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MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 19 December 2016

Released to the public on Thursday 22 December 2016

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**MINUTES OF THE MEETING OF THE PLANNING
COMMITTEE OF DAREBIN CITY COUNCIL HELD AT
DAREBIN CIVIC CENTRE ON 19 DECEMBER 2016**

THE MEETING COMMENCED AT 6.04 PM

WELCOME

The Chairperson, Cr. Le Cerf, in opening the meeting acknowledged the Wurundjeri people, the traditional owners of the land.

1. PRESENT

Councillors

Cr Kim Le Cerf (Mayor) (Chairperson)
Cr Steph Amir
Cr Gaetano Greco (Deputy Mayor)
Cr Tim Laurence
Cr Trent McCarthy
Cr Lina Messina
Cr Susanne Newton
Cr Susan Rennie
Cr Julie Williams

Council Officers

Andrew McLeod – Acting Chief Executive
Steve Hamilton – Director City Futures and Assets
Darren Rudd – Manager Planning and Building
Cristen Sullivan – Coordinator Statutory Planning
Jacinta Stevens – Director Civic Governance and Compliance
John Limbach – Principal Planner
Katia Croce – Coordinator Council Business

2. APOLOGIES

Nil

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE

Committee Decision

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

THAT the Minutes of the Planning Committee meeting held on 21 November 2016 be confirmed as a correct record of business transacted.

CARRIED

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/865/2014
 208-2016 High Street, Preston 3072

AUTHOR: Principal Planner – John Limbach

DIRECTOR: Director Assets and Business Services – Steve Hamilton

OWNER/APPLICANT/CONSULTANT:

Applicant	Owner	Consultant
SJB Planning	Kallena Lane Pty Ltd	SJB Planning Ratio Consultants Alexandrou & Associates Energy Lab Waste Wise Environmental ML Traffic Engineers Polplan Pty Ltd

SUMMARY:

- The proposal is for construction of a seven (7) storey (plus two (2) basement and a partial mezzanine level) mixed use building. The overall height of the building is 26 metres measured from the footpath to the top of the screening to the rooftop plant.
- 77 dwellings are proposed to the upper floors of the building, each with access to a private balcony and communal open space located on level 6 of the building.
- Four (4) shop units are proposed on the ground floor, fronting High Street, each with access to a mezzanine level for a total provision of 449 square metres of leasable floor area.
- A reduction in the car parking and waiver of the loading and unloading requirements, as set out in the Darebin Planning Scheme (The Scheme), are sought.
- A total of 83 car parking spaces and 62 bicycle parking spaces are proposed, with access from the rear right of way (ROW).
- The site is zoned Priority Development Zone – Schedule 2 and is affected by the Development Contributions Plan Overlay. This portion of High Street is zoned Road Zone – Category 2.
- 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 relevant objectives and standards of The Scheme.
- It is recommended that the application be supported.

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 Council's Strategic Planning Unit, Capital Works Unit, Transport Management and Planning Unit and ESD Officer.
- This application was referred externally to Public Transport Victoria.

The following person verbally addressed the meeting and was ultimately thanked for his presentation by the Chairperson, Cr. Le Cerf:

- Spiros Giouzeppos, Applicant

Motion

MOVED: Cr. T. Laurence

SECONDED: Cr. J. Williams

That the 'Recommendation' as presented in the agenda (to support the Planning Permit subject to conditions), be adopted.

Cr. Rennie proposed to the mover and seconder that the following conditions be amended as follows:

- 1.(p) The location of all balconies on the adjoining property to the south and dimensions illustrating the setback of these balconies from the south facing balconies and windows of Apartments 1.13, 1.14, 2.13, 2.14, 3.13, 3.14, 4.13, 4.14, 6.06 and 6.07.
- 1.(q) The balconies and all south facing habitable room windows within a horizontal distance of 9 metres of balconies on the adjoining property to the south to Apartments 1.13, 1.14, 2.13, 2.14, 3.13, 3.14, 4.13, 4.14, 6.06 and 6.07 provided with either:
 - A sill with a minimum height of 1.7 metres above finished floor level,
 - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or
 - Fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.

Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.

- 1.(v) A minimum of six (6) solar tubes that allow for light and ventilation are to be included to the level 5 communal corridor and lounge.
- 1.(x) Fixed external sun shading devices to all north facing habitable room windows/ glazed doors of Level 5. Where possible, the device is to extend both from the window and past the window sides the distance given below:
 - a) 450mm where window height is 900–1,200mm.
 - b) 600mm for a window height of 1,200–1,350mm.

- c) 900mm for a window height of 1,350–2,100mm.
- d) 1,000mm for a window height of 2,100–2,700mm.

Where sun shading devices are being utilised a section diagram must be included to demonstrate their effectiveness. Shading should not sit directly above the glazing and is not to extend within 1 metre of a property boundary.

This was not accepted by Cr. Laurence and Cr. Williams.

CR. RENNIE PROPOSED THE FOLLOWING AMENDMENT TO THE FOLLOWING CONDITIONS AS FOLLOWS:

Amendment

MOVED: Cr. S. Rennie

SECONDED: Cr. G. Greco

- 1.(p) The location of all balconies on the adjoining property to the south and dimensions illustrating the setback of these balconies from the south facing balconies and windows of Apartments 1.13, 1.14, 2.13, 2.14, 3.13, 3.14, 4.13, 4.14, 6.06 and 6.07.
- 1.(q) The balconies and all south facing habitable room windows within a horizontal distance of 9 metres of balconies on the adjoining property to the south to Apartments 1.13, 1.14, 2.13, 2.14, 3.13, 3.14, 4.13, 4.14, 6.06 and 6.07 provided with either:
 - A sill with a minimum height of 1.7 metres above finished floor level,
 - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or
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 - a) 450mm where window height is 900–1,200mm.
 - b) 600mm for a window height of 1,200–1,350mm.
 - c) 900mm for a window height of 1,350–2,100mm.
 - d) 1,000mm for a window height of 2,100–2,700mm.

Where sun shading devices are being utilised a section diagram must be included to demonstrate their effectiveness. Shading should not sit directly above the glazing and is not to extend within 1 metre of a property boundary.

THE AMENDMENT WAS PUT AND LOST.

The Chairperson Cr. LeCerf, declared the motion to be lost.

THE MOTION BEFORE THE CHAIR IS AS FOLLOWS:

Motion

MOVED: Cr. T. Laurence

SECONDED: Cr. J. Williams

That the 'Recommendation' as presented in the agenda (to support the Planning Permit subject to conditions), be adopted.

THE MOTION WAS PUT AND CARRIED AND BECAME THE COMMITTEE DECISION AS FOLLOWS:

Committee Decision

MOVED: Cr. T. Laurence

SECONDED: Cr. J. Williams

THAT Planning Permit Application D/865/2014 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 TP-01, TP-02, TP-03, TP-04, TP-05, TP-06, TP-07, TP-08, TP-09, TP-10, TP-11, TP-12, TP-13, TP-14 and TP-15, prepared by Alexandrou & Associates, Job No. 1512-1 and dated May 2012) but modified to show:
 - a) A comprehensive schedule of external materials, colours and finishes (including a physical material / colour sample board with product / colour names and specifications). 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. Details of graffiti resistant materials/finishes to the ROW are to be included.

Annotated coloured elevations showing the location/application of the materials, colours and finishes must be provided.
 - b) Details and dimensions of the screening to the rooftop plant.
 - c) Where located between the westernmost extent of the light courts and the western property boundary, the flank walls to the north and south elevations are to be treated with durable, non-painted surfaces that promote visual interest to the public realm (i.e. patterned pre-cast concrete, metal cladding or similar).
 - d) A Landscape Plan in accordance with Condition No. 4 of this Permit.
 - e) Any modifications required in accordance with the revised Sustainability Management Plan (SMP) and a list or table detailing all environmentally

sustainable design features as set out in the SMP (Refer to Condition No. 7 of this Permit).

- f) A Water Sensitive Urban Design Plan (WSUD) in accordance with Condition No. 8 of this Permit.
- g) Any modifications and notations setting out recommendations in accordance with the Acoustic Assessment (Refer to Condition No. 12 of this Permit).
- h) A revised street wall (High Street elevation) at levels 1 and 2, generally in accordance with the plan identified as TP-12, Concept Layout West Elevation prepared by Alexandrou & Associates and date stamped as received by Council on 21 November 2016.
- i) Further detail of the screens, including section diagrams and photographs, to the west facing balconies of levels 1 and 2. The screening is to be operable and able to be individually controlled by the occupants of the dwellings.
- j) Stall risers to all shopfronts.
- k) Revised balustrades to balconies on the east and west elevations ensuring that all balconies are at least partially obscure with the use of permeable screening, obscure glazing and/or solid panelling. No balcony balustrades are to be comprised completely of clear glazing.
- l) A minimum of two (2) pedestrian lifts that give access to all floors (including basement levels).
- m) Dimensions illustrating that the pedestrian canopy is set back 750mm from the kerb.
- n) A revised entry feature to the residential component of the building on the High Street (west) elevation that includes a pedestrian canopy with a dimensioned setback of 750mm from the kerb and clearance of 3 metres from the footpath. The entry feature is to promote a sense of address and transition and provide weather protection for residents.
- o) Apartments 1.01, 1.05, 1.08 and 1.12 provided with courtyards that adjoin their bedroom windows. The courtyards must have minimum dimensions of 1.5 metres by 1 metre and are to be enclosed with obscure glazing up to a minimum height of 1.7 metres from finished floor level. The bedroom windows are to be replaced with glazed access doors.
- p) The location of all balconies on the adjoining property to the south and dimensions illustrating the setback of these balconies from the south facing balconies and windows of Apartments 1.13, 1.14, 2.13, 2.14, 3.13, 3.14, 4.13, 4.14, 5.13, 5.14, 6.06 and 6.07.
- q) The balconies and all south facing habitable room windows within a horizontal distance of 9 metres of balconies on the adjoining property to the south to Apartments 1.13, 1.14, 2.13, 2.14, 3.13, 3.14, 4.13, 4.14, 5.13, 5.14, 6.06 and 6.07 provided with either:
 - A sill with a minimum height of 1.7 metres above finished floor level,
 - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or
 - Fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.

Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.

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- r) 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.
 - s) A single communal antenna for the development. The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.
 - t) Details of window operation. Awning windows are to be avoided where possible, with preference given to casement or louvre windows that allow for superior ventilation. Window operation must not cause non-compliance with Standard B22 (overlooking) at Clause 55.04-6 of the Darebin Planning Scheme.
 - u) Where not in conflict with rooftop plant and equipment, solar tubes that allow for light and ventilation are to be introduced to all level 6 bathrooms.
 - v) A minimum of six (6) solar tubes that allow for light and ventilation are to be included to the level 6 communal corridor and lounge.
 - w) External operable sun shading devices (excluding roller shutters) to all west facing habitable room windows and glazed doors. Where sun shading devices are being utilised a section diagram or photograph must be included to demonstrate the shading type and effectiveness.
 - x) Fixed external sun shading devices to all north facing habitable room windows/ glazed doors of Apartments 6.03, 6.04 and 6.05 . Where possible, the device is to extend both from the window and past the window sides the distance given below:
 - a) 450mm where window height is 900–1,200mm.
 - b) 600mm for a window height of 1,200–1,350mm.
 - c) 900mm for a window height of 1,350–2,100mm.
 - d) 1,000mm for a window height of 2,100–2,700mm.Where sun shading devices are being utilised a section diagram must be included to demonstrate their effectiveness. Shading should not sit directly above the glazing and is not to extend within 1 metre of a property boundary.
 - y) Ventilation grills and/ or garage doors with openings to the car park to reduce the need for mechanical ventilation. Where mechanical ventilation is required, details of carbon dioxide monitoring are to be provided.
 - z) A storage cage/ cupboard for each dwelling with a minimum volume of 3 cubic metres. Each storage cage/ cupboard is to include a notation allocating it to a specific dwelling.
 - aa) Alterations to the car parking area and introduction of 7.43 metre (including the ROW) passing area, with a minimum clearance of 4 metres measured from the surface of the ROW, to the rear of the site generally in accordance with the plans identified as TP-02,, TP-03, TP-13, TP-16 and TP-17, prepared by Alexandrou and Associates and date stamped as received by Council on 25 August 2016.
 - bb) Dimensions detailing head clearance to vehicle ramps in accordance with Design Standard 1 – Accessways at Clause 52.06-8 of the Darebin Planning Scheme (2.1 metres calculated for a vehicle with a wheel base of 2.8 metres).
 - cc) The bicycle parking within the entry gallery to be allocated to visitors and set back a minimum of 900mm from the mail room.
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- dd) A notation detailing the grade of the bicycle ramp, which is to be no steeper than 1:12.
- ee) Notations illustrating car parking allocation in accordance with Condition No. 22 of this Permit.

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

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. 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.
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) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - b) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the responsible authority.
 - c) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
 - d) 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). Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
 - e) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - f) Type and details of edge treatment between all changes in surface (e.g. Grass (lawn), gravel, paving and garden beds).
 - g) 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.
 - h) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
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- i) 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 the development starts, a revised Sustainable Management Plan (SMP) generally in accordance the submitted document (identified as Ecologically Sustainable Development Report, version 3, prepared by Energy Lab and dated July 2015) 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 document is to be revised as follows:
 - a) Modifications to reflect the latest set of plans.
 - b) Reference to the Water Sensitive Urban Design (WSUD) Plan (Refer to Condition No. 8 of this Permit).

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

Prior to the occupation of the development, a report from the author of the SMP, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the SMP have been implemented in accordance with the approved Plan.

- 8. Before the commencement of the development, a detailed Water Sensitive Urban Design (WSUD) Plan by a suitably qualified person must be submitted to the satisfaction of the Responsible Authority and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must show:
 - a) The type of WSUD stormwater treatment measures to be used;
 - b) The location of the WSUD, stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaping areas; and
 - c) Design details of the WSUD stormwater treatment measures, including cross sections, materials, plants and drainage directions.
 - d) A construction and maintenance schedule specifying the following:
 - i) The filter media stockpiled and certified to meet the Facility for Advancing Water Biofiltration (FAWB) specification after delivery on site.
 - ii) The raingarden be completed after all other works.
 - iii) No site rubbish or run-off shall be allowed to enter the raingarden during or after construction.
 - iv) The site will be maintained every 3 months to replace any dead plants and remove any silt that has accumulated at the forebay.

- v) Information is to be supplied to all residents/ occupants about the maintenance of the raingarden system to prevent any unapproved alterations to the system.

The plans must be accompanied by a report from an industry accepted performance measurement tool such as STORM or MUSIC, which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

- i) Raingardens are to be in common areas and maintained in line with the Urban Stormwater – Best Practice Environmental Management Guidelines, CSIRO 1999 and Melbourne water guidelines.
 - ii) Outlet pipes are to be 200mm-300mm above the base of the raingarden.
 - iii) Raingardens are to be a minimum of 1.5 - 2% in size of the area to be drained.
 - iv) Raingardens are not to be located on boundaries unless full engineering drawings and calculations are submitted showing that the raingarden will not flood neighbouring properties.
 - v) Raingardens are to be lined.
 - vi) No mulch is to be specified.
 - vii) No geo-textile fabrics are to be used.
 - viii) Planting is to be shown at a higher than standard density (6-10 plants per metre, dependant on species).
 - ix) Filter media to be specified to meet FAWB specification.
 - x) A siltation forebay is to be included at the inflow pipe to accumulate any sediment entering the system.
9. The WSUD treatments as shown on the endorsed WSUD 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 WSUD treatments, the permit holder must advise Council, in writing, that the WSUD treatments have been completed.
10. The WSUD treatments as shown on the endorsed WSUD Plan must be maintained in accordance with the endorsed WSUD Plan to the satisfaction of the Responsible Authority.
11. Waste storage and collection must be undertaken in accordance with the approved Waste Management Plan (identified as Waste Management Plan, ref: WWE/FC: 15-070, prepared by Waste Wise Environmental and dated 5 October 2015) 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. The plan requires that collection be undertaken by a private contractor.
12. Before development starts, an Acoustic Assessment of the development, 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) Noise emissions associated with the operation of surrounding and nearby non-residential uses and traffic do not impact adversely on the amenity of the dwellings.
- b) The design of habitable rooms of all dwellings adjacent to a road limits internal noise levels to a maximum 45 dB(A) (living areas) and 40 dB(A) (bedrooms) in accordance with relevant Australian Standards for acoustic control (including AS3671 – Road Traffic & AS2107 – Recommended Design Sound Levels).
- c) 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.

13. 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 2010. 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.
14. 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.
15. Before the dwellings are occupied, an automatic lighting system capable of illuminating the residential entries, car parking and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

Any 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.
16. Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
17. The land must be drained to the satisfaction of the Responsible Authority. All water tanks, raingardens, proprietary products, WSUD measures etc. must be incorporated into any engineering drawings in accordance with the endorsed plans / documents approved under any condition of this planning permit.
18. 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.
19. 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.
20. Provision must be made on the land for letter boxes to the satisfaction of the Responsible Authority.
21. 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.

- 22. Car parking spaces are to be allocated as follows:
 - a) One (1) to each of the dwellings (77 in total).
 - b) Two (2) to each of shop 1 and shop 4 (four (4) in total).
 - c) One (1) to each of shop 2 and shop 3 (two (2) in total).
- 23. Before the development is occupied, the bicycle racks shown on the endorsed plans must be provided on the land to the satisfaction of the Responsible Authority.
- 24. 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.
- 25. No buildings or works are to be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority or the Responsible Authority without the prior written consent of the Responsible Authority and any relevant authority.

Public Transport Victoria Conditions

- 26. The permit holder must take all reasonable steps to ensure that disruption to bus operation along High Street is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior.
- 27. The Green Travel Plan submitted with the application must form part of the planning permit and any ongoing Management Plan for the land to ensure the Green Travel Plan continues to be implemented by residents / owners to the satisfaction of the Responsible Authority.

