



the place
to live

MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 10 May 2021

Released to the public on Wednesday 12 May 2021



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

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

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

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

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



English

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

Arabic

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

Chinese

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

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

Table of Contents

Item Number	Page Number
1. PRESENT	1
2. APOLOGIES.....	1
3. DISCLOSURES OF CONFLICTS OF INTEREST	2
4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE	2
5. CONSIDERATION OF REPORTS	3
5.1 APPLICATION FOR PLANNING PERMIT D/874/2018 893 High Street Thornbury	3
5.2 APPLICATION FOR PLANNING PERMIT D/474/2020 25 Separation Street Northcote (southern part of the current Northcote Plaza site).....	11
6. OTHER BUSINESS	26
6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS	26
7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL	27
8. CLOSE OF MEETING.....	27

MINUTES OF THE MEETING OF THE PLANNING COMMITTEE OF THE DAREBIN CITY COUNCIL HELD AT PRESTON TOWN HALL, 284 GOWER STREET PRESTON ON MONDAY 10 MAY 2021

THE MEETING OPENED AT 6.43PM

WELCOME

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

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

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

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

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

1. PRESENT

Councillors

Cr. Lina Messina (Mayor) (Chairperson)

Cr. Gaetano Greco (Deputy Mayor)

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

Council Officers

Rachel Ollivier - General Manager City Sustainability and Strategy

Jodie Watson - General Manager Governance and Engagement

Julie Smout - Co Ordinator Statutory Planning

Jolyon Boyle - Co Ordinator Statutory Planning

Stephen Mahon - Coordinator Council Business

Karlee Ferrante - Council Business Officer

2. APOLOGIES

An apology was received for Cr. Emily Dimitriadis.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Officer Recommendation

That the Minutes of the Planning Committee Meeting held on 12 April 2021 be confirmed as a correct record of business transacted.

Committee Decision

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

That the Minutes of the Planning Committee Meeting held on 12 April 2021 be confirmed as a correct record of business transacted.

CARRIED

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/874/2018 893 High Street Thornbury

Author: Town Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
C Kairouz Architects	RC Consolidated Industries Pty Ltd	Sustainable Development Consultants Wood and Grieve Engineers Gareth Gale Town Planning & Advocacy Leigh Design

SUMMARY

- The proposal involves the partial demolition of the existing building and the development of a five-storey (plus rooftop terrace and basement) mixed use proposal comprising:
 - Partial demolition and partial retention of the existing ground floor building.
 - Five (5) dwellings (4 x 2-bedroom and 1 x 3-bedroom).
 - One (1) convenience restaurant (café) (111 square metres).
 - Six (6) car parking spaces.
 - Three (3) bicycle parking spaces.
- The site is zoned Commercial 1 Zone and is affected by the Heritage Overlay and the Development Contributions Plan Overlay.
- There is no restrictive covenant on the title for the subject land.
- Seven (7) objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clause 22.05, 22.06, 43.01 and 58 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 the ESD Officer, City Designer, Climate Emergency and Sustainable Transport Unit, Heritage Advisor, City Design Unit, Urban Design Unit, Property Management Unit, and Infrastructure and Capital Delivery Unit.
- This application was not required to be referred to external authorities.

The following people addressed the meeting in relation to Item 5.1 Application for Planning Permit D/874/2018:

- 1) Sue Kairouz (Applicant)
- 2) Nicole Payne (Objector)
- 3) Michaela Skelly (Objector)
- 4) Warwick Tiernan (Objector)
- 5) Catherine Moodie (Objector)

Officer Recommendation

That Planning Permit Application D/874/2018 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. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as A07 dated 23.09.2019 and A10-A17 dated 4.6.2020, all prepared by C. Kairouz Architects) but modified to show:
 - a. The ground floor use clearly nominated as a convenience restaurant (café).
 - b. The height of the planter boxes to the balconies of apartments 2.2 and 3.1 nominated and construction detail.
 - c. Traffic management information provided by a qualified traffic engineer on how waste collection via the rear laneway is arranged.
 - d. The minimum dimension of the balcony to apartment 1.2 in accordance with the requirements of Standard D19 of Clause 58.05-3 of the Darebin Planning Scheme.
 - e. The living areas of apartments 2.1 and 3.1 as per Standard D24 of Clause 58.07-1 of the Darebin Planning Scheme and to be provided clear of the dining areas.
 - f. Visitor bicycle parking in accordance with Condition No. 24 of this Permit.
 - g. A single communal antenna for the development in accordance with Condition No. 7 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.
 - h. Any modifications required as a result of the approved Acoustic Report required by Condition No. 9 of this Permit.
 - i. The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design (WSUD) Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 20 of this Permit.
 - j. The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 21 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:
- a. The development does not start within three (3) years from the date of this Permit; or
 - b. The development is not completed within five (5) years of the date of this Permit.

As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:

- a. Before this Permit expires.
 - b. Within six (6) months after the expiry date; or
 - c. Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
- (4) The land must be drained to the satisfaction of the Responsible Authority.
- (5) At the completion of the constructed ground floor level(s), and before the starting of the building frame or walls, a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority, confirming the ground floor level(s). The report must be submitted to the Responsible Authority no later than 7 days from the date of the inspection.

The development must not be occupied until a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority is submitted to the Responsible Authority, confirming the floor level(s).

- (6) Before the development starts a Demolition and Construction Management Plan must be submitted to the satisfaction of the Responsible Authority and approved by the Responsible Authority. When approved, the Demolition and Construction Management Plan will be endorsed and will then form part of this Permit. The Demolition and Construction Management Plan must address, without limitation, the following:
- a. Contact details for key construction site staff including after-hours contact numbers.
 - b. Hours for the construction activity.
 - c. Measures to control the escape of noise, dust, litter, water, and sediment laden runoff from the site.
 - d. Measures to control mud, crushed rock or other debris being carried onto public roads or footpaths from the site.
 - e. The protection measures for site features to be retained (e.g., vegetation, retaining walls, buildings, other structures, and pathways, etc).
 - f. On site facilities for vehicle washing.
 - g. Delivery and unloading points and expected frequency.
 - h. The location of parking areas for construction vehicles and construction workers vehicles, to ensure that vehicles associated with demolition and/or construction activity cause minimal disruption to surrounding land uses and traffic flows.
 - i. Any traffic management plans and measures that will be required to allow vehicles to safely access the site and to safely undertake deliveries/works.
 - j. Management of laneway access during construction.
 - k. An outline of requests to occupy public footpaths, bicycle paths or roads, and anticipated disruptions to public transport services.

