Darebin Planning Scheme
- Eight objections and one petition (54 signatories) were received against the application
- The site is located in the General Residential – Schedule 1 and is affected by the Development Contributions Plan and Special Building Overlays
- The site area is greater than 650 square metres (approximately 667 square metres) and therefore the minimum garden area requirements applies
- The mandatory garden area requirement is 35% or 234.5 square metres. The proposal achieves a garden area of 46.8% or 313.9 square metres
- There is no restrictive covenant on the title for the site
- A Cultural Heritage Management Plan (under the Aboriginal Heritage Act 2006) was not required as the site is not located in an area of cultural heritage significance

**CONSULTATION:**

- Public notice was given via 2 signs posted on site and letters sent to surrounding owners and occupiers
- This application was referred internally to Assets and Capital Delivery, Climate Emergency & Sustainable Transport, Council’s Environmentally Sustainable Developments Officer and Parks and Open Space Units. This application was not required to be referred to other Council units

The following people addressed the meeting in relation to Item 5.2 Planning Permit Application D/827/2018 :

- 1) Tarmi Clarke (Objector)
- 2) Mario Mizzi (Objector)

**Recommendation**

**That** Planning Permit Application on D/827/2018 be supported and a Notice of Decision to Grant a Permit be issued 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. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as 'Job No. 20194098 – Proposed Unit Development at no. 26 Elliot Street Reservoir', authored by MS designer living, dated 26/09/2019) but modified to show:

Finished floor levels and setbacks to the dwellings and car parking structures in accordance with condition no. 21 of this Permit

- (a) The setback to Chauvel Street of the ground floor western wall of the family room to Unit 1 increased to align with the adjoining western wall of the kitchen. No other ground floor setbacks of Unit 1 are to be decreased
- (b) The setback to Chauvel Street of the first floor western wall of Bedroom 4 to Unit 1 increased to align with the western wall of the adjoining bathroom. No other upper floor setbacks of Unit 1 are to be decreased
- (c) The external architectural detailing to the en-suites of Unit 2 and 3 so that they appear secondary to the porches of each unit. This is to be achieved by the simplification of external materials and a change to the roof form
- (d) Additional screening to the fence associated with the northern and eastern boundary fencing of Unit 3 to prevent overlooking into the habitable windows of no. 18 Chauvel Street and the secluded private open space of no. 24 Elliot Street. The additional screening must:
  - Be no more than 2.5 metres in total height; and
  - If necessary, the fence height may be increased by raising the height of the fence or by the provision of free-standing self-supporting trellis adjacent the fence to the required height. If utilised, such trellis must be a maximum of 25% open and be fixed, permanent, durable and coloured or painted to blend with the development
- (e) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the sides of the crossovers to Elliot Street and Chauvel Street, both existing and proposed. Where within the subject site, the splays must be at least 50% clear of any visual obstructions (structures, vegetation and the like). The splays may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height
- (f) A Stormwater Management System Report in accordance with Condition no. 4 of this Permit
- (g) A landscape plan in accordance with Condition no. 5 of this Permit
- (h) Modifications in accordance with the Sustainable Design Assessment (Refer to Condition no. 9 of this Permit)

- (i) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition no. 8 of this Permit
  - (j) The location of all plant and equipment (including site services such as gas/water/electricity meeting, air conditioners, bins and the like). These are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building
  - (k) A modified comprehensive schedule of external materials, colours and finishes (including colour samples). The schedule of materials must be modified in the following manner:
    - The number of different cladding options reduced to be no more than 3 materials at the upper floor, including the cladding to the porch elements
    - The colours of the materials should draw upon the existing character of the area which is typically exhibits creams, browns and reds
    - The use of render at the uppermost level will not be increased from that shown on the advertised plans
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority
3. 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:

- c) Before this Permit expires;
  - d) Within six (6) months after the expiry date; or
  - e) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development
4. Before the development starts, a detailed Stormwater Management System Report must be submitted to the satisfaction of the Responsible Authority and be approved in writing by the Responsible Authority.

The Stormwater Management System Report must include:

- (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including;
  - An assessment using an industry recognised stormwater tool;
  - 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;
  - The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;

- A plan illustrating where all impervious surfaces will be treated; and
  - 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;
- (d) Construction and maintenance details to be provided for all WSUD treatments, including rainwater tanks; and
- (e) A notation that the overflow systems for the rainwater tanks must be gravity fed to the legal point of discharge and not serviced by overflow pumps.

The development must be constructed and maintained in accordance with the requirements/recommendations of the approved Stormwater Management System Report to the satisfaction of the Responsible Authority.

5. Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
- (a) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified
  - (b) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants
  - (c) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the responsible authority
  - (d) Where the opportunity exists, an appropriate number and size of canopy trees are to be shown within the secluded private open space areas of each dwelling and within the front setback of the property, commensurate with the size of planting area available. All canopy trees are to have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres)
  - (e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking
  - (f) 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
  - (g) Hard paved surfaces at all entry points to dwellings
  - (h) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc

- (i) Type and details of edge treatment between all changes in surface (e.g. Grass (lawn), gravel, paving and garden beds)
  - (j) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided
  - (k) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers
  - (l) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information
6. The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing

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.

