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# MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 8 February 2021

Released to the public on Thursday 11 February 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.

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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 MONDAY 8 FEBRUARY 2021**

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**THE MEETING OPENED AT 6.31PM**

**WELCOME**

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

“I acknowledge the Wurundjeri Woi-wurrung people who are the Traditional Owners of the land. I recognise their continuing connection to the land, water and culture. I pay my respects to Elders past, present and emerging.”

Mayor Messina advised that the meeting was being streamed live and that audio and video would be made available on Council’s website.

**1. PRESENT**

***Councillors***

Cr. Lina Messina (Mayor) (Chairperson)

Cr. Gaetano Greco (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

***Council Officers***

Rachel Ollivier - General Manager City Sustainability and Strategy

Jodie Watson – General Manager Governance and Engagement

Karen Leeder – Manager City Development

Stephen Mahon – Coordinator Council Business

Karlee Ferrante – Council Business Officer

Ranjeetha Prasad – Service desk Officer

**2. APOLOGIES**

Nil

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

Nil

**4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE****Recommendation**

**That** the Minutes of the Planning Committee Meeting held on 14 December 2020 be confirmed as a correct record of business transacted.

**Committee Decision**

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

**That** the Minutes of the Planning Committee Meeting held on 14 December 2020 be confirmed as a correct record of business transacted.

**CARRIED UNANIMOUSLY**

## 5. CONSIDERATION OF REPORTS

### 5.1 APPLICATION FOR PLANNING PERMIT D/200/2019 24-26 RATHCOWN ROAD RESERVOIR

**Author:** Statutory Planner

**Reviewed By:** General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
PAI Property Consultant	B E Brown	Mecone; PAI Property Consultant; Dr Wendy Morrison; Nick Withers.

### SUMMARY

- This application proposes a medium density housing development comprised of eight (8) double storey dwellings. Five (5) of these are four (4) bedroom dwellings and three (3) are two (2) bedroom dwellings.
- Dwelling 1 and Dwelling 8 are sited towards the street frontage, with the remaining dwellings located to the rear. Dwelling 1 generally comprises an open plan kitchen/living/dining area, one (1) bedroom and secluded private open space at ground floor level and will have three (3) bedrooms at first floor level. Dwellings 2-8 generally comprise of a similar layout with open plan kitchen/living/dining area and secluded private open space at ground floor level and their respective bedrooms at first floor level.
- Dwelling 1 will have one (1) tandem car space and a single car garage, with access directly from the street. The remaining dwellings will have vehicular access from the common central accessway. Dwellings 4, 5 and 8 will have a single car garage and Dwellings 2, 3, 6 and 7 will have a double car garage. A communal waste storage area is located at the northern (rear) end central accessway.
- The dwellings will have a 'traditional' design, with walls finished in brick at ground floor and render at first floor with hipped roofs at ground floor and first floor.
- The proposal will have a maximum overall height of 7.813 metres.
- The site is zoned General Residential Zone – Schedule 2 and is affected by the Development Contributions Plan Overlay.
- The mandatory garden area requirement is 35%. The proposal achieves a garden area of 435 square metres (35.01%).
- There is no restrictive covenant on the title for the subject land.
- Five (5) objections were received against the application, including one (1) petition.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

**CONSULTATION:**

- Public notice was given via letters sent to surrounding owners and occupiers. Due to State Government 'Stage 4' lockdown restrictions as a result of the Coronavirus global pandemic, an extensive mailout of letters was undertaken in lieu of posting a sign on the subject site.
- This application was referred internally to Council's ESD Officer, Arboricultural Planning Unit, Infrastructure and Capital Delivery Unit, Climate Emergency and Sustainable Transport Unit and Strategic Planning Unit
- This application was not required to be referred to any external authorities.

The following people addressed the meeting in relation to Item 5.1 Application for Planning Permit D/200/2019:

- 1) Nathan Li (Applicant)
- 2) Ian Row (Objector)
- 3) Lynne Ticehurst (Objector)

<b>Recommendation</b>
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**That** Planning Permit Application No. D/200/2019 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. 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 TP3 (Rev. B), TP4 (Rev. B), TP6 (Rev. B), TP7 (Rev. B), prepared by PAI Property Consultant and dated Sep 20) but modified to show:
  - (a) The garage wall of Dwelling 1 set back 1.0 metres from the western boundary and the re-alignment of the accessways to reflect what is depicted on the plan identified as 'Discussion Plan' (dated 18 November 2020).
  - (b) The first-floor Bedroom 2 en suite of Dwelling 4 deleted. This must be achieved by reducing the first floor building footprint and without altering any boundary setbacks.
  - (c) The first-floor Bathroom of Dwelling 5 deleted. This must be achieved by reducing the building first floor footprint and without altering any boundary setbacks.

Internal rearrangement to accommodate a first-floor bathroom within the remaining area may occur provided that there is no change to the location/screening detail of any windows.
  - (d) Deletion of the first floor south-facing balconies of Dwelling 1 and Dwelling 8 and any consequential rearrangement of the roof form and support structures.
  - (e) Provision of vehicle swept path assessment for Dwelling 8 (***although not necessarily endorsed to form part of this Permit***) demonstrating that B85th percentile vehicles can enter and exit the garage in accordance with Australian Standard AS2890.1:2004.