- l. The processes to be adopted for the separation, re-use and recycling of demolition materials.
- m. The measures for prevention of the unintended movement of building waste and hazardous materials and other pollutants on or off the site, whether by air, water, or other means
- n. The measures to minimise the amount of waste construction materials; the provision for the recycling of demolition and waste materials; and the return of waste materials to the supplier (where the supplier has a program of reuse or recycling).
- o. Any other relevant matters.

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

- (7) Only one (1) communal television antenna may be erected on the building and located to be minimally visible from High Street. Individual antennae for individual dwellings/tenancies must not be erected.
- (8) The development must not adversely affect the amenity of the area, including through the:
 - a. transport of materials, goods, or commodities to or from the land.
 - b. appearance of any building, works, stored goods or materials.
 - c. emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil; andand/or in any other way, to the satisfaction of the Responsible Authority.
- (9) Before plans are endorsed under Condition No. 1 of this Permit, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will then form part of this Permit. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must include recommended acoustic attenuation measures and treatments to ensure that:
 - a. Noise levels associated with the operation of surrounding and nearby non-residential uses such as retail and commerce / tram lines / road traffic do not impact adversely on the amenity of the dwellings.
 - b. Dwellings are designed to achieve the following noise levels:
 - i. Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - ii. Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.
 - c. Noise levels within the development (including the operation of plant, mechanical car stackers, roller doors and the use of the car park) do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.
 - d. Minimisation of noise levels arising from the car stacker on the site to the adjoining site to the west at 1 Benjamin Street.

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

- (10) The car stackers must be routinely serviced and maintained to the satisfaction of the Responsible Authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.
- (11) External lighting must be designed, baffled, and located so as to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.
- (12) All guttering, rainheads, pipes including downpipes, fixtures, fittings, and vents servicing any building on the site including those associated with a balcony must be:
 - a. concealed in service ducts or otherwise hidden from view; or
 - b. located and designed to integrate with the development, to the satisfaction of the Responsible Authority.
- (13) No plant, equipment, services, or structures other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- (14) A clothesline must be provided to each dwelling. Clotheslines must not be visible from High Street. If clotheslines are located on a balcony, the balcony balustrade must be solid or obscure material.
- (15) Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.
- (16) No goods, equipment, packaging material, or any other material/object must be stored, or left exposed, outside a building that will be visible from any public road or thoroughfare to the satisfaction of the Responsible Authority.
- (17) The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
- (18) The Sustainable Design Assessment (SDA) to be endorsed and which will then form part of this Permit is the SDA submitted with the application (identified as Sustainable Design Assessment 893 High Street, Thornbury, prepared by Sustainable Development Consultants and dated June 2020).

The requirements of the endorsed Sustainable Design Assessment (SDA) (identified as Sustainable Design Assessment 893 High Street, Thornbury, prepared by Sustainable Development Consultants and dated June 2020) must be implemented and complied with to the satisfaction of the Responsible Authority.
- (19) The development must not be occupied until a report to the satisfaction of the Responsible Authority prepared by the author of the Sustainability Design Assessment (SDA) endorsed under Condition 18 of this Permit, or similarly qualified person, is submitted to the Responsible Authority, confirming that all measures specified in the SDA have been implemented in accordance with the endorsed SDA.
- (20) Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
 - a. Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including;

- i. An assessment using an industry recognised stormwater tool.
 - ii. The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants, and drainage directions.
 - iii. The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties, and landscaped areas.
 - iv. A plan illustrating where all impervious surfaces will be treated and drained.
 - v. A construction and maintenance schedule.
- b. Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces.
 - c. Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements:

The requirements of the endorsed Stormwater Management System Report must be implemented and complied with to the satisfaction of the Responsible Authority.

- (21) Before plans are endorsed under Condition No. 1 of this Permit, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of this Permit. The Site Management Plan must be generally in accordance with Melbourne Water's Keeping Our Stormwater Clean – A Builder's Guide (2002) and must describe how the site will be managed prior to and during the construction period, including requirements for:
- a. Erosion and sediment.
 - b. Stormwater.
 - c. Litter, concrete, and other construction wastes.
 - d. Chemical contamination.
 - e. The requirements of the endorsed Site Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- (22) Before occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- a. constructed.
 - b. properly formed to such levels that they can be used in accordance with the plans.
 - c. surfaced with an all-weather sealcoat.
 - d. drained.

to the satisfaction of the Responsible Authority.

- (23) Before the development is occupied, an automatic external lighting system capable of illuminating car and bicycle parking areas, access lanes and driveways must be provided on the site to the satisfaction of the Responsible Authority.

The external lighting must be designed, baffled, and located to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.

- (24) Before plans are endorsed under Condition No. 1 of this Permit either:
- a. a contribution must be made (equivalent to one (1) bicycle space) to cycling infrastructure near the site (where possible) or within the municipality, or
 - b. One (1) ground mounted bicycle parking space must be provided in a location conveniently accessible by visitors/patrons.

Visitor bicycle parking spaces on the site must be installed and maintained to the satisfaction of the Responsible Authority.

NOTATIONS

- N1 Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2 This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3 Amendments made to plans noted in Condition 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the development they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
- N4 This Planning Permit represents the planning approval for the use and/or development of the site and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the use/and or development allowed by this planning permit starts.
- N5 This planning permit does not represent approval for residential siting. Contact your appointed Building Surveyor for residential siting requirements when seeking building approval.
- N6 In relation to the requirements of Condition 24 of this Permit, please contact Council's Transport Engineering Unit (Ph: 03 8470 8220) or Transport@darebin.vic.gov.au for details on how to supply on-street bicycle spaces or to make an equivalent contribution.
- N7 This planning permit is to be attached to the "statement of matters affecting land being sold", under Section 32 of the *Sale of Land Act* 1962 and any tenancy agreement or other agreement under the *Residential Tenancies Act* 1997, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.

