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MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Tuesday 15 June 2021

Released to the public on Friday 18 June 2021



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.

Table of Contents

| Item Number | | Page Number |
|--------------------|--|--------------------|
| 1. | PRESENT | 1 |
| 2. | APOLOGIES..... | 1 |
| 3. | DISCLOSURES OF CONFLICTS OF INTEREST..... | 1 |
| 4. | CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE | 2 |
| 5. | CONSIDERATION OF REPORTS..... | 3 |
| 5.1 | APPLICATION FOR PLANNING PERMIT D/727/2020 57 Martin Street, Thornbury..... | 3 |
| 6. | OTHER BUSINESS | 14 |
| 6.1 | GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS | 14 |
| 7. | CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL..... | 15 |
| 8. | CLOSE OF MEETING | 15 |

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE OF
THE DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,
350 HIGH STREET PRESTON ON TUESDAY 15 JUNE 2021**

THE MEETING OPENED AT 7.00 PM

WELCOME

The Chairperson, Mayor Messina 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. Lina Messina (Mayor) (Chairperson)

Cr. Gaetano Greco (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

Council Officers

Rachel Ollivier - General Manager City Sustainability and Strategy

Jodie Watson - General Manager Governance and Engagement

Karen Leeder - Manager City Development

Jolyon Boyle - Coordinator Statutory Planning

Stephen Mahon - Coordinator Council Business

Michelle Martin - Council Business Officer

Karlee Ferrante - Council Business Officer

2. APOLOGIES

Nil

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

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| Officer Recommendation |
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That the Minutes of the Planning Committee Meeting held on 10 May 2021 be confirmed as a correct record of business transacted.

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| Committee Decision |
|---------------------------|

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

That the Minutes of the Planning Committee Meeting held on 10 May 2021 be confirmed as a correct record of business transacted.

CARRIED

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/727/2020 57 Martin Street, Thornbury

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

| Applicant | Owner | Consultant |
|--------------------------------|-------------------------|--|
| 57 Martin Developer Nominee | Exors Pietro Pignatelli | Common Ground Pty Ltd Eco Results Mud-Office Tree Logic Pty Ltd |

SUMMARY

- The applicant has lodged an appeal with the Victorian Civil and Administrative Tribunal against Council’s failure to determine the application with the prescribed timeframe. Therefore, this item relates to forming Council’s position on the application.
- The proposal includes the construction of six (6) double storey dwellings, with each dwelling containing three (3) bedrooms.
- The private open spaces are located at ground level to the west of the respective dwellings.
- The maximum height of the development is 7.25 metres.
- The development includes eight (8) car parking spaces provided via the constructed right of way (ROW) adjoining the rear of the subject site, as follows:
 - Four (4) spaces are located within two (2) car stackers.
 - Four (4) spaces are provided as conventional car parking space.
- The site is zoned General Residential Zone – Schedule 2 and is affected by the Development Contributions Plan Overlay.
- The mandatory garden area requirement is 35%. The proposal achieves a garden area of 35.5%.
- There is no restrictive covenant on the title for the subject land.
- 12 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 Council form the position to support the application.

CONSULTATION:

- Public notice was given via a sign posted on site and letters sent to surrounding owners and occupiers.

- This application was referred internally to:
 - Assets and Capital Delivery Unit
 - City Design Unit
 - City Designer
 - Climate Emergency and Sustainable Transport
 - ESD Officer
 - Property Services Unit
 - Tree Management Unit
- This application was not required to be referred to external authorities.

The following person addressed the meeting in relation to Item 5.1 Application for Planning Permit D/727/2020:

- 1) Julianne Bryce (Objector)

| |
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| Officer Recommendation |
|-------------------------------|

That Planning Committee forms the position to support Planning Permit Application D/727/2020 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: TP100, Proposed Floor Plans – Ground, dated 08.01.2021; TP101, Proposed Floor Plan- Level 01, dated 08.01.2021; TP102, Proposed Roof Plan, dated 08.01.2021; TP200, Proposed Elevations, dated 08.01.2021; TP210, Proposed Detail Elevation, dated 08.01.2021; TP500, Proposed Materials, dated 03.12.2020; all prepared by Common Ground) but modified to show:
 - (a) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
 - (b) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Conditions No.'s 4 and 5 of this Permit.
 - (c) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 6 of this Permit.
 - (d) 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.
 - (e) 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.
 - (f) Any modifications required as a result of the approved Car Parking Management Plan required by Condition No. 9 of this Permit.
 - (g) Any modifications required as a result of the approved Acoustic Report required by Condition No. 11 of this Permit.

