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MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Tuesday 10 March 2020

Released to the public on Friday 13 March 2020



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

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

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

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

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



English

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

Arabic

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

Chinese

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

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

ਇਹ '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 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 AT COUNCIL CHAMBER
DAREBIN CIVIC CENTRE,
350 HIGH STREET PRESTON ON TUESDAY 10 MARCH 2020**

THE MEETING OPENED AT 6.01 pm

WELCOME

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

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

1. PRESENT

Councillors

Cr. Susan Rennie (Mayor) (Chairperson)

Cr. Susanne Newton (Deputy Mayor)

Cr. Steph Amir

Cr. Gaetano Greco

Cr. Kim Le Cerf

Cr. Trent McCarthy

Cr. Lina Messina (6.04 pm)

Council Officers

Sue Wilkinson - Chief Executive Officer

Rachel Ollivier - General Manager City Sustainability and Strategy

Darren Rudd - Manager City Development

Ann Taylor - Principal Planner

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

Michelle Martin - Council Business Officer

Nick Van – Council Business Officer

David Lee – IT Service Desk Officer

2. APOLOGIES

Apologies were received from Cr. Tim Laurence and Cr. Julie Williams.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Committee Decision

MOVED: Cr. G Greco
SECONDED: Cr. K Le Cerf

That the Minutes of the Planning Committee Meeting held on 9 December 2019 be confirmed as a correct record of business transacted.

CARRIED

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/722/2018 800-802 & 820 PLENTY ROAD RESERVOIR

Author: Senior Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
Japara Developments Pty Ltd	Aldi Foods Pty Ltd	<ul style="list-style-type: none"> • Godfrey Spowers (Victoria) Pty Ltd. • Fitzgerald Frisby Landscape Architecture. • Planning & Property Partners Pty Ltd. • Hansen Partnership Pty Ltd. • TTM Consulting (Vic) Pty Ltd. • Lucid Consulting Australia. • Axiom Tree Management Pty Ltd. • Resonate. • Leigh Design Pty Ltd

SUMMARY

- The proposal is for the construction of two (2) mixed-use six (6) storey buildings (Building A and Building B), providing retail and food and drink premises with the primary use being a residential aged care facility and retirement village.
- A total of 123 car parking spaces are proposed within basement and lower ground levels, with access via the existing accessway to the east (for the lower ground level) and the rear Right of Way for the basement parking area.
- Building A
 - Plenty Road. The ground level also contains pedestrian entry to the internal core area, a kitchen (for meal preparation and distribution throughout the building). Additional independent living units are located at the rear ground floor, with a total of twelve (12) independent living units at this level. Various staff facilities and operational rooms, are provided within the basement level.
 - A total of ninety (90) aged care suites are provided from the first floor to the third floor levels, with communal lounge and dining areas and terraces to the south.
 - The fourth floor level has 15 assisted living units, with a communal lounge and terrace area and south facing balconies for the units.
 - The roof has a communal terrace area.
- Building B
 - At ground level Building B contains a retail premises fronting Plenty Road, with independent living units sleeved behind.

- This building is primarily used for a retirement village with a total of 47 independent living units across the six (6) levels, with a variety of unit layouts and sizes (one (1), two (2) and three (3) bedrooms) and each unit with private open space area in the form of terraces and balconies (of 8 - 33 square metres).
- There is a pool and gymnasium to the basement level and a communal terrace area to the roof.
- The site is zoned Commercial 1 and is affected by a Design and Development Overlay (Schedule 17) and Development Contributions Plan Overlay Schedule 1.
- There are no restrictive covenants on the titles for the subject land.
- Six (6) objections were received against this application.
- The proposal is generally consistent with the policies and provisions of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via three signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the City Architect, ESD Officer, Urban design, Arboricultural Planning Unit, Infrastructure and Capital Delivery Unit and the Transport Engineering and Strategy Unit.
- This application was referred externally to VicRoads and Public Transport Victoria.

