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# MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 8 August 2022

Released to the public on 11 August 2022



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

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

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

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

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



### English

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

### Arabic

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

### Chinese

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

### Greek

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

### Hindi

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

### Italian

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

### Macedonian

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

### Nepali

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

### Punjabi

ਇਹ 'ਯੋਜਨਾ ਸਮਿਤੀ 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 xiriir 8470 8888.

### Spanish

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

### Urdu

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

### Vietnamese

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

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## MINUTES OF THE MEETING OF THE PLANNING COMMITTEE OF THE DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE, 350 HIGH STREET PRESTON ON MONDAY 8 AUGUST 2022

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### THE MEETING OPENED AT 6.32 PM

#### WELCOME

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

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

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

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

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

#### 1. PRESENT

##### **Councillors**

Cr. Lina Messina (Mayor) (Chairperson)

Cr. Trent McCarthy (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Gaetano Greco

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Susanne Newton

Cr. Susan Rennie

##### **Council Officers**

Vanessa Petrie – Acting General Manager City Sustainability & Strategy

Kathryn Pound – Manager City Development

Jacque Payne – Acting Priority Development Coordinator

Matthew Cullen – Statutory Planning Coordinator

Rachna Gupta Singh – Acting Coordinator Council Business

Rebecca Papoulias - Council Business Officer

Danica Webster - Council Business Officer

Nalaka Medagoda – IT Support Officer

## 2. APOLOGIES

An apology was received from Councillor Julie Williams.

## 3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

## 4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

<b>Recommendation</b>
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**That** the Minutes of the Planning Committee Meeting held on 14 June 2022 be confirmed as a correct record of business transacted.

<b>Committee Decision</b>
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**MOVED:** Cr. G Greco  
**SECONDED:** Cr. T McCarthy

**That** the Minutes of the Planning Committee Meeting held on 14 June 2022 be confirmed as a correct record of business transacted.

**CARRIED UNANIMOUSLY**

## 5. CONSIDERATION OF REPORTS

### 5.1 APPLICATION FOR A PLANNING PERMIT D/710/2021 169-171 GOWER STREET PRESTON

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#### SUMMARY

- The application proposes the construction of ten (10) dwellings (four (4) double storey and 6 (six) triple storey) with associated basement car parking. Dwellings 1 & 3-6 contain three (3) bedrooms and dwellings 2 & 7-10 each contain two (2) bedrooms. A total of fifteen (15) car parking spaces are required which have all been provided.
- The site is zoned General Residential Zone – Schedule 2 (GRZ2) and is affected by a Development Contributions Plan Overlay – Schedule 1 (DCPO1 – currently expired).
- Seventeen (17) objections were received against this application, on the key grounds of neighbourhood character, scale of the proposal, overshadowing and amenity impacts on the adjoining properties.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme, subject to minor variations in relation to Standard B3 (Dwelling diversity objective), Standard B28 (Private open space objective) and Standard B29 (Solar access to open space objective).
- The proposed design response is one which respects the existing neighbourhood character in relation to scale, spacing between buildings, roof forms and robust yet sympathetic materiality as well as overall height and streetscape presentation.
- It is recommended that the application be supported, subject to conditions.

#### CONSULTATION:

- Public notice was given via two (2) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the following units and officers within Council: Infrastructure and Capital Delivery, Climate Emergency and Sustainable Transport, Tree Management, Environmental Sustainable Development Officer, City Designer, Landscape Architect and Integrated Water Management Unit.
- This application was not required to be referred to any external authorities.

The following people addressed the meeting in relation to Item 5.1 Application for Planning Permit D/710/2021 169-171 Gower Street Preston:

- ***Matthew Dal Santo (Applicant)***
- ***Jason Dan (Objector)***
- ***Ashley Symons (Objector)***

**Recommendation**

**That** Planning Permit Application D/710/2021 be supported and a Notice of Decision to Grant a Permit be issued for the development of the land for ten (10) dwellings, (six (6) triple storey and four (4) double storey), in accordance with the endorsed plans at 169-171 Gower Street, Preston subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the advertised plans (plans identified as TP0.005, TP1.100, TP1.101, TP1.102, TP1.103, TP1.104, TP2.001, TP2.002, TP2.003, TP2.004, dated 29 October 2021, project no. 21001, prepared by Kion Develop) but modified to show:
  - (a) A comprehensive schedule of construction materials, external finishes, colours (including colour samples).
  - (b) The first and second floor east and west facing habitable room windows provided with either:
    - (i) a sill with a minimum height of 1.7 metres above finished floor level;
    - (ii) a fixed external screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level; or
    - (iii) fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.

Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties. Screens must be constructed of durable materials and be integrated with the design of the development. A notation stating this must be clearly delineated on the elevation plans.

- (c) The provision of 6 cubic metres of accessible, secure storage space for each dwelling. The storage cages must be shown with useable dimensions and a section diagram provided demonstrating convenient access if located above the car space.
- (d) 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.
- (e) Details of the fences on the eastern, western and southern boundaries (except within 7 metres of the front boundary northern boundary of the land) in accordance with Condition No.17 of this Permit.
- (f) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
  - (i) co-located where possible;
  - (ii) located or screened to be minimally visible from the public realm;
  - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
  - (iv) integrated into the design of the building.
- (g) The location of gas, water and electricity meters. Where meters would be visible



from the public realm, these are to be:

- (i) co-located where possible;
  - (ii) positioned on a side boundary or adjacent to the accessway; and
  - (iii) screened from view using either landscaping or durable screening that integrates with the development.
- (h) Any fencing visible from the street, other than fencing along common boundaries shared with an adjoining site, is to be of a design, colour and quality of material that matches the character of the development.
  - (i) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
  - (j) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition No. 4 and 5 of this Permit.
  - (k) Any modifications required as a result of the approved Sustainability Management Plan (SMP) required by Condition No. 6 of this Permit.
  - (l) Any modifications required by the Stormwater Management System Plan and Water Sensitive Urban Design (WSUD) Plan required by Condition No. 7 of this Permit.
  - (m) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.
  - (n) The provision of a Waste Management Plan (WMP) in conjunction with the requirements of Condition No.10 of this Permit.
  - (o) Details of the security gate to be provided along the ramp to the basement to be of a design, colour and quality of material that matches the character of the development to the satisfaction of the Responsible Authority. A section diagram is to be provided.
  - (p) Natural ground level and finished floor level accurately depicted on the plans.
  - (q) The location of the solar panels

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

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. Before plans are endorsed under Condition No. 1 of this Permit, the submitted landscape plan must be amended and re-submitted to the Responsible Authority for approval. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be amended to incorporate:
  - (a) Tree protection measures in accordance with Condition No. 4 and 5 of this Permit.
  - (b) The inclusion of a greater diversity of native and indigenous trees.
  - (c) Climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including the communal outdoor open space.
  - (d) An increase in native canopy coverage throughout the development. The minimum tree canopy widths at maturity for small trees must be 4 metres in width, for medium trees, 6 metres in width, and for large trees, 10 metres in width.
  - (e) All irrigation methods are to be clearly labelled and added to the landscape plan.

- (f) Annotated details are required to specify raised planter beds, planter boxes, climbing structures, surface materials such as all pavers and concrete and all tree and shrub planting applications.
- (g) All landscape applications, irrigation methods, WSUD treatments, maintenance and installation and those items relating to landscaping as part of the SMP are to be added to the landscape plan.
- (h) The landscape plan must clearly demonstrate how trees within 'confined' POS areas will successfully establish and remain viable for the long-term (adequate soil volumes, irrigation etc).
- (i) Any modifications relating to landscaping required as a result of the Sustainability Management Plan (SMP) required by Condition No. 6 of this Permit.
- (j) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit.
- (k) Details of all existing trees to be removed and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
- (l) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- (m) A diversity of plant species and forms.
- (n) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter beds and decking.
- (o) 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.
- (p) Hard paved surfaces at all entry points to dwellings.
- (q) 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).
- (r) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
- (s) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
- (t) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
- (u) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, ground covers and climbers.

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

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

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

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

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

4. Before the development (including demolition) starts, tree protection fencing (TPF) must be erected in accordance with the following requirements to provide a Tree Protection Zone (TPZ):

Each of the three street trees	Location	TPZ (radius from the base of each of the three trees)
Pyrus calleryana sp. (Callery Pear)*	Fronting the subject site (along Gower Street)	2 metres
*as defined by the submitted landscape plan designed by Jack Merlo Design and Landscaping.		