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 Water Sensitive Urban Design (WSUD)

More information on rain garden design and AutoCAD drawings can be found at the following websites:

<http://www.moreland.vic.gov.au/environment-and-waste/water/wsud-design-package.html>

<http://yarracity.vic.gov.au/environment/Saving-water/Water-Sensitive-Urban-Design-WSUD/>

<http://www.clearwater.asn.au/resource-library/factsheets-and-tools/>

[More information on the maintenance of water sensitive urban design can be found at the following web site:](#)

<http://www.clearwater.asn.au/content/wsud-maintenance-guidelines>

[Information on suitable plants for raingardens can be found at the following website:](#)
<http://www.moreland.vic.gov.au/environment-and-waste/water/wsud-design-package.html>

John Limbach, Principal Planner left the meeting at the conclusion of the above item at 6.35 pm.

5.2 APPLICATION FOR PLANNING PERMIT D/191/2016
 18 Sheffield Street, Preston Vic 3072

AUTHOR: Principal Planner – Marisia Hammerton

DIRECTOR: Director Future City and Assets – Steve Hamilton

OWNER/APPLICANT/CONSULTANT:

Applicant	Owner	Consultant
Archsign Pty Ltd	Nick Nicolaou and Stella Nicolaou	N/A

SUMMARY:

- The applications seek approval for a medium density development comprising five (5) dwellings consisting of four (4) double storey dwellings and one (1) single storey dwelling. Dwelling 1 will have three (3) bedrooms and access to two (2) car parking spaces comprising a single space garage and a tandem car space. Dwellings 2-5 will have two (2) bedrooms and access to a single space garage. Vehicle access is to be gained via a proposed shared crossover at the southern edge of the site. Secluded private open space is provided at ground level for Dwellings 1, 2 and 5 with areas of between 24 square metres and 27 square metres. Balconies are provided for Dwellings 3 and 4 with areas of 13 square metres and 15 square metres respectively.
- The site is zoned General Residential Zone Schedule 2.
- There is no restrictive covenant on the title for the subject land.
- Twenty-one (21) objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via one (1) sign posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to Transport Management and Planning, Darebin Parks and Capital Works Unit.
- This application was not required to be referred to external authorities.

The following person verbally addressed the meeting and was ultimately thanked for his presentation by the Chairperson, Cr. Le Cerf:

- Daniel De Fazio, on behalf of the Applicant

Committee Decision**MOVED: Cr. S. Rennie****SECONDED: Cr. T. McCarthy**

THAT Planning Permit Application D/191/2016 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 Site/Ground Floor Plan TP1 Rev B, First Floor Plan TP2 Rev B and Elevations TP3 Rev B, dated June 2016 and prepared by Archsign) but modified to show:
 - a) A landscape plan in accordance with Condition 6 of this Permit. The plans must include at least two (2) suitable medium canopy trees and four (4) suitable small canopy trees.
 - b) Modifications in accordance with the Sustainable Design Assessment (refer to Condition No. 4 of this Permit).
 - c) The secluded private open space for Dwelling 5 provided with an area of 25 square metres with a minimum dimension of 3.0 metres.
 - d) The deletion of the dividing fence between Dwellings 1 and 2 in the front setback.
 - e) The northern edge of the balcony to Dwelling 3 and the southern edge of the balcony to Dwelling 4 screened with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level.
 - f) The setback of the first floor of Dwelling 4 to the northern boundary increased to a minimum of 3.0 metres. This is to be achieved without a reduction in any other setback.
 - g) The landscaping bed opposite the garages of Dwellings 1, 3 and 4 reduced to a maximum width of 500mm. The planting in these beds must not exceed a height of 200mm.
 - h) The south-facing bedroom windows to Dwellings 3 and 4 with double glazing or sill height to a height of 1.4 metres above the accessway.
 - i) Annotations detailing a Tree Protection Zone and associated Tree Protection Fence with a radius of 2.4 metres (measured from the outside edge of the trunk) for the *Pyrus chanticleer* (Ornamental Pear) located on the nature strip in accordance with the requirements of Condition 9 of this Permit.

A notation must be added to state that any works in the Tree Protection Zone must be carried out without excavation.

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:
 - 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:
- c) Before this Permit expires;
- d) Within six (6) months after the expiry date; or
- e) 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 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. It is recommended that a Built Environment Sustainability Scorecard (BESS) report is undertaken as part of the SDA.

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

5. Before the development is occupied, Lot 41 on Plan of Subdivision 004986 and Lot 1 on Title Plan 859120L must be either:
- Consolidated under the Subdivision Act 1988; or
 - Subdivided under the Subdivision Act 1988, in accordance with the plans endorsed as part of this Permit.

This must be done to the satisfaction of the Responsible Authority.

6. 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) 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.
- b) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- c) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.
- d) 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).
- e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.

- f) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
 - g) Hard paved surfaces at all entry points to dwellings.
 - h) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - i) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - j) 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.
 - k) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - l) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
7. 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.
8. 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.
9. Before buildings and works (including demolition) start, a tree protection fence must be erected around the nature strip tree at a radius of 2.4 metres from the base of the trunk to define a 'tree protection zone'.
- This fence 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.
- No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone.
- No storage or dumping of tools, equipment or waste is to occur within the tree protection zone.
- The ground surface of the tree protection zone must be covered by a protective 100mm deep layer of mulch prior to the development commencing and be watered regularly to the satisfaction of the Responsible Authority.
10. 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
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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.

11. All dwellings that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F (5) of the Building Code of Australia.
12. 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.

13. Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
14. The land must be drained to the satisfaction of the Responsible Authority.
15. 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.
16. 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.
17. Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
18. 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.

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.

CARRIED

5.3 APPLICATION FOR PLANNING PERMIT D/410/2016
 155 Gooch Street, Thornbury Vic 3071

AUTHOR: Principal Planner – Chris Lelliott

DIRECTOR: Director City Futures and Assets – Steve Hamilton

OWNER/APPLICANT/CONSULTANT:

Applicant	Owner
Fine Line Building Design	C. A. Ryan

SUMMARY:

- It is proposed to demolish the existing dwelling and construct three (3) double storey dwellings side by side. Dwelling 1 is to the east, Dwelling 2 to the centre and Dwelling 3 is to the west.
- Dwelling 1 is to have an entry area to the front and kitchen/living/dining area at the rear and bedroom to the centre at ground level. The first floor is to have two (2) bedrooms, a rumpus room and a bathroom.
- Dwellings 2 and 3 are to have a similar layout and level of accommodation, with the ground floor levels having an entry area to the front and kitchen/living/dining area at the rear and central sitting room. The first floor levels are to have two (2) bedrooms and en-suites.
- The dwellings will each have a single garage with access via proposed crossovers to the centre (for Dwellings 2 and 3) and east (Dwelling 1) of the site frontage.
- The dwellings will have a contemporary design, with rendered masonry to the walls to the ground floor, lightweight cladding to the first floor and pitched and flat roofs.
- The site is zoned General Residential Zone Schedule 2.
- There is no restrictive covenant on the title for the subject land.
- 18 objections were received to the application.
- The proposal fails to meet guidance detailed in Councils Urban Character Study and a number of objectives and standards of Rescode (Clause 55 of the Darebin Planning Scheme).
- It is recommended that the application be refused.

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 the Capital Works Unit and Transport Management and Planning Unit.
- This application was not required to be referred to external authorities.

The following person verbally addressed the meeting and was ultimately thanked for his presentation by the Chairperson, Cr. Le Cerf:

- *Richard Piola, Objector*

Committee Decision

MOVED: Cr. T. McCarthy

SECONDED: Cr. S. Rennie

That Planning Permit Application D/410/2016 be refused and Notice of Refusal be issued on the following grounds:

The proposal does not meet the objectives of Council's Neighbourhood Character Study in terms of inadequate landscaping, inadequate setbacks, appearance/detailing, dominant garages, access and excessive paved surfaces.

- a) The proposal does not meet the objectives Clause 55 of the Darebin Planning Scheme, more particularly:
 - a) Neighbourhood character - The proposal is inappropriate in terms of the inadequate setbacks, boundary to boundary development, landscape character, appearance and detailing, dominant garages/access and excessive paved surfaces.
 - b) Inadequate front setbacks.
 - c) Poor sense of address, entry and surveillance/interaction with street.
 - d) Poor opportunities for landscaping and the development does not comply with the garden and landscape character of the area.
 - e) Impact on daylight to adjoining habitable room windows.
 - f) Site services are not appropriately considered.
- b) The proposal is poorly conceived and not site responsive.
- c) The development does not comply with the State Planning Policy Framework, Local Planning Policy Framework and the Municipal Strategic Statement as contained in the Darebin Planning Scheme.

CARRIED

Jacinta Stevens, Director Civic Governance and Compliance temporarily left the meeting during discussion of the above item at 6.43 pm and returned at 6.49 pm.