- (f) The communal bin enclosure relocated to the northern boundary fence line, with the adjacent area to the south of the bin enclosure provided with landscape buffer (500mm minimum) and screening vegetation in accordance with Condition No. 3 (d).
- A fully sealed path of not more than 1.0 metres width must be provided for access between the bin enclosure and the accessway.
- (g) The deletion of bins shown within the individual garages of each dwelling.
- (h) The material identified as 'Render D: Classic Cream or Similar' is to be substituted with horizontal timber (or timber-look cladding) with a natural/stained finish.
- (i) An updated comprehensive schedule of construction materials, external finishes and colours (including colour samples), which reflects the requirements of Condition 1 (h).
- (j) Details of the fences on the northern, eastern and western boundaries (except within 7.6 metres of the southern boundary of the land) in accordance with Condition No. 10 of this Permit.
- (k) A note on the First Floor Plan stating that the retreat of Dwelling 8 must remain open and must not be enclosed as a bedroom.
- (l) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), on the eastern and western sides of both crossovers to Rathcown Road. Where within the site, the splays must be at least 50% clear of any visual obstructions (structures, vegetation and the like). The splays may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.
- (m) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
- (i) co-located where possible;
  - (ii) located or screened to be minimally visible from the public realm;
  - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
  - (iv) integrated into the design of the building.
- (n) The location of gas, water and electricity metres. Where metres would be visible from the public realm, these are to be:
- (i) co-located where possible;
  - (ii) positioned on a side boundary or adjacent to the accessway; and
  - (iii) screened from view using either landscaping or durable screening that integrates with the development.
- (o) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
- (p) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition No. 4 of this Permit.

- (q) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 6 of this Permit.
- (r) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
- (s) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.
- (t) Any modifications required as a result of the approved Waste Management Plan (WMP) required by Condition No. 9 of this Permit.

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

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
  - (a) tree protection measures in accordance with Condition No. 4 of this Permit.
  - (b) any modifications relating to landscaping required as a result of the Sustainable Design Assessment required by Condition No. 6 of this Permit).
  - (c) any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit).
  - (d) screening vegetation is to be provided within the landscape buffer along the southern side of the communal bin enclosure to minimise views of the enclosure from the street frontage.
  - (e) 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. All existing trees to be retained must be retained and protected in accordance with Australian Standards.
  - (f) a planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
  - (g) a diversity of plant species and forms.
  - (h) at least four (4) suitable medium canopy trees and eight (8) suitable small canopy trees.

All canopy trees must have a minimum height of 1.6 metres in 40 litre containers at the time of installation and must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
  - (i) annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
  - (j) 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 percent. 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.

- (k) hard paved surfaces at all entry points to dwellings.
- (l) the location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, clotheslines, tanks, storage, bike racks and the like).
- (m) type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
- (n) an outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
- (o) the location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
- (p) clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
- (q) scale, north point and appropriate legend.
- (r) landscape specification notes including general establishment and maintenance requirements.

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

The development must not be occupied, unless otherwise approved by the Responsible Authority in writing, until the landscaping works shown on the endorsed Landscape Plan are completed to the satisfaction of the Responsible Authority.

No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.

The landscaping shown on the endorsed Landscape Plan must be maintained to the satisfaction of the Responsible Authority, including by replacing any dead, diseased, dying or damaged plants to the satisfaction of the Responsible Authority.

All landscaped areas must be provided with an appropriate irrigation system to the satisfaction of the Responsible Authority.

4. Before the development (including demolition) starts, tree protection fencing (TPF) must be erected in accordance with the following requirements to provide a Tree Protection Zone (TPZ):

Tree*	Location	TPZ (radius from the base of the tree trunk)
Tree 1	Nature strip	6.7 metres
Tree 2	Nature strip	10.0 metres
Trees 3-12	Adjoining properties	2.0m, 2.0m, 2.0m, 2.0m, 3.1m, 3.2m, 2.0m, 2.4m, 3.2m & 2.4m
*as defined in Arboricultural Development Impact Assessment (prepared by Nick Withers, dated October 2020)		

5. The following tree protection measures must be implemented for trees identified in the table to Condition No. 4 of this Permit:
- (a) Tree protection measures must be in accordance with Australian Standard AS4970 – 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority.
  - (b) Tree protection fencing must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed or unless otherwise agreed by the Responsible Authority in writing.
  - (c) The tree protection fencing must be maintained at all times and may only be moved the minimum amount necessary for approved buildings and works to occur within a Tree Protection Zone (TPZ). The movement of the fencing to allow such buildings and works shall only occur for the period that such buildings and works are undertaken, after which time the full extent of the fencing must be reinstated.
  - (d) Except with the written consent of the Responsible Authority:
    - (i) The area within the TPZ and Tree Protection Fencing (TPF) must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.
    - (ii) The area within the TPZ of Tree 1 and Tree 2 must be provided with 100mm layer of coarse mulch.
    - (iii) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
    - (iv) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
  - (e) Any pruning works must be carried out in accordance with the Australian Standard AS4373 - 2007: Pruning of Amenity Trees and undertaken by a suitably qualified arborist.
  - (f) The construction of the crossover (and any other buildings and works within a TPZ) must be undertaken under the supervision and direction of a qualified arborist.
  - (g) Any service installation within TPZs must be bored to a minimum depth of 0.6m below existing grade. There must strictly be no 'open trench' excavation within TPZs
  - (h) Clearance pruning to Trees 1 & 2 must be undertaken by the Responsible Authority.
  - (i) Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip.
  - (j) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the site.
  - (k) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained must be marked and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.

