



the place
to live

MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 13 November 2023

Released to the public on 16 November 2023



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.

Table of Contents

Item Number		Page Number
1.	PRESENT	1
2.	APOLOGIES.....	1
3.	DISCLOSURES OF CONFLICTS OF INTEREST	1
4.	CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE	2
5.	CONSIDERATION OF REPORTS	3
5.1	APPLICATION FOR A PLANNING PERMIT D/381/2022	3
	159 Collins Street, Thornbury VIC 3071	3
6.	OTHER BUSINESS	15
6.1	APPLICATIONS DETERMINED BY VCAT - REPORT FOR PLANNING COMMITTEE	15
7.	CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL	16
8.	CLOSE OF MEETING.....	16

**MINUTES OF THE PLANNING COMMITTEE MEETING
DAREBIN CITY COUNCIL
HELD IN THE COUNCIL CHAMBER,
350 HIGH STREET PRESTON, 13 NOVEMBER 2023**

THE MEETING OPENED AT 6.54PM

DUE TO TECHNICAL ISSUES THE VIDEO FEED FROM THE COUNCIL CHAMBER WAS UNAVAILABLE FOR THE FIRST 10MINUTES OF THE MEETING HOWEVER AUDIO WAS AVAILABLE ON THE LIVESTREAM DURING THIS TIME.

WELCOME

The Chairperson, Mayor Julie Williams 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. Julie Williams (Mayor)
Cr. Susanne Newton (Deputy Mayor) (joined virtually)
Cr. Emily Dimitriadis
Cr. Gaetano Greco
Cr. Tom Hannan
Cr. Tim Laurence
Cr. Trent McCarthy
Cr. Susan Rennie

Council Officers

Vanessa Petrie - General Manager City Sustainability and Strategy
Neil Cooney - Acting Manager City Development
Matt Cullen - Acting Assistant Manager City Development
Robert Wyatt-Murray - Senior Planner

2. APOLOGIES

Cr. Lina Messina

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Committee Decision

MOVED: Cr. G Greco
SECONDED: Cr. S Rennie

That the Minutes of the Planning Committee Meeting held on 9 October 2023 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR A PLANNING PERMIT D/381/2022 159 Collins Street, Thornbury VIC 3071

Author: Senior Statutory Planner

Reviewed By: General Manager City Sustainability and Strategy

Submissions

The following people addressed the meeting in relation to this item:

1. *Jenny Mikakos*
2. *Lisa Christensen*
3. *Kon Doukouris*
4. *Matthew Robinson*
5. *Liam Leonard*
6. *Pamela Murray*
7. *John Leonard*
8. *Sue Zhang*
9. *Donald Holloway*

Applicant BQ Architects	Owner Melcas Pty Ltd	Consultant BQ Architects
-----------------------------------	--------------------------------	------------------------------------

SUMMARY

Property:	159 Collins Street, Thornbury
Proposal:	The application is for the development of two (2) double-storey dwellings in a side-by-side configuration with basement car parking and roof top terraces.
Car Parking:	Two (2) car parking spaces are provided to each dwelling within their respective basements. The required statutory rate of car parking is met for both dwellings.
Zoning:	General Residential Zone – Schedule 1 (GRZ1)
Overlay/s:	Development Contribution Plan Overlay (DCPO)
Is a Developer Contribution required?	Yes. The proposal is subject to a levy in accordance with Schedule 1 of Clause 45.06 (Development Contribution 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.
Council Flooding 100YR:	Yes. Part of the land (along the western boundary) is affected by 'nuisance flooding'. This flooding impact can be mitigated via a condition of approval to include a swale drain along the affected western side of the subject site.

<p>Consultation:</p>	<ul style="list-style-type: none"> • A public notice sign to the front of the property. • Letters sent to surrounding owners and occupiers. • A face to face meeting with the representatives for the objectors.
<p>Objections:</p>	<ul style="list-style-type: none"> • 38 objections were received against this application. • 1 petition objection with 129 signatories. <p>The key objection grounds raised include:</p> <ul style="list-style-type: none"> • Overdevelopment, visual bulk and excessive height. • The proposed design style and scale, including dual driveways, is not in keeping with existing neighbourhood character. • Proposed development is inconsistent with incremental change policy affecting the area. • Loss of privacy and amenity for neighbours. • Loss of landscaping and green space with limited space for landscaping within the front, side and rear of the site. • Insufficient capacity for drainage and stormwater runoff. • Limited and reduced side/rear setbacks, including basement. • Overshadowing and loss of light for existing neighbours and solar panels. • Loss of views. • Noise concerns from the roof top terrace, pool pump, air-conditioners and construction of the development. • Development would reduce property value of neighbouring sites. • Inaccuracies in plans, such as the location of existing buildings and north point. • Loss of car parking on the street due to additional crossover • Would set an unwelcome precedent.
<p>Key reasons for support:</p>	<p>High-quality contemporary design, supported by Council's City Designer, high level of compliance with Clause 55 (ResCode) of the Darebin Planning Scheme and would have no unreasonable off-site amenity impacts. Car parking would be provided in accordance with the planning scheme and Council policy.</p>
<p>Recommendation:</p>	<p>Notice of Decision to Grant a Planning Permit, with conditions.</p>