Committee Decision

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

That Planning Committee defer the matter to the next Council Planning Meeting to allow for Council to facilitate a meeting between applicant and objectors in order to find solutions and measures to mitigate amenity impacts to local residents.

For: Cr's Hannan, McCarthy, Newton, Rennie, Williams (5)

Against: Cr's Greco, Laurence, Messina (3)

CARRIED

**5.2 APPLICATION FOR PLANNING PERMIT D/474/2020
25 Separation Street Northcote (southern part of the
current Northcote Plaza site)**

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
River Street Developments P/L – C/O Contour Consultants	Ly P/L Tynan Nominees P/L	Contour Consultants

SUMMARY

- The application proposes a mixed-use development comprising the construction of six (6) buildings ranging in height between 4-28 storeys plus two (2) basement levels that provide the following uses and parking on site:
 - 660 dwellings across five separate buildings.
 - Library/Community facilities.
 - Nine retail premises including a supermarket and a packaged liquor outlet.
 - An office building.
 - 570 residential and 166 retail/office car parking spaces.
 - 49 residential/retail motorcycle parking spaces.
 - 428 residential/retail bicycle parking space.
 - Communal open space is proposed for residents at rooftop between Building B2 and Building B3.
 - Communal and public open space facilities are proposed centrally at the upper ground level in the form of an open public plaza. The upper ground plaza includes a number of communal and retail facilities including library, co-working office spaces, pop-up retail hubs, amphitheatre and landscaped communal open areas.
 - Public access to the upper ground plaza is proposed via stairs, ramps and lift from the Separation Street, the eastern Council car park and the south-west corner interfaces of the site.
 - Primary vehicle and loading access to Basement levels is proposed via a new crossover on Separation Street. Vehicle and loading access to the Office building is proposed via the existing north-south internal road located between Northcote Central Shopping Centre and Northcote Plaza Shopping Centre.
 - The northern sections of the existing Northcote Plaza Shopping Centre including the car parking areas to the north are proposed to be connected with the proposed development at Lower Ground Level, with pedestrian access available to the supermarket at lower ground level and to the upper ground level public space from lower ground level via lift and escalators.
 - A porte cochere (pick-up and drop-off) point is proposed on the western interface of the site at the lower ground level of Building B2.

- The application seeks to reduce the statutory car parking requirement by 628 spaces.
- The site is zoned Commercial 1 Zone (C1Z) and is affected by the Design and Development Overlay Schedule 14 (DDO14) and Development Contributions Plan Overlay Schedule 1 (DCPO1 – expired June 2014).
- The mandatory garden area requirement does not apply to residential development in the Commercial 1 Zone.
- There is no restrictive covenant on the title for the subject land.
- No objections were received against this application as the application was not advertised (see below).
- The proposal fails to meet a number of planning policy objectives including a number of the objectives and standards Clause 58 of the Darebin Planning Scheme.
- It is recommended that the application be refused.

CONSULTATION:

- Notice was not required to be given – please see the notification section of this report for further details.
- This application was referred internally to:
 - Assets and Capital Delivery Unit
 - City Design Unit
 - City Designer
 - City Works Unit
 - Climate Emergency and Sustainable Transport Unit
 - ESD Officer
 - Property Management Unit
 - Strategic Planning Unit
 - Tree Management Unit
 - WSUD Officer
 - Waste Services Unit
 - Recreation and Libraries
 - Environment Officer Waste and Water
 - Equity Wellbeing and Economic Development
- This application was referred externally to:
 - Environment Protection Authority (EPA)
 - Department of Transport (DOT)
 - Powercor
 - Metropolitan Waste and Resource Recovery Group (MWRRG)

Officer Recommendation

That Planning Permit Application D/474/2020 be refused and a Notice of Refusal be issued on the following grounds:

Environmental Risk

1. The proposed development's proximity to and proposed treatments adjacent to the eastern boundary of the site is contrary to the objectives of Clause 13.04-1S (Contaminated and Potentially Contaminated Land):
 - (a) The risk to the community and to the environment associated with disturbance of environmental (gas) management infrastructure is unknown. Insufficient information has been provided to properly assess the application.
 - (b) The lack of sufficient information around environmental risk factors places the proposal at risk of failure to execute in accordance with any approval.
2. The proposed use and development, in terms of its proximity to the eastern boundary of the subject site, is incompatible with the previous use of the eastern adjoining site (All Nations Park) for the purpose of Municipal putrescible waste landfill. The proposal is therefore contrary to the objectives of Clause 13.07-1S (Land Use Compatibility) as follows:
 - (a) The encroachment of the development footprint into contaminated land (All Nations Park closed landfill) may compromise the safe, effective function and management of the contaminated land and associated environmental management infrastructure.
 - (b) The encroachment of the development footprint into contaminated land (All Nations Park closed landfill) does not meet the recommended buffer distance specified in Best Practice Environmental Management - Siting, Design, Operation and Rehabilitation of Landfills, EPA Publication 788.3, 2015.
 - (c) In accordance with EPA Publication 1518 March 2013, Section 9, the applicant has not demonstrated initiative to voluntarily liaise with the Environment Protection Authority (EPA) nor obtained the necessary guidance and support of the EPA for a variation to the recommended buffer distance from the closed landfill site.
 - (d) The application has not provided sufficient information to satisfy Council that the proposed new development will not be adversely impacted by its proximity to the landfill site.
3. The proposed development is contrary to the objectives of Clause 19.03-5S (Waste and Resource Recovery). The development does not sufficiently protect waste (closed landfill) management infrastructure to ensure environmental, community amenity and public health impacts are minimised.
4. The proposed development is contrary to the objectives of Clause 21.02-6 (Environmental Risk). The information provided with the application is not in accordance with the recommended strategies for averting risk and does not satisfy the desired policy outcomes in dealing with contaminated land. In particular, Council is not satisfied that:
 - (a) The development is safe to construct and can be constructed without major amendment to footprint.
 - (b) The development once constructed is safe for use by future occupants.
 - (c) The development will not compromise the integrity of existing infrastructure.