6. Before plans are endorsed under Condition No. 1 of this Permit, an amended Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended SDA will be endorsed and will then form part of this Permit. The amended SDA must be generally in accordance with the document identified as Sustainable Design Assessment (prepared by PAI Property Consultant and dated September 2020) but modified to show:
- (a) Detail of how the sustainable design strategies to be incorporated into the development.
  - (b) Details of the proposed sustainable design initiatives within the development including energy efficiency, water conservation, stormwater quality, waste management and material selection.
  - (c) Install external adjustable shading to all west-facing habitable room windows or glazed doors on the ground floor. Provide details to ensure it covers the glazed area when in use and the windows can still open.
  - (d) Provide details on where the water tanks will be located.

The requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority.

7. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
- (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including;
    - (i) an assessment using an industry recognised stormwater tool;
    - (ii) the type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
    - (iii) the location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
    - (iv) a plan illustrating where all impervious surfaces will be treated and drained;
    - (v) a construction and maintenance schedule;
  - (b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
  - (c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;

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

8. Before plans are endorsed under Condition No. 1 of this Permit, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of this Permit. The Site Management Plan must be generally in accordance with Melbourne Water's *Keeping Our Stormwater Clean – A Builder's Guide* (2002) and must describe how the site will be managed prior to and during the construction period, including requirements for:

- (a) Erosion and sediment.
- (b) Stormwater.
- (c) Litter, concrete and other construction wastes.
- (d) Chemical contamination.

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

9. Waste storage and collection must be undertaken in accordance with the approved management plan (identified as Waste Management Plan prepared by PAI Property Consultant and dated 01.09.2020) and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.
10. The development must not be occupied until a fence/s to a minimum height of 1.8 metres above natural ground level is erected along the northern, western and eastern property boundaries. The fence must be constructed to the satisfaction of the Responsible Authority.

If the existing fence/s on the northern, western and eastern property boundaries have heights of less than 1.8 metres, however are structurally sound, the fence height(s) may be increased by the addition of a free-standing, self-supporting trellis adjacent to the fence to the required height. If used, such trellis must be a maximum of 25% visually permeable and be fixed, permanent, durable and of materials, finishes and colour that will blend in with the development.

11. 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).

12. Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

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

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

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

15. 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.
16. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the buildings without the prior written consent of the Responsible Authority.
17. The plant and equipment proposed on the roof of the building must be located to be minimally visible from the public realm or screened in a manner that integrates with the design of the development, to the satisfaction of the Responsible Authority.
18. A clothesline must be provided to each dwelling. Clotheslines must not be visible from Rathcown Road.
19. Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.
20. 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; and,
  - (d) drained;
- to the satisfaction of the Responsible Authority.
21. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
22. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
23. The retreat of Dwelling 8 must remain open and must not be enclosed as a bedroom.
24. This Permit will expire if either:
- (a) the development does not start within three (3) years from the date of this Permit; or
  - (b) the development is not completed within five (5) years of the date of this Permit.
- As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
- (a) before this Permit expires;
  - (b) within six (6) months after the expiry date; or
  - (c) within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

**NOTATIONS**

**(These notes are provided for information only and do not constitute part of this permit or conditions of this permit)**

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the 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. 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.
- N6. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- 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.



**Motion**

**MOVED:** Cr. S Newton  
**SECONDED:** Cr. T Laurence

**That** Planning Committee refuse the application on the following grounds:

1. The proposal does not meet the objectives of Council's Neighbourhood Character Study at Clause 22.02 of the Darebin Planning Scheme in terms of visual bulk, dominance of car parking structures, poorly conceived materials palate/design detail and inappropriate form.
2. The proposal does not provide functional vehicular access and manoeuvrability to Dwelling 1 and Dwelling 8 and is contrary to the design standards of Clause 52.06 of the Darebin Planning Scheme.
3. The proposal does not provide a passing lane in accordance with Design Standard 1-Accessways of Clause 52.06-9 of the Darebin Planning Scheme.
4. The layout of the first floor retreat of Dwelling 8 poses an unacceptable risk of being converted into a third bedroom.
5. The proposal does not meet the following standards and objectives of Clause 55 of the Darebin Planning Scheme, in particular:
  - (a) Clause 55.02-1: Neighbourhood character – the proposal is inappropriate in terms of visual bulk, poorly conceived materials palate/design detail and inappropriate form.
  - (b) Clause 55.02-2: Residential policy – the proposal is contrary to the preferred character of the area.
  - (c) Clause 55.04-1: Side and rear setbacks – inadequate side and rear setbacks resulting in visual bulk to the neighbouring residential properties.
  - (d) Clause 55.04-3: Daylight to existing windows – the proposal will result in the unreasonable loss of daylight to existing habitable room windows located to the west.
  - (e) Clause 55.06-1: Design detail – the design detail is inappropriate in the neighbourhood context.
  - (f) Clause 55.06-4: Site services objectives – the proposed location of the bin enclosure is inadequately concealed and screened from the public realm.