Recommendation

RECOMMENDATION PART A

That Planning Permit Application D/381/2022 be supported and a Notice of Decision to Grant a Permit be issued for the *Construction of two (2) dwellings in accordance with the endorsed plans at 159 Collins Street, Thornbury*, 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 BQ Architects; Project Number: BQ22-004; Revision number: TP02; Dated 25 October 2022; pages A2.1, A2.2, A2.3, A2.4, A3.1, A3.2, A3.3) but modified to show:
 - (a) Individual pedestrian footpaths from each dwelling entry connecting the front door/porch to the street.
 - (b) A 1.15 metre high metal slat fence perpendicular to the front fence to divide the front garden area into individual front gardens for each dwelling.
 - (c) External operable sun shading devices (excluding roller shutters to windows that face the street or common areas at ground floor) to all east and west facing habitable room windows/ glazed doors. Where sun shading devices are used a dimensioned section diagram or photograph must be provided.
 - (d) 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 used a dimensioned section diagram or photograph must be provided. Shading must not extend to within 1 metre of a property boundary.
 - (e) The dimensions of the internally accessible secure storage located within the basement in accordance with the requirements of Standard B30 (Storage) at Clause 55.05-6 of the Darebin Planning Scheme.
 - (f) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the eastern and western sides of the existing and proposed crossover to Collins Street. Where within the 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.
 - (g) The first floor northern habitable room windows of the Master Bedroom for Dwellings 1 and 2 with either:
 - (i) a sill with a minimum height of 1.7 metres above finished floor level;
 - (ii) a fixed external screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level; or
 - (iii) fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties. Screens must be constructed of durable materials and be integrated with the design of the development.
 - (h) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units, pool equipment/pumps and the like). These are to be:

- (i) co-located where possible;
 - (ii) located or screened to be minimally visible from the public realm;
 - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
 - (iv) integrated into the design of the building.
- (i) A reference to the Tree Protection Management Plan (TPMP) required by Condition 6 of this permit, including contact details for the TPMP.
 - (j) The details of the materials of the retaining walls on the plans including the Landscape Plans.
 - (k) A swale drain located along the western side of the site to reduce and prevent the 'nuisance flooding' occurring over the subject site.
 - (l) Any modifications required as a result of the approved Landscape Plan required by Condition 3 of this Permit.
 - (m) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition 4 and 5 of this Permit.
 - (n) The provisions of an Arborist Report and Tree Protection Management Plan in accordance with Condition 6 of this Permit
 - (o) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition 7 of this Permit.
 - (p) 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 8 of this Permit.
 - (q) The provision of swale drain documentation in accordance with Condition 9 of this Permit.

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

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before plans are endorsed under Condition No. 1 of this Permit, 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, prepared by Infinity Landscape Architects; dated 25 October 2022; pages L01B, and L02B, but modified to show:
 - (a) Tree protection measures in accordance with Condition 4 and 5 of this Permit.
 - (b) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition 7 of this Permit.
 - (c) 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. All existing trees to be retained must be retained and protected in accordance with Australian Standards.
 - (d) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - (e) A diversity of plant species and forms.

- (f) Five (5) medium sized canopy trees within the front setback of the proposed development. All canopy trees must have a minimum height of 1.6 metres in 40 litre containers at the time of installation and must have the following minimum widths at maturity: medium canopy (6-8 metres).
- (g) Where the opportunity exists, an appropriate number and size of canopy trees are to be shown within the rear secluded private open space areas of each dwelling, commensurate with the size of planting area available. All canopy trees must have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must adhere to Darebin City Council's standards for canopy trees at maturity (Height x Width): small canopy trees (4-6m x 4m), medium canopy trees (6-8m x 6m), large canopy trees (8-12m x 10m).
- (h) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
- (i) 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.
- (j) Hard paved surfaces at all entry points to dwellings.
- (k) The location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, clotheslines, tanks, storage, bike racks and the like).
- (l) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
- (m) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
- (n) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
- (o) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
- (p) Scale, north point and appropriate legend.
- (q) 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.