5. The following tree protection measures must be implemented for trees identified in the table to Condition No. 4 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 must be constructed of star pickets and chain mesh (or similar) 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.
- (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) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
  - (iii) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
- (e) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained (in this instance, the three street trees) 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, the submitted Sustainability Management Plan (SMP) must be amended and re-submitted to be approved by the Responsible Authority. When approved, the SMP will be endorsed and will then form part of this Permit. The SMP must be amended to address:

- (a) Maintain the proposed 70% overall score and minimums in Energy (50)%, Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS to demonstrate best practice in sustainable design.
- (b) A commitment to specifying reverse cycle heating and cooling systems to meet 4-star minimum heating and 4-star minimum cooling requirements or equivalent to

reflect what has been entered into the BESS assessment.

- (c) Fixed shading to north facing windows.
- (d) Clothes drying facilities added for each of the dwellings to reflect the BESS assessment.
- (e) A commitment to follow the construction site management requirements of the EPA's 275: Construction techniques for sediment pollution control.
- (f) A commitment to the use of low VOC paints, sealants, adhesives, carpet and E1 or E0-grade engineered wood products (e.g. MDF, plywood, engineered-wood flooring).
- (g) Openable or operable skylights to the stairs on the top floors to allow stack ventilation to occur through the stairs. Additionally, all bathrooms and ensuites must incorporate an openable window or openable skylight or exhaust fans with humidity sensors to allow daylight and ventilation.
- (h) One bicycle parking space per dwelling in order to claim the Transport 1:1 Bicycle parking – residential BESS credit. 2 of the 10 spaces are located in Unit 1's garage. One must be placed in the common parking area.
- (i) The location of the electric vehicle charging point in the basement garage must be shown with a notation or associated legend stating "minimum 15A dedicated circuit from load centre to car space" in order to claim the Transport 2:1 Electric Vehicle Infrastructure BESS credit.
- (j) There must be a commitment to a minimum of 70% construction and demolition waste diverted from landfill.
- (k) Each dwelling having access to waste separation options for general waste, co-mingled recycling, food/garden waste (FOGO) and glass.
- (l) The plans must specify, for the non-visible flat roofs and exposed concrete driveway, high SRI paints and materials (SRI>50) to help mitigate the urban heat island effect.
- (m) A minimum of 20% of the cement replaced with supplementary cementitious material (SCM), 50% recycled aggregate and 50% recycled water.
- (n) All fabricated structural steelwork to be supplied by a steel fabricator/contractor accredited to the Environmental Sustainability Charter of the Australian Steel Institute and a minimum of 60% of all reinforcing bar and mesh is to be produced using energy-reducing processes in its manufacture.

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

7. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report and Water Sensitive Urban Design Plan (WSUD) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
- (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including;
    - (i) An assessment using an industry recognised stormwater tool;
    - (ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;

- (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
- (iv) A plan illustrating where all impervious surfaces will be treated and drained;
- (v) A construction and maintenance schedule.

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. At the completion of the constructed ground floor level(s), and before the starting of the building frame or walls, a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority, confirming the ground floor level(s). The report must be submitted to the Responsible Authority no later than 7 days from the date of the inspection.

The development must not be occupied until a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority is submitted to the Responsible Authority, confirming the floor level(s).

10. Before plans are endorsed under Condition No. 1 of this Permit, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will then form part of this Permit. The Waste Management Plan must:

- (a) Provide for a private waste collection service from the subject site.
- (b) The waste collection must be conducted via the common basement level.
- (c) The size of the waste collection vehicle must be specified and must demonstrate:
  - (i) Satisfactory swept path diagrams detailing ingress and egress of the basement level, as well as internal manoeuvrability.
  - (ii) A ground clearance assessment detailing adequate head-height clearance for satisfactory access and collection.
- (a) Ensure all bin types, bin sizes, the size of the waste storage area/s and any other relevant detail/s specified in the Waste Management Plan are shown to scale on the endorsed plans.
- (b) Include measures to minimise waste material sent to landfill including details of how recycling of and treatment of organic/food waste will be maximised;
- (c) Confirm that educational material will be displayed in the waste bin storage area explaining what material can be recycled;
- (d) Include calculations showing the amount of general, recycle, glass and organic waste (including food waste) expected to be generated;
- (e) Detail the size of bins, frequency of collection and hours of collection;

- (f) Include a dimensioned plan showing:
  - (i) the location of the bin storage area on the site.
  - (ii) details of screening of the bin storage area from public view.
  - (iii) suitably dimensioned bin storage area with convenient access.
  - (iv) the storage area is capable of accommodating and allowing convenient access to the waste bins.
  - (v) the location on the site where the bins will be placed for collection.
  - (vi) where the waste trucks will stop to service the waste bins and whether No Parking restrictions will be required for the waste trucks to access that space.
- (g) Detail the ventilation to prevent garbage odours entering the car park and/or dwellings.

