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MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 8 November 2021

Released to the public on 12 November 2021

IN ACCORDANCE WITH THE COVID-19 OMNIBUS (EMERGENCY MEASURE) ACT 2020, THIS COMMITTEE WAS HELD VIRTUALLY.

LIVE STREAMING OF THE PLANNING COMMITTEE MEETING WAS MADE AVAILABLE ON COUNCIL'S INTERNET SITE



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

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

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

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

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



(2)

English

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

Arabic

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

Chinese

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

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

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MINUTES OF THE MEETING OF THE PLANNING COMMITTEE OF THE DAREBIN CITY COUNCIL HELD VIRTUALLY ON MONDAY 8 NOVEMBER 2021

THE MEETING OPENED AT 6.31 PM

The Chairperson, Mayor Messina advised that the meeting was being held virtually and streamed live and that the audio and video would be made available on the Council's website as soon as practically after the meeting.

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. Gaetano Greco (Deputy Mayor)

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

Council Officers

Sue Wilkinson - Chief Executive Officer

Rachel Ollivier - General Manager City Sustainability and Strategy

Karen Leeder – Manager City Development

Jolyon Boyle – Coordinator Priority Development

Stephen Mahon - Coordinator Council Business

Rachna Gupta Singh - Senior Council Business Officer

Georgina Steele - Council Business Officer

2. APOLOGIES

An apology was received from Councillor Emily Dimitriadis.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Officer Recommendation

That the Minutes of the Planning Committee Meeting held on 11 October 2021 be confirmed as a correct record of business transacted.

Committee Decision

MOVED: Cr. S Rennie
SECONDED: Cr. J Williams

That the Minutes of the Planning Committee Meeting held on 11 October 2021 be confirmed as a correct record of business transacted.

CARRIED UNANIMOUSLY

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/66/2021 11 Berwick Street, Reservoir

SUMMARY

- The application is for a medium density housing development comprising the construction of two (2) double storey dwellings to the rear of the existing single storey dwelling.
- The existing dwelling (Dwelling 1) will maintain three (3) bedrooms and two (2) car spaces (existing carport and tandem car space). Minor buildings and works to this dwelling to reconfigure and modernise the internal layout are proposed. This dwelling fronts and maintains vehicle access to Berwick Street.
- The proposed dwellings are to the rear of the existing dwelling and face Sharpe Street and a section of right of way. These dwellings are attached in a side by side configuration. Each dwelling provides a living/dining/kitchen area and secluded private open space at ground level. The first floors will each contain three (3) bedrooms.
- The proposed dwellings provide two (2) car parking spaces, being a single garage and tandem car space. Vehicle access is to Sharp Street and the right of way.
- The proposed dwellings provide a contemporary design with a combination of weatherboard, render and brick. The front façade will feature spotted gum entry doors and aluminium door and window frames. Dwelling 2 will have a pitched and gabled roof and Dwelling 3 will have a flat roof.
- The development will have a maximum height of 7.925 metres.
- The site is zoned General Residential Zone Schedule 2 and is affected by the Development Contributions Plan Overlay (currently expired).
- The mandatory garden area requirement is 35%. The proposal achieves a garden area of 39%.
- There is no restrictive covenant on the title for the subject land.
- Six (6) objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

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 in Council: Asset and Capital Delivery, Climate Emergency and Sustainable Transport; Property Management; Environmental Sustainability Officer and Tree Management.
- This application was not required to be referred to external authorities.

The following persons addressed the meeting virtually in relation to Item 5.1 'Application for Planning Permit D/66/2021 11 Berwick Street, Reservoir

- **Ben Wardle (Applicant)**
- **Angelo and Rosemary Sirianni (Objector)**

Officer Recommendation

That Planning Permit Application D/66/2021 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. 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 TP1, TP2, TP3, TP5, TP61, Revision C, dated 15 July 2021, project no. 20-106, prepared by Wardle Design and received by Council on the 15 July 2021) but modified to show:
 - (a) Details of the external storage facilities provided for the dwellings, with a minimum volume of 6 cubic metres.
 - (b) Details of the fence on the eastern boundary (except within 8.6 metres of the Berwick Street frontage and 4.15 metres of the Sharpe Street frontage) in accordance with Condition No. 9 of this Permit.
 - (c) Provision of bike storage within the secluded private open space for dwelling 3.
 - (d) A comprehensive schedule of construction materials, external finishes and colours (including colour samples).
 - (e) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the eastern and western sides of the existing and proposed crossovers to Berwick Street, Sharpe Street and the right of way. 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.
 - (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 metres. Where metres 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) The first floor west facing bedroom 2 window of Dwelling 2 clearly shown with a fixed external screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level.
- (i) Any fencing visible from the street, other than fencing along common boundaries shared with an adjoining site, to be of a design, colour and quality of material (not timber palings) that matches the character of the development.
- (j) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
- (k) 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.
- (l) Details of the Tree Protection Zones (2 metres) and Structural Roots Zones (1.5m) of the *Pittosporum tenuifolium* trees to the east within No. 30 Sharpe Street adjacent the proposed accessway of dwelling 3.
- (m) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 6 of this Permit.
- (n) 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 No. 7 of this Permit.
- (o) 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.