- 7. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority
- 8. Before buildings and works (including demolition) start, tree protection fencing must be erected as detailed in accordance with the following requirements to define a Tree Protection Zone (TPZ)

<i>Tree</i>	<i>TPZ (radius from the base of the trunk)</i>
<b>Tree 1</b> – Council street tree located within the naturestrip of Elliot Street adjacent to the subject site.	6.0 metres
<b>Tree 2</b> – Council street tree located within the naturestrip of Chauvel Street adjacent to the Unit 1 on the subject site.	4.5 metres
<b>Tree 3</b> – Council street tree located within the naturestrip of Chauvel Street adjacent to the Unit 2 & Unit 3 on the subject site.	3.0 metres
<b>Tree 4</b> – located within the adjoining property to the east (no. 109 Rathcrown Road) adjacent to the common boundary at the front of the site	2.0 metres

- (a) Tree protection measures are to be in accordance with Australian Standard AS4970 – 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority
- (b) Tree protection fencing must be constructed of star pickets and chain mesh (or similar) and remain in place until construction is complete, to the satisfaction of the Responsible Authority
- (c) The tree protection fencing must be maintained at all times and may only be moved the minimum amount necessary for approved buildings and works to occur within a TPZ. The movement of the fencing to allow such buildings and

works shall only occur for the period that such buildings and works are undertaken, after which time the full extent of the fencing must be reinstated

- (d) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development
- (e) No storage or dumping of tools, equipment or waste is to occur within a TPZ
- (f) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the subject site
- (g) Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip

Any pruning that is required to be done to the canopy of any trees retained on-site is to be done by a suitably qualified person to Australian Standard – Pruning of Amenity Trees AS 4373 – 1996, Standards Australia.

Any pruning of the root system of any existing tree to be retained is to be done by hand by a suitably qualified person.

9. Before the development starts, a Sustainable Design Assessment (SDA) generally in accordance the submitted document (identified as 'Project No. 21344 - 26 Elliott Street Reservoir prepared by Architectural Home Designs and dated 17 April 2019) detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority. The document is to be amended as follows:
- (a) Window operation to be shown on the plan to maximise ventilation
    - i. Operation must not reduce the effectiveness of screening for overlooking
  - (b) External operable sun shading devices (excluding roller shutters) to all west facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a dimensioned section diagram or photograph must be included to demonstrate the shading type and effectiveness
  - (c) 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 being utilised a dimensioned section diagram must be included to demonstrate their effectiveness. Shading must not to extend within 1 metre of a property boundary
  - (d) Provision made for FOGO bins to all dwellings
  - (e) BESS IEQ 3.3 credit removed as only one of the units faces north
  - (f) BESS Urban ecology score calculated on total vegetation cover as required rather than garden area provision
  - (g) STORM rating updated in line with the Stormwater management System Report and the modifications to the plans as a result of meeting the condition no.1 requirements

The development must be constructed in accordance with the requirements/ recommendations of the SDA to the satisfaction of the Responsible Authority.

Prior to the occupation of the development, a report from the author of the SDA, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority

and must confirm that all measures specified in the SDA have been implemented in accordance with the approved Plan.

10. The carport to Unit 3 must be open, removable (with stirrup footings) and not be dependent on any other structure for support
11. Before the development starts, a detailed Site Management Plan must be submitted to the satisfaction of the Responsible Authority and be approved in writing by the Responsible Authority. The plan must describe how the site will be managed prior to and during the construction period and set out requirements for:
  - (a) Erosion and sediment
  - (b) Stormwater
  - (c) Litter, concrete and other construction wastes
  - (d) Chemical contamination

The site and development must be managed in accordance with the requirements/ recommendations of the approved Site Management Plan to the satisfaction of the Responsible Authority.

12. At the completion of the constructed ground floor level(s), and before the commencement of the building frame or walls, the ground floor level(s) must be confirmed. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the inspection. The upper floor level(s) must be confirmed before an Occupancy Permit is issued in the form of a report from a licensed land surveyor and submitted to the Responsible Authority
13. Before the dwellings are occupied, 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
14. The external lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land, to the satisfaction of the Responsible Authority
15. Except for the Carport to Unit 3, no buildings or works are to be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority or the Responsible Authority without the prior written consent of the Responsible Authority and any relevant authority
16. The land must be drained to the satisfaction of the Responsible Authority
17. With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority
18. No plant, equipment, services or architectural features 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
19. Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority
20. Before occupation of the development, 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; and
- (d) Drained