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

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

Waste storage and collection must not affect the amenity of the surrounding area.

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

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 land must be drained to the satisfaction of the Responsible Authority.
13. All guttering, rainheads, pipes including downpipes, fixtures, fittings and vents servicing any building on the site including those associated with a balcony must be:
  - (a) concealed in service ducts or otherwise hidden from view; or
  - (b) located and designed to integrate with the development,to the satisfaction of the Responsible Authority.
14. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
15. The 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.
16. The clothesline to each dwelling must be free-standing.
17. The development must not be occupied until a fence to a minimum height of 1.8 metres above finished floor level (FFL) is erected along the eastern, western and southern property boundaries. The fence must be constructed to the satisfaction of the Responsible Authority.

If the existing fences on the eastern, western and southern property boundaries with a

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

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, nature strip and kerb and channel to the satisfaction of the Responsible Authority.
22. This Permit will expire if either:
  - (a) The development does not start within three (3) years from the date of this Permit; or
  - (b) The development is not completed within five (5) years of the date of this Permit.As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
  - (a) Before this Permit expires;
  - (b) Within six (6) months after the expiry date; or
  - (c) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

## NOTATIONS

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

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal (VCAT).
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the development, they must be brought to the attention of Council as additional planning

assessment may be required through separate planning approval.

- N4. This Planning Permit represents the planning approval for the use/and or development of the site and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the use/and or development allowed by this planning permit starts.
- N5. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- N6. This planning permit is to be attached to the “statement of matters affecting land being sold”, under Section 32 of the Sale of *Land Act 1962* and any tenancy agreement or other agreement under the *Residential Tenancies Act 1997*, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.



**Motion**

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

**That** Planning Permit Application D/710/2021 be supported and a Notice of Decision to Grant a Permit be issued for the development of the land for ten (10) dwellings, (six (6) triple storey and four (4) double storey), in accordance with the endorsed plans at 169-171 Gower Street, Preston subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the advertised plans (plans identified as TP0.005, TP1.100, TP1.101, TP1.102, TP1.103, TP1.104, TP2.001, TP2.002, TP2.003, TP2.004, dated 29 October 2021, project no. 21001, prepared by Kion Develop) but modified to show:
  - (a) A comprehensive schedule of construction materials, external finishes, colours (including colour samples).
  - (b) The first and second floor east and west facing habitable room windows provided with either:
    - (i) a sill with a minimum height of 1.7 metres above finished floor level;
    - (ii) a fixed external screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level; or
    - (iii) fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties. Screens must be constructed of durable materials and be integrated with the design of the development. A notation stating this must be clearly delineated on the elevation plans.
  - (c) The provision of 6 cubic metres of accessible, secure storage space for each dwelling. The storage cages must be shown with useable dimensions and a section diagram provided demonstrating convenient access if located above the car space.
  - (d) 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.
  - (e) Details of the fences on the eastern, western and southern boundaries (except within 7 metres of the front boundary northern boundary of the land) in accordance with Condition No.17 of this Permit.
  - (f) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
    - (i) co-located where possible;
    - (ii) located or screened to be minimally visible from the public realm;
    - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and

- (iv) integrated into the design of the building.
- (g) The location of gas, water and electricity meters. Where meters would be visible from the public realm, these are to be:
  - (i) co-located where possible;
  - (ii) positioned on a side boundary or adjacent to the accessway; and
  - (iii) screened from view using either landscaping or durable screening that integrates with the development.
- (h) Any fencing visible from the street, other than fencing along common boundaries shared with an adjoining site, is to be of a design, colour and quality of material that matches the character of the development.
- (i) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
- (j) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition No. 4 and 5 of this Permit.
- (k) Any modifications required as a result of the approved Sustainability Management Plan (SMP) required by Condition No. 6 of this Permit.
- (l) Any modifications required by the Stormwater Management System Plan and Water Sensitive Urban Design (WSUD) Plan required by Condition No. 7 of this Permit.
- (m) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.
- (n) The provision of a Waste Management Plan (WMP) in conjunction with the requirements of Condition No.10 of this Permit.
- (o) Details of the security gate to be provided along the ramp to the basement to be of a design, colour and quality of material that matches the character of the development to the satisfaction of the Responsible Authority. A section diagram is to be provided.
- (p) Natural ground level and finished floor level accurately depicted on the plans.
- (q) The location of the solar panels