- (d) The development will not fetter access to and maintenance of existing infrastructure by the responsible authority.
- (e) The development will not result in unforeseen additional and ongoing financial burden on the responsible authority arising from any variation to existing environment management infrastructure.

Infrastructure Planning and Engineering

- 5. The development is contrary to the objectives of Clause 19.03-2S (Infrastructure Design and Provision) and Clause 19.03-3S (Integrated Water Management). The application does not sufficiently demonstrate an integrated approach to planning and engineering design in the following areas:
 - (a) Environmental risk
 - (b) Stormwater drainage engineering
 - (c) Stormwater on-site management
 - (d) Noise mitigation for on-site noise sources
 - (e) Landscape design (above ground soil depths)
 - (f) ESD (daylight factor to dwellings)
 - (g) Integrated Waste (on-site waste infrastructure design)
 - (h) Site services (rooftop plant and equipment capacity)

Social Impact

- 6. The proposal does not satisfy the objectives of Clause 11.02-3S (Sequencing of Development), Clause 19.02-4S (Social and Cultural Infrastructure) and Clause 22.08-3 (Northcote Activity Centre) due to its failure to adequately assess and deliver community benefit commensurate with the scale of the development. In particular, the following offerings are poorly detailed and resolved in the proposal:
 - (a) The proposed library use lacks sufficient area (square metres) to meet the existing and future demand in the area as a result of the methodology in the supporting Social Impact Assessment being flawed.
 - (b) The social impact of the packaged liquor outlet at the eastern interface of the site has not been sufficiently considered within the context of a cumulative impact assessment. Insufficient information has been provided to assess the potential impact.
 - (c) The Social Impact Assessment submitted with the application fails to nominate or commit to a specific community benefit/s. A comprehensive and thorough assessment of the social contributions therefore cannot be made.

Urban Design

- 7. The proposed development's performance against objectives and strategies in Clause 21.02 (Environment), namely Objectives 1 & 2 (Urban Design Excellence and Safe Urban Environments) is poorly resolved, in particular in relation to:
 - (a) Communal open space provision for residents
 - (b) Landscape character and quality (insufficient deep soil planting or offset planting)
 - (c) Excessive removal of existing trees with retention value on and near the site
 - (d) Sustainable design excellence
 - (e) Efficient and future-proofed waste management systems

8. The development is inconsistent with the environmental and urban design policy aims and objectives of Clause 22.08 (Northcote Activity Centre), as follows:
- (a) The development does not provide a sufficiently active frontage at pedestrian level to Separation Street as required under policy. The resultant environment on Separation Street will lack a 'sense of place' and is contrary to good urban design principles.
 - (b) The lack of appropriate activation of the Separation Street frontage will result in poor levels of surveillance and public safety.
 - (c) The Separation Street interface of the development at lower ground level (pedestrian level) excessively prioritises utility frontage and vehicle access opening. The resultant inactive presentation severely compromises streetscape amenity and public realm quality.
 - (d) The design response to provide passenger vehicle and loading truck access from the Separation Street frontage via a combined single expansive crossover will detrimentally impact on pedestrian and cyclist movements along Separation Street and put public safety at risk.
 - (e) The development is not set back sufficiently from the southern boundary (Separation Street) at pedestrian level to enable public realm improvements along Separation Street such as increased pedestrian pathway width, inclusion of street planting, inclusion of street furniture and the inclusion of cycling paths.
 - (f) The development's response to the Separation Street interface is contrary to:
 - (i) Darebin Transport Strategy and Darebin Cycling Strategy.
 - (ii) Darebin Council's Crossover Policy.

Housing Diversity and Affordability

9. The development fails to deliver the expected level of affordable and diverse housing on the site in accordance with the objectives and strategies outlined in Clause 16.01-2S, (Housing Affordability), Clause 21.03-2 (Housing Development), Clause 21.03-3 (Housing Development), Clause 21.03-3 (Housing Diversity and Equity) and the Northcote Activity Centre Structure Plan (referenced in Clause 22.08).
10. The application lacks the necessary information and commitments with respect to affordable housing, contrary to the Affordable and Social Housing policy (21.03-3) and the Northcote Activity Centre policy (Clause 22.08-3).

Economic Development

11. The development proposal is inconsistent with Commercial Activity policy at Clause 21.04-3 and the purpose of the Commercial 1 Zone at Clause 34.01 due to:
- (a) A significant reduction in retail floor space on the site, and
 - (b) The proposed loss of retail floorspace is not supported by a retail demand assessment that justifies the reduction, particularly in light of the introduction of a significant residential population on the site which would increase the demand for retail activity.

Zoning Provisions

12. The intensity of the proposed residential uses culminating in the overall building heights and scale is contrary to the purpose of the Commercial 1 Zone which seeks to limit residential uses to densities that are complementary to the role and scale of the commercial centre (described by the Northcote Activity Centre – Clause 22.08 and the Northcote Central precinct within Clause 43.02 of the Darebin Planning Scheme).

13. The application fails to comply with buildings and works requirements at Clause 34.01-1 which specifies that an apartment development must meet the requirements of Clause 58. The development does not meet all of the requirements of Clause 58.
14. Insufficient urban context and design response information is provided under Clause 34.01-6 to justify the development heights and setbacks.

Overlay Provisions

15. The proposed development is inconsistent with the Design Objectives and decision guidelines at Clause 43.02-6 (Design and Development Overlay Schedule 14) in the following matters:
 - (a) The Municipal Planning Strategy and the Planning Policy Framework.
 - (b) The design, form, layout, proportion and scale of the proposed buildings are incompatible with the role and function of the Northcote Activity Centre and the physical urban context of the site.
 - (c) The proposed landscaping coupled with the removal of existing vegetation will result in a lack of canopy coverage on the site.
 - (d) Vehicle access and egress, loading and unloading access to the site will detrimentally impact on the appearance of the public interface, and the amenity and safety of pedestrians and cyclists.
 - (e) Cyclist movements on and around the site are not convenient and safe.
 - (f) The development proposal does not sufficiently improve existing infrastructure through street widening to promote pedestrian safety and amenity.
 - (g) Energy and sustainability performance of the development does not meet standards commensurate with the scale of the development.
 - (h) The developments south frontage to Separation Street lacks the necessary activation and opportunity for passive surveillance.
 - (i) The development (Building B5) threatens to obscure views of the CBD skyline from the top of All Nations Park. The scale of Building B-1 tower will unreasonably overwhelm the openness and prominence of this view.
 - (j) The height of buildings B4 and B5 exceed the preferred height control of 4-storeys.