to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

**Melbourne Water Conditions No. 21-32:**

21. Prior to the endorsement of plans, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with surface and floor levels to Australian Height Datum (AHD) and modified to show:
- (a) The finished floor level of dwelling 1 must be set no lower than 81.20 metres to Australian Height Datum, which is 300mm above the applicable flood level of 80.90 metres to Australian Height Datum
  - (b) The finished floor level of garage 1 must be set no lower than 81.05 metres to Australian Height Datum, which is 150mm above the applicable flood level of 80.90 metres to Australian Height Datum
  - (c) The finished floor level of dwelling 2 must be set no lower than 81.45 metres to Australian Height Datum, which is 300mm above the applicable flood level of 81.15 metres to Australian Height Datum
  - (d) The finished floor level of garage 2 must be set no lower than 81.3 metres to Australian Height Datum, which is 150mm above the applicable flood level of 81.15 metres to Australian Height Datum
  - (e) The finished floor level of dwelling 3 must be set no lower than 81.54 metres to Australian Height Datum, which is 300mm above the applicable flood level of 81.24 metres to Australian Height Datum
  - (f) The finished floor level of garage 3 must be set no lower than 81.39 metres to Australian Height Datum, which is 150mm above the applicable flood level of 81.24 metres to Australian Height Datum
  - (g) A building setback of 3.6 metres in total along the western boundary, this setback can be shared between the eastern and western boundaries, must be set at natural ground level and be free of any solid structures such as sheds, masonry fencing or water tanks
22. The finished floor level of dwelling 1 must be constructed no lower than 81.20 metres to Australian Height Datum, which is 300mm above the applicable flood level of 80.90 metres to Australian Height Datum
23. The finished floor level of garage 1 must be constructed no lower than 81.05 metres to Australian Height Datum, which is 150mm above the applicable flood level of 80.90 metres to Australian Height Datum
24. The finished floor level of dwelling 2 must be constructed no lower than 81.45 metres to Australian Height Datum, which is 300mm above the applicable flood level of 81.15 metres to Australian Height Datum
-



25. The finished floor level of garage 2 must be constructed no lower than 81.3 metres to Australian Height Datum, which is 150mm above the applicable flood level of 81.15 metres to Australian Height Datum
26. The finished floor level of dwelling 3 must be constructed no lower than 81.54 metres to Australian Height Datum, which is 300mm above the applicable flood level of 81.24 metres to Australian Height Datum
27. The finished floor level of garage 3 must be constructed no lower than 81.39 metres to Australian Height Datum, which is 150mm above the applicable flood level of 81.24 metres to Australian Height Datum
28. A building setback of 3.6 metres in total along the western boundary will be required to allow for the free flow of flood waters. This setback can be shared between the eastern and western boundaries, must be set at natural ground level and be free of any solid structures such as sheds, masonry fencing or water tanks
29. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements
30. Imported fill must be kept to a minimum on the property and only be used for the sub floor areas of the dwellings, garages and driveway ramps
31. Any new fence must be of an open style of construction (minimum 50% open) to allow for the passage of floodwaters/ overland flows
32. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to making the application, evidence must be provided demonstrating that Council considers it is not feasible to connect to the local drainage system. If connecting to a Melbourne Water's asset, you can now apply using our online application process (<<http://melbournewater.com.au/apply>>)

#### **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 permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal
- N2. Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals
- N3. The amendments specified in Condition 1 of this Permit and any additional modifications which are "necessary or consequential" are those that will be assessed by Council when plans are lodged to satisfy that condition. Any "necessary or consequential" amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment
- N4. If any other modifications are proposed, application must also be made for their approval under the relevant sections of the Planning and Environment Act 1987. They can only be approved once the required and consequential changes have been

approved and the plans endorsed. It is possible to approve such modifications without notice to other parties, but they must be of limited scope. Modifications of a more significant nature may require a new permit application

- N5. To complete a satisfactory Sustainable Design Assessment (SDA) the Responsible Authority recommends the use of the Built Environment Sustainability Scorecard (BESS) to assess the developments environmental performance against appropriate standards
- N6. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit
- N7. 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

<b>Motion</b>
---------------

**MOVED:** Cr. G Greco  
**SECONDED:** Cr. J Williams

**That** application for Planning Permit D.827/2018 be refused with grounds as follows:

1. The proposal fails to satisfy the objectives of Clause 22.04 (Neighbourhood Character) of the Darebin Planning Scheme and the design objective of the Darebin Neighbourhood Character Study & Precinct Guidelines 2007 in terms of materials, setbacks and visual bulk.
2. The proposal does not satisfactorily comply with the standards and objectives of Clause 55 of the Darebin Planning Scheme regarding:
  - a) Clause 55.02-1: Neighbourhood character - The proposal is inappropriate in terms of setbacks and visual bulk.
  - b) Clause 55.02-2: Residential policy - The proposal is contrary to the preferred character of the area.
  - c) Clause 55.03-1: Street Setback – The front setback to Elliott Street does not respect the existing character of the area.
  - d) Clause 55.05-4: Private Open Space – The proposal does not provide sufficient secluded private open space to Unit 1.

The motion was put and lost.

**LOST**

**For:** Cr's Greco and Williams (2)

**Against:** Cr's McCarthy, Amir, Newton, Rennie (4)

**Motion**

**MOVED:** Cr. T McCarthy  
**SECONDED:** Cr. S Amir

That the Officer Recommendation be adopted

The Mayor ruled against a point of order raised by Cr. Greco.