5.4 APPLICATION FOR PLANNING PERMIT D/244/2016
 272 Gilbert Road, Preston Vic 3072

AUTHOR: Senior Planner – Katharine Cox

DIRECTOR: Director City Futures and Assets – Steve Hamilton

OWNER/APPLICANT/CONSULTANT:

Applicant	Owner	Consultant
B Nguyen & A Trinh	Binh Thanh Nguyen and Anne Trinh	Rooms with Style

SUMMARY:

- Proposal – use of the land for a medical centre, and a reduction in car parking requirements associated with the use
- The site is zoned General Residential Zone Schedule 2
- There is no restrictive covenant on the title for the subject land.
- Five (5) objections were received against this application.
- The proposal fails to meet a number of objectives and standards of Clause 32.08 and Clause 52.06 of the Darebin Planning Scheme.
- It is recommended that the application be refused.

CONSULTATION:

- Public notice was given via two (2) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to Transport Management and Planning.
- This application was not required to be referred to external authorities.

The following people verbally addressed the meeting and were ultimately thanked for their presentation by the Chairperson, Cr Le Cerf:

- *Jack from Rooms with Style, on behalf of Applicant*
- *Binh Thanh Nguyen, Applicant*
- *Helen and Michael Glynatsis, Objectors*
- *Alex Sergakis, Objector*

Recommendation

That Planning Permit Application D/244/2016 be refused and Notice of Refusal be issued on the following grounds:

1. The proposed reduction in car parking requirements does not comply with the decision guidelines outlined in Clause 52.06 of the Darebin Planning Scheme.

2. The intensity of the proposed use on the site is not compliant with the decision guidelines of Clause 32.08 of the Darebin Planning Scheme.

Motion

MOVED: Cr. T. Laurence

SECONDED: -

That Planning Permit Application D/244/2016 be refused and Notice of Refusal be issued on the following grounds:

1. The proposed reduction in car parking requirements does not comply with the decision guidelines outlined in Clause 52.06 of the Darebin Planning Scheme.
2. The intensity of the proposed use on the site is not compliant with the decision guidelines of Clause 32.08 of the Darebin Planning Scheme.

THE MOTION WAS LOST FOR WANT OF A SECONDER.

The Chairperson Cr. Le Cerf, declared the motion to be lost.

Alternate Motion

MOVED: Cr. J. Williams

SECONDED: Cr. T. McCarthy

That the Planning Committee defer this item (Item 5.4 – Planning Application D/244/2016 to enable the applicant and objectors to explore with officers potential redesign, parking and traffic management options, given that the specialist medical practices as outlined by the applicant may not have the same demand on local parking provisions as outlined in the report.

THE ALTERNATE MOTION WAS PUT AND CARRIED AND BECAME THE COMMITTEE DECISION AS FOLLOWS:

Committee Decision

MOVED: Cr. J. Williams

SECONDED: Cr. T. McCarthy

That the Planning Committee defer this item (Item 5.4 – Planning Application D/244/2016 to enable the applicant and objectors to explore with officers potential redesign, parking and traffic management options, given that the specialist medical practices as outlined by the applicant may not have the same demand on local parking provisions as outlined in the report.

CARRIED

5.5 APPLICATION FOR PLANNING PERMIT D/487/2016
 36 Kelsby Street, Reservoir Vic 3073

AUTHOR: Principal Planner – John Limbach

DIRECTOR: Director Assets and Business Services – Steve Hamilton

OWNER/APPLICANT/CONSULTANT:

Applicant	Owner	Consultant
P Maltzis	V S Druvakumar N Rokhade, A Angadi	Pro Town Planning Solutions Ikonomidis Reid Tree Radar

SUMMARY:

- It is proposed to demolish the existing dwelling and construct six (6) double storey dwellings with Unit 1 to the front and Units 2-6 running progressively along the length of the site to the rear. A reduction of the car parking requirement, equal to one (1) visitor space, is also sought.
- Unit 1 will have the family/kitchen/meals areas at ground level and three (3) bedrooms to the first floor. It is to have a garage and tandem car space to its north, accessed via the existing crossover to the northern common boundary.
- Units 2 and 3 are to have two (2) bedrooms at the ground level and family/kitchen/meals areas at the first floor level, with north facing balconies.
- Units 4 and 5 are to have one (1) bedroom at the ground level, with one (1) bedroom, family/kitchen/meals areas and north facing balconies the first floor level.
- Unit 6 will have the kitchen/meals area and separate lounge room at ground level and two (2) bedrooms to the first floor.
- Units 2-6 are to have a single garage each, accessed via a proposed crossover along the southern common boundary.
- The dwellings will have a contemporary design with traditional elements with brick walls to the ground level render and lightweight cladding to the first floor and pitched roofs. The development is to have a height of 7.31 metres to the ridge.
- The site is zoned General Residential Zone Schedule 2.
- There is no restrictive covenant on the title for the subject land.
- Six (6) objections were initially received, with one (1) withdrawn for a total of five (5).
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme (The 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 Council's Capital Works Unit, Transport Management and Planning Unit, ESD Officer and Darebin Parks.
- This application was not required to be referred to external authorities.

The following person verbally addressed the meeting and was ultimately thanked for her presentation by the Chairperson, Cr. Le Cerf:

- Pauline Maltzis, Applicant

Recommendation

That Planning Permit Application D/487/2016 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 drawing nos TP-05, TP-06, TP-07, Revision D, dated August 2016, job no. 010758, and Colour Schedule dated June 2016 prepared by Ikonomidis Reid) but modified to show:
 - a) Removal of the above bonnet storage to Units 2-6 and replacement with 6 cubic metres of externally accessible secure storage for each dwelling.
 - b) Details and dimensions of the balconies to Units 4 and 5 showing a minimum area of 8 square metres with a minimum width of 1.6 metres.
 - c) The height of the fences on the northern boundary of the ground floor secluded private open space of Units 1, 2 and 3 to be a minimum of 2 metres in height. The fences must be of paling type.
 - d) The south-facing first floor bedrooms 1 and 3 windows and north-facing first floor bedroom 2 window of Unit 1; south-facing first floor kitchen window of Unit 2; south-facing first floor kitchen window and north-facing balcony of Unit 3; south-facing first floor bedroom 1 window, north-facing bedroom 2 and landing windows of Unit 6 provided with either:
 - A sill with a minimum height of 1.7 metres above finished floor level,
 - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or
 - Fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.
 - e) The first floor screens to the balconies of Units 3, 4 and 5 are to be shown and notated to comply with Standard B17 of Clause 55.04-1 of the Planning Scheme (a fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level).
 - f) The west-facing ground floor meals area window of Unit 6 is to have minimum sill heights of 1.4 metres above the accessway.

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- g) Annotations detailing a Tree Protection Zone and associated Tree Protection Fence with a radius of 4 metres for Tree 12 in the adjoining property to the east and 4 metres for Tree 13 (*Fraxinus angustifolia*) in the nature strip (measured from the outside edge of the trunk) in accordance with the requirements of Condition No. 7 of this Permit. Tree numbers are as set out in the submitted report identified as Arboricultural Report, prepared by Tree Radar and dated 23 January 2015.
 - h) A notation must be added to state that any works in the Tree Protection Zone must be carried out without excavation.
 - i) Annotations indicating that the private open space of Unit 6, where within the tree protection zone (TPZ) of Tree 12 in the adjoining property to the east, must be at or above grade. Tree numbers are as set out in the submitted report identified as Arboricultural Report, prepared by Tree Radar and dated 23/1/2015.
 - j) The existing crossover to the north is to be retained and the proposed crossover to the south must be set back a minimum of 2.5 metres from the trunk of Tree 13 (*Fraxinus angustifolia*) in the nature strip.
 - k) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the sides of the crossovers. Where within the subject site, any structures or vegetation within these splays must be not more than 1.15 metres in height.
 - l) 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.
 - m) Any modifications in accordance with the Sustainable Design Assessment (Refer to Condition No. 8 of this Permit).
 - n) External operable sun shading devices (excluding roller shutters) to all east and west facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a section diagram or photograph must be included to demonstrate the shading type and effectiveness.
 - o) Fixed external sun shading devices to all north facing habitable room windows/ glazed doors. Where possible, the device is to extend both from the window and past the window sides the distance given below:
 - a) 450mm where window height is 900–1,200mm.
 - b) 600mm for a window height of 1,200–1,350mm.
 - c) 900mm for a window height of 1,350–2,100mm.
 - d) 1,000mm for a window height of 2,100–2,700mm.Where sun shading devices are being utilised a section diagram must be included to demonstrate their effectiveness. Shading should not sit directly above the glazing and is not to extend within 1 metre of a property boundary.
 - p) Window operation on all elevation plans. Awning windows are to be avoided where possible, with preference given to casement or louvre windows that allow for superior ventilation. Window operation must not cause non-compliance with Standard B22 (overlooking) at Clause 55.04-6 of the Darebin Planning Scheme.
 - q) Ventilation grills and/ or garage doors with openings to the garages.
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- r) The pedestrian path and gate to the front of Unit 1 deleted and replaced by landscaping and a pedestrian path that runs north-south from the porch of that dwelling to the driveway.
- s) A Landscape Plan in accordance with Condition No.4 of this Permit.
- t) Modifications in accordance with a Waste Management Plan (Refer to Condition No. 9 of this Permit).

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

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. 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.
- 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) 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.
 - b) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - c) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.
 - d) 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).
 - e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.