Sustainable Development

16. In accordance with Clause 22.12 (Environmentally Sustainable Development) of the Darebin Planning Scheme, the sustainability outcomes for the development are not commensurate with the scale and intensity of the development:
 - (a) The sustainability standard of the development is inconsistent with the Architect's Declare agreement.
 - (b) Insufficient daylight will be available to living rooms in a large proportion of dwellings in the development
 - (c) The development utilises outdated ESD tools (NCC2016) to measure the development's performance.
 - (d) Insufficient provision is made for EV charging stations and organic and recyclable waste collection,
 - (e) The standard and level of bicycle parking, access and design is poor.
 - (f) A limited category of compliance is achieved with NABERS 5-star rating.

Clause 52.06 – Car Parking and Access

17. The projected development traffic utilising the new intersection (crossover to the site) on Separation Street coupled with the existing traffic volumes on Separation Street will create a traffic congestion and potentially traffic hazard at this point.
18. Lack of safe traffic conditions at the Separation Street crossover to the site will result in unsafe outcomes for pedestrians and cyclists due to the increased likelihood of conflict.
19. Insufficient information has been provided with the application to assess loading vehicles' manoeuvrability to and from the site.
20. The size and location of the crossover to Separation Street is inconsistent with Darebin City Council's Crossover policy.

Clause 52.27 - Licensed Premises

21. Insufficient information has been provided with the application in accordance with Clause 52.27 (Licensed Premises) of the Darebin Planning Scheme to support the inclusion of a packaged liquor sales outlet on the site.
22. The location of the packaged liquor sales outlet adjoining a Council car park and public park (All Nations Park) is a poor design response in terms of layout of uses on the site; and does not consider surveillance and safety issues associated with the non-active interface during evening hours.

Clause 52.34 - Bicycle Parking

23. Insufficient bicycle parking is provided for visitors to the Office building.
24. Insufficient bicycle parking is provided for staff and residents with consideration given the ESD claims made by the applicant.
25. The development provides poor connectivity between the bicycle parking spaces/end of trip facilities and the retail tenancies (including supermarket) provided at lower ground level. Access has not been sufficiently resolved and will discourage users.
26. Access routes from the eastern interface to bicycle parking spaces (retail and residential) at lower ground level is excessively long and inconvenient.
27. The wide crossover to Separation Street will create significant interruption to and safety of cyclists intending to use Separation Street to access the eastern entry point to bicycle parking on the site.
28. The development will fetter Council's implementation under the Darebin Transport Strategy and Darebin Cycling Strategy to extend dedicated bicycle routes along Separation Street, east of the intersection of High Street.

Clause 58 Apartment Developments

29. The development does not comply with the standards and/or objectives of (or insufficient information has been provided to assess) the following standards in Clause 58:
 - (a) Clause 58.02-1 – Standard D1 Urban Context: From a policy, built environment and emerging built environment context, the proposal would constitute a significant departure from a reasonably expected scale/density for the site.
 - (b) Clause 58.02-2 – Standard D2 Residential Policy: the applicant has failed to demonstrate how the proposed community benefit (including affordable housing and the library) is commensurate to the scale of the proposal; and Insufficient information has been provided in relation to the mechanism for delivering affordable housing.

- (c) Clause 58.02-3 – Standard D3 Dwelling Diversity: The development does not provide the necessary housing choice, including a mix of housing options that are accessible to the community at all stages of life.
- (d) Clause 58.02-4 – Standard D4 Infrastructure Objectives: The development has the potential for unreasonable overloading of existing infrastructure and lacks the necessary level of resolution to demonstrate upgrades to existing infrastructure will be practical, safe and achievable.
- (e) Clause 58.02-5 – Standard D5 Integration with the Street Objective: The development does not provide adequate pedestrian and cyclist links to maintain and enhance local accessibility; the treatment of the street interface of the development lacks the necessary activation and urban design sophistication; the proposal to locate car parking spaces to the frontage of the eastern retail premises will weaken the integration of these premises with the public realm.
- (f) Clause 58.03-1 – Standard D6 Energy Efficiency Objectives: The development is not sufficiently sustainable and does not demonstrate a high standard of energy and resource efficiency commensurate with the scale of the development.
- (g) Clause 58.03-2 – Standard D7 Communal Open Space Objective: Notwithstanding the public open space on site, insufficient communal open space provision is made on site.
- (h) Clause 58.03-3 – Standard D8 Solar Access to Communal Open Space Objective: Insufficient solar access will be available to communal open space (and public open space) on site.
- (i) Clause 58.03-5 – Standard D10 Landscaping Objectives: The development is not set back sufficiently to protect existing trees on and adjacent to the site; insufficient information has been provided to assess whether the canopy tree provision on site is being met; the proposed soil depths on site are not considered adequate for the establishment of deep root (canopy) planting.
- (j) Clause 58.03-6 – Standard D11 Access Objective: the size and location of the proposed crossover to Separation Street is inconsistent with Council's crossover policy and will detrimentally impact on traffic flow and road safety, pedestrian amenity and safety, cyclist amenity and safety, urban design and the visual amenity of the streetscape.
- (k) Clause 58.03-8 – Standard D13 Integrated Water and Stormwater Management Objectives: Insufficient information has been provided with the proposal for a proper assessment against the standard
- (l) Clause 58.04-1 – Standard 14 Building Setback Objectives: The development is not sufficiently set back from the southern, eastern and northern boundaries of the site to protect the amenity, management and/or equal development rights of existing and/or future uses at these interfaces. The development is considered to borrow an excessive level of amenity from adjoining sites.
- (m) Clause 58.04-3 – Standard D16 Noise Impacts Objectives: As a result of the location and layout of dwellings relative to location of services, the dwellings within the development will be not sufficiently protected from on-site noise sources (such as lifts, stairs, plant, equipment and retail activity). Insufficient information has been provided to demonstrate how such impacts can be mitigated.
- (n) Clause 58.05-2 – Standard D18 Building Entry and Circulation Objectives: Insufficient daylight and ventilation is available to circulation areas at the upper residential levels of the development, in particular Buildings B2, B3, B4 and B5.