- (h) Details of the fences on the eastern and western boundaries (except within 6.1 metres of the southern boundary of the land) in accordance with Condition No. 12 of this Permit.
- (i) Additional north facing windows to the first floor of TH06 in accordance with the plan identified as 'Design Consideration 2 – North Facing Windows', received by Council on 5 March 2021.
- (j) An additional south facing window to the first floor of TH01 in accordance with the plan identified as 'Design Consideration 03 – South Facing Window', received by Council on 5 March 2021.
- (k) The following in accordance with the plan identified as 'Design Consideration 5 – Bicycle Parking, received by Council on 5 March 2021:
 - i. One (1) additional car parking space, by providing an additional car stacker;
 - ii. Four (4) additional 'ned kelly' bicycle parking racks; and
 - iii. A vehicular turntable, if required for vehicular access.
- (l) Alterations to the pedestrian entry to the site to provide two (2) 'towel rail' bicycle racks in accordance with the plan identified as 'Design Consideration 5 – Bicycle Parking, received by Council on 5 March 2021.
- (m) The air conditioning units of Dwellings 2-6 relocated to the roofs of the respective dwellings. The units must be centrally located and not visible from the adjoining properties.
- (n) The timber batons of the front fence altered to improve the extent of visible permeability to allow views through the fence into the front garden area.
- (o) The front fence with a maximum height of 1.5 metres, as measure above natural ground level of the adjoining Martin Street nature strip/pedestrian path.
- (p) The external storage to TH01 with a minimum volume of 6.0 cubic metres. The height of the storage must not exceed the height of the west boundary fence.
- (q) A minimum of 25% of the car stackers able to accommodate a vehicle height of at least 1.8 metres.
- (r) The decking within the secluded private open spaces reduced to allow greater garden area/soil volume proximate the canopy trees to ensure long-term tree viability.
- (s) 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.
- (t) The location of gas, water and electricity meters. Where meters would be visible from the public realm, these are to be:
 - (i) co-located where possible;
 - (ii) positioned on a side boundary or adjacent to the accessway; and

- (iii) screened from view using either landscaping or durable screening that integrates with the development.

Where screening is to be utilised a dimensioned section diagram and a material/colour sample must be included. Screens must be constructed of durable materials and be integrated with the design of the development.

- (u) The screening to the east and west facing first floor habitable room windows to have a minimum height of 1.7 metres, as measured from the finished floor level.

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, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be generally in accordance with the plans identified as: Dwg No. 1, Cover, Specifications, Details; Dwg No. 2, Landscape Plan, Exterior Surfaces, Key; Dwg No. 3, Planting Plan TH01-TH03 & Planting Schedule; all dated 21.01.21, and prepared MUD-OFFICE, but modified to show:
 - (a) Tree protection measures in accordance with Condition No. 4, and 5 of this Permit.
 - (b) Any modifications relating to landscaping required as a result of the *Sustainable Design Assessment* required by Condition No. 6 of this Permit)
 - (c) 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)
 - (d) A minimum provision of:
 - i. 2x medium canopy trees within the front setback
 - ii. 3x small 'upright' trees along the front entrance
 - iii. 6x small 'upright' trees within the secluded private open spaces (1 each per dwelling)

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).

- (e) Annotated graphic construction details showing all landscape applications and structures including decking and freestanding structure for climbing plants.
- (f) Type and details of lawn must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
- (g) The proposed Crepe Myrtle & Olive within the secluded private open spaces replaced with a more upright species given confined garden area.
- (h) Jacaranda(s) replaced with native species

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 1* | Nature strip | 3.2 metres |
| Tree 2 * | Nature strip | 2.0 metres |
| Tree 5* | East adjoining property | 2.0 metres |
| Tree 10* | East adjoining property | 2.0 metres |
| Tree 11* | East adjoining property | 2.0 metres |
| Tree 16 | Northern end of the east adjoining property, proximate the common property with the site. | 2.0 metres |

*as defined in Arboricultural Assessment and Report, Tree Logic Ref. 011126, dated 30 October 2020 and prepared by Tree Logic.