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 prepared by a suitably qualified person and must incorporate:
 - (a) Tree protection measures in accordance with Condition No. 4 and 5 of this Permit.
 - (b) The Tree Protection Zone (2 metres) and Structural Roots Zone (1.5m) of the *Pittosporum tenuifolium* within No. 30 Sharpe Street adjacent the proposed works.
 - (c) A notation on plan that:
 - i. The TPZ of trees within No. 30 Sharpe Street to be adequately protected with suitably ground protection in accordance with AS4970-2009 Protection of Trees on Development Sites. All tree protection measures are to be implemented prior to all works including demolition, excavation and construction works commencing on the site. Protection measures can only be removed to allow for approved works to occur under supervision.
 - ii. All excavation works within the TPZ of trees within No. 30 Sharpe Street are to be supervised by a suitably qualified experienced arborist.
 - (d) Any modifications relating to landscaping required as a result of the Sustainable Design Assessment required by Condition No. 6 of this Permit).
 - (e) 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).

- (f) 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.
- (g) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- (h) A diversity of plant species and forms.
- (i) Provision of two (2) large canopy trees in the front setback (one (1) for each of Dwellings 2 and 3) and two (2) small canopy trees (one (1) for each of Dwellings 2 and 3) within the private open space. 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: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
- (j) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
- (k) 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.
- (l) Hard paved surfaces at all entry points to dwellings.
- (m) 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).
- (n) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
- (o) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
- (p) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
- (q) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
- (r) Scale, north point and appropriate legend.
- (s) 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 following requirements to provide a Tree Protection Zone (TPZ):

Tree*	Location	TPZ (radius from the base of the tree trunk)
Tree group Pittosporum tenuifolium	Adjoining property at No. 30 Sharpe Street (east)	2 metres
*as defined in internal referral comments from Council’s Planning Arborist		

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 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 Pittosporum tenuifolium within No. 30 Sharpe Street adjacent the proposed works 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) All excavation works within the TPZ of trees within No. 30 Sharpe Street are to be supervised by a suitably qualified arborist.
- (f) 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.
- (g) 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.

- (h) Open space areas within the TPZ of *Pittosporum tenuifolium* within 30 Sharpe Street adjacent the proposed works must remain at or above existing grade and remain permeable.
- (i) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the site.
- (j) 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, a Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SDA will be endorsed and will then form part of this Permit. The SDA must be prepared by a suitably qualified professional and must:

- (a) Detail the sustainable design strategies to be incorporated into the development.
- (b) Outline proposed sustainable design initiatives within the development including energy efficiency, water conservation, stormwater quality, waste management and material selection.
- (c) Be accompanied by a report from an industry accepted performance measurement tool.

The requirements of the endorsed SDA 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 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. The development must not be occupied until a fence to a minimum height of 1.8 metres above natural ground level is erected along the eastern property boundary. The fence must be constructed to the satisfaction of the Responsible Authority.

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

10. 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).

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 building/s 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. Clotheslines must not be visible from Berwick Street or Sharpe Street.
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.
- 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 [insert development or use or both] 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.

Committee Decision

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

That Planning Permit Application D/66/2021 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. 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 TP1, TP2, TP3, TP5, TP61, Revision C, dated 15 July 2021, project no. 20-106, prepared by Wardle Design and received by Council on the 15 July 2021) but modified to show:
 - (a) Details of the external storage facilities provided for the dwellings, with a minimum volume of 6 cubic metres.
 - (b) Details of the fence on the eastern boundary (except within 8.6 metres of the Berwick Street frontage and 4.15 metres of the Sharpe Street frontage) in accordance with Condition No. 9 of this Permit.
 - (c) Provision of bike storage within the secluded private open space for dwelling 3.
 - (d) A comprehensive schedule of construction materials, external finishes and colours (including colour samples).
 - (e) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the eastern and western sides of the existing and proposed crossovers to Berwick Street, Sharpe Street and the right of way. 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.