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

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before plans are endorsed under Condition No. 1 of this Permit, the submitted landscape plan must be amended and re-submitted to the Responsible Authority for approval. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be amended to incorporate:
  - (a) Tree protection measures in accordance with Condition No. 4 and 5 of this Permit.
  - (b) The inclusion of a greater diversity of native and indigenous trees.
  - (c) Climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including the communal outdoor open space.
  - (d) An increase in native canopy coverage throughout the development. The minimum tree canopy widths at maturity for small trees must be 4 metres in width, for medium trees, 6 metres in width, and for large trees, 10 metres in

width.

- (e) All irrigation methods are to be clearly labelled and added to the landscape plan.
- (f) Annotated details are required to specify raised planter beds, planter boxes, climbing structures, surface materials such as all pavers and concrete and all tree and shrub planting applications.
- (g) All landscape applications, irrigation methods, WSUD treatments, maintenance and installation and those items relating to landscaping as part of the SMP are to be added to the landscape plan.
- (h) The landscape plan must clearly demonstrate how trees within 'confined' POS areas will successfully establish and remain viable for the long-term (adequate soil volumes, irrigation etc).
- (i) Any modifications relating to landscaping required as a result of the Sustainability Management Plan (SMP) required by Condition No. 6 of this Permit.
- (j) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit.
- (k) Details of all existing trees to be removed and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
- (l) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- (m) A diversity of plant species and forms.
- (n) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter beds and decking.
- (o) 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.
- (p) Hard paved surfaces at all entry points to dwellings.
- (q) 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).
- (r) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
- (s) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
- (t) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
- (u) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, ground covers and climbers.

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

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

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

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

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

4. Before the development (including demolition) starts, tree protection fencing (TPF) must be erected in accordance with the following requirements to provide a Tree Protection Zone (TPZ):

Each of the three street trees	Location	TPZ (radius from the base of each of the three trees)
Pyrus calleryana sp. (Callery Pear)*	Fronting the subject site (along Gower Street)	2 metres
*as defined by the submitted landscape plan designed by Jack Merlo Design and Landscaping.		

5. The following tree protection measures must be implemented for trees identified in the table to Condition No. 4 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 must be constructed of star pickets and chain mesh (or similar) 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.
  - (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) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
    - (iii) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
  - (e) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained (in this instance, the three street trees) 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, the submitted Sustainability Management Plan (SMP) must be amended and re-submitted to be approved by the Responsible Authority. When approved, the SMP will be endorsed and will then form part of this Permit. The SMP must be amended to address:
  - (a) Maintain the proposed 70% overall score and minimums in Energy (50)%, Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS to demonstrate best practice in sustainable design.

- (b) A commitment to specifying reverse cycle heating and cooling systems to meet 4-star minimum heating and 4-star minimum cooling requirements or equivalent to reflect what has been entered into the BESS assessment.
- (c) Fixed shading to north facing windows.
- (d) Clothes drying facilities added for each of the dwellings to reflect the BESS assessment.
- (e) A commitment to follow the construction site management requirements of the EPA's 275: Construction techniques for sediment pollution control.
- (f) A commitment to the use of low VOC paints, sealants, adhesives, carpet and E1 or E0-grade engineered wood products (e.g. MDF, plywood, engineered-wood flooring).
- (g) Openable or operable skylights to the stairs on the top floors to allow stack ventilation to occur through the stairs. Additionally, all bathrooms and ensuites must incorporate an openable window or openable skylight or exhaust fans with humidity sensors to allow daylight and ventilation.
- (h) One bicycle parking space per dwelling in order to claim the Transport 1:1 Bicycle parking – residential BESS credit. 2 of the 10 spaces are located in Unit 1's garage. One must be placed in the common parking area.
- (i) The location of the electric vehicle charging point in the basement garage must be shown with a notation or associated legend stating "minimum 15A dedicated circuit from load centre to car space" in order to claim the Transport 2:1 Electric Vehicle Infrastructure BESS credit.
- (j) There must be a commitment to a minimum of 70% construction and demolition waste diverted from landfill.
- (k) Each dwelling having access to waste separation options for general waste, co-mingled recycling, food/garden waste (FOGO) and glass.
- (l) The plans must specify, for the non-visible flat roofs and exposed concrete driveway, high SRI paints and materials (SRI>50) to help mitigate the urban heat island effect.
- (m) A minimum of 20% of the cement replaced with supplementary cementitious material (SCM), 50% recycled aggregate and 50% recycled water.
- (n) All fabricated structural steelwork to be supplied by a steel fabricator/contractor accredited to the Environmental Sustainability Charter of the Australian Steel Institute and a minimum of 60% of all reinforcing bar and mesh is to be produced using energy-reducing processes in its manufacture.