The Motion was put and carried.

**Committee Decision**

**MOVED:** Cr. S Newton  
**SECONDED:** Cr. T Laurence

**That** Planning Committee refuse the application on the following grounds:

1. The proposal does not meet the objectives of Council's Neighbourhood Character Study at Clause 22.02 of the Darebin Planning Scheme in terms of visual bulk, dominance of car parking structures, poorly conceived materials palate/design detail and inappropriate form.

2. The proposal does not provide functional vehicular access and manoeuvrability to Dwelling 1 and Dwelling 8 and is contrary to the design standards of Clause 52.06 of the Darebin Planning Scheme.
3. The proposal does not provide a passing lane in accordance with Design Standard 1-Accessways of Clause 52.06-9 of the Darebin Planning Scheme.
4. The layout of the first floor retreat of Dwelling 8 poses an unacceptable risk of being converted into a third bedroom.
5. The proposal does not meet the following standards and objectives of Clause 55 of the Darebin Planning Scheme, in particular:
  - (a) Clause 55.02-1: Neighbourhood character – the proposal is inappropriate in terms of visual bulk, poorly conceived materials palate/design detail and inappropriate form.
  - (b) Clause 55.02-2: Residential policy – the proposal is contrary to the preferred character of the area.
  - (c) Clause 55.04-1: Side and rear setbacks – inadequate side and rear setbacks resulting in visual bulk to the neighbouring residential properties.
  - (d) Clause 55.04-3: Daylight to existing windows – the proposal will result in the unreasonable loss of daylight to existing habitable room windows located to the west.
  - (e) Clause 55.06-1: Design detail – the design detail is inappropriate in the neighbourhood context.
  - (f) Clause 55.06-4: Site services objectives – the proposed location of the bin enclosure is inadequately concealed and screened from the public realm.

**CARRIED UNANIMOUSLY**

**5.2 APPLICATION FOR PLANNING PERMIT D/254/2020  
785 HIGH STREET THORNBURY**

**Author:** Senior Planner

**Reviewed By:** General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
GSA Architects	Palmerston West Pty Ltd	Site Matters Northern Environmental Design

**SUMMARY**

- The proposal is for the demolition of the rear of the existing office and first floor dwelling (retention of the boundary walls) alteration to the shop front and construction of a four (4) storey building.
- A total of three dwellings comprising one (1) 3-bedroom with study and two (2) 3-bedroom dwellings over four levels are proposed with access facing Harold Street.
- Each dwelling extends to four (4) levels with carparking and entrances at ground level. All dwellings have three (3) levels of living spaces and services above their own garage and dwelling entry. Pedestrian access to all dwellings is from Harold Street and all dwellings provide an individual lift.
- Private open space for Dwelling 1 is to be provided in an 18 square metre balcony facing High Street. Dwelling 2 is to be provided with a balcony measuring 12 square metres and Dwelling 3 is to be provided with a balcony measuring 16 square metres facing the Right of Way (ROW) to the west.
- An office space of 60sqm floor area is proposed at ground level facing High Street.
- A total of six car spaces are provided on site. Two (2) in a double garage to the rear of the site with access from a ROW and four (4) in two separate adjacent double car stackers accessed from Harold Street.
- The building will have a contemporary design, with materials being brick, tiles, metal cladding with a flat roof.
- The proposal will have a maximum overall height of 14.145 metres.
- The site is zoned Commercial 1 Zone and is affected by the Development Contributions Plan Overlay – Schedule 1.
- There is no restrictive covenant on the title for the subject land.
- No objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

**CONSULTATION:**

- Public notice was given via letters sent to surrounding owners and occupiers. Due to State Government ‘Stage 4’ lockdown restrictions as a result of the coronavirus

pandemic, an extensive mailout of letters was undertaken in lieu of posting a sign on the subject site.

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

The following person addressed the meeting in relation to Item 5.2 Application for Planning Permit D/254/2020:

- 1) George Spanos (Applicant)

<b>Recommendation</b>
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**That** Planning Permit Application on D/254/2020 be supported and a Planning Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. 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 drawing nos TP 01, TP 02, TP 03, TP 04, TP 05, TP 06, Revision A, dated 22 July 2020, job no. 19035 an prepared by GSA Architects) but modified to show:
  - (a) Details and dimensions of the external storage facilities provided for all dwellings, with a minimum volume of 6 cubic metres.
  - (b) The storage area in the garage for Dwelling 3 must ensure appropriate clearance above a parked vehicle.
  - (c) Provision of at least 2.1 metres headroom beneath overhead obstructions for vehicles in garages in accordance with Design standard 1 – Accessways of clause 52.06-9.
  - (d) The garages are to have minimum internal dimensions of 5.5 metres in width and 6 metres in length, clear of any obstructions, such as storage areas, bicycle racks, bins and door openings.
  - (e) Full details of mechanical car parking including dimensions, make and model, clearance, pit depth etc (with appropriate clearance from bicycle racks and bins) and a notation on plan confirming that a minimum of 25% of car spaces are to have a minimum headroom clearance of 1.8 metres, with the car spaces in the mechanical parking to be accessed independently.
  - (f) Further information of the side roll roller doors to ensure appropriate clearances in the garages.
  - (g) Surface levels of garages, mechanical parking, accessways, adjacent footpath and Right of Way levels and crossovers to ensure compliance with Design standard 3: Gradients of clause 52.06-9.