The following people addressed the meeting in relation to Item 5.1 Application for Planning Permit D/722/2018 800-802 & 820 Plenty Road, Reservoir and were thanked for their presentations by the Chairperson, Mayor Rennie:

- (1) Paul Little (Applicant)
- (2) Toby Hicks (Applicant)
- (3) Alex Sands (Objector)

Recommendation

That Planning Permit Application on D/722/2018 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

- (1) Before the development and use starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as drawing nos TP.00 to TP.49, dated 14 September 2019, project no. 2016020 and prepared by Godfrey Spowers (Victoria) Pty Ltd.) but modified to show:
 - a) Critical height dimensions shown to the elevations (and levels to AHD) with a maximum height of 20 metres (not including roof top plant and communal areas).
 - b) The following amendments to the Plenty Road façade in accordance with drawing nos SK_11, dated 30 May 2019 and prepared by Godfrey Spowers (Victoria) Pty Ltd:
 - i. Amended layout to Apartments 308, 408, 508 to provide a balcony opening to the north-east façade.

- ii. Increased width to the central entry from Plenty Road.
- c) The southern elevation is to be amended in accordance with drawing no SK_10, dated 30 May 2019 and prepared by Godfrey Spowers (Victoria) Pty Ltd to show increase glazing inset and deeper reveal to the central dining area of the first, second and third floors of Building A.
- d) Bicycle parking spaces must be dimensioned as follows:
 - Horizontal spaces (ground-mounted):
 - i. Double-sided parking rails or hoops set 1000mm apart, or 500mm from a wall or fence.
 - ii. Allow 1800mm long envelope for the bicycle, plus 1500mm wide aisle for access.
 - Vertical spaces (wall-mounted):
 - i. Rails mounted at 500mm spacing between centres if mounted at staggered heights, or 1000mm if mounted at a single height.
 - ii. Rails to be mounted so that bicycles need to be lifted only between 50mm-350mm (staggered rails should be mounted at alternating heights of 1850mm and 2150mm).
 - iii. Must allow 1200mm envelope for the bicycle to extend out from the wall, plus a 1500mm wide aisle for access.
- e) The width of the ramp providing access to the Lower Ground B car park is to be a minimum width of 6.1 metres between ramp walls and is to be revised, as per swept paths prepared by TTM Consulting (Vic) Issue A, dated 23 August 2018.
- f) Details of signage to inform drivers that the public road along the southern boundary allows exit only movements from the subject site.
- g) The intersection between the southern boundary road and accessway leading to the lower ground car park is to be clearly shown including methods of dealing with conflicting vehicle movements.
- h) Allocation of car parking spaces to dwelling units and commercial uses.
- i) Full dimensions of car spaces and accessways showing compliance with Design standard 2 – Car parking spaces, of Clause 52.06-9 of the Planning Scheme.
- j) Details of the tandem car spaces with minimum dimensions of 4.9 metres in length x 2.6 metres in width and separated by a minimum of 500mm.
- k) 17 car parking spaces proposed on land adjacent to the eastern access removed from the plans.
- l) The accessible parking space on the basement level is to be dimensioned in accordance with AS2890.6:2009.
- m) Details of column location in the basement area, ensuring compliance with Diagram 1 Clearance to car parking spaces of Design standard 2 – Car parking spaces of Clause 52.06-9 of the Planning Scheme.
- n) Parking spaces bounded by a wall are to be widened by 300mm.
- o) Ramp transitions are to be a minimum 2 metres wide.
- p) Screening of overlooking of adjoining residential properties to the south in accordance with the requirements of Standard B22 (within 9 metres and a 45 degree angle).
- q) Details of all window openings.
- r) Install an east facing operable window to Unit 305.

- s) Install an east facing operable window to E14.
- t) Relocate solar panels behind and next to the roof plant to the top of the plant room or closer together on the west area of roofing.
- u) The water tank must be connected to the toilets for the independent living units for the lower levels.
- v) Install a door that is 1200 to 1500mm wide for the bike store for 20 bikes.
- w) Full details on the waste and recycling chutes.
- x) A single communal antenna for the development (refer also to Condition No. 17 of this Permit). The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.
- y) Details of lighting to the garage and common ground level and lower ground level areas.
- z) Full details of shade and seating to the communal roof top terraces.
- aa) Location of mailboxes adjacent to the building entry, in an active well-lit and weather protected.
- bb) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition 7 of this Permit.
- cc) The location of all plant and equipment (including air conditioners and the like). These are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building.
- dd) A notation indicating the extent of the construction of the rear right of way (refer to Condition 13 of this Permit).
- ee) Noise attenuation measures required by the acoustic assessment under Condition 14 of this permit.
- ff) Modifications in accordance with the Sustainable Design Assessment (Refer to Condition 9 of this Permit).
- gg) Modifications in accordance with the Waste Management Plan (Refer to Condition 15 of this Permit).
- hh) A landscape plan in accordance with Condition No. 4 of this Permit.
- ii) A comprehensive schedule of external materials, colours and finishes (including colour samples). Construction materials are to be low maintenance. External materials and finishes (including glazing) are to be of a low reflectivity level. The use of painted surfaces must be minimised.