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

7. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report and Water Sensitive Urban Design Plan (WSUD) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
  - (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including;
    - (i) An assessment using an industry recognised stormwater tool;
    - (ii) The type of water sensitive urban design (WSUD) stormwater treatment

measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;

- (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
- (iv) A plan illustrating where all impervious surfaces will be treated and drained;
- (v) A construction and maintenance schedule.

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. At the completion of the constructed ground floor level(s), and before the starting of the building frame or walls, a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority, confirming the ground floor level(s). The report must be submitted to the Responsible Authority no later than 7 days from the date of the inspection.

The development must not be occupied until a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority is submitted to the Responsible Authority, confirming the floor level(s).

10. Before plans are endorsed under Condition No. 1 of this Permit, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will then form part of this Permit. The Waste Management Plan must:

- (a) Provide for a private waste collection service from the subject site **which includes collection of general, recyclable, food organics and garden organics (FOGO) and glass waste bins.**
- (b) The waste collection must be conducted via the common basement level.
- (c) The size of the waste collection vehicle must be specified and must demonstrate:
  - (i) Satisfactory swept path diagrams detailing ingressing and egressing of the basement level, as well as internal manoeuvrability.
  - (ii) A ground clearance assessment detailing adequate head-height clearance for satisfactory access and collection.
- (d) Ensure all bin types, bin sizes, the size of the waste storage area/s and any other relevant detail/s specified in the Waste Management Plan are shown to scale on the endorsed plans.
- (e) Include measures to minimise waste material sent to landfill including details of how recycling of and treatment of organic/food waste will be maximised;
- (f) Confirm that educational material will be displayed in the waste bin storage area

- explaining what material can be recycled;
- (g) Include calculations showing the amount of general, recycle, glass and organic waste (including food waste) expected to be generated;
  - (h) Detail the size of bins, frequency of collection and hours of collection;
  - (i) Include a dimensioned plan showing:
    - (i) the location of the bin storage area on the site.
    - (ii) details of screening of the bin storage area from public view.
    - (iii) suitably dimensioned bin storage area with convenient access.
    - (iv) the storage area is capable of accommodating and allowing convenient access to the waste bins.
    - (v) the location on the site where the bins will be placed for collection.
    - (vi) where the waste trucks will stop to service the waste bins and whether No Parking restrictions will be required for the waste trucks to access that space.
  - (j) Detail the ventilation to prevent garbage odours entering the car park and/or dwellings.

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

The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority. Waste storage and collection must not affect the amenity of the surrounding area. Waste storage and collection must not cause any interference with the circulation and parking of vehicles on abutting streets.

- 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 land must be drained to the satisfaction of the Responsible Authority.
- 13. All guttering, rainheads, pipes including downpipes, fixtures, fittings and vents servicing any building on the site including those associated with a balcony must be:
  - (a) concealed in service ducts or otherwise hidden from view; or
  - (b) located and designed to integrate with the development,to the satisfaction of the Responsible Authority.
- 14. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- 15. The 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.
- 16. The clothesline to each dwelling must be free-standing.
- 17. The development must not be occupied until a fence to a minimum height of 1.8 metres above finished floor level (FFL) is erected along the eastern, western and southern property boundaries. The fence must be constructed to the satisfaction of the Responsible Authority.

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

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, nature strip and kerb and channel to the satisfaction of the Responsible Authority.
22. This Permit will expire if either:
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- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the



development, they must be brought to the attention of Council as additional planning assessment may be required through separate planning approval.

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The motion was put and carried.

### Committee Decision

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

**That** Planning Permit Application D/710/2021 be supported and a Notice of Decision to Grant a Permit be issued for the development of the land for ten (10) dwellings, (six (6) triple storey and four (4) double storey), in accordance with the endorsed plans at 169-171 Gower Street, Preston subject to the following conditions:

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  - (h) The landscape plan must clearly demonstrate how trees within 'confined' POS areas will successfully establish and remain viable for the long-term (adequate soil volumes, irrigation etc).
  - (i) Any modifications relating to landscaping required as a result of the Sustainability Management Plan (SMP) required by Condition No. 6 of this Permit.
  - (j) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit.
  - (k) Details of all existing trees to be removed and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
  - (l) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
  - (m) A diversity of plant species and forms.
  - (n) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter beds and decking.
  - (o) 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.