- (o) Clause 58.05-4 – Standard D20 Storage Objective: The 1-bedroom and 2-bedroom dwellings in the development are not provided storage in accordance with the standard.
- (p) Clause 58.06-2 – Standard D22 Site Services Objectives: The location of significant site services located on a primary street frontage occupying excessive wall space constitutes an inappropriate design response; insufficient detail has been provided in respect of the capacity and noise generation of plant and equipment on the site, in particular rooftop plant and equipment.
- (q) Clause 58.06-3 – Standard D23 Waste and Recycling Objectives: Building B5's residential waste storage area at lower ground level is disconnected from collection points; insufficient provision has been made to organic and recyclable waste streams for the development.
- (r) Clause 58.07-2 – Standard D25 Room Depth Objective: There is excessive overhang above the windows of some of the dwellings which do not meet the Daylight Factor of 1.5% for 40% of the floor area of their living rooms.
- (s) Clause 58.07-3 – Standard D26 Windows Objective: Some of the dwellings in the development will not have sufficient daylight access to living rooms.

Committee Decision

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

That Planning Permit Application D/474/2020 be refused and a Notice of Refusal be issued on the following grounds:

Environmental Risk

1. The proposed development's proximity to and proposed treatments adjacent to the eastern boundary of the site is contrary to the objectives of Clause 13.04-1S (Contaminated and Potentially Contaminated Land):
 - (a) The risk to the community and to the environment associated with disturbance of environmental (gas) management infrastructure is unknown. Insufficient information has been provided to properly assess the application.
 - (b) The lack of sufficient information around environmental risk factors places the proposal at risk of failure to execute in accordance with any approval.
2. The proposed use and development, in terms of its proximity to the eastern boundary of the subject site, is incompatible with the previous use of the eastern adjoining site (All Nations Park) for the purpose of Municipal putrescible waste landfill. The proposal is therefore contrary to the objectives of Clause 13.07-1S (Land Use Compatibility) as follows:
 - (a) The encroachment of the development footprint into contaminated land (All Nations Park closed landfill) may compromise the safe, effective function and management of the contaminated land and associated environmental management infrastructure.
 - (b) The encroachment of the development footprint into contaminated land (All Nations Park closed landfill) does not meet the recommended buffer distance specified in Best Practice Environmental Management - Siting, Design, Operation and Rehabilitation of Landfills, EPA Publication 788.3, 2015.
 - (c) In accordance with EPA Publication 1518 March 2013, Section 9, the applicant has not demonstrated initiative to voluntarily liaise with the Environment

Protection Authority (EPA) nor obtained the necessary guidance and support of the EPA for a variation to the recommended buffer distance from the closed landfill site.

- (d) The application has not provided sufficient information to satisfy Council that the proposed new development will not be adversely impacted by its proximity to the landfill site.
3. The proposed development is contrary to the objectives of Clause 19.03-5S (Waste and Resource Recovery). The development does not sufficiently protect waste (closed landfill) management infrastructure to ensure environmental, community amenity and public health impacts are minimised.
4. The proposed development is contrary to the objectives of Clause 21.02-6 (Environmental Risk). The information provided with the application is not in accordance with the recommended strategies for averting risk and does not satisfy the desired policy outcomes in dealing with contaminated land. In particular, Council is not satisfied that:
 - (a) The development is safe to construct and can be constructed without major amendment to footprint.
 - (b) The development once constructed is safe for use by future occupants.
 - (c) The development will not compromise the integrity of existing infrastructure.
 - (d) The development will not fetter access to and maintenance of existing infrastructure by the responsible authority.
 - (e) The development will not result in unforeseen additional and ongoing financial burden on the responsible authority arising from any variation to existing environment management infrastructure.

Infrastructure Planning and Engineering

5. The development is contrary to the objectives of Clause 19.03-2S (Infrastructure Design and Provision) and Clause 19.03-3S (Integrated Water Management). The application does not sufficiently demonstrate an integrated approach to planning and engineering design in the following areas:
 - (a) Environmental risk
 - (b) Stormwater drainage engineering
 - (c) Stormwater on-site management
 - (d) Noise mitigation for on-site noise sources
 - (e) Landscape design (above ground soil depths)
 - (f) ESD (daylight factor to dwellings)
 - (g) Integrated Waste (on-site waste infrastructure design)
 - (h) Site services (rooftop plant and equipment capacity)

Social Impact

6. The proposal does not satisfy the objectives of Clause 11.02-3S (Sequencing of Development), Clause 19.02-4S (Social and Cultural Infrastructure) and Clause 22.08-3 (Northcote Activity Centre) due to its failure to adequately assess and deliver community benefit commensurate with the scale of the development. In particular, the following offerings are poorly detailed and resolved in the proposal:
 - (a) The proposed library use lacks sufficient area (square metres) to meet the existing and future demand in the area as a result of the methodology in the supporting Social Impact Assessment being flawed.

- (b) The social impact of the packaged liquor outlet at the eastern interface of the site has not been sufficiently considered within the context of a cumulative impact assessment. Insufficient information has been provided to assess the potential impact.
- (c) The Social Impact Assessment submitted with the application fails to nominate or commit to a specific community benefit/s. A comprehensive and thorough assessment of the social contributions therefore cannot be made.