- (h) The western planter box to the second floor to the balcony of Dwelling 3 is to be incorporated into a solid balustrade and is to comply with rear setbacks under clause 22.05-3 (High Street Corridor Land Use and Urban Design) of the Planning Scheme.
- (i) Provision of window/glazed panels to the garage doors.
- (j) Full details of the proposed screens to north-facing windows of the upper floors showing a fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level. A section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.
- (k) Provision of external adjustable shading to all west facing habitable room windows and glazed doors.
- (l) Provision for three (3) council bins within each garage.
- (m) A comprehensive schedule of construction materials, external finishes and colours (including colour samples) and material boards including samples of the proposed materials.
- (n) Annotated coloured elevations and 3D renders accurately representing the proposed materials, colours and finishes in accordance with the approved schedule of construction materials.
- (o) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
  - (i) co-located where possible;
  - (ii) located or screened to be minimally visible from the public realm;
  - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
  - (iv) integrated into the design of the building.
- (p) The location of gas, water and electricity metres. Where metres would be visible from the public realm, these are to be:
  - (i) co-located where possible;
  - (ii) positioned on a side boundary or adjacent to the accessway; and
  - (iii) screened from view using either landscaping or durable screening that integrates with the development.
- (q) Any modifications required as a result of the approved Landscape Plan required by Condition 2 of this Permit.
- (r) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 5 of this Permit.
- (s) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
- (t) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.
- (u) Noise attenuation measures required by the acoustic assessment under condition 9 of this permit.

- (v) A single communal antenna for the development in accordance with Condition No. 10 of this Permit. The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.

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

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
  - (a) Any modifications relating to landscaping required as a result of the Sustainable Design Assessment required by Condition No. 5 of this Permit)
  - (b) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit)
  - (c) 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. All existing trees to be retained must be retained and protected in accordance with Australian Standards.
  - (d) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
  - (e) A diversity of plant species and forms.
  - (f) 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 must have a minimum height of 1.6 metres in 40 litre containers at the time of installation and must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
  - (g) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
  - (h) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete). Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
  - (i) Hard paved surfaces at all entry points to dwellings.
  - (j) The location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, clotheslines, tanks, storage, bike racks and the like).
  - (k) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
  - (l) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.

- (m) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
- (n) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
- (o) Scale, north point and appropriate legend.
- (p) Landscape specification notes including general establishment and maintenance requirements.

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

The development must not be occupied, unless otherwise approved by the Responsible Authority in writing, until the landscaping works shown on the endorsed Landscape Plan are completed to the satisfaction of the Responsible Authority.

No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.

The landscaping shown on the endorsed Landscape Plan must be maintained to the satisfaction of the Responsible Authority, including by replacing any dead, diseased, dying or damaged plants to the satisfaction of the Responsible Authority.

All landscaped areas must be provided with an appropriate irrigation system to the satisfaction of the Responsible Authority.

4. Before the development (including demolition) starts, a Tree Replacement Fee of \$505.75 must be paid in full to the Responsible Authority for the planting of trees within the nature strip adjacent to the frontage of the site or elsewhere within the Municipality.
5. Before plans are endorsed under Condition No.1 of this Permit, a Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SDA will be endorsed and will then form part of this Permit. The SDA must be prepared by a suitably qualified professional and must:
  - (a) Detail the sustainable design strategies to be incorporated into the development.
  - (b) Outline proposed sustainable design initiatives within the development including energy efficiency, water conservation, stormwater quality, waste management and material selection.
  - (c) Be accompanied by a report from an industry accepted performance measurement tool.

The requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority.

6. The development must not be occupied until a report to the satisfaction of the Responsible Authority prepared by the author of the Sustainability Management Plan (SMP) endorsed under Condition 5 of this Permit, or similarly qualified person, is submitted to the Responsible Authority, confirming that all measures specified in the SMP have been implemented in accordance with the endorsed SMP.

7. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
- (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including:
    - (i) An assessment using an industry recognised stormwater tool;
    - (ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
    - (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
    - (iv) A plan illustrating where all impervious surfaces will be treated and drained;
    - (v) A construction and maintenance schedule;
  - (b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
  - (c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;

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

8. Before plans are endorsed under Condition No. 1 of this Permit, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of this Permit. The Site Management Plan must be generally in accordance with Melbourne Water's *Keeping Our Stormwater Clean – A Builder's Guide* (2002) and must describe how the site will be managed prior to and during the construction period, including requirements for:
- (a) Erosion and sediment.
  - (b) Stormwater.
  - (c) Litter, concrete and other construction wastes.
  - (d) Chemical contamination.