4. Before the development (including demolition) starts, tree protection fencing (TPF) must be erected in accordance with the requirements of the Arborist Report and Tree Protection Management Plan to provide a Tree Protection Zone (TPZ). Refer to Condition 6 of this Permit.
5. The following tree protection measures must be implemented for trees identified within the Arborist Report and Tree Protection Management Plan identified in Condition 6 of this Permit:
 - (a) Tree protection measures must 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 (such as temporary fencing panels) must be constructed to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed or unless otherwise agreed by the Responsible Authority in writing.
 - (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 Tree Protection Zone (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) Except with the written consent of the Responsible Authority:
 - (i) The area within the TPZ and Tree Protection Fencing (TPF) must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.
 - (ii) The area within the TPZ of all protected trees must be provided with 100mm layer of coarse mulch.
 - (iii) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
 - (iv) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
 - (e) Any pruning works must be carried out in accordance with the Australian Standard AS4373 – 2007: Pruning of Amenity Trees and undertaken by a suitably qualified arborist.
 - (f) The construction of the crossover (and any other buildings and works within a TPZ) must be undertaken under the supervision and direction of a qualified arborist.
 - (g) Open space areas within the TPZ of the trees identified within the TPMP must remain at or above existing grade and remain permeable.
 - (i) Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip.
 - (ii) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the site.
 - (h) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained must be marked and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.

6. Before plans are endorsed under Condition No. 1 of this Permit and before the commencement of any works including demolition and site preparation works, an amended Arborist Report and Tree Protection Management Plan (TPMP) including reports and plan/s to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Arborist Report and Tree Protection Management Plan will be approved and will then form part of this Permit. The Arborist Report and Tree Protection Management Plan must be prepared by a suitably qualified and experienced arborist. The Arborist Report and Tree Protection Management Plan must be generally in accordance with the Arborist Report and Tree Protection Management Plan, prepared by Arbor Report Victoria; dated 21 October 2022 and must incorporate:
- (a) Section 4 amended to include TPZ fencing for trees 5, 6, 8, 9, 10, 13, 14, 24 and 25 where TPZ occur onsite and all works within the TPZ's of these trees must be supervised by the project arborist. These TPZ must be added to the plan.
Notes added where TPZ fencing is allowed to be moved for construction.
 - (b) Tree 28 protection fencing correspond with the TPZ within the nature strip.
 - (c) Amend Section 11 to reference Darebin City Council.
7. Before plans are endorsed under Condition 1 of this Permit, a detailed Stormwater Management System Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
- (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including;
 - (i) An assessment using an industry recognised stormwater tool;
 - (ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
 - (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
 - (iv) A plan illustrating where all impervious surfaces will be treated and drained;
 - (v) A construction and maintenance schedule;
 - (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.
8. 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.

9. Before plans are endorsed under Condition No. 1 of this Permit, documentation demonstrating how water flow will be adequately managed on the site via provision of a swale drain along the western side of the site, must be submitted to and approved by the Responsible Authority. This documentation should include design details, specification and calculations of the swale drain to be designed to the satisfaction of the Responsible Authority. The documentation must be prepared by a suitably qualified Drainage Engineer. When approved, the Swale Drain documentation will be endorsed and will then form part of this Permit.
10. The development must not be occupied until fences to a minimum height of 1.8 metres above natural ground level are erected along the east, west and south property boundary. The fence must be constructed to the satisfaction of the Responsible Authority.
11. Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.
The external lighting must be designed, baffled and located to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.
12. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
13. The land must be drained to the satisfaction of the Responsible Authority.
14. 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.
15. 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.
16. 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.
17. A clothesline must be provided to each dwelling.
18. Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.
19. Before occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather sealcoat;
 - (d) drained;to the satisfaction of the Responsible Authority.

20. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
21. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
22. 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.
23. 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 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 a 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. 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. 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.

- 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.
- N8. Please note the Development Contribution Plan levy will be invoiced separately.
- N9. This planning permit has considered the flood mapping information which became available on 12 May 2023.