- (p) Hard paved surfaces at all entry points to dwellings.
- (q) 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).
- (r) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
- (s) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
- (t) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
- (u) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, ground covers and climbers.

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

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

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

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

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

4. Before the development (including demolition) starts, tree protection fencing (TPF) must be erected in accordance with the following requirements to provide a Tree Protection Zone (TPZ):

Each of the three street trees	Location	TPZ (radius from the base of each of the three trees)
Pyrus calleryana sp. (Callery Pear)*	Fronting the subject site (along Gower Street)	2 metres
*as defined by the submitted landscape plan designed by Jack Merlo Design and Landscaping.		

5. The following tree protection measures must be implemented for trees identified in the table to Condition No. 4 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 must be constructed of star pickets and chain mesh (or similar) 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.

- (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) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
    - (iii) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
  - (e) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained (in this instance, the three street trees) 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, the submitted Sustainability Management Plan (SMP) must be amended and re-submitted to be approved by the Responsible Authority. When approved, the SMP will be endorsed and will then form part of this Permit. The SMP must be amended to address:
- (a) Maintain the proposed 70% overall score and minimums in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS to demonstrate best practice in sustainable design.
  - (b) A commitment to specifying reverse cycle heating and cooling systems to meet 4-star minimum heating and 4-star minimum cooling requirements or equivalent to reflect what has been entered into the BESS assessment.
  - (c) Fixed shading to north facing windows.
  - (d) Clothes drying facilities added for each of the dwellings to reflect the BESS assessment.
  - (e) A commitment to follow the construction site management requirements of the EPA's 275: Construction techniques for sediment pollution control.
  - (f) A commitment to the use of low VOC paints, sealants, adhesives, carpet and E1 or E0-grade engineered wood products (e.g. MDF, plywood, engineered-wood flooring).
  - (g) Openable or operable skylights to the stairs on the top floors to allow stack ventilation to occur through the stairs. Additionally, all bathrooms and ensuites must incorporate an openable window or openable skylight or exhaust fans with humidity sensors to allow daylight and ventilation.
  - (h) One bicycle parking space per dwelling in order to claim the Transport 1:1 Bicycle parking – residential BESS credit. 2 of the 10 spaces are located in Unit 1's garage. One must be placed in the common parking area.
  - (i) The location of the electric vehicle charging point in the basement garage must be shown with a notation or associated legend stating "minimum 15A dedicated circuit from load centre to car space" in order to claim the Transport 2:1 Electric Vehicle Infrastructure BESS credit.
  - (j) There must be a commitment to a minimum of 70% construction and demolition waste diverted from landfill.
  - (k) Each dwelling having access to waste separation options for general waste, co-mingled recycling, food/garden waste (FOGO) and glass.
  - (l) The plans must specify, for the non-visible flat roofs and exposed concrete driveway, high SRI paints and materials (SRI>50) to help mitigate the urban heat island effect.
-

- (m) A minimum of 20% of the cement replaced with supplementary cementitious material (SCM), 50% recycled aggregate and 50% recycled water.
- (n) All fabricated structural steelwork to be supplied by a steel fabricator/contractor accredited to the Environmental Sustainability Charter of the Australian Steel Institute and a minimum of 60% of all reinforcing bar and mesh is to be produced using energy-reducing processes in its manufacture.

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

7. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report and Water Sensitive Urban Design Plan (WSUD) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
  - (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including:
    - (i) An assessment using an industry recognised stormwater tool;
    - (ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
    - (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
    - (iv) A plan illustrating where all impervious surfaces will be treated and drained;
    - (v) A construction and maintenance schedule.
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. At the completion of the constructed ground floor level(s), and before the starting of the building frame or walls, a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority, confirming the ground floor level(s). The report must be submitted to the Responsible Authority no later than 7 days from the date of the inspection.

The development must not be occupied until a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority is submitted to the Responsible Authority, confirming the floor level(s).