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- f) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
 - g) Hard paved surfaces at all entry points to dwellings.
 - h) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - i) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - j) 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.
 - k) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - l) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
 - m) Provision of a minimum of two (2) suitable medium canopy trees and four (4) suitable small canopy trees.
 - n) Tree protection details in accordance with Condition Nos. 1g), 1h), 1i), 1j) and 7.
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, a tree protection fence must be erected around Tree 12 in the adjoining property to the east at a radius of 4 metres and Tree 13 (*Fraxinus angustifolia*) in the nature strip at a radius of 4 metres to define a 'tree protection zone' for the duration of construction (it may be removed for the construction of the crossover and reinstated immediately). Tree numbers are as set out in the report identified as Arboricultural Report, prepared by Tree Radar and dated 23 January 2015.
- This fence 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.
- No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone.
- No storage or dumping of tools, equipment or waste is to occur within the tree protection zone.
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The ground surface of the tree protection zone must be covered by a protective 100mm deep layer of mulch prior to the development commencing and be watered regularly to the satisfaction of the Responsible Authority.

8. 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. It is recommended that a Built Environment Sustainability Scorecard (BESS) report is undertaken as part of the SDA.

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

9. 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 (ie. cardboard paper plastic and metals recycling or comingled waste, general waste and even 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.

If council waste services are proposed to be utilised, a plan is to be submitted illustrating the following:

- a) The length and width of the footpath/ nature strip directly abutting the site boundary.
- b) The location of any available on-street car parking, loading zones and/or bus stops.
- c) The location of all street furniture, light/ electricity poles, driveways, street trees, bus shelters or similar obstructions.
- d) The location of the bins, with a minimum gap of 300mm between bins and other obstructions.

The plan may require bin sharing or that collection be undertaken by a private contractor if it cannot be demonstrated to the satisfaction of the Responsible Authority that the kerb-side collection of individual bins will not cause car parking and/ or amenity issues.

Waste storage and collection must undertaken in accordance with the approved 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.

10. 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 2010. 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.

11. 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.
12. 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.

13. Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
14. The land must be drained to the satisfaction of the Responsible Authority. All water tanks, raingardens, proprietary products, WSUD measures etc. must be incorporated into any engineering drawings in accordance with the endorsed plans / documents approved under any condition of this planning permit.
15. 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.
16. 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.
17. Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
18. 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;

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.

19. 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, nature strip and kerb and channel to the satisfaction of the Responsible Authority.

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.

Committee Decision

MOVED: Cr. S. Rennie
SECONDED: Cr. G. Greco

That Planning Permit Application D487/2016 be refused and a Notice of Refusal be issued on the following grounds:

1. The proposal fails to satisfy the objectives of Clause 22.02 (Neighbourhood Character) of the Darebin Planning Scheme and the design objectives of the Darebin Neighbourhood Character Study and Precinct Guidelines 2007 in terms of inadequate opportunity for landscaping, excessive paving, inadequate setbacks, inadequate articulation and visual bulk, largely due to the ‘reverse living’ typology that is proposed.
2. The building height and bulk are inconsistent with the neighbourhood character and impact unreasonably on the amenity of adjoining properties.
3. The proposal does not meet the objectives at Clause 55 of the Darebin Planning Scheme, in particular:
 - a) Clause 55.02-1: Neighbourhood character - The proposal is inappropriate in terms of inadequate opportunity for landscaping, excessive paving, inadequate setbacks, inadequate articulation and visual bulk.

- b) Clause 55.02-2: Residential policy - the proposal is contrary to Local Planning Policy Framework, including Council's Municipal Strategic Statement.
 - c) Clause 55.03-4: Street setback – the proposed front setback does not comply with the standard and would have a detrimental impact on the streetscape character.
 - d) Clause 55.03-2: Building height - the height of the development will result in the presentation of overbearing and unreasonable visual bulk to the street and adjoining properties and does not allow adequate transition from neighbouring single storey dwellings.
 - e) Clause 55.03-8: Landscaping – there are insufficient opportunities within the front and side setbacks to provide meaningful landscaping.
 - f) Clause 55.04-1: Side and rear setbacks – there are inadequate side setbacks at ground floor level that do not allow for appropriate landscaping or separation from adjoining residential properties.
 - g) Clause 55.04-2: Walls on boundaries – the proposed walls on the northern boundary are not in accordance with the standard, fail to respect the neighbourhood character and would have a detrimental impact on the amenity of the adjoining property to the north.
 - h) Clause 55.05-6: Storage – the location of the storage would detrimentally impact the useability of the car parking spaces provided.
 - i) Clause 55.06-1: Design detail - the design of the development will result in the presentation of overbearing and unreasonable visual bulk to the street.
4. The proposal is poorly conceived, not site responsive and is considered an overdevelopment of the site.
5. The proposal does not provide a visitor car parking space as required by Clause 52.06-5 of the Darebin Planning Scheme.

CARRIED

Cr. Newton, temporarily left the meeting during discussion of the above item at 7.24 pm and returned during discussion at 7.26 pm.

5.6 APPLICATION FOR PLANNING PERMIT D/275/2016
 186 Gilbert Road, Preston Vic 3072

AUTHOR: Principal Planner – Deniz Yener-Korematsu

DIRECTOR: Director City Futures and Assets – Steve Hamilton

OWNER/APPLICANT/CONSULTANT:

Applicant	Owner	Consultant
Ikonomidis Reid	Equity Trustees Ltd	Ikonomidis Reid BE Traffic Solutions Tree Response Leigh Design

SUMMARY:

- The proposal includes the construction and use of the land with a four (4) storey mixed use building comprising a ground floor shop and nine (9) dwellings. Due to the site fall from the west side of the site to the east side, the development will be three (3) storeys in height to the west (Gilbert Road) and four (4) storey to the rear (right of way). The car park is to be accessed at grade via the right of way to the rear and will form a basement level at the Gilbert Road boundary.
- The basement level is to have ten (10) car spaces (one (1) space for each dwelling and one (1) space for the shop). It will also have bike racks, bin storage areas and external storage units for the dwellings. Access to upper floors from the basement will be provided by lift and stairs.
- The development will have a contemporary design, with a flat roof. The materials are to be render and lightweight timber and cladding.
- The site is zoned Commercial 1 Zone.
- There is a restrictive covenant registered on the Certificate of Title which states with respect to the subject lots that no excavation or removal of marl stone clay gravel or sand shall occur.
- Three (3) objections have been received against the application.
- The proposal is generally consistent with the objectives and standards of the Darebin Planning Scheme.
- It is recommended that the application not be supported.

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 Darebin Parks, Urban Designer, Capital Works Unit, Transport Management and Planning Unit, Capital Works Unit and Assets and Property.
- This application was not required to be referred to external authorities.

The following person verbally addressed the meeting and was ultimately thanked for his presentation by the Chairperson, Cr. Le Cerf:

- James Bellett, Objector

Committee Decision

MOVED: Cr. T. Laurence

SECONDED: Cr. S. Amir

That Planning Permit Application D/275/2016 not be supported and a Notice of Refusal be issued on the following grounds:

1. The development is contrary to State and Local Planning policy objectives contained in Clause 15.01 and 21.03 of the Darebin Planning. In particular, the height, massing, failure to respond appropriately to the fall of the land, and lack of sufficient separation of the development from sensitive residential interfaces to the south and east will create unreasonable amenity impacts on the adjoining southern and eastern residential properties.
2. The development proposal is contrary to policy objectives in Clause 22.06 of the Darebin Planning Scheme, in particular:
 - a) Sustainability – The development will unreasonably impact on the energy efficiency of the adjoining southern dwelling due to the excessive building height opposite the north-facing habitable room windows of this dwelling.
 - b) Design and Materials – the design is not sufficiently site responsive as it does not reduce the impact of visual bulk to the rear and sides of the site.
 - c) Building Height – The height of the development is not sufficiently graduated to respect the lower scale residential context to the east and south, and to protect and respect the amenity of adjoining residential properties.
 - d) Amenity Impacts Including Overshadowing and Overlooking – the development will have unacceptable cumulative amenity impacts on the adjoining southern property, including overshadowing.
 - e) On-Site Amenity and Facilities, including Private Open Space – the development should make adequate provision for natural light; the deep floor plan of Unit 2 and overhang above will compromise daylight access to this dwelling.
3. The development will result in cumulative detrimental effects on the adjoining southern property through excessive height of walls on the common boundary, visual bulk impacts on the secluded private open space area due to insufficient setbacks and excessive overshadowing of adjoining north-facing windows.

CARRIED

Katia Croce, Coordinator Council Business, temporarily left the meeting during discussion of the above item at 7.40 pm and returned at 7.43 pm.

