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MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 12 October 2020

Released to the public on Thursday 15 October 2020

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

LIVE STREAMING OF THE COUNCIL 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.



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 12 OCTOBER 2020

THE MEETING OPENED AT 6.03 PM

The Mayor advised that the meeting was being streamed live and that audio and video would be made available on Council's website on Tuesday 13 October 2020.

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 (arrived 6.26pm)

Cr. Tim Laurence (arrived 6.17pm)

Cr. Kim Le Cerf (arrived 6.12pm)

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Julie Williams

Council Officers

Sue Wilkinson - Chief Executive Officer

Rachel Ollivier - General Manager City Sustainability and Strategy

Jodie Watson - General Manager Governance and Engagement

Julie Smout – Coordinator Statutory Planning

Stephen Mahon - Coordinator Council Business

Lisa Thomas-Bates – Governance Project Officer

2. APOLOGIES

Nil.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Note – The minutes of the last Planning Committee held on the 13 July 2020 where confirmed at the Ordinary Council Meeting on the 17 & 18 August 2020)

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT 16 Hunter Street Northcote

Author: Statutory Planner

Reviewed By: General Manager City Sustainability and Strategy

Caretaker Statement

In accordance with Councils Election Period Policy the recommended decision is not an Inappropriate Decision as defined in Section 69(2) of the Local Government Act 2020, or an inappropriate Decision within the meaning of the Election Period Policy

Applicant	Owner	Consultant
Shouman Pty Ltd	Nick Petroulas and Elpida Elizabeth Petroulas	Gum & Maple Consulting

SUMMARY

- This application is for the construction of a double storey dwelling on a lot less than 300 square metres. It is noted that the demolition of the existing dwelling does not form part of this application as it does not require planning permission. Secluded private open space is provided in the form of a garden to the rear of the dwelling and provision is made for two (2) on site car parking spaces, one of these being under cover.
- The site is zoned General Residential Zone, Schedule 2
- There is no restrictive covenant on the title for the subject land.
- 10 objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clause 54 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via one (1) sign posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to Assets and Capital Delivery, Climate Emergency and Sustainable Transport, and the Arboricultural Planning Unit.
- This application was not required to be referred to external authorities.

The owner of the subject site addressed the Committee.

The owners of 15 and 14 Hunter Street addressed the Committee

Committee Decision

MINUTE NO. 20-123

MOVED: Cr. S Newton
SECONDED: Cr. K Le Cerf

That Planning Permit Application D/524/2019 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as Ground Floor Plan TP103, First Floor Plan TP104, Roof Plan TP105, Elevations TP106, and Elevations TP107 – all plans revision D, dated 18/05/2020 and prepared by Shouman) but modified to show:
 - (a) Annotations detailing Tree Protection Zones, associated tree protection fencing and tree protection measures in accordance with the requirements of Condition Nos. 4 and 5 of this Permit.
 - (b) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the northern and southern sides of the existing crossover to Hunter Street. Where within the site, the splays must be at least 50% clear of any visual obstructions (structures, vegetation and the like). The splays may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.
 - (c) Details of the fence on the southern boundary. The fence must be a minimum of 1.8 metres above natural ground level, except where within the front building setback.
 - (d) Dimensions specifying the height of the front fence.
 - (e) The wall of the retreat setback from the northern property boundary in accordance with Standard A10 of Clause 54.04-1 (Side and Rear Setbacks) without the further reduction of setbacks to any other boundaries.
 - (f) Details of compliance with Standard A15 of Clause 54.04-6 (Overlooking) confirmed as follows:

North facing first floor windows:

- *Obscure glazing to the master bedroom and bedroom 2 windows to read: fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.*

- The retreat and stairwell windows confirmed to have a sill height of at least 1.7 metres above finished first floor level.

South facing first floor windows:

- All south facing first floor windows confirmed to have a sill height of at least 1.7 metres above finished first floor level.
- (g) 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.

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. Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the Building Act 1993 and the Building Regulations 2006. 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 sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to 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 1	Naturestrip	2.0 metres
Trees 2-10,	Adjoining property (south)	2.0 metres
Tree 11	Adjoining property (south)	2.4 metres
Tree s 13 & 14	Adjoining property (north)	2.0 metres

*as defined in Arborist Report by Gum & Maple (06/02/2020)

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 and to the satisfaction of the Responsible Authority.
 - (b) Protection fencing must be installed around the trees prior to any work on-site. Fencing must remain in place for the duration of construction and be installed in accordance with Australian Standard AS4970 – 2009: **Protection of trees on development sites** and to the satisfaction of the Responsible Authority.

- (c) The tree protection fencing must be maintained at all times and may only be moved the minimum amount necessary for approved buildings and works to occur within a 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) All demolition/excavation works within the TPZ of Trees 2-14 must be supervised by a qualified arborist
 - Any roots <40mm uncovered must be pruned with sharp/sterile tools
- (e) Ground protection is installed between the property boundary and dwelling footprint immediately following demolition works
- (f) It is imperative that pathways within TPZs are fully constructed above grade (strictly no further excavation)
 - Paths are constructed using a permeable/porous material within TPZs
- (g) Any service installation within TPZs must be bored to a minimum depth of 0.6m below existing grade. There must strictly be no 'open trench' excavation within TPZs
- (h) Any required canopy pruning must be carried out by a qualified arborist in accordance with the Australian Standard AS4373 - 2007: **Pruning of Amenity Trees** and to the satisfaction of the Responsible Authority.
- (i) Except with the written consent of the Responsible Authority:
 - (i) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
 - (ii) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
- (j) 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.
- (k) The construction of any other buildings and works within a TPZ must be undertaken under the supervision and direction of a qualified arborist.
- (l) Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip.
- (m) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the site.

Tree numbers, Tree Protection Zones and the methods of tree protection must be clearly notated on all plans

6. Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
7. The land must be drained to the satisfaction of the Responsible Authority.
8. 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.
9. 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.

10. Provision must be made on the land for a letter box and receptacle for newspapers to the satisfaction of the Responsible Authority.
11. Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all weather sealcoat; and
 - (d) drained
- to the satisfaction of the Responsible Authority.
- Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
12. Before the development is occupied, vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority.
13. 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 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.

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 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: Crs. Rennie, Newton, Amir, Le Cerf, McCartney, Messina and Williams (7)

Against: Cr Laurence (1)

Abstained: Cr Greco (1)

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

Caretaker Statement

In accordance with Councils Election Period Policy the recommended decision is not an Inappropriate Decision as defined in Section 69(2) of the Local Government Act 2020, or an inappropriate Decision within the meaning of the Election Period Policy

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

MINUTE NO. 20-125

MOVED: Cr. K Le Cerf
SECONDED: Cr. L Messina

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 6.33pm.

**CITY OF
DAREBIN**

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