10. Before plans are endorsed under Condition No. 1 of this Permit, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved

by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will then form part of this Permit. The Waste Management Plan must:

- (a) Provide for a private waste collection service from the subject site which includes collection of general, recyclable, food organics and garden organics (FOGO) and glass waste bins.
- (b) The waste collection must be conducted via the common basement level.
- (c) The size of the waste collection vehicle must be specified and must demonstrate:
  - (i) Satisfactory swept path diagrams detailing ingressing and egressing of the basement level, as well as internal manoeuvrability.
  - (ii) A ground clearance assessment detailing adequate head-height clearance for satisfactory access and collection.
- (d) Ensure all bin types, bin sizes, the size of the waste storage area/s and any other relevant detail/s specified in the Waste Management Plan are shown to scale on the endorsed plans.
- (e) Include measures to minimise waste material sent to landfill including details of how recycling of and treatment of organic/food waste will be maximised;
- (f) Confirm that educational material will be displayed in the waste bin storage area explaining what material can be recycled;
- (g) Include calculations showing the amount of general, recycle, glass and organic waste (including food waste) expected to be generated;
- (h) Detail the size of bins, frequency of collection and hours of collection;
- (i) Include a dimensioned plan showing:
  - (i) the location of the bin storage area on the site.
  - (ii) details of screening of the bin storage area from public view.
  - (iii) suitably dimensioned bin storage area with convenient access.
  - (iv) the storage area is capable of accommodating and allowing convenient access to the waste bins.
  - (v) the location on the site where the bins will be placed for collection.
  - (vi) where the waste trucks will stop to service the waste bins and whether No Parking restrictions will be required for the waste trucks to access that space.
- (j) Detail the ventilation to prevent garbage odours entering the car park and/or dwellings.

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

The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority. Waste storage and collection must not affect the amenity of the surrounding area. Waste storage and collection must not cause any interference with the circulation and parking of vehicles on abutting streets.

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 land must be drained to the satisfaction of the Responsible Authority.
13. All guttering, rainheads, pipes including downpipes, fixtures, fittings and vents servicing any building on the site including those associated with a balcony must be:
  - (a) concealed in service ducts or otherwise hidden from view; or
  - (b) located and designed to integrate with the development, to the satisfaction of the Responsible Authority.
14. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
15. The 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.
16. The clothesline to each dwelling must be free-standing.
17. The development must not be occupied until a fence to a minimum height of 1.8 metres above finished floor level (FFL) is erected along the eastern, western and southern property boundaries. The fence must be constructed to the satisfaction of the Responsible Authority.

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

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, nature strip and kerb and channel to the satisfaction of the Responsible Authority.
22. This Permit will expire if either:
  - (a) The development does not start within three (3) years from the date of this Permit; or
  - (b) The development is not completed within five (5) years of the date of this Permit.As relevant, the Responsible Authority may extend the times referred to if a



request is made in writing:

- (a) Before this Permit expires;
- (b) Within six (6) months after the expiry date; or
- (c) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

## NOTATIONS

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

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

**CARRIED**

**For:** Cr's. Dimitriadis, Hannan, Laurence, McCarthy, Messina, Newton and Rennie (7)

**Against:** Cr. Greco (1)

## 6. OTHER BUSINESS

### 6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

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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>Officer Recommendation</b>
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**That** the General Planning Information attached as **Appendix A** be noted.

<b>Committee Decision</b>
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**MOVED:** Cr. T McCarthy  
**SECONDED:** Cr. S Rennie

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

**CARRIED UNANIMOUSLY**

## 7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

### CLOSE OF MEETING

<b>Committee Decision</b>
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**MOVED:** Cr. T McCarthy  
**SECONDED:** Cr. S Rennie

**That** in accordance with section 66(2) of the *Local Government Act 2020*, the Committee resolves to close the meeting to members of the public to consider the item designated confidential by the Chief Executive Officer on the basis that the matters are confidential in accordance with Section 3(1) of the Act.

#### 7.1 30 ST GEORGES ROAD STATE GOVERNMENT INTERVENTION

This item is confidential because it is land use planning information, being information that if prematurely released is likely to encourage speculation in land values, pursuant to Section 3(1) (c) of the Act.

**CARRIED UNANIMOUSLY**

The meeting was closed to the members of the public at 7.02 pm.


***The Committee considered and resolved on Item 7.1 - 30 ST. Georges Road State Government Intervention in the closed meeting.***

## 8. CLOSE OF MEETING


The meeting closed at 7.15 pm .

**CITY OF  
DAREBIN**

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