**PROCEDURAL MOTION – DISSENT OF CHAIR**

**Motion**

**MOVED:** Cr. G Greco  
**SECONDED:** Cr. J Williams

**That** the Chairpersons ruling be dissented from.

6.50 pm. In accordance with clause 57 of the Meeting Procedure Local Law Mayor Rennie left the Chair and Deputy Mayor Newton assumed the Chair.

Cr. Greco was provided the opportunity to state the reasons for his dissent and the Mayor refrained from responding.

The motion was put and lost

**LOST**

6.53 pm Mayor Rennie resumed the Chair.

The substantive motion before the meeting was put and carried, viz the Officer Recommendation.

**Committee Decision**

**MOVED:** Cr. T Mccarthy  
**SECONDED:** Cr. S Amir

**That** Planning Permit Application On D/827/2018 Be Supported And A Notice Of Decision To Grant A Permit Be Issued 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. The Plans Must Be Drawn To Scale With Dimensions And Must Be Generally In Accordance With The Plans Submitted With The Application (Identified As 'Job No. 20194098 – Proposed Unit Development At No. 26 Elliot Street Reservoir', Authored By MS Designer Living, Dated 26/09/2019) But Modified To Show:

Finished Floor Levels And Setbacks To The Dwellings And Car Parking Structures In Accordance With Condition No. 21 Of This Permit

- (A) The Setback To Chauvel Street Of The Ground Floor Western Wall Of The Family Room To Unit 1 Increased To Align With The Adjoining Western Wall Of The Kitchen. No Other Ground Floor Setbacks Of Unit 1 Are To Be Decreased
- (B) The Setback To Chauvel Street Of The First Floor Western Wall Of Bedroom 4 To Unit 1 Increased To Align With The Western Wall Of The Adjoining Bathroom. No Other Upper Floor Setbacks Of Unit 1 Are To Be Decreased
- (C) The External Architectural Detailing To The En-Suites Of Unit 2 And 3 So That They Appear Secondary To The Porches Of Each Unit. This Is To Be Achieved By The Simplification Of External Materials And A Change To The Roof Form
- (D) Additional Screening To The Fence Associated With The Northern And Eastern Boundary Fencing Of Unit 3 To Prevent Overlooking Into The Habitable Windows Of No. 18 Chauvel Street And The Secluded Private Open Space Of No. 24 Elliot Street. The Additional Screening Must:
- Be No More Than 2.5 Metres In Total Height; And
  - If Necessary, The Fence Height May Be Increased By Raising The Height Of The Fence Or By The Provision Of Free-Standing Self-Supporting Trellis Adjacent The Fence To The Required Height. If Utilised, Such Trellis Must Be A Maximum Of 25% Open And Be Fixed, Permanent, Durable And Coloured Or Painted To Blend With The Development
- (E) The Provision Of Pedestrian Visibility Splays Measuring 2.0 Metres (Width Across The Frontage) By 2.5 Metres (Depth Into The Site), To The Sides Of The Crossovers To Elliot Street And Chauvel Street, Both Existing And Proposed. Where Within The Subject Site, The Splays Must Be At Least 50% Clear Of Any Visual Obstructions (Structures, Vegetation And The Like). The Splays May Include An Adjacent Entry Or Exit Lane Where More Than One Lane Is Provided, Or Adjacent Landscaped Areas, Provided The Landscaping In Those Areas Is Less Than 900mm In Height
- (F) A Stormwater Management System Report In Accordance With Condition No. 4 Of This Permit
- (G) A Landscape Plan In Accordance With Condition No. 5 Of This Permit
- (H) Modifications In Accordance With The Sustainable Design Assessment (Refer To Condition No. 9 Of This Permit)
- (I) Annotations Detailing Tree Protection Zone(S), Associated Tree Protection Fencing And Tree Protection Measures In Accordance With The Requirements Of Condition No. 8 Of This Permit
- (J) The Location Of All Plant And Equipment (Including Site Services Such As Gas/Water/Electricity Meeting, Air Conditioners, Bins And The Like). These Are To Be Co-Located Where Possible, Screened To Be Minimally Visible From The Public Realm And Adjacent Properties, Located As Far As Practicable From Site Boundaries And Integrated Into The Design Of The Building
- (K) A Modified Comprehensive Schedule Of External Materials, Colours And Finishes (Including Colour Samples). The Schedule Of Materials Must Be Modified In The Following Manner:
- The Number Of Different Cladding Options Reduced To Be No More Than 3 Materials At The Upper Floor, Including The Cladding To The Porch Elements
  - The Colours Of The Materials Should Draw Upon The Existing Character Of The Area Which Is Typically Exhibits Creams, Browns And Reds

- The Use Of Render At The Uppermost Level Will Not Be Increased From That Shown On The Advertised Plans
2. The Development As Shown On The Endorsed Plans Must Not Be Altered Without The Prior Written Consent Of The Responsible Authority
  3. 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:

- C) Before This Permit Expires;
  - D) Within Six (6) Months After The Expiry Date; Or
  - E) Within Twelve (12) Months After The Expiry Date If The Request Relates To The Completion Of The Development Or A Stage Of The Development
4. Before The Development Starts, A Detailed Stormwater Management System Report Must Be Submitted To The Satisfaction Of The Responsible Authority And Be Approved In Writing By The Responsible Authority.