- (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 metres. Where metres 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) The first floor west facing bedroom 2 window of Dwelling 2 clearly shown with a fixed external screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level.
- (i) Any fencing visible from the street, other than fencing along common boundaries shared with an adjoining site, to be of a design, colour and quality of material (not timber palings) that matches the character of the development.
- (j) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
- (k) 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.
- (l) Details of the Tree Protection Zones (2 metres) and Structural Roots Zones (1.5m) of the *Pittosporum tenuifolium* trees to the east within No. 30 Sharpe Street adjacent the proposed accessway of dwelling 3.
- (m) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 6 of this Permit.
- (n) 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 No. 7 of this Permit.
- (o) 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.

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 prepared by a suitably qualified person and must incorporate:
 - (a) Tree protection measures in accordance with Condition No. 4 and 5 of this

Permit.

- (b) The Tree Protection Zone (2 metres) and Structural Roots Zone (1.5m) of the *Pittosporum tenuifolium* within No. 30 Sharpe Street adjacent the proposed works.
- (c) A notation on plan that:
 - i. The TPZ of trees within No. 30 Sharpe Street to be adequately protected with suitably ground protection in accordance with AS4970-2009 Protection of Trees on Development Sites. All tree protection measures are to be implemented prior to all works including demolition, excavation and construction works commencing on the site. Protection measures can only be removed to allow for approved works to occur under supervision.
 - ii. All excavation works within the TPZ of trees within No. 30 Sharpe Street are to be supervised by a suitably qualified experienced arborist.
- (d) Any modifications relating to landscaping required as a result of the Sustainable Design Assessment required by Condition No. 6 of this Permit).
- (e) 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).
- (f) 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.
- (g) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- (h) A diversity of plant species and forms.
- (i) Provision of two (2) large canopy trees in the front setback (one (1) for each of Dwellings 2 and 3) and two (2) small canopy trees (one (1) for each of Dwellings 2 and 3) within the private open space. 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: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
- (j) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
- (k) 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.
- (l) Hard paved surfaces at all entry points to dwellings.
- (m) 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).
- (n) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
- (o) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
- (p) The location of both existing and proposed overhead and underground

services. Conflicts of such services with the existing and proposed planting must be avoided.

- (q) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
- (r) Scale, north point and appropriate legend.
- (s) 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 following requirements to provide a Tree Protection Zone (TPZ):

Tree*	Location	TPZ (radius from the base of the tree trunk)
Tree group Pittosporum tenuifolium	Adjoining property at No. 30 Sharpe Street (east)	2 metres
*as defined in internal referral comments from Council's Planning Arborist		

- 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 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 *Pittosporum tenuifolium* within No. 30 Sharpe Street adjacent the proposed works 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) All excavation works within the TPZ of trees within No. 30 Sharpe Street are to be supervised by a suitably qualified arborist.
 - (f) 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.
 - (g) 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.
 - (h) Open space areas within the TPZ of *Pittosporum tenuifolium* within 30 Sharpe Street adjacent the proposed works must remain at or above existing grade and remain permeable.
 - (i) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the site.
 - (j) 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, a Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SDA will be endorsed and will then form part of this Permit. The SDA must be prepared by a suitably qualified professional and must:
- (a) Detail the sustainable design strategies to be incorporated into the development.
 - (b) Outline proposed sustainable design initiatives within the development including energy efficiency, water conservation, stormwater quality, waste management and material selection.
 - (c) Be accompanied by a report from an industry accepted performance measurement tool.

The requirements of the endorsed SDA 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 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. The development must not be occupied until a fence to a minimum height of 1.8 metres above natural ground level is erected along the eastern property boundary. The fence must be constructed to the satisfaction of the Responsible Authority.

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

10. 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).

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 building/s 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. Clotheslines must not be visible from Berwick Street or Sharpe Street.
 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.
- 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 [insert development or use or both] 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

CARRIED

For: Cr's. Greco, Hannan, McCarthy, Messina, Rennie and Williams (6)

Against: Cr's. Laurence and Newton (2)

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

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

- Scheduled VCAT appeals for the information of the Planning Committee. The table includes appeals heard in the past three (3) months (but does not include practice day hearings).

Officer Recommendation

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

Committee Decision

MOVED: Cr. T Laurence
SECONDED: Cr. G Greco

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

CARRIED UNANIMOUSLY

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil

8. CLOSE OF MEETING


The meeting closed at 7.05 pm.

**CITY OF
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