Annotated coloured elevations showing the location/application of the materials, colours and finishes must be provided.

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) This Permit will expire if either:
 - The development does not start within three (3) years from the date of this Permit; or
 - The development is not completed or the use is not started 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:

- Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
- (4) Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
- a) Provision of a minimum of six (6) suitable medium canopy trees and ten (10) suitable small canopy trees.
 - b) Tree protection measures, in accordance with Condition No. 7 of this Permit.
 - c) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
 - d) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - e) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.
 - f) Where the opportunity exists, an appropriate number and size of canopy trees are to be shown within the secluded private open space areas of each dwelling and within the front setback of the property, commensurate with the size of planting area available. All canopy trees are to have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
 - g) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
 - h) 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) Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
 - i) Hard paved surfaces at all entry points to dwellings.
 - j) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - k) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - l) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - m) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
-

- n) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
- (5) The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.
No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
- (6) The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
- (7) Before buildings and works (including demolition) start, tree protection fencing must be erected in accordance with the following requirements to define a Tree Protection Zone (TPZ).

<i>Tree (as defined in the tree assessment by Axiom Tree Management Pty Ltd dated 8 May 2018)</i>	<i>TPZ (radius from the base of the trunk)</i>
Tree 4 – Located within the adjoining property to the south	3.2 metres
Tree 5 – Located within the adjoining property to the south	2.5 metres

Tree protection measures are to be in accordance with Australian Standard AS4970 – 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority.

Tree protection fencing must be constructed of star pickets and chain mesh (or similar) and remain in place until construction is complete, to the satisfaction of the Responsible Authority.

The tree protection fencing must be maintained at all times and may only be moved the minimum amount necessary for approved buildings and works to occur within a TPZ. The movement of the fencing to allow such buildings and works shall only occur for the period that such buildings and works are undertaken, after which time the full extent of the fencing must be reinstated.

No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.

No storage or dumping of tools, equipment or waste is to occur within a TPZ.

Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip.

Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the subject site.

- (8) Any pruning that is required to be done to the canopy of any trees retained on-site is to be done by a suitably qualified person to Australian Standard – Pruning of Amenity Trees AS 4373 – 1996, Standards Australia.
Any pruning of the root system of any existing tree to be retained is to be done by hand by a suitably qualified person.
- (9) Before the development starts, a Sustainable Design Assessment (SDA) detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority. The SDA must outline proposed sustainable design initiatives within the development such as (but not limited to) energy efficiency, water conservation, stormwater quality, waste management and material selection. The SDA

must be accompanied by a report from an industry accepted performance measurement tool.

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

- (10) Before the development starts, a detailed Stormwater Management System Report must be submitted to the satisfaction of the Responsible Authority and be approved in writing by the Responsible Authority. The report must include:
- a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including:
 - 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 development must be constructed and maintained in accordance with the requirements/ recommendations of the approved Stormwater Management System Report to the satisfaction of the Responsible Authority.

- (11) Before the development starts, a detailed Site Management Plan must be submitted to the satisfaction of the Responsible Authority and be approved in writing by the Responsible Authority. The plan must describe how the site will be managed prior to and during the construction period and set out requirements for:
- a) Erosion and sediment.
 - b) Stormwater.
 - c) Litter, concrete and other construction wastes.
 - d) Chemical contamination.

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

- (12) At the completion of the constructed ground floor level(s), and before the commencement of the building frame or walls, the ground floor level(s) must be confirmed. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the inspection. The upper floor level(s) must be confirmed before an Occupancy Permit is issued in the form of a report from a licensed land surveyor and submitted to the Responsible Authority.
- (13) Prior to the occupation of the development:
- a) Plans detailing the construction and surfacing including drainage of the right of way abutting the southern boundary of the property, commencing from the

eastern end of the property and continuing west, must be submitted to and approved by Council.

- b) The right of way abutting the western boundary of the property, commencing from the southern boundary of the property, commencing from the eastern end of the property and continuing west, must be constructed and surfaced in accordance with the approved plans.