The Stormwater Management System Report Must Include:

- (A) Details Of How The Stormwater Management System Is Designed To Meet The Current Best Practice Performance Objectives For Stormwater Quality As Contained In The Urban Stormwater Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), Including;
  - An Assessment Using An Industry Recognised Stormwater Tool;
  - 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;
  - The Location Of Stormwater Treatment Measures In Relation To Buildings, Sealed Surfaces, Neighbouring Properties And Landscaped Areas;
  - A Plan Illustrating Where All Impervious Surfaces Will Be Treated; And
  - 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;
- (D) Construction And Maintenance Details To Be Provided For All WSUD Treatments, Including Rainwater Tanks; And

- (E) A Notation That The Overflow Systems For The Rainwater Tanks Must Be Gravity Fed To The Legal Point Of Discharge And Not Serviced By Overflow Pumps.

The Development Must Be Constructed And Maintained In Accordance With The Requirements/ Recommendations Of The Approved Stormwater Management System Report To The Satisfaction Of The Responsible Authority.

- 5. Before Buildings And Works Start, A Detailed Landscape Plan To The Satisfaction Of The Responsible Authority Must Be Submitted To And Approved By The Responsible Authority. When The Landscape Plan Is Approved, It Will Be Endorsed And Will Then Form Part Of This Permit. The Landscape Plan Must Be Prepared By A Suitably Qualified Person And Must Incorporate:
  - (A) Details Of All Existing Trees To Be Retained And All Existing Trees To Be Removed, Including Overhanging Trees On Adjoining Properties And Street Trees Within The Nature Strip. The Genus, Species, Height And Spread Of All Trees Must Be Specified
  - (B) A Planting Schedule Of Proposed Vegetation Detailing The Botanical Name, Common Name, Size At Maturity, Pot Size And Quantities Of All Plants
  - (C) A Diversity Of Plant Species And Forms. All Proposed Planting Must Be To The Satisfaction Of The Responsible Authority
  - (D) Where The Opportunity Exists, An Appropriate Number And Size Of Canopy Trees Are To Be Shown Within The Secluded Private Open Space Areas Of Each Dwelling And Within The Front Setback Of The Property, Commensurate With The Size Of Planting Area Available. All Canopy Trees Are To Have A Minimum Height Of 1.6 Metres In 40 Litre Containers At The Time Of Installation. Canopy Trees Must Have The Following Minimum Widths At Maturity: Small Canopy (4 Metres), Medium Canopy (6 Metres), Large Canopy (10 Metres)
  - (E) Annotated Graphic Construction Details Showing All Landscape Applications And Structures Including Tree And Shrub Planting, Retaining Walls, Raised Planter Bed And Decking
  - (F) 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
  - (G) Hard Paved Surfaces At All Entry Points To Dwellings
  - (H) All Constructed Items Including Letter Boxes, Garbage Bin Receptacles, Lighting, Clotheslines, Tanks, Outdoor Storage Etc
  - (I) Type And Details Of Edge Treatment Between All Changes In Surface (E.G. Grass (Lawn), Gravel, Paving And Garden Beds)
  - (J) An Outline Of The Approved Building/S Including Any Basement, The Location Of Entry Doors, Windows, Gates And Fences Must Be Shown On The Landscape Plan. The Location Of Both Existing And Proposed Overhead And Underground Services. Conflicts Of Such Services With The Existing And Proposed Planting Must Be Avoided

- (K) Clear Graphics Identifying Trees (Deciduous And Evergreen), Shrubs, Grasses/Sedges, Groundcovers And Climbers
  - (L) Scale, North Point And Appropriate Legend. Landscape Plans Are To Be Clear, Legible And With Graphics Drawn To Scale, And Provide Only Relevant Information
6. The Landscaping As Shown On The Endorsed Landscape Plan Must Be Completed To The Satisfaction Of The Responsible Authority Before The Development Is Occupied And/Or The Use Starts Or At Such Later Date As Is Approved By The Responsible Authority In Writing

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.