5.7 APPLICATION FOR PLANNING PERMIT D/274/2016
 56-58 Elliot Street and 5-7 Tracey Street, Reservoir 3073

AUTHOR: Principal Planner – Deniz Yener-Korematsu

DIRECTOR: Director City Futures and Assets – Steve Hamilton

OWNER/APPLICANT/CONSULTANT:

Applicant	Owner	Consultants
WSC Planning Pty Ltd	Mayflower Reservoir	<ul style="list-style-type: none"> • WSC Planning Pty Ltd • Clarke Hopkins Clarke • GIW Environmental Solutions • Traffix Group • Resonate Acoustics • Greenwood Consulting • Leigh Design • LBA Design

SUMMARY:

- The site is currently used for the purpose of an aged care facility operated by the Mayflower Group comprising 38 residential aged care beds within single and double storey buildings. The proposed development includes the demolition of all buildings on the site and the construction of a double storey aged care complex providing 110 rooms.
- Vehicle access is to be maintained along Arch Wright Drive (the private road/accessway on the site) which extends between Elliot Street to the south to Tracey Street to the east.
- It is proposed to locate 49 car parking spaces and two (2) spaces for buses along the southern and eastern sides of Arch Wright Drive. A loading bay area is proposed to the eastern side of the building complex, with access to the loading bay to be along the eastern boundary of the site to a mechanical turntable (allowing trucks to enter/exit in a forwards direction). An ambulance bay is located to the southern side of the building.
- The proposal is to have a contemporary design incorporating a dynamic entry veranda design, low pitched roofs, use of face brickwork, blockwork, timber & sheet metal cladding, slatted screens and rendered finishes. A maximum building height of 8 metres is proposed.
- The site is zoned General Residential Zone Schedule1.
- There are no covenants affecting the primary portion of the land at 56 Elliot Street. There are, however, restrictive covenants registered on titles to the smaller lots facing Tracey Street and Elliot Street contained in Instrument Number 1052192 and 1016473 which prohibit hoardings for the purpose of advertising; quarrying and excavation or removal of any stone, earth, clay, gravel or sand from the said land except for the purpose of foundations. The covenants also prohibit shops laundries factories and the construction of more than one dwelling/house erected on the lot. The proposal does not breach the terms of any covenant registered on the titles given that only car parking, vehicle and pedestrian access areas are proposed over the affected lots.

- No objections have been received against the application.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via three (3) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the Capital Works Unit, Transport Management and Planning Unit, Public Realm Unit, Darebin Parks, ESD Officer and Property Officer.
- This application was referred externally to Public Transport Victoria and Ausnet Transmission Group.

The following people verbally addressed the meeting and were ultimately thanked for their presentation by the Chairperson, Cr. Le Cerf:

- Lou Sayer and James Kelly on behalf of the Applicant

Committee Decision

MOVED: Cr. G. Greco

SECONDED: Cr. T. Laurence

That Planning Permit Application D/274/2016 be supported and a Planning 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 drawing TP003C, TP004C and TP005C dated 12 September 2016; TP006 and TP013, dated 4 September 2015; TP007A, TP008A and TP014A, dated 6 June 2016 and prepared by Clarke Hopkins Clarke) but modified to show:
 - a) The removal of the existing redundant crossovers and reinstatement of the kerb, channel and nature strip.
 - b) The provision of signage and line marking installed in appropriate locations to forewarn drivers that the section of Arch Wright Drive west of the easement is one way traffic only.
 - c) Deletion of any reference to business identification signage on the plans.
 - d) The following windows and terrace areas are to be screened with a fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level:
 - East-facing first floor sitting window (to the south of room 1-A-R22) to be screened to a minimum of 1700mm above floor level
 - North-facing first floor sitting window (to the west of room 1-A-R15) to be screened to a minimum of 1700mm above floor level
 - North-facing first floor outdoor terrace area

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- South-facing first floor landing window, adjacent to room 1-B-R22.
 - West-facing first floor window to room 1-C-R11.
 - West-facing first floor outdoor terrace area
- e) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the sides of the proposed crossovers to Elliot Street and Tracey Street. Where within the subject site, any structures or vegetation within these splays must be not more than 1.15 metres in height.
- f) 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.
- g) Details of lighting to the car parking areas and vehicle accessways on the site.
- h) The provision of a minimum of 16 bicycle parking spaces for employees/residents and two (2) spaces for visitors on the site, in accordance with Condition No.10 of this Permit.
- i) Any modifications in accordance with the Sustainable Design Assessment (Refer to Condition No.11 of this Permit).
- j) Annotations detailing a Tree Protection Zone (TPZ) and associated Tree Protection Fence (measured from the outside edge of the trunk) for the trees (as identified in the Arboricultural Construction Impact Assessment prepared by Peter Bourke dated 5 July 2016) as set out below, in accordance with the requirements of Condition No.12 of this Permit.
- Tree No. 3 and No.4 on the adjoining property at No. 62 Elliot Street with a TPZ of 3.4 metres.
 - Tree No.16 on the adjoining property at No. 34 Wilson Street with a TPZ of 2.2 metres.
 - Tree No.21 on the adjoining property at No.9 Tracey Street with a TPZ of 3.1 metres.
- A notation must be added to state that any works in the Tree Protection Zone must be carried out without excavation.
- k) Relocation of the proposed retaining walls on the site adjacent to trees No.3, 4 and 16 (as identified in the Arboricultural Construction Impact Assessment prepared by Peter Bourke dated 5 July 2016) as follows:
- Tree No.3 – retaining wall located 1.6 metre further north.
 - Tree No.4 – retaining wall relocated 1.9 metres further north.
 - Tree No.16 – retaining wall relocated 2.2 metres further east.
- l) Any modifications to noise attenuate adjoining residential properties, in accordance with the recommendations of the Acoustic Report (refer to Condition No.14 of this Permit).
- m) A Landscape Plan in accordance with Condition No.7 of this Permit.
- n) A comprehensive schedule of construction materials, external finishes and colours (including colour samples).

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 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. Once commenced, the development must be continued and completed to the satisfaction of the Responsible Authority.
5. Before the development starts, the 10 foot wide right of way (road) located to the eastern side of Lot 1 on TP841155Q and the western side of Lots 1 & 2 on TP147442H must be discontinued and acquired by the landowner/developer to allow the road to be consolidated with the remainder of the land under the *Subdivision Act 1988*.
6. No buildings or works are to be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority or the Responsible Authority without the prior written consent of the Responsible Authority and any relevant authority.
7. 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) At least six (6) suitable medium canopy trees and twelve (12) suitable small canopy trees on the site. 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). The size and location of any trees or planting on the site must not breach the requirements of Ausnet Transmission Group as specified under Conditions No.28-34 of this Permit.
 - b) 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.
 - c) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - d) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.

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- e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
 - f) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
 - g) Hard paved surfaces at all entry points to dwellings.
 - h) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - i) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - j) 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.
 - k) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - l) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
 - m) Full details of tree protection measures in accordance with the requirements of Condition No.12 of this Permit.
8. 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.
9. 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.
10. Before the development starts, 16 resident/employee and 2 visitor bicycle racks must be provided on the land to the satisfaction of the Responsible Authority.
- A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound. In accordance with Australian Standard 2890.3:2015 bike parking facilities shall be designed to include a minimum of 20% of ground level (horizontal) BPDs (Bike Parking Devices) in any bicycle parking facility.
11. 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. It is recommended that a Built Environment Sustainability Scorecard (BESS) report is undertaken as part of the SDA.
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The development must be constructed in accordance with the requirements/recommendations of the Sustainable Design Assessment to the satisfaction of the Responsible Authority.

12. Before buildings and works (including demolition) start, a tree protection fence must be erected around the trees listed below (as identified in the Arboricultural Construction Impact Assessment prepared by Peter Bourke dated 5 July 2016) at a radius as specified from the base of the trunk to define a 'tree protection zone' (TPZ).
 - a) Tree No. 3 and No.4 on the adjoining property at No. 62 Elliot Street with a TPZ of 3.4 metres.
 - b) Tree No.16 on the adjoining property at No. 34 Wilson Street with a TPZ of 2.2 metres.
 - c) Tree No.21 on the adjoining property at No.9 Tracey Street with a TPZ of 3.1 metres.

This fence 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.

No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone. Any works in the tree protection zones must be carried out without excavation.

No storage or dumping of tools, equipment or waste is to occur within the tree protection zone.

The ground surface of the tree protection zone must be covered by a protective 100mm deep layer of mulch prior to the development commencing and be watered regularly to the satisfaction of the Responsible Authority.

13. 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 2010. 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.
14. Before development starts, an Acoustic Assessment of the development (generally in accordance with the Acoustic Report prepared by *Resonate Acoustics* dated 1 April 2016), 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 (including the retention and extension, as appropriate, of acoustic fences already shown in the development) and/or the adoption of other appropriate measures to ensure that:
 - a) Noise emissions associated with the operation of the proposal including all external plant and equipment, loading/unloading areas including the operation of the turntable, and the use of car parking and vehicle access areas on the site do not impact adversely on the amenity of the adjoining residential sites.