Urban Design

- 7. The proposed development's performance against objectives and strategies in Clause 21.02 (Environment), namely Objectives 1 & 2 (Urban Design Excellence and Safe Urban Environments) is poorly resolved, in particular in relation to:
 - (a) Communal open space provision for residents
 - (b) Landscape character and quality (insufficient deep soil planting or offset planting)
 - (c) Excessive removal of existing trees with retention value on and near the site
 - (d) Sustainable design excellence
 - (e) Efficient and future-proofed waste management systems
- 8. The development is inconsistent with the environmental and urban design policy aims and objectives of Clause 22.08 (Northcote Activity Centre), as follows:
 - (a) The development does not provide a sufficiently active frontage at pedestrian level to Separation Street as required under policy. The resultant environment on Separation Street will lack a 'sense of place' and is contrary to good urban design principles.
 - (b) The lack of appropriate activation of the Separation Street frontage will result in poor levels of surveillance and public safety.
 - (c) The Separation Street interface of the development at lower ground level (pedestrian level) excessively prioritises utility frontage and vehicle access opening. The resultant inactive presentation severely compromises streetscape amenity and public realm quality.
 - (d) The design response to provide passenger vehicle and loading truck access from the Separation Street frontage via a combined single expansive crossover will detrimentally impact on pedestrian and cyclist movements along Separation Street and put public safety at risk.
 - (e) The development is not set back sufficiently from the southern boundary (Separation Street) at pedestrian level to enable public realm improvements along Separation Street such as increased pedestrian pathway width, inclusion of street planting, inclusion of street furniture and the inclusion of cycling paths.
 - (f) The development's response to the Separation Street interface is contrary to:
 - (i) Darebin Transport Strategy and Darebin Cycling Strategy.
 - (ii) Darebin Council's Crossover Policy.

Housing Diversity and Affordability

- 9. The development fails to deliver the expected level of affordable and diverse housing on the site in accordance with the objectives and strategies outlined in Clause 16.01-2S, (Housing Affordability), Clause 21.03-2 (Housing Development), Clause 21.03-3

(Housing Development), Clause 21.03-3 (Housing Diversity and Equity) and the Northcote Activity Centre Structure Plan (referenced in Clause 22.08).

10. The application lacks the necessary information and commitments with respect to affordable housing, contrary to the Affordable and Social Housing policy (21.03-3) and the Northcote Activity Centre policy (Clause 22.08-3).

Economic Development

11. The development proposal is inconsistent with Commercial Activity policy at Clause 21.04-3 and the purpose of the Commercial 1 Zone at Clause 34.01 due to:
 - (a) A significant reduction in retail floor space on the site, and
 - (b) The proposed loss of retail floorspace is not supported by a retail demand assessment that justifies the reduction, particularly in light of the introduction of a significant residential population on the site which would increase the demand for retail activity.

Zoning Provisions

12. The intensity of the proposed residential uses culminating in the overall building heights and scale is contrary to the purpose of the Commercial 1 Zone which seeks to limit residential uses to densities that are complementary to the role and scale of the commercial centre (described by the Northcote Activity Centre – Clause 22.08 and the Northcote Central precinct within Clause 43.02 of the Darebin Planning Scheme).
13. The application fails to comply with buildings and works requirements at Clause 34.01-1 which specifies that an apartment development must meet the requirements of Clause 58. The development does not meet all of the requirements of Clause 58.
14. Insufficient urban context and design response information is provided under Clause 34.01-6 to justify the development heights and setbacks.

Overlay Provisions

15. The proposed development is inconsistent with the Design Objectives and decision guidelines at Clause 43.02-6 (Design and Development Overlay Schedule 14) in the following matters:
 - (a) The Municipal Planning Strategy and the Planning Policy Framework.
 - (b) The design, form, layout, proportion and scale of the proposed buildings are incompatible with the role and function of the Northcote Activity Centre and the physical urban context of the site.
 - (c) The proposed landscaping coupled with the removal of existing vegetation will result in a lack of canopy coverage on the site.
 - (d) Vehicle access and egress, loading and unloading access to the site will detrimentally impact on the appearance of the public interface, and the amenity and safety of pedestrians and cyclists.
 - (e) Cyclist movements on and around the site are not convenient and safe.
 - (f) The development proposal does not sufficiently improve existing infrastructure through street widening to promote pedestrian safety and amenity.
 - (g) Energy and sustainability performance of the development does not meet standards commensurate with the scale of the development.
 - (h) The developments south frontage to Separation Street lacks the necessary activation and opportunity for passive surveillance.

- (i) The development (Building B5) threatens to obscure views of the CBD skyline from the top of All Nations Park. The scale of Building B-1 tower will unreasonably overwhelm the openness and prominence of this view.
- (j) The height of buildings B4 and B5 exceed the preferred height control of 4-storeys.

Sustainable Development

- 16. In accordance with Clause 22.12 (Environmentally Sustainable Development) of the Darebin Planning Scheme, the sustainability outcomes for the development are not commensurate with the scale and intensity of the development:
 - (a) The sustainability standard of the development is inconsistent with the Architect's Declare agreement.
 - (b) Insufficient daylight will be available to living rooms in a large proportion of dwellings in the development
 - (c) The development utilises outdated ESD tools (NCC2016) to measure the development's performance.
 - (d) Insufficient provision is made for EV charging stations and organic and recyclable waste collection,
 - (e) The standard and level of bicycle parking, access and design is poor.
 - (f) A limited category of compliance is achieved with NABERS 5-star rating.

Clause 52.06 – Car Parking and Access

- 17. The projected development traffic utilising the new intersection (crossover to the site) on Separation Street coupled with the existing traffic volumes on Separation Street will create a traffic congestion and potentially traffic hazard at this point.
- 18. Lack of safe traffic conditions at the Separation Street crossover to the site will result in unsafe outcomes for pedestrians and cyclists due to the increased likelihood of conflict.
- 19. Insufficient information has been provided with the application to assess loading vehicles' manoeuvrability to and from the site.
- 20. The size and location of the crossover to Separation Street is inconsistent with Darebin City Council's Crossover policy.

Clause 52.27 - Licensed Premises

- 21. Insufficient information has been provided with the application in accordance with Clause 52.27 (Licensed Premises) of the Darebin Planning Scheme to support the inclusion of a packaged liquor sales outlet on the site.
- 22. The location of the packaged liquor sales outlet adjoining a Council car park and public park (All Nations Park) is a poor design response in terms of layout of uses on the site; and does not consider surveillance and safety issues associated with the non-active interface during evening hours.

Clause 52.34 - Bicycle Parking

- 23. Insufficient bicycle parking is provided for visitors to the Office building.
- 24. Insufficient bicycle parking is provided for staff and residents with consideration given the ESD claims made by the applicant.