- 7. The Landscaping As Shown On The Endorsed Landscape Plan Must Be Maintained, And Any Dead, Diseased Or Damaged Plant Replaced In Accordance With The Endorsed Landscape Plan To The Satisfaction Of The Responsible Authority
- 8. Before Buildings And Works (Including Demolition) Start, Tree Protection Fencing Must Be Erected As Detailed In Accordance With The Following Requirements To Define A Tree Protection Zone (TPZ)

<i>Tree</i>	<i>TPZ (Radius From The Base Of The Trunk)</i>
<b>Tree 1</b> – Council Street Tree Located Within The Naturestrip Of Elliot Street Adjacent To The Subject Site.	6.0 Metres
<b>Tree 2</b> – Council Street Tree Located Within The Naturestrip Of Chauvel Street Adjacent To The Unit 1 On The Subject Site.	4.5 Metres
<b>Tree 3</b> – Council Street Tree Located Within The Naturestrip Of Chauvel Street Adjacent To The Unit 2 & Unit 3 On The Subject Site.	3.0 Metres
<b>Tree 4</b> – Located Within The Adjoining Property To The East (No. 109 Rathcown Road) Adjacent To The Common Boundary At The Front Of The Site	

- 2.0 Metres(A) Tree Protection Measures Are To Be In Accordance With Australian Standard AS4970 – 2009: Protection Of Trees On Development Sites Or As Otherwise Approved In Writing By The Responsible Authority
- (B) Tree Protection Fencing Must Be Constructed Of Star Pickets And Chain Mesh (Or Similar) And Remain In Place Until Construction Is Complete, To The Satisfaction Of The Responsible Authority
- (C) The Tree Protection Fencing Must Be Maintained At All Times And May Only Be Moved The Minimum Amount Necessary For Approved Buildings And Works To Occur Within A TPZ. The Movement Of The Fencing To Allow Such Buildings And Works Shall Only Occur For The Period That Such Buildings And Works Are Undertaken, After Which Time The Full Extent Of The Fencing Must Be Reinstated



- (D) No Vehicular Or Pedestrian Access, Trenching Or Soil Excavation Is To Occur Within A TPZ, Save For That Allowed To Complete The Approved Development
- (E) No Storage Or Dumping Of Tools, Equipment Or Waste Is To Occur Within A TPZ
- (F) Where Applicable To A Tree On A Neighbouring Lot, A TPZ Only Applies Where Within The Subject Site
- (G) Where Applicable To A Nature Strip Tree, A TPZ Is Confined To The Width Of The Nature Strip

Any Pruning That Is Required To Be Done To The Canopy Of Any Trees Retained On-Site Is To Be Done By A Suitably Qualified Person To Australian Standard – Pruning Of Amenity Trees AS 4373 – 1996, Standards Australia.

Any Pruning Of The Root System Of Any Existing Tree To Be Retained Is To Be Done By Hand By A Suitably Qualified Person.

9. Before The Development Starts, A Sustainable Design Assessment (SDA) Generally In Accordance The Submitted Document (Identified As 'Project No. 21344 - 26 Elliott Street Reservoir Prepared By Architectural Home Designs And Dated 17 April 2019) Detailing Sustainable Design Strategies To Be Incorporated Into The Development To The Satisfaction Of The Responsible Authority Must Be Submitted To, And Approved In Writing By The Responsible Authority. The Document Is To Be Amended As Follows:
- (A) Window Operation To Be Shown On The Plan To Maximise Ventilation
    - I. Operation Must Not Reduce The Effectiveness Of Screening For Overlooking
  - (B) External Operable Sun Shading Devices (Excluding Roller Shutters) To All West Facing Habitable Room Windows/ Glazed Doors. Where Sun Shading Devices Are Being Utilised A Dimensioned Section Diagram Or Photograph Must Be Included To Demonstrate The Shading Type And Effectiveness
  - (C) 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 Being Utilised A Dimensioned Section Diagram Must Be Included To Demonstrate Their Effectiveness. Shading Must Not To Extend Within 1 Metre Of A Property Boundary
  - (D) Provision Made For FOGO Bins To All Dwellings
  - (E) BESS IEQ 3.3 Credit Removed As Only One Of The Units Faces North
  - (F) BESS Urban Ecology Score Calculated On Total Vegetation Cover As Required Rather Than Garden Area Provision
  - (G) STORM Rating Updated In Line With The Stormwater Management System Report And The Modifications To The Plans As A Result Of Meeting The Condition No.1 Requirements

The Development Must Be Constructed In Accordance With The Requirements/ Recommendations Of The SDA To The Satisfaction Of The Responsible Authority.

Prior To The Occupation Of The Development, A Report From The Author Of The SDA, Approved Pursuant To This Permit, Or Similarly Qualified Person Or Company, Must Be

---

Submitted To The Responsible Authority. The Report Must Be To The Satisfaction Of The Responsible Authority And Must Confirm That All Measures Specified In The SDA Have Been Implemented In Accordance With The Approved Plan.

10. The Carport To Unit 3 Must Be Open, Removable (With Stirrup Footings) And Not Be Dependent On Any Other Structure For Support
11. Before The Development Starts, A Detailed Site Management Plan Must Be Submitted To The Satisfaction Of The Responsible Authority And Be Approved In Writing By The Responsible Authority. The Plan Must Describe How The Site Will Be Managed Prior To And During The Construction Period And Set Out Requirements For:
  - (A) Erosion And Sediment
  - (B) Stormwater
  - (C) Litter, Concrete And Other Construction Wastes
  - (D) Chemical Contamination

The Site And Development Must Be Managed In Accordance With The Requirements/ Recommendations Of The Approved Site Management Plan To The Satisfaction Of The Responsible Authority.