All works must be to the satisfaction of the responsible authority.

- (14) Before development starts, an Acoustic Assessment of the development generally in accordance with the submitted report by Resonate dated 31 August 2018, to the satisfaction of the Responsible Authority, must be submitted to the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:

- a) The design of habitable rooms of all dwellings adjacent to a road limits internal noise levels to a maximum of 35 dB(a) in accordance with relevant Australian Standards for acoustic control (including AS3671-Road Traffic).
- b) Noise emissions from the development (including the operation of plant, transmission of noise between dwellings and the use of the car park) do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

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

- (15) Before the development starts, a waste management plan, to the satisfaction of the Responsible Authority, demonstrating the operation of the garbage and recyclables storage area must be submitted to the Responsible Authority.

The plan/documentation must demonstrate the means by which garbage and recyclables will be stored on the site and must clearly detail: what waste services will be provided (i.e. cardboard, paper, plastic and metals recycling or comingled waste, general waste, hard rubbish and organic waste), types of bins, types of collection vehicles, frequency of collection, times of collection, location of collection point for vehicles, location of on-site bin storage, location of bins for collection and any other relevant matter.

Waste storage and collection must be undertaken in accordance with the approved waste management plan and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

- (16) Prior to the commencement of development, a Streetscape Improvement Works Plan and associated construction drawing specifications detailing the works to the land must be submitted and approved to the satisfaction of the Responsible Authority. The plan must detail works to the Plenty Road and road reserve adjacent to the subject site.

The plans must include the following details:

- a) A detailed level and feature survey of the footpaths and roads, including the depth of the footpaths from the external façades to the kerb.
 - b) Premium footpath paving (Abri masonry) in two tone (charcoal grey and steel grey or another suitable option) to the Plenty Road road reserve adjacent to the subject site.
 - c) A planting schedule of proposed street tree vegetation and canopy trees detailing the botanical name, common name, size at maturity and quantities of all plants. All footpath planting must be provided in passively irrigated pits, either WSUD
-

pits or resin bound surfacing and flush with the pavement. Planter boxes must not be provided.

- d) Any required relocation of parking and traffic signs.
- e) Any other works to the public land adjacent to the development.

The approved Streetscape Improvement Works Plan will form part of the endorsed plans under the permit and must be implemented to the satisfaction of the Responsible Authority at the expense of the owner of the land, prior to the occupation of the development unless otherwise agreed with the prior written consent of the Responsible Authority.

- (17) Prior to the commencement of any works, the permit holder is to provide written approval for all relevant service authorities that benefit from any easements to be expunged/relocated to the satisfaction of the Responsible Authority.
- (18) Prior to the commencement of any works, the permit holder is to provide an appropriate lease to allow use of the adjacent VicRoads land to the satisfaction of the Responsible Authority.
- (19) Only one (1) communal television antenna may be erected on the building. Individual antennae for individual dwellings/tenancies must not be erected.
- (20) All dwellings that share dividing walls and floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
- (21) Before the dwellings are occupied, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

The external lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land, to the satisfaction of the Responsible Authority.

- (22) Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
- (23) The land must be drained to the satisfaction of the Responsible Authority.
- (24) With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- (25) No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- (26) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
- (27) Before occupation of the development areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all weather sealcoat;
 - d) Drained;
 - e) Line-marked to indicate each car space and all access lanes;
 - f) Clearly marked to show the direction of traffic along the access lanes and driveways

to the satisfaction of the Responsible Authority.

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

- (28) Before the development is occupied vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.

VicRoads Conditions:

- (29) Prior to the commencement of works, amended ground floor plans must be submitted to and approved by the Roads Corporation (VicRoads). The plans must show a redesigned loading bay access (at the south boundary), provided with physical constraints (such as boom gate), to prevent other vehicles from the development from entering Albert Street directly from the site.
- (30) The development must be managed during construction so as not to compromise the operational efficiency of Plenty Road Reservoir or public safety.

NOTATIONS

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

- N1 Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2 Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- N3 The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.
- If any other modifications are proposed, application must also be made for their approval under the relevant sections of the Planning and Environment Act 1987. They can only be approved once the required and consequential changes have been approved and the plans endorsed. It is possible to approve such modifications without notice to other parties, but they must be of limited scope. Modifications of a more significant nature may require a new permit application.
- N4 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.
- N5 To complete a satisfactory Sustainable Design Assessment (SDA) the Responsible Authority recommends the use of the Built Environment Sustainability Scorecard (BESS) to assess the developments environmental performance against appropriate standards.