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

9. Before plans are endorsed under Condition No. 1 of this Permit, 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 nearby non-residential uses, trams and traffic do not impact adversely on the amenity of the dwellings.



- (b) Dwellings are designed to achieve the following noise levels:
- (ii) Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
  - (iii) 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.

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

10. Prior to the commencement of development, a Streetscape Improvement Works Plan and associated construction drawing specifications detailing the works to the land must be submitted and approved to the satisfaction of the Responsible Authority. The plan must detail works to the High Street and Harold Street footpaths adjacent to the development. The plans must include the following details:
- (a) A detailed level and feature survey of the footpaths and road adjacent to the site including the depth of the footpaths from the external façades to the kerb.
  - (b) After consultation with Council's Tree Protection Arborist and if planting is to occur in the abutting street frontage as required in Condition No. 4, the location of any street trees detailing the botanical name, common name, size at maturity and quantities of all plants. All footpath planting must be provided in passively irrigated pits, either WSUD pits or resin bound surfacing and flush with the pavement. Planter boxes must not be provided. Planting of any trees within the naturestrip as required in Condition No. 4 to be undertaken by the Responsible Authority.
  - (c) Any required relocation of parking and traffic signs.
  - (d) Any other works to the public land adjacent to the development.

The approved Streetscape Improvement Works Plan will form part of the endorsed plans under the permit and must be implemented to the satisfaction of the Responsible Authority at the expense of the owner of the land, prior to the occupation of the development unless otherwise agreed with the prior written consent of the Responsible Authority.

11. Owner/ occupiers of the development are encouraged to utilise the FOGO bin collection service provided by Council.
12. Only one (1) communal television antenna may be erected on the building and located to be minimally visible from High Street or Harold Street. Individual antennae for individual dwellings/tenancies must not be erected.
13. 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; and
- and/or in any other way, to the satisfaction of the Responsible Authority.

14. 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).

15. Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

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

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

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

18. 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.

19. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the building without the prior written consent of the Responsible Authority.

20. The plant and equipment proposed on the roof of the building must be located to be minimally visible from the public realm or screened in a manner that integrates with the design of the development, to the satisfaction of the Responsible Authority.

21. A clothesline must be provided to each dwelling. Clotheslines must not be visible from High Street or Harold Street. If clotheslines are located on a balcony, the balcony balustrade must be solid or obscure material.

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

23. 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.

24. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

25. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
26. Before plans are endorsed under Condition No. 1 of this Permit, a Car Stacker Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Stacker Management Plan will be endorsed and will then form part of this Permit. The Car Stacker Management Plan must include:
- (a) Allocation of car parking spaces according to vehicle size and type;
  - (b) Ongoing maintenance of the car stacker system;
  - (c) Instructions to owners/occupiers about the operation of the car stacker system;
  - (d) Communicating to prospective residents about the availability of car stacker spaces and sizes; and
  - (e) Specific make and model of all proposed car stackers.

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

27. This Permit will expire if either:
- (a) The development does not start within three (3) years from the date of this Permit; or
  - (b) The development is not completed within five (5) years of the date of this Permit.
- As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
- (a) Before this Permit expires;
  - (b) Within six (6) months after the expiry date; or
  - (c) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

## **NOTATIONS**

**(These notes are provided for information only and do not constitute part of this permit or conditions of this permit)**

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the development or use or both they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.

- N4. This Planning Permit represents the planning approval for the 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. 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.
- N6. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- 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.

<b>Motion</b>
---------------

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

**That** Planning Permit Application on D/254/2020 be supported and a Planning Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. 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 drawing nos TP 01, TP 02, TP 03, TP 04, TP 05, TP 06, Revision A, dated 22 July 2020, job no. 19035 an prepared by GSA Architects) but modified to show:
  - (a) **Universally accessible door widths for all dwellings in accordance with the *Disability Discrimination Act*.**
  - (b) Details and dimensions of the external storage facilities provided for all dwellings, with a minimum volume of 6 cubic metres.
  - (c) The storage area in the garage for Dwelling 3 must ensure appropriate clearance above a parked vehicle.
  - (d) Provision of at least 2.1 metres headroom beneath overhead obstructions for vehicles in garages in accordance with Design standard 1 – Accessways of clause 52.06-9.
  - (e) The garages are to have minimum internal dimensions of 5.5 metres in width and 6 metres in length, clear of any obstructions, such as storage areas, bicycle racks, bins and door openings.
  - (f) Full details of mechanical car parking including dimensions, make and model, clearance, pit depth etc (with appropriate clearance from bicycle racks and bins) and a notation on plan confirming that a minimum of 25% of car spaces are to have a minimum headroom clearance of 1.8 metres, with the car spaces in the mechanical parking to be accessed independently.
  - (g) Further information of the side roll roller doors to ensure appropriate clearances in the garages.
  - (h) Surface levels of garages, mechanical parking, accessways, adjacent footpath and Right of Way levels and crossovers to ensure compliance with Design standard 3: Gradients of clause 52.06-9.
  - (i) The western planter box to the second floor to the balcony of Dwelling 3 is to be incorporated into a solid balustrade and is to comply with rear setbacks under clause 22.05-3 (High Street Corridor Land Use and Urban Design) of the Planning Scheme.
  - (j) Provision of window/glazed panels to the garage doors.
  - (k) Full details of the proposed screens to north-facing windows of the upper floors showing a fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level. A section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.
  - (l) Provision of external adjustable shading to all west facing habitable room windows and glazed doors.