12. At The Completion Of The Constructed Ground Floor Level(S), And Before The Commencement Of The Building Frame Or Walls, The Ground Floor Level(S) Must Be Confirmed. This Confirmation Must Be In The Form Of A Report From A Licensed Land Surveyor And Must Be Submitted To The Responsible Authority No Later Than 7 Days From The Date Of The Inspection. The Upper Floor Level(S) Must Be Confirmed Before An Occupancy Permit Is Issued In The Form Of A Report From A Licensed Land Surveyor And Submitted To The Responsible Authority
13. Before The Dwellings Are Occupied, 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
14. The External Lighting Must Be Designed, Baffled And/Or Located To Ensure That No Loss Of Amenity Is Caused To Adjoining And Nearby Land, To The Satisfaction Of The Responsible Authority
15. Except For The Carport To Unit 3, No Buildings Or Works Are To Be Constructed Over Any Easement Or Other Restriction On The Land Or Any Sewers, Drains, Pipes, Wires Or Cables Under The Control Of A Public Authority Or The Responsible Authority Without The Prior Written Consent Of The Responsible Authority And Any Relevant Authority
16. The Land Must Be Drained To The Satisfaction Of The Responsible Authority
17. With The Exception Of Guttering, Rainheads And Downpipes, All Pipes, Fixtures, Fittings And Vents Servicing Any Building On The Land Must Be Concealed In Service Ducts Or Otherwise Hidden From View To The Satisfaction Of The Responsible Authority
18. No Plant, Equipment, Services Or Architectural Features 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

19. Provision Must Be Made On The Land For Letter Boxes And Receptacles For Newspapers To The Satisfaction Of The Responsible Authority
20. Before Occupation Of The Development, 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; And
  - (D) Drained

To The Satisfaction Of The Responsible Authority.

Car Spaces, Access Lanes And Driveways Shown On The Endorsed Plans Must Not Be Used For Any Other Purpose.

**Melbourne Water Conditions No. 21-32:**

21. Prior To The Endorsement Of Plans, Amended Plans Must Be Submitted To Council And Melbourne Water Addressing Melbourne Water's Conditions. Plans Must Be Submitted With Surface And Floor Levels To Australian Height Datum (AHD) And Modified To Show:
  - (A) The Finished Floor Level Of Dwelling 1 Must Be Set No Lower Than 81.20 Metres To Australian Height Datum, Which Is 300mm Above The Applicable Flood Level Of 80.90 Metres To Australian Height Datum
  - (B) The Finished Floor Level Of Garage 1 Must Be Set No Lower Than 81.05 Metres To Australian Height Datum, Which Is 150mm Above The Applicable Flood Level Of 80.90 Metres To Australian Height Datum
  - (C) The Finished Floor Level Of Dwelling 2 Must Be Set No Lower Than 81.45 Metres To Australian Height Datum, Which Is 300mm Above The Applicable Flood Level Of 81.15 Metres To Australian Height Datum
  - (D) The Finished Floor Level Of Garage 2 Must Be Set No Lower Than 81.3 Metres To Australian Height Datum, Which Is 150mm Above The Applicable Flood Level Of 81.15 Metres To Australian Height Datum
  - (E) The Finished Floor Level Of Dwelling 3 Must Be Set No Lower Than 81.54 Metres To Australian Height Datum, Which Is 300mm Above The Applicable Flood Level Of 81.24 Metres To Australian Height Datum
  - (F) The Finished Floor Level Of Garage 3 Must Be Set No Lower Than 81.39 Metres To Australian Height Datum, Which Is 150mm Above The Applicable Flood Level Of 81.24 Metres To Australian Height Datum
  - (G) A Building Setback Of 3.6 Metres In Total Along The Western Boundary, This Setback Can Be Shared Between The Eastern And Western Boundaries, Must Be Set At Natural Ground Level And Be Free Of Any Solid Structures Such As Sheds, Masonry Fencing Or Water Tanks
22. The Finished Floor Level Of Dwelling 1 Must Be Constructed No Lower Than 81.20 Metres To Australian Height Datum, Which Is 300mm Above The Applicable Flood Level Of 80.90 Metres To Australian Height Datum