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. E Dimitriadis
SECONDED: Cr. G Greco

That Council does not support Planning Application D/381/2022 on the following grounds:

1. The proposal does not adequately respond to the preferred neighbourhood character of the area contrary to Clause 22.02 (Neighbourhood Character) of the Darebin Planning Scheme and the Neighbourhood Character Guidelines (Precinct F4 Post-war), in regard to:
 - a. The proposed side setbacks are not in accordance with the predominant setback pattern within the street; therefore, the proposal does not maintain and reinforce the existing rhythm of spacing between dwellings.
 - b. The rear secluded private open space areas of each dwelling are unable to accommodate large canopy trees due to minimal setback from the rear boundary and the dominance of paving and pools (and associated equipment and shower).
 - c. The inclusion of two (2) driveways and an additional crossover to Collins Street result in excessive paving within the front garden areas and a dominance of car parking within the front setback.
 - d. The upper levels are not set back a substantial distance from the ground level front façade, contrary to the pattern of development in the street, resulting in unreasonable visual bulk impacts when viewed from the street and adjoining properties.
 - e. The dwellings are out of scale with adjoining buildings and will dominate the streetscape through the inclusion of a second-floor roof top terrace.
2. The proposal is an overdevelopment of the site, is inconsistent with neighbourhood character and is contrary to Clauses 21.03-2 (Housing Development) and 21.03-4 (Character) of the Darebin Planning Scheme.
3. The proposed accessways are not at least 3 metres wide, contrary to Clause 52.06-9 (Design Standard 1 – Accessways) of the Darebin Planning Scheme.

4. The proposed development does not comply with Standard B13 (Landscaping) at Clause 55.03-8 of the Darebin Planning Scheme, as it does not allow for an appropriate level of landscaping to be provided which respects the character of the neighbourhood.
5. The design and layout of the development may contribute to additional flooding of the drainage system, contrary to the objectives and standards of Clause 55.02-4 (infrastructure) of the Darebin Planning Scheme.
6. The limited opportunity for landscaping combined with the extent of driveway, paving and pool infrastructure results in stormwater management that does not meet best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) and does not sufficiently contribute to cooling, improving local habitat and providing attractive and enjoyable spaces, contrary to the objectives and standards of Clause 55.03-4 (permeability and stormwater management) of the Darebin Planning Scheme.

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.

The motion was put and carried and became the committee decision as follows:

Committee Decision

MINUTE NO. 23-106

MOVED: Cr. E Dimitriadis
SECONDED: Cr. G Greco

That Council does not support Planning Application D/381/2022 on the following grounds:

1. The proposal does not adequately respond to the preferred neighbourhood character of the area contrary to Clause 22.02 (Neighbourhood Character) of the Darebin Planning Scheme and the Neighbourhood Character Guidelines (Precinct F4 Post-war), in regard to:
 - a. The proposed side setbacks are not in accordance with the predominant setback pattern within the street; therefore, the proposal does not maintain and reinforce the existing rhythm of spacing between dwellings.
 - b. The rear secluded private open space areas of each dwelling are unable to accommodate large canopy trees due to minimal setback from the rear boundary and the dominance of paving and pools (and associated equipment and shower).
 - c. The inclusion of two (2) driveways and an additional crossover to Collins Street result in excessive paving within the front garden areas and a dominance of car parking within the front setback.
 - d. The upper levels are not set back a substantial distance from the ground level front façade, contrary to the pattern of development in the street, resulting in unreasonable visual bulk impacts when viewed from the street and adjoining properties.
 - e. The dwellings are out of scale with adjoining buildings and will dominate the streetscape through the inclusion of a second-floor roof top terrace.

2. The proposal is an overdevelopment of the site, is inconsistent with neighbourhood character and is contrary to Clauses 21.03-2 (Housing Development) and 21.03-4 (Character) of the Darebin Planning Scheme.
3. The proposed accessways are not at least 3 metres wide, contrary to Clause 52.06-9 (Design Standard 1 – Accessways) of the Darebin Planning Scheme.
4. The proposed development does not comply with Standard B13 (Landscaping) at Clause 55.03-8 of the Darebin Planning Scheme, as it does not allow for an appropriate level of landscaping to be provided which respects the character of the neighbourhood.
5. The design and layout of the development may contribute to additional flooding of the drainage system, contrary to the objectives and standards of Clause 55.02-4 (infrastructure) of the Darebin Planning Scheme.
6. The limited opportunity for landscaping combined with the extent of driveway, paving and pool infrastructure results in stormwater management that does not meet best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) and does not sufficiently contribute to cooling, improving local habitat and providing attractive and enjoyable spaces, contrary to the objectives and standards of Clause 55.03-4 (permeability and stormwater management) of the Darebin Planning Scheme.

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.

CARRIED

For: Cr's Dimitriadis, Laurence, Greco and Williams (4)

Against: Cr's Rennie and Newton (2)

Abstained: Cr's McCarthy and Hannan (2)

The motion was carried on the casting vote of the Mayor.

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 upheld by VCAT by financial year 2023-2024, to date at Table 1; and
- A summary of decisions issued since last reported to Council (financial year 2023-2024) at Table 2.

Committee Decision

MINUTE NO. 23-107

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

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 8:12pm.

**CITY OF
DAREBIN**

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

 **National Relay Service**
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