5. The following tree protection measures must be implemented for trees identified for retention and protection by the arboricultural assessment required by 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 must be provided with 100mm layer of coarse mulch.
 - (iii) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
 - (iv) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
 - (e) Any pruning works must be carried out in accordance with the Australian Standard AS4373 - 2007: Pruning of Amenity Trees and undertaken by a suitably qualified arborist.
 - (f) The construction of the crossover (and any other buildings and works within a TPZ) must be undertaken under the supervision and direction of a qualified arborist.
 - (g) Open space areas within the TPZs must remain at or above existing grade and remain permeable.
 - (h) Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip.
 - (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. The Sustainable Design Assessment (SDA) to be endorsed and which will then form part of this Permit is the SDA submitted with the application (identified as *Sustainable Design Assessment, Report No: 2020-2326-SDA, dated 21 January 2021 and prepared by Ecoresults*) or as otherwise determined to the satisfaction of the Responsible Authority.
- The requirements of the endorsed Sustainable Design Assessment (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. Before plans are endorsed under Condition No. 1 of this Permit, a Car Parking Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Parking Management Plan will be endorsed and will then form part of this Permit. The Car Parking Management Plan must include:
- (a) Allocation of car parking spaces according to vehicle size and type;
 - (b) Ongoing maintenance of the car stacker system and vehicular turntable (if utilised).
 - (c) Instructions to owners/occupiers about the operation of the car stacker system;
 - (d) Communicating to prospective residents about the availability of car stacker spaces and sizes; and
 - (e) Specific make and model of all proposed car stackers.

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

10. The car stacker/s and vehicular turntable (if utilised) must be routinely serviced and maintained to the satisfaction of the Responsible Authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.
11. Before plans are endorsed under Condition No. 1 of this Permit, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will then form part of this Permit. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must include recommended acoustic attenuation measures and treatments to ensure that:
- (a) Noise levels associated with the mechanical car stackers, vehicular turntable (if utilised), roller doors and the use of the car parking area do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

The requirements of the approved Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

12. The development must not be occupied until a fence/s to a minimum height of 1.8 metres above natural ground level is erected along the east and west property boundaries, except within 6.1 metres of the southern property boundary. The fence must be constructed to the satisfaction of the Responsible Authority.

If the existing fence/s on the eastern and western boundaries 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.

13. 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).

14. 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.

15. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

16. The land must be drained to the satisfaction of the Responsible Authority.

17. 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.

18. 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.

19. Any 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.

20. A clothesline must be provided to each dwelling. Clotheslines must not be visible from Martin Street.

21. Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.

22. 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.
23. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
24. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
25. 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. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.

- N6. This planning permit is to be attached to the “statement of matters affecting land being sold”, under Section 32 of the *Sale of Land Act 1962* and any tenancy agreement or other agreement under the *Residential Tenancies Act 1997*, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.

Motion

MOVED: Cr. S Rennie
SECONDED: Cr. E Dimitriadis

That Planning Permit Application not be supported on the following grounds:

1. The proposal does not respect the existing or preferred character of the area with regard to roof forms and articulation to the street facade.
2. The proposal does not provide sufficient car parking for the expected demand of the occupants and visitors of the dwellings.
3. The proposal does not meet the objectives Clause 55 of the Darebin Planning Scheme, more particularly:
 - a) Clause 55.04-1: Side and rear setbacks – Dwelling 1 is not set back sufficiently from the east property boundary.
 - b) Clause 55.04-2: Wall on Boundaries – The length of the northern boundary wall exceeds the standard.
 - c) Clause 55.04-5: Overshadowing of open space – The extent of overshadowing of the east adjoining property, known as 2/59 Martin Street, is not reasonable.
 - d) Clause 55.05-4: Private Open Space – The proposal does not provide sufficient private open space for the expected service and recreational needs of the occupants of Dwellings 2-6 (inclusive).

The motion was put and carried.

Committee Decision

MOVED: Cr. S Rennie
SECONDED: Cr. E Dimitriadis

That Planning Permit Application not be supported on the following grounds:

1. The proposal does not respect the existing or preferred character of the area with regard to roof forms and articulation to the street facade.
2. The proposal does not provide sufficient car parking for the expected demand of the occupants and visitors of the dwellings.
3. The proposal does not meet the objectives Clause 55 of the Darebin Planning Scheme, more particularly:
 - a) Clause 55.04-1: Side and rear setbacks – Dwelling 1 is not set back sufficiently from the east property boundary.
 - b) Clause 55.04-2: Wall on Boundaries – The length of the northern boundary wall exceeds the standard.

- c) Clause 55.04-5: Overshadowing of open space – The extent of overshadowing of the east adjoining property, known as 2/59 Martin Street, is not reasonable.
- d) Clause 55.05-4: Private Open Space – The proposal does not provide sufficient private open space for the expected service and recreational needs of the occupants of Dwellings 2-6 (inclusive).

CARRIED

For: Cr's. Dimitriadis, Greco, Laurence, Messina, McCarthy, Newton, Rennie and Williams (8)

Against: Cr. Hannan (1)

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).

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

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| Committee Decision |
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MOVED: Cr. G Greco
SECONDED: Cr. T McCarthy

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 7.23pm.

**CITY OF
DAREBIN**

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