23. The Finished Floor Level Of Garage 1 Must Be Constructed No Lower Than 81.05 Metres To Australian Height Datum, Which Is 150mm Above The Applicable Flood Level Of 80.90 Metres To Australian Height Datum
24. The Finished Floor Level Of Dwelling 2 Must Be Constructed No Lower Than 81.45 Metres To Australian Height Datum, Which Is 300mm Above The Applicable Flood Level Of 81.15 Metres To Australian Height Datum
25. The Finished Floor Level Of Garage 2 Must Be Constructed No Lower Than 81.3 Metres To Australian Height Datum, Which Is 150mm Above The Applicable Flood Level Of 81.15 Metres To Australian Height Datum
26. The Finished Floor Level Of Dwelling 3 Must Be Constructed No Lower Than 81.54 Metres To Australian Height Datum, Which Is 300mm Above The Applicable Flood Level Of 81.24 Metres To Australian Height Datum
27. The Finished Floor Level Of Garage 3 Must Be Constructed No Lower Than 81.39 Metres To Australian Height Datum, Which Is 150mm Above The Applicable Flood Level Of 81.24 Metres To Australian Height Datum
28. A Building Setback Of 3.6 Metres In Total Along The Western Boundary Will Be Required To Allow For The Free Flow Of Flood Waters. This Setback Can Be Shared Between The Eastern And Western Boundaries, Must Be Set At Natural Ground Level And Be Free Of Any Solid Structures Such As Sheds, Masonry Fencing Or Water Tanks
29. Prior To The Issue Of An Occupancy Permit, A Certified Survey Plan, Showing Finished Floor Levels (As Constructed) Reduced To The Australian Height Datum, Must Be Submitted To Melbourne Water To Demonstrate That The Floor Levels Have Been Constructed In Accordance With Melbourne Water's Requirements
30. Imported Fill Must Be Kept To A Minimum On The Property And Only Be Used For The Sub Floor Areas Of The Dwellings, Garages And Driveway Ramps
31. Any New Fence Must Be Of An Open Style Of Construction (Minimum 50% Open) To Allow For The Passage Of Floodwaters/ Overland Flows
32. Prior To The Commencement Of Works, A Separate Application Direct To Melbourne Water Must Be Made For Any New Or Modified Storm Water Connection To Melbourne Water's Drains Or Watercourses. Prior To Making The Application, Evidence Must Be Provided Demonstrating That Council Considers It Is Not Feasible To Connect To The Local Drainage System. If Connecting To A Melbourne Water's Asset, You Can Now Apply Using Our Online Application Process (<[Http://Melbournewater.Com.Au/Apply](http://Melbournewater.Com.Au/Apply)>)

#### **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 Permit May Result In Action Being Taken To Have An Enforcement Order Made Against Some Or All Persons Having An Interest In The Land And May Result In Legal Action Or The Cancellation Of This Permit By The Victorian Civil And Administrative Tribunal
- N2. Nothing In The Grant Of This Permit Should Be Construed As Granting Any Permission Other Than Planning Permission For The Purpose Described. It Is The Duty Of The Permit Holder To Acquaint Themselves, And Comply, With All Other Relevant Legal Obligations (Including Any Obligation In Relation To Restrictive

- Covenants And Easements Affecting The Site) And To Obtain Other Required Permits, Consents Or Approvals
- N3. The Amendments Specified In Condition 1 Of This Permit And Any Additional Modifications Which Are “Necessary Or Consequential” Are Those That Will Be Assessed By Council When Plans Are Lodged To Satisfy That Condition. Any “Necessary Or Consequential” Amendments, In Addition To Those Required By This Condition, Should Be Specifically Brought To The Attention Of Council For Assessment
- N4. If Any Other Modifications Are Proposed, Application Must Also Be Made For Their Approval Under The Relevant Sections Of The Planning And Environment Act 1987. They Can Only Be Approved Once The Required And Consequential Changes Have Been Approved And The Plans Endorsed. It Is Possible To Approve Such Modifications Without Notice To Other Parties, But They Must Be Of Limited Scope. Modifications Of A More Significant Nature May Require A New Permit Application
- N5. To Complete A Satisfactory Sustainable Design Assessment (SDA) The Responsible Authority Recommends The Use Of The Built Environment Sustainability Scorecard (BESS) To Assess The Developments Environmental Performance Against Appropriate Standards
- N6. This Planning Permit Represents The Planning Approval For The Use And/OR Development Of The Land. This Planning Permit Does Not Represent The Approval Of Other Departments Of Darebin City Council Or Other Statutory Authorities. Such Approvals May Be Required And May Be Assessed On Different Criteria To That Adopted For The Approval Of This Planning Permit
- N7. 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

**CARRIED**

**For:** Cr’s McCarthy, Rennie, Newton and Amir (4)

**Against:** Cr’s Greco and Williams (2)

## 6. OTHER BUSINESS

### 6.1 GENERAL PLANNING 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).

<b>Committee Decision</b>
---------------------------

**MOVED:** Cr. T McCarthy

**SECONDED:** Cr. G Greco

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

**CARRIED**

The Mayor informed the Meeting of the sad passing of Dr. Christopher Baker, Chair of Inner North Community Foundation since 2016 and noted his significant contribution to the community through this Foundation and extended the condolences of the City of Darebin to his family and friends.

## 7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

## 8. CLOSE OF MEETING


The meeting closed at 6.56 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](mailto:mailbox@darebin.vic.gov.au)  
[darebin.vic.gov.au](http://darebin.vic.gov.au)

 **National Relay Service**  
[relayservice.gov.au](http://relayservice.gov.au)

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

 **Speak your language**  
T 8470 8470

العربية	Italiano	Soomalil
繁體中文	Македонски	Español
Ελληνικά	नेपाली	اردو
हिंदी	ਪੰਜਾਬੀ	Tiếng Việt