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MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Thursday 20 June 2019

Released to the public on Thursday 27 June 2019



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

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

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

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

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



English

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

Arabic

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

Chinese

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

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

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MINUTES OF THE MEETING OF THE PLANNING COMMITTEE OF THE DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE, 350 HIGH STREET PRESTON ON THURSDAY 20 JUNE 2019

THE MEETING OPENED AT 7.00PM

WELCOME

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

“Ngarrgma Wurundjeri Kulin Mirambeekal bik wenerop Darebin bagungbul Arweet dharro Ba Gangookal Nanggit Bambuth ba Yalingbu.

I would like to acknowledge the traditional owners and custodians of the land on which we stand here today, the Wurundjeri people, and pay my respects to their Elders, past and present, as well as to Elders from other communities who may be with us today.”

1. PRESENT

Councillors

Cr. Susan Rennie (Mayor) (Chairperson)
Cr. Susanne Newton (Deputy Mayor)
Cr. Steph Amir
Cr. Gaetano Greco
Cr. Kim Le Cerf
Cr. Lina Messina

Council Officers

Rachel Ollivier – Acting Chief Executive Officer
Darren Rudd – Manager City Development
Melinda Viksne – Manager Governance and Performance
Peter Rollis – Coordinator Statutory Planning
Michelle Martin – Council Business Officer

2. APOLOGIES

Apologies were received for Cr. Tim Laurence, Cr. Trent McCarthy and Cr. Julie Williams.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Committee Decision

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

That the Minutes of the Planning Committee Meeting held on 13 May 2019 be confirmed as a correct record of business transacted.

CARRIED.

5. CONSIDERATION OF REPORTS

- 5.1 **APPLICATION FOR A PLANNING PERMIT - D/843/2017
295-297 Gilbert Road Preston**

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
Architectural Home Designs 6 Duncan Street FAIRFIELD VIC 3078	Tahir and Medina Suljovic 295-297 Gilbert Road PRESTON VIC 3072	N/A

SUMMARY

- The application is recommended for approval subject to conditions.
- The conditions address ESD, materials, landscaping windows and shading.
- The proposal is recommended for approval because it attains a satisfactory level of compliance with the objectives and standards of Clauses 32.08, 52.06 and 55 of the Darebin Planning Scheme. The proposal also has strong strategic support in the Planning Scheme with the Municipal Strategic Statement identifying the Gilbert Road corridor as a substantial housing change area. The site is supported for increased residential density under the General Residential Zone which allows development of up to 3-storeys in height.
- The proposal involves the retention of the existing milk bar and development of six (6) dwellings above and to the rear of the milk bar. Dwellings 1, 2, 3 and 4 provide a 3-storey height, with dwellings 5 and 6, located to the rear providing a height of 2-storeys.
- All dwellings provide a similar layout comprising either 1 or 2 bedrooms with first floor living spaces and a north or east facing balcony. In addition to ground level courtyards to dwellings 2 – 6.
- One (1) car parking space is provided to each dwelling. This presents a full complement of resident car parking. No car parking is provided to the existing milk bar to be retained. This represents a reduction of one (1) car parking space.
- Visitor car parking is not required as the site is located on the Principal Public Transport Network.
- A General Residential Zone (Schedule 2) applies.
- The mandatory garden area requirement is 30%. The proposal achieves a garden area of 30.42% (193.63 square metres).
- There is no restrictive covenant on the title for the subject land.
- Six (6) objections were received against this application.

CONSULTATION:

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

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

Recommendation

That Planning Permit Application on D/843/2017 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 (plans identified as: P1, P2, P3, P4 and P5, dated 16 May 2019, WD 1 to 6, dated 17 May 2019 and prepared by Architectural Plans and Permits and S1 to S16, dated 21 May 2019 and prepared by D&A Consulting Group) but modified to show:
 - a) Modifications in accordance with the Sustainable Design Assessment (refer to Condition No. 4 of this Permit).
 - b) A landscape plan in accordance with Condition No. 5 of this Permit.
 - c) Modifications in accordance with the Stormwater Management System Report (refer to Condition No. 6 of this Permit).
 - d) A comprehensive schedule of construction materials, external finishes and colours (including colour samples). Timber weatherboards are discouraged.
 - e) 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.
 - f) External operable sun shading devices (excluding roller shutters) to all west facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a dimensioned section diagram or photograph must be included to demonstrate the shading type and effectiveness.
 - g) Fixed external sun shading devices to all north facing habitable room windows/ glazed doors where not located directly under an eave or overhang. Where sun shading devices are being utilised a dimensioned section diagram must be included to demonstrate their effectiveness. Shading must not to extend within 1 metre of a property boundary.
 - h) Window operation on all elevation plans. Window operation must not increase overlooking of secluded private open space and/ or habitable room windows. Casement, sliding, sash and or louver windows must be provided to maximise ventilation.
 - i) Details of the garage door to Dwelling 1 fronting Gilbert Road.
 - j) Location of indicative signage to the milk bar.
 - k) Solar panels to the roof of each dwelling.
 - l) The setback of balconies from the north boundary.
 - m) The right of way labelled as constructed (refer to Condition No. 7 of this Permit).
 - n) A section diagram of the 1.7 metre balustrades and screens provided to Dwellings 2, 3, 4, 5 and 6. The screens must be no more than 25% open and constructed utilising durable materials.