- N6 This Planning Permit must 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. G Greco
SECONDED: Cr. S Amir

That the Planning Committee defer the matter until the next Planning Committee to enable further discussions between the Applicant and the Objector facilitated by Council Officers.

CARRIED

5.2 EXISTING DEVELOPMENT CONTRIBUTIONS PLAN - EXTENSION OF EXPIRY DATE

Author: Strategic Planner

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

This report recommends that Council requests that the Minister for Planning amend the planning scheme to allow Council to continue to spend funds that were collected by the existing Development Contributions Plan (DCP) – ‘*City of Darebin Development Contributions Plan, June 2004 (Revised 2015)*’. It is recommended that Council request that the Minister extend the time period by 12 months in which Council could spend the DCP funds already collected. Note that the purpose of the expenditure would remain the same (to fund construction of the Darebin Multi-Sports Stadium (MSS)).

The DCP collected funds from July 2004 to 1 July 2014. During this time, the DCP generated more contributions than had been anticipated. In 2016, the Minister approved Amendment C148 to the Darebin Planning Scheme, which extended the DCP to 30 June 2020 to allow \$6.5M of unspent funds collected through the original DCP (2004-2014) to be expended on a project of municipal-wide benefit – the Darebin Multi-Sports Stadium (MSS). The 2016 extension will expire at the end of this financial year.

The MSS project will deliver a high-quality multi-sport facility that will act as a hub for Darebin sports, particularly catering for women’s sports, for which there is currently a critical need in the municipality. Council has committed to delivering this project by making it one of sixteen Big Actions. However, the MSS Project has experienced unplanned delays and Council will not be able to spend the unspent funds before the June 30 expiry of the current DCP.

Under the *Planning and Environment Act 1987* (the Act), if Council cannot expend all of the unspent funds by the expiry date, it must exercise one of three options to either provide for the expenditure of funds, submit a planning scheme amendment to the Minister to provide for the expenditure, or pay back to landowners.

To end of 2018/19, \$1.2 million (M) of the DCP remaining unspent funds (6.5M) had been spent on the MSS. A further \$3.1M of the DCP unspent funds is forecast to be spent in 2019/20 by 30 June 2020, leaving approximately \$2M of unspent funds when the DCP expires at end of June 2020.

In order to secure the unspent funds and ensure the MSS project can be delivered, officers recommend that Council seek an extension to term of the current DCP through a planning scheme amendment.

Due to the technical and administrative nature of the amendment and the urgency of the need to secure the remaining unspent funds by the DCP’s expiry in June, officers recommend that Council resolve to request that the Minister for Planning prepare and approve Amendment C190, pursuant to section 20(4) of the Act, to the Darebin Planning Scheme to extend the expiry date of the DCP for a further 12 months. It is proposed that notification requirements will be exempt under a section 20(4) amendment, so no formal consultation process with the community will occur.

Committee Decision

MOVED: Cr. T McCarthy

SECONDED: Cr. S Amir

That Council:

- (1) Requests the Minister for Planning to prepare and approve Amendment C190 to the Darebin Planning Scheme, pursuant to section 20(4) of the *Planning and Environment Act 1987*, reflected in the draft amendment documents in **Appendix A**, to extend the expiry date for the existing Development Contributions Plan.
- (2) Progress Amendment C190 pursuant to section 20(4) of the *Planning and Environment Act 1987*, on the basis that the changes to the scheme proposed are minor and administrative in nature and that and urgent action is needed to secure the funding for the Darebin Multi Sports Stadium.
- (3) Authorises the Manager City Futures to finalise the amendment documentation to form the basis of the request to the Minister for Planning.
- (4) Writes a letter to the Minister for Planning from the Mayor requesting an amendment under section 20(4) of the Act and outlining the reasons for this request.

CARRIED

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

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

- Scheduled VCAT appeals for the information of the Planning Committee. The table includes appeals heard as well as those scheduled for the coming months (but does not include mediations and practice day hearings).

Committee Decision

MOVED: Cr. K Le Cerf

SECONDED: Cr. G Greco

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

CARRIED

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil

8. CLOSE OF MEETING


The meeting closed at 6.39 pm.

**CITY OF
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