25. The development provides poor connectivity between the bicycle parking spaces/end of trip facilities and the retail tenancies (including supermarket) provided at lower ground level. Access has not been sufficiently resolved and will discourage users.
26. Access routes from the eastern interface to bicycle parking spaces (retail and residential) at lower ground level is excessively long and inconvenient.
27. The wide crossover to Separation Street will create significant interruption to and safety of cyclists intending to use Separation Street to access the eastern entry point to bicycle parking on the site.
28. The development will fetter Council's implementation under the Darebin Transport Strategy and Darebin Cycling Strategy to extend dedicated bicycle routes along Separation Street, east of the intersection of High Street.

Clause 58 Apartment Developments

29. The development does not comply with the standards and/or objectives of (or insufficient information has been provided to assess) the following standards in Clause 58:
 - (a) Clause 58.02-1 – Standard D1 Urban Context: From a policy, built environment and emerging built environment context, the proposal would constitute a significant departure from a reasonably expected scale/density for the site.
 - (b) Clause 58.02-2 – Standard D2 Residential Policy: the applicant has failed to demonstrate how the proposed community benefit (including affordable housing and the library) is commensurate to the scale of the proposal; and Insufficient information has been provided in relation to the mechanism for delivering affordable housing.
 - (c) Clause 58.02-3 – Standard D3 Dwelling Diversity: The development does not provide the necessary housing choice, including a mix of housing options that are accessible to the community at all stages of life.
 - (d) Clause 58.02-4 – Standard D4 Infrastructure Objectives: The development has the potential for unreasonable overloading of existing infrastructure and lacks the necessary level of resolution to demonstrate upgrades to existing infrastructure will be practical, safe and achievable.
 - (e) Clause 58.02-5 – Standard D5 Integration with the Street Objective: The development does not provide adequate pedestrian and cyclist links to maintain and enhance local accessibility; the treatment of the street interface of the development lacks the necessary activation and urban design sophistication; the proposal to locate car parking spaces to the frontage of the eastern retail premises will weaken the integration of these premises with the public realm.
 - (f) Clause 58.03-1 – Standard D6 Energy Efficiency Objectives: The development is not sufficiently sustainable and does not demonstrate a high standard of energy and resource efficiency commensurate with the scale of the development.
 - (g) Clause 58.03-2 – Standard D7 Communal Open Space Objective: Notwithstanding the public open space on site, insufficient communal open space provision is made on site.
 - (h) Clause 58.03-3 – Standard D8 Solar Access to Communal Open Space Objective: Insufficient solar access will be available to communal open space (and public open space) on site.
 - (i) Clause 58.03-5 – Standard D10 Landscaping Objectives: The development is not set back sufficiently to protect existing trees on and adjacent to the site; insufficient information has been provided to assess whether the canopy tree

- provision on site is being met; the proposed soil depths on site are not considered adequate for the establishment of deep root (canopy) planting.
- (j) Clause 58.03-6 – Standard D11 Access Objective: the size and location of the proposed crossover to Separation Street is inconsistent with Council's crossover policy and will detrimentally impact on traffic flow and road safety, pedestrian amenity and safety, cyclist amenity and safety, urban design and the visual amenity of the streetscape.
 - (k) Clause 58.03-8 – Standard D13 Integrated Water and Stormwater Management Objectives: Insufficient information has been provided with the proposal for a proper assessment against the standard
 - (l) Clause 58.04-1 – Standard 14 Building Setback Objectives: The development is not sufficiently set back from the southern, eastern and northern boundaries of the site to protect the amenity, management and/or equal development rights of existing and/or future uses at these interfaces. The development is considered to borrow an excessive level of amenity from adjoining sites.
 - (m) Clause 58.04-3 – Standard D16 Noise Impacts Objectives: As a result of the location and layout of dwellings relative to location of services, the dwellings within the development will be not sufficiently protected from on-site noise sources (such as lifts, stairs, plant, equipment and retail activity). Insufficient information has been provided to demonstrate how such impacts can be mitigated.
 - (n) Clause 58.05-2 – Standard D18 Building Entry and Circulation Objectives: Insufficient daylight and ventilation is available to circulation areas at the upper residential levels of the development, in particular Buildings B2, B3, B4 and B5.
 - (o) Clause 58.05-4 – Standard D20 Storage Objective: The 1-bedroom and 2-bedroom dwellings in the development are not provided storage in accordance with the standard.
 - (p) Clause 58.06-2 – Standard D22 Site Services Objectives: The location of significant site services located on a primary street frontage occupying excessive wall space constitutes an inappropriate design response; insufficient detail has been provided in respect of the capacity and noise generation of plant and equipment on the site, in particular rooftop plant and equipment.
 - (q) Clause 58.06-3 – Standard D23 Waste and Recycling Objectives: Building B5's residential waste storage area at lower ground level is disconnected from collection points; insufficient provision has been made to organic and recyclable waste streams for the development.
 - (r) Clause 58.07-2 – Standard D25 Room Depth Objective: There is excessive overhang above the windows of some of the dwellings which do not meet the Daylight Factor of 1.5% for 40% of the floor area of their living rooms.
 - (s) Clause 58.07-3 – Standard D26 Windows Objective: Some of the dwellings in the development will not have sufficient daylight access to living rooms.

CARRIED UNANIMOUSLY

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).

Recommendation

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

Committee Decision

MOVED: Cr. G Greco
SECONDED: Cr. J Williams

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

CARRIED UNANIMOUSLY

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL


Nil.

8. CLOSE OF MEETING


The meeting closed at 7.47pm.

**CITY OF
DAREBIN**

274 Gower Street, Preston
PO Box 91, Preston, Vic 3072
T 8470 8888 F 8470 8877
E mailbox@darebin.vic.gov.au
darebin.vic.gov.au

 **National Relay Service**
relayservice.gov.au

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service.

 **Speak your language**
T 8470 8470

العربية	italiano	Soomalii
繁體中文	Македонски	Español
Ελληνικά	नेपाली	اردو
हिंदी	பெங்களி	Tiếng Việt