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, 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 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.
- (6) Before the development starts, a detailed Stormwater Management System Report must be submitted to the satisfaction of the Responsible Authority and be approved in writing by the Responsible Authority. The report must include:
- a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including:
 - i) An assessment using an industry recognised stormwater tool;
 - ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
 - iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
 - iv) A plan illustrating where all impervious surfaces will be treated and drained; and
 - v) A construction and maintenance schedule.
 - b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
 - c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;
- The development must be constructed and maintained in accordance with the requirements/ recommendations of the approved Stormwater Management System Report to the satisfaction of the Responsible Authority.
- (7) Prior to the occupation of the development:
- a) Plans detailing the construction and surfacing including drainage of the right of way abutting the southern boundary of the property, commencing from Gilbert Road to the western end of the property, must be submitted to and approved by
-

Council.

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

All works must be carried out by the developer at their cost and be under supervision of the responsible authority. The works must be carried out to the satisfaction of the responsible authority.

- (8) Before the development is occupied, streetscape improvement works in the Gilbert Road road reserve adjacent to the subject site must be carried out by the developer at their cost, under supervision and be to the satisfaction of the responsible authority. The streetscape improvements must include the following:

- a) Demolition of the existing footpath pavement and replacement with new concrete paving with joints. The new concrete is to match the colour of the existing concrete as closely as practicable.
- b) Install a council suite of furniture including a recycling and waste bin (side by side) bench seat and bike hoop.

- (9) 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.

- (10) 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.

- (11) The existing milk bar must be retained in accordance with endorsed plans.

- (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 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.

- (15) The land must be drained 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) 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) 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.
- N5 To complete a satisfactory Sustainable Design Assessment (SDA) the Responsible Authority recommends the use of the Built Environment Sustainability Scorecard (BESS) to assess the developments environmental performance against appropriate standards.

Committee Decision

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

That the item be deferred for consideration to the Planning Committee meeting of 15 July 2019.

CARRIED.

**5.2 APPLICATION FOR A PLANNING PERMIT - D/302/2017
655 Plenty Road Preston**

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
John Divitcos Divitcos Architecture 19 Walter Street PRESTON VIC 3072	John Divitcos Divitcos Architecture 19 Walter Street PRESTON VIC 3072	N/A

SUMMARY

- The application is recommended for approval subject to conditions.
- The conditions address ESD, materials, windows, shading and accessibility.
- The proposal is recommended for approval as it attains a high level of compliance with the objectives and standards of Clauses 22.06, 43.02, 52.06, 52.34 and 58 of the Darebin Planning Scheme. It is noted that the Darebin Planning Scheme actively encourages urban intensification of the Plenty Road corridor including building heights of up to 6-storeys within this precinct.
- The proposal involves the development of a 5-storey building comprising four (4) dwellings and a retail premises. Two (2) 1-bedroom and two (2) 2-bedroom 3-storey dwellings are proposed.
- Four (4) car parking spaces within a car stacker are provided. A car parking reduction of two (2) spaces is sought.
- Four (4) bicycle parking spaces are provided. This represents an over provision of three (3) spaces.
- A Commercial 1 Zone and Design and Development Overlay (Schedule 17) apply.
- The title includes a restrictive covenant that protects the land from mining and quarrying activities, except for the purpose of constructing building foundations.
- Six (6) objections were received against this application.

CONSULTATION:

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

The following person verbally addressed the meeting and was thanked for his presentation by the Chairperson, Mayor Rennie:

- *John Divitcos, Applicant*

Recommendation

That Planning Permit Application D/302/2017 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, TP07 Rev D, TP08 Rev D, TP09 Rev D, TP10 Rev D, TP11 Rev D and TP12 Rev D, dated 12.12.2018 and prepared by Divitcos Architecture) but modified to show:
 - a) Modifications in accordance with the Sustainable Design Assessment (refer to Condition No. 5 of this Permit).
 - b) Modifications in accordance with the Stormwater Management System Report (refer to Condition No. 6 of this Permit).
 - c) A comprehensive schedule of construction materials, external finishes and colours (including colour samples).
 - d) 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.
 - e) External operable sun shading devices (excluding roller shutters) to all west facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a dimensioned section diagram or photograph must be included to demonstrate the shading type and effectiveness.
 - f) Fixed external sun shading devices to all north facing habitable room windows/ glazed doors where not located directly under an eave or overhang. Where sun shading devices are being utilised a dimensioned section diagram must be included to demonstrate their effectiveness. Shading must not extend within 1 metre of a property boundary.
 - g) Window operation on all elevation plans. Window operation must not increase overlooking of secluded private open space and/ or habitable room windows. Casement, sliding, sash and or louver windows must be provided to maximise ventilation.
 - h) Layouts in accordance with Standard D17 (Accessibility) of Clause 58 of the Darebin Planning Scheme.
 - i) The canopy over the public footpath set back 0.75 metres from the kerb and to have a minimum clearance height of 3 metres above the level of the public footpath.
 - j) A single communal antenna for the development (refer also to Condition No. 19 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.
 - k) The light court must be open to the sky (unroofed).
 - l) Solar panels to the southern section of the roof of dwellings 3 and 4, designed to serve the energy needs of the communal elements of the building.
 - m) The light court dimensioned on floor plans.
 - n) Indicative sign location for the retail premises.

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) As part of the consultant team John Divitcos Architects 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.
 - (5) 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.

- (6) Before the development starts, a detailed Stormwater Management System Report must be submitted to the satisfaction of the Responsible Authority and be approved in writing by the Responsible Authority. The report must include:
 - a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including;
 - i) An assessment using an industry recognised stormwater tool;
 - ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
 - iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
 - iv) A plan illustrating where all impervious surfaces will be treated and drained;
 - v) A construction and maintenance schedule.
 - b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces; and
 - c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements.

The development must be constructed and maintained in accordance with the requirements/ recommendations of the approved Stormwater Management System Report to the satisfaction of the Responsible Authority.

- (7) Before the development is occupied, streetscape improvement works in the Plenty Road road reserve adjacent to the subject site must be carried out by the developer at their cost. The streetscape improvements must be carried out under supervision and be to the satisfaction of the responsible authority. The streetscape improvements include the following:
 - a) Demolition of the existing footpath pavement and replacement with new concrete paving with joints. The new concrete paving is to match the colour of the existing paving as closely as practicable.
 - b) Any service pit in the Plenty Road road reserve must be finished at the same level of the new concrete pavement level.
- (8) 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.
- (9) 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.
- (10) Waste collection must be undertaken by a private contractor. Waste storage and collection must be undertaken in accordance with the Waste Management Plan prepared by Urban Leaf, dated 16 February 2018 and must be conducted in such a manner as not to affect the amenity of the surrounding area or cause any interference with the circulation and parking of vehicles on abutting streets.
- (11) Before the dwellings are occupied, an automatic external lighting system capable of illuminating the residential entry to Plenty Road and the vehicle and pedestrian access to the ROW 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.
- (12) The land must be drained 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) 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.
- (15) 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.
- (16) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
- (17) 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) 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.

- (18) Only one (1) communal television antenna may be erected on the building. Individual antennae for individual dwellings/tenancies must not be erected.
- (19) The amenity of the area must not be adversely affected by the use or development as a result of the:
 - a) Transport of materials, goods or commodities to or from the land; and/or
 - b) Appearance of any building, works, stored goods or materials; and/or
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and/or

in any other way, 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.

Motion**MOVED:** Cr. S Amir**SECONDED:** -

That the Officer's Recommendation be adopted.

THE MOTION LAPSED DUE TO WANT OF A SECONDER.

Committee Decision**MOVED:** Cr. S Newton**SECONDED:** Cr. L Messina

That Council refuse the application on the following grounds:

- 1) The rear setback is contrary to the requirements of the Design and Development Overlay (Schedule 17) of the Darebin Planning Scheme.
- 2) The car parking provision is contrary to the requirements of Clause 52.06 (car parking) of the Darebin Planning Scheme.
- 3) The development fails to achieve exemplary design outcomes as required under the Design and Development Overlay (Schedule 17) of the Darebin Planning Scheme for properties with a street frontage of less than 15m.
- 4) The development fails to provide an appropriately dimensioned light court that progressively widens towards the top of the building as required under Clause 22.06 (Multi-Residential and Mixed Use Development) of the Darebin Planning Scheme.

CARRIED.

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

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

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

Committee Decision

MOVED: Cr. L Messina

SECONDED: Cr. K Le Cerf

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

CARRIED.

7. URGENT BUSINESS

Nil.

8. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil.

9. CLOSE OF MEETING

The meeting was closed at 7.19pm.

**CITY OF
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