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

15. All bedrooms 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.
16. All outdoor 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.
17. Before the development or any completed stage of the development is are occupied, an automatic external lighting system capable of illuminating the public access points to the facility, accessways, car park 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.
18. The land must be drained to the satisfaction of the Responsible Authority.
19. 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.
20. 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.
21. The loading and unloading of goods from vehicles must only be carried out on the subject land within the designated loading bay, as detailed on the endorsed plans, and must be conducted in a manner which does not cause any interference with the circulation and parking of vehicles on the land or on abutting streets.
22. The size and weight of vehicles accessing the loading and unloading area via the turntable must not exceed the length and load capacity of the turntable.
23. The delivery of goods to the land, and the loading and unloading of goods from vehicles, must only be undertaken between 7.00am to 6.00pm.
24. The delivery of goods to the land, and the loading and unloading of goods from vehicles, must only be undertaken at the rear of the property in the designated loading area.
25. The permit holder must ensure that all medical waste is disposed of by an authorised collection/disposal agency to the satisfaction of the Responsible Authority.
26. Waste storage and collection must be undertaken in accordance with the approved waste management plan prepared by Leigh Design dated 3 September 2015 (received by Council on 11 April 2016) 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. Loading and unloading of waste bins must only be undertaken at the designated loading bay area via the turntable. The size and weight of vehicles accessing the turntable must not exceed the length and load capacity of the turntable.
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.

AusNet Transmission Group Conditions

- 29. Parking, loading, unloading and load adjustment of large commercial vehicles is not permitted on AusNet Transmission Group's easement. Note: The parking of mini-buses in the proposed 'Bus Zone' as indicated on the submitted plans is acceptable. The parking of full size buses or coaches is not permitted.
- 30. Vehicles and equipment exceeding 3 metres operating height are not permitted on AusNet Transmission Group's easement during construction without prior written approval from AusNet Transmission Group.
- 31. All trees and shrubs planted on the easement must not exceed 3 metres maximum mature growth height.
- 32. The storage of combustible or flammable materials is not permitted on the easement.
- 33. Natural ground surface levels on the easement must not be altered by the stockpiling of excavated material or by landscaping without prior written approval from Ausnet Transmission Group.
- 34. Any services traversing the easement must be installed underground.
- 35. Details of all future works within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

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 permit authorises only the use and/or development of land as described in the preamble of the permit (ie that section which states “This Permit Allows:”). This permit does not authorise the display of any advertising signs.

N6 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.

N7 The applicant should be informed all Aboriginal cultural heritage is protected under the *Aboriginal Heritage Act 2006*. If Aboriginal cultural heritage is encountered during development, works must cease in the area and OAAV must be contacted.

CARRIED

Andrew McLeod, Acting Chief Executive temporarily left the meeting during discussion of the above item at 7.52 pm and returned at 7.54 pm.

5.8 APPLICATION FOR PLANNING PERMIT D/1026/2015
 281-285 Spring Street Reservoir 3073

AUTHOR: Principal Planner – Jolyon Boyle

DIRECTOR: Director City Futures & Assets – Steve Hamilton

OWNER/APPLICANT/CONSULTANT:

Applicant	Owner
Ikonomidis Reid Pty Ltd	Mr John Iakovidis and Love Iakovidis

SUMMARY:

- Development of a six (6) storey building comprising 30 dwellings and five (5) commercial tenancies.
- Thirty nine basement car parking spaces are provided which represents a reduction to the car parking requirement.
- The site is zoned Commercial 1.
- There is no restrictive covenant on the title for the subject land.
- No objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clauses 22.06 and 52.06 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via two (2) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the Transport Management and Planning Unit, Capital Works Unit, Urban Design officer and the ESD officer.
- This application was not required to be referred to external authorities.

WITH LEAVE OF THE CHAIRPERSON, CR. LE CERF INFORMED THE MEETING THE FOLLOWING ADDENDUM CIRCULATED TO COUNCILLORS ON 19 DECEMBER 2016, BE ADDED TO THE REPORT AS FOLLOWS:

‘The application received one (1) objection.

Issues raised:

– **Impact of basement on foundations:**

The construction of multi-level mixed use developments and their associated basements are a common part of the emerging apartment development boom which is taking place throughout Melbourne.

The proposal involves a two (2) level basement constructed on the common boundary with adjacent commercial properties located to the south of the site.

The structural impact of development upon adjacent properties and buildings is not strictly a planning consideration. This is a matter which is considered at the Building permit stage of the development process. As part of the building permit process the applicant will be required to attain approved working drawings detailing the method of basement construction and completion. Adjacent owners and occupiers will also be served a works protection notice to protect property in their event of damage. On the evidence of other similar developments within the City of Darebin it has been shown that an on boundary basement can be constructed without causing damage to adjacent buildings.

– **Car parking:**

Resident car parking has been allocated in accordance with the Planning Scheme.

No visitor car parking spaces are provided where six (6) spaces are recommended.

Six (6) commercial staff spaces are provided to the café, restaurant and the three (3) shops where 27 spaces are recommended.

Given that no on-site car parking is currently provided, the current land uses at the site have a parking deficiency of 37 spaces which is greater than the overall parking reduction being sought under this application. The on street car parking demand associated with the development can therefore be deemed to be less than current land uses. On this basis the car parking reduction is deemed to be appropriate.

Furthermore the sites location and proximity to public transport and commercial facilities suggest less car based travel should be encouraged. An objective of the Darebin Transport Strategy 2007-2027 is to 'increase the role of sustainable transport modes' by *reducing the attractiveness of the private car through reduced priority and other travel demand management techniques.*

– **Building Height:**

The development provides a six (6) storey height, where the Reservoir Structure Plan envisages a height of five (5) storeys.

It is considered that the building as viewed from Spring Street and Edwardes Street represents an appropriate outcome. The site provides a relatively large area and fronts two (2) streets and a pedestrianised rear lane. The site is also relatively isolated from sensitive residential interfaces.

While the proposal is one (1) storey above the suggested height for the site, the plans and 3D renders of the proposal demonstrate that a six (6) storey form, comprising a recessed upper level could be accommodated on this site without compromising the strategic planning direction of the area or impacting the residential amenity of surrounding properties.

The shadow cast by the development will fall upon the adjacent commercial properties, adjacent roads and the car park located to the south west.'

The following person verbally addressed the meeting and was ultimately thanked for his presentation by the Chairperson, Cr. Le Cerf:

- Gary Wissenden, on behalf of the Applicant.

Committee Decision

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

That Planning Permit Application D/1026/2015 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 TP03 Rev D, TP04 Rev D, TP05 Rev D, TP06 Rev D, TP06 Rev D, TP08 Rev D, TP09 Rev D, TP10 Rev D, TP11 Rev D, TP14 Rev D, TP15 Rev D, TP16 Rev D and TP17 Rev D, dated November 2016 prepared by Ikonomodis Reid, Job No. 008180) but modified to show:
 - a) Any modifications in accordance with the Sustainability Management Plan (Refer to Condition No. 4 of this Permit).
 - b) Any modifications in accordance with the Waste Management Plan (Refer to Condition No. 5 of this Permit). Waste collections must be limited to two (2) collections per week.
 - c) Details of signage indicating that vehicle access and egress to the basement is restricted to left in/left out only.
 - d) Details of signage indicating 'Stop on Flashing Light' or similar on each basement level near the Stop-Go signal system.
 - e) Widen the door to the bicycle parking area to 1500mm in accordance with AS2890.3:2015.
 - f) A reduction to the area of glazing serving bedroom1 of dwelling 6, bedroom 1 of dwelling 12 and bedroom 2 of dwelling 18 and details of glazing designed to reduce the transfer of noise from the adjacent balconies within the development.
 - g) 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.
 - h) Details of the material(s) to the soffit lining.
 - i) The canopy over the public footpaths set back 0.75 metres from the kerb on High Street and Clarendon Street, and to have a minimum clearance height of 3 metres above the level of the public footpath.
 - j) A notation confirming that the balconies are designed to drain to the internal stormwater system.
 - k) A single communal antenna for the development (refer also to Condition No.12 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.

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 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 the development starts, an Sustainable Management Plan (SMP) prepared by a suitably qualified professional, must be submitted to, and approved in writing by, the Responsible Authority. The SMP must address the 10 key Sustainable Building Categories:
- a) Management
 - b) Energy
 - c) Water
 - d) Stormwater
 - e) IEQ
 - f) Transport
 - g) Waste
 - h) Urban Ecology
 - i) Innovation
 - j) Materials

It is recommended that a Built Environment Sustainability Scorecard (BESS) or Green Star rating is included in the SMP.

Prior to the occupation of the development, a report from the author of the SMP, approved as part of this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the SMP have been implemented in accordance with the approved Plan.

5. 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 (ie. cardboard paper plastic and metals recycling or comingled waste, general waste and even organic waste), types of bins, types of collection vehicles, frequency of collection, times of collection, location of collection point for vehicles and any other relevant matter. The plan must require that collection be undertaken by a private contractor.

Waste storage and collection must undertaken by a private waste collection provider in accordance with the approved 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.