- (m) Provision for three (3) council bins within each garage.
- (n) A comprehensive schedule of construction materials, external finishes and colours (including colour samples) and material boards including samples of the proposed materials.
- (o) Annotated coloured elevations and 3D renders accurately representing the proposed materials, colours and finishes in accordance with the approved schedule of construction materials.
- (p) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
  - (i) co-located where possible;
  - (ii) located or screened to be minimally visible from the public realm;
  - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
  - (iv) integrated into the design of the building.
- (q) The location of gas, water and electricity metres. Where metres would be visible from the public realm, these are to be:
  - (i) co-located where possible;
  - (ii) positioned on a side boundary or adjacent to the accessway; and
  - (iii) screened from view using either landscaping or durable screening that integrates with the development.
- (r) Any modifications required as a result of the approved Landscape Plan required by Condition 2 of this Permit.
- (s) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 5 of this Permit.
- (t) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
- (u) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.
- (v) Noise attenuation measures required by the acoustic assessment under condition 9 of this permit.
- (w) A single communal antenna for the development in accordance with Condition No. 10 of this Permit. The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.

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

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

3. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
- (a) Any modifications relating to landscaping required as a result of the Sustainable Design Assessment required by Condition No. 5 of this Permit)
  - (b) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit)
  - (c) 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. All existing trees to be retained must be retained and protected in accordance with Australian Standards.
  - (d) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
  - (e) A diversity of plant species and forms.
  - (f) 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 must have a minimum height of 1.6 metres in 40 litre containers at the time of installation and must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
  - (g) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
  - (h) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete). Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
  - (i) Hard paved surfaces at all entry points to dwellings.
  - (j) The location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, clotheslines, tanks, storage, bike racks and the like).
  - (k) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
  - (l) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
  - (m) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
  - (n) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
  - (o) Scale, north point and appropriate legend.

- (p) Landscape specification notes including general establishment and maintenance requirements.

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

The development must not be occupied, unless otherwise approved by the Responsible Authority in writing, until the landscaping works shown on the endorsed Landscape Plan are completed to the satisfaction of the Responsible Authority.

No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.

The landscaping shown on the endorsed Landscape Plan must be maintained to the satisfaction of the Responsible Authority, including by replacing any dead, diseased, dying or damaged plants to the satisfaction of the Responsible Authority.

All landscaped areas must be provided with an appropriate irrigation system to the satisfaction of the Responsible Authority.

4. Before the development (including demolition) starts, a Tree Replacement Fee of \$505.75 must be paid in full to the Responsible Authority for the planting of trees within the nature strip adjacent to the frontage of the site or elsewhere within the Municipality.
5. Before plans are endorsed under Condition No.1 of this Permit, a Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SDA will be endorsed and will then form part of this Permit. The SDA must be prepared by a suitably qualified professional and must:
  - (a) Detail the sustainable design strategies to be incorporated into the development.
  - (b) Outline proposed sustainable design initiatives within the development including energy efficiency, water conservation, stormwater quality, waste management and material selection.
  - (c) Be accompanied by a report from an industry accepted performance measurement tool.

The requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority.

The development must not be occupied until a report to the satisfaction of the Responsible Authority prepared by the author of the Sustainability Management Plan (SMP) endorsed under Condition 5 of this Permit, or similarly qualified person, is submitted to the Responsible Authority, confirming that all measures specified in the SMP have been implemented in accordance with the endorsed SMP.

7. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
  - (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including;
    - (i) An assessment using an industry recognised stormwater tool;
    - (ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;



- (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
- (iv) A plan illustrating where all impervious surfaces will be treated and drained;
- (v) A construction and maintenance schedule;
- (b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
- (c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;

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

8. Before plans are endorsed under Condition No. 1 of this Permit, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of this Permit. The Site Management Plan must be generally in accordance with Melbourne Water's *Keeping Our Stormwater Clean – A Builder's Guide* (2002) and must describe how the site will be managed prior to and during the construction period, including requirements for:
- (a) Erosion and sediment.
  - (b) Stormwater.
  - (c) Litter, concrete and other construction wastes.
  - (d) Chemical contamination.

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

9. Before plans are endorsed under Condition No. 1 of this Permit, 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 nearby non-residential uses, trams and traffic do not impact adversely on the amenity of the dwellings.
  - (b) Dwellings are designed to achieve the following noise levels:
    - (ii) Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
    - (iii) 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.