6. As part of the consultant team Ikonomodis Reid or an experienced architect must be engaged to oversee the design intent and construction quality to ensure that the design and quality and the appearance of the approved building is maintained to the satisfaction of the Responsible Authority.
7. Car parking spaces must be allocated as follows:
 - 27 spaces x 1 and 2 bedroom dwellings (27 spaces)
 - 2 spaces x 3-bedroom dwellings (6 spaces)
 - 1 café space
 - 2 restaurant spaces
 - 1 space to each shop tenancy (3 spaces)
8. Vehicle access into the basement must be restricted to left in/left out only, to the satisfaction of the Responsible Authority.
9. Balconies must be designed to drain to the internal stormwater system, to the satisfaction of the Responsible Authority.
10. Only one (1) communal television antenna may be erected on the building. Individual antennae for individual dwellings/tenancies must not be erected.
11. Any modification to existing infrastructure and services within the road reservation (including, but not restricted to, electricity supply, telecommunications services, gas supply, water supply, sewerage services and stormwater drainage) necessary to provide the required access to the site, must be undertaken by the applicant/developer to the satisfaction of the relevant authority. All costs associated with any such modifications must be borne by the applicant/developer.
12. 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.
13. All dwellings that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
14. Before the dwellings are occupied, an automatic external lighting system capable of illuminating the central residential entry, common areas, basement car parking area, waste storage areas, bicycle parking and pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.
15. Boundary walls facing 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. 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.
18. 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.

19. Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
20. Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans 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) Drainedto 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.
21. Before the development is occupied the vehicular crossing must be constructed to align with approved basement driveway to the satisfaction of the Responsible Authority.

CARRIED

ADJOURNMENT – 8.12 PM

The Chairperson, Cr. Le Cerf adjourned the meeting for a 5 minute break.

The meeting resumed at 8.17 pm.

5.9 APPLICATION FOR PLANNING PERMIT D/548/2014/A
 708-710 High Street, Reservoir Vic 3073

AUTHOR: Principal Planner– Marisia Hammerton

DIRECTOR: Director Future City and Assets – Steve Hamilton

OWNER/APPLICANT/CONSULTANT:

Applicant	Owner	Consultant
Ikonomidis Reid Pty Ltd	Steve Todorovski and Debbie Joy Todorovski	TTM Consulting Pty Ltd Keystone Alliance – Sustainability Solutions Pty Ltd

SUMMARY:

- The proposal seeks approval to amend Planning Permit D/548/2014 and endorsed plans (in accordance with section 72 of the *Planning and Environment Act 1987*) to allow two (2) additional dwellings, an increase in height and a parking reduction.
- The existing permit was issued on 6 March 2015 and is still valid, as condition 4 allows three (3) years from the date of the Permit for commencement (i.e. 6 March 2018).
- The existing permit allows construction of a one (1) and two (2) storey building accommodating a café and four (4) dwellings. The existing proposal includes five (5) car spaces are located to the rear, accessed via an existing crossover, with each of the dwellings and the café having one (1) car space.
- The proposal maintains the café to the front, with 30 square metres and 24 patrons.
- The amendment will include an additional level (resulting in a three (3) storey building) and an additional two (2) dwellings, resulting in a six (6) dwelling development and a café. Dwellings 1, 2, 3 and 4 are located to the rear of the café and will front Mason Street. They are to be three (3) storeys and have a similar layout and level of accommodation, with the ground floor levels having a bedroom and home office, with service yards of 12.08 to 17.55 square metres. The first floors are each to have an open plan kitchen/meals/family area and balconies of 8.2 to 8.72 square metres. The upper floors are to have a bedroom, en-suite and WIR.
- Dwelling 5 is located to the rear and will be at first floor level (above the parking area). It is to have two (2) bedrooms and an open plan kitchen/meals/living area, with a north facing balcony of 11.44 square metres. The ground floor is to have an entry from Mason Street, with a service yard of 3.7 square metres.
- Dwelling 6 is located to the front and will be at first floor level (above the café). It is to have one (1) bedroom and an open plan kitchen/meals/family area, with a north facing balcony of 9.5 square metres. The ground floor is to have an entry from Mason Street.
- Five (5) car spaces are located to the rear, accessed via the existing crossover. Dwellings 1-4 and the café are to have one (1) car space. A common pedestrian accessway is provided along the northern common boundary.
- The site is zoned General Residential Zone Schedule 2.
- There is no restrictive covenant on the title for the subject land.

- Twenty-three (23) objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via two (2) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the Transport Management and Planning Unit.
- This application was not required to be referred to external authorities.

The following person verbally addressed the meeting and was ultimately thanked for her presentation by the Chairperson, Cr. Le Cerf:

- Pauline Maltzis, on behalf of Applicant

Darren Rudd, Manager Planning and Building, informed the meeting that item 1. z) in the officer recommendation be amended to read as follows:

- 1.z) Provision of two (2) car stackers and associated details. This may include an increase in height of **Dwelling 5** of up to 1 metre. No other setbacks or heights are to be modified.

Committee Decision

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

THAT a Notice of Decision to Amend Planning Permit D/548/2014 be issued pursuant to Section 75 of the *Planning and Environment Act* 1987 subject to the following:

The planning permit (D/548/2014) is to be amended to allow:

1. Construct a mixed use development comprising of a cafe and six (6) dwellings;
2. Use the site for the purpose of restaurant; and
3. Reduce the car parking requirement associated with the café, (1) dwelling and the visitor car parking space;

Condition 1 modified to read:

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 drawing nos. TP03, TP04, TP05, Revision F, dated Feb 2016, job no. 010096 and prepared by Ikonomidis Reid) but modified to show:
 - a) Full details of the proposed screens to first floor windows showing a fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above

finished floor level. A section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.

- b) ***** deleted
- c) ***** deleted
- d) Increase the length of the pedestrian walkway located along the northern boundary of the site by 1.0 metre to the east.
- e) Fixed external shading to the north facing habitable room windows of Dwelling 4.
- f) The first floor horizontal and vertical cladding and screening is to be a light colour.
- g) A minimum of three (3) suitable small canopy trees (trees with a 4-6 metre height and 4 metres width at maturity) and one (1) suitable medium canopy tree (trees with a 6-8 metre height and 6 metre width and maturity) on site.
- h) Annotations detailing a Tree Protection Zone and associated Tree Protection Fence for the following trees:
 - * Tree 1 with a radius of 3.5 metres;
 - * Tree 2 with a radius of 2.9 metres;
 - * Tree 3 with a radius of 3.9 metres; and
 - * Tree 4 with a radius of 1.5 metres.

All radius measured are to be from the trunk edge. See condition 11 for details.

A notation must be added to state that any works in the Tree Protection Zone must be carried out without excavation.
- i) A visitor bicycle space located near the main entrance of the restaurant.
- j) Details of waste storage for the café, to be screened from public view.
- k) Plans are to clearly show a maximum of 24 patrons for the restaurant use.
- l) A comprehensive schedule of construction materials, external finishes and colours (including colour samples).
- m) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the north and south sides of the existing crossover to the street frontage. Where within the subject site, any structures or vegetation within these splays must be not more than 1.15 metres in height.
- n) The location of all plant and equipment (including air conditioners and the like). These are to be co-located where possible, screened to as 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.
- o) A Landscape Plan in accordance with Condition No.8 of this Permit.
- p) Modifications in accordance with the Sustainable Design Statement as required under condition 12 of this Permit.

But further modified to show -

- q) A notation placed on plan indicating that the ground level 'home office' areas of Dwellings 1-4 are to remain open to the entry, stairs and corridor to bedroom 2 and must not be used as bedrooms.

- r) A minimum of 6 cubic metres of externally accessible secure storage is to be provided for all dwellings.
- s) The first floor north-facing kitchen window of Dwelling 5 provided with either:
- A sill with a minimum height of 1.7 metres above finished floor level,
 - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or
 - Fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.
- Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.
- t) The over-bonnet bicycle parking is to be deleted and provided within the dwellings (where possible).
- u) The car spaces clearly allocated to Dwellings 1-5 and all references to a space for the café deleted.
- v) Two (2) visitor bicycle parking spaces near the main entrance to the development. If these are unable to be provided on site please contact Councils Sustainable Transport Officer.
- w) Fixed external shading to the north facing habitable room windows of Dwellings 5 and 6.
- x) An updated landscape plan in accordance with Condition 8 of this Permit.
- y) An updated Sustainable Design Statement in accordance with Condition 12 of this Permit.
- z) Provision of two (2) car stackers and associated details. This may include an increase in height of Dwelling 5 of up to 1 metre. No other setbacks or heights are to be modified.

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

CARRIED

Cr. Williams left the meeting at the conclusion of the above item at 8.26 pm.

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS, SIGNIFICANT APPLICATIONS AND APPLICATIONS FOR THE NEXT PLANNING COMMITTEE MEETING

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).

Where an appeal has been adjourned and a new hearing date not yet set, the details appear with the text 'struck out'.

- Applications with a cost of construction of at least \$3,000,000 currently under consideration.
- Applications for the upcoming Planning Committee Meeting. The list of applications is based upon best available advice at the time of publishing the Planning Committee Agenda. For confirmation of agenda items reference should be made to the Planning Committee Agenda on Council's website the Friday prior to the scheduled meeting.

Committee Decision

MOVED: Cr. T. McCarthy
SECONDED: Cr. T. Laurence

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

CARRIED

6. URGENT BUSINESS

Nil

7. CLOSE OF MEETING

The meeting closed at 8.26 pm.