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

10. Prior to the commencement of development, a Streetscape Improvement Works Plan and associated construction drawing specifications detailing the works to the land must be submitted and approved to the satisfaction of the Responsible Authority. The plan must detail works to the High Street and Harold Street footpaths adjacent to the development. The plans must include the following details:
- (a) A detailed level and feature survey of the footpaths and road adjacent to the site including the depth of the footpaths from the external façades to the kerb.
  - (b) After consultation with Council's Tree Protection Arborist and if planting is to occur in the abutting street frontage as required in Condition No. 4, the location of any street trees detailing the botanical name, common name, size at maturity and quantities of all plants. All footpath planting must be provided in passively irrigated pits, either WSUD pits or resin bound surfacing and flush with the pavement. Planter boxes must not be provided. Planting of any trees within the naturestrip as required in Condition No. 4 to be undertaken by the Responsible Authority.
  - (c) Any required relocation of parking and traffic signs.
  - (d) Any other works to the public land adjacent to the development.

The approved Streetscape Improvement Works Plan will form part of the endorsed plans under the permit and must be implemented to the satisfaction of the Responsible Authority at the expense of the owner of the land, prior to the occupation of the development unless otherwise agreed with the prior written consent of the Responsible Authority.

11. Owner/ occupiers of the development are encouraged to utilise the FOGO bin collection service provided by Council.
12. Only one (1) communal television antenna may be erected on the building and located to be minimally visible from High Street or Harold Street. Individual antennae for individual dwellings/tenancies must not be erected.
13. 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; and
- and/or in any other way, to the satisfaction of the Responsible Authority.

14. 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).

15. Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

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

16. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
17. The land must be drained to the satisfaction of the Responsible Authority.
18. 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.
19. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the building without the prior written consent of the Responsible Authority.
20. The plant and equipment proposed on the roof of the building must be located to be minimally visible from the public realm or screened in a manner that integrates with the design of the development, to the satisfaction of the Responsible Authority.
21. A clothesline must be provided to each dwelling. Clotheslines must not be visible from High Street or Harold Street. If clotheslines are located on a balcony, the balcony balustrade must be solid or obscure material.
22. Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.
23. 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.
24. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
25. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
26. Before plans are endorsed under Condition No. 1 of this Permit, a Car Stacker Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Stacker Management Plan will be endorsed and will then form part of this Permit. The Car Stacker Management Plan must include:
  - (a) Allocation of car parking spaces according to vehicle size and type;
  - (b) Ongoing maintenance of the car stacker system;
  - (c) Instructions to owners/occupiers about the operation of the car stacker system;
  - (d) Communicating to prospective residents about the availability of car stacker spaces and sizes; and
  - (e) Specific make and model of all proposed car stackers.

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

27. This Permit will expire if either:

- (a) The development does not start within three (3) years from the date of this Permit; or
- (b) The development is not completed within five (5) years of the date of this Permit.

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

- (a) Before this Permit expires;
- (b) Within six (6) months after the expiry date; or
- (c) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

### NOTATIONS

**(These notes are provided for information only and do not constitute part of this permit or conditions of this permit)**

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the development or use or both they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
- N4. This Planning Permit represents the planning approval for the 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. 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.
- N6. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- 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.

The motion was put and carried.

<b>Committee Decision</b>
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**MOVED:** Cr. S Rennie  
**SECONDED:** Cr. T McCarthy

**That** Planning Permit Application on D/254/2020 be supported and a Planning Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. 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 drawing nos TP 01, TP 02, TP 03, TP 04, TP 05, TP 06, Revision A, dated 22 July 2020, job no. 19035 an prepared by GSA Architects) but modified to show:
  - (a) Universally accessible door widths for all dwellings in accordance with the *Disability Discrimination Act*.
  - (b) Details and dimensions of the external storage facilities provided for all dwellings, with a minimum volume of 6 cubic metres.
  - (c) The storage area in the garage for Dwelling 3 must ensure appropriate clearance above a parked vehicle.
  - (d) Provision of at least 2.1 metres headroom beneath overhead obstructions for vehicles in garages in accordance with Design standard 1 – Accessways of clause 52.06-9.
  - (e) The garages are to have minimum internal dimensions of 5.5 metres in width and 6 metres in length, clear of any obstructions, such as storage areas, bicycle racks, bins and door openings.
  - (f) Full details of mechanical car parking including dimensions, make and model, clearance, pit depth etc (with appropriate clearance from bicycle racks and bins) and a notation on plan confirming that a minimum of 25% of car spaces are to have a minimum headroom clearance of 1.8 metres, with the car spaces in the mechanical parking to be accessed independently.
  - (g) Further information of the side roll roller doors to ensure appropriate clearances in the garages.
  - (h) Surface levels of garages, mechanical parking, accessways, adjacent footpath and Right of Way levels and crossovers to ensure compliance with Design standard 3: Gradients of clause 52.06-9.
  - (i) The western planter box to the second floor to the balcony of Dwelling 3 is to be incorporated into a solid balustrade and is to comply with rear setbacks under clause 22.05-3 (High Street Corridor Land Use and Urban Design) of the Planning Scheme.
  - (j) Provision of window/glazed panels to the garage doors.
  - (k) Full details of the proposed screens to north-facing windows of the upper floors showing a fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level. A section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.
  - (l) Provision of external adjustable shading to all west facing habitable room windows and glazed doors.

- (m) Provision for three (3) council bins within each garage.
- (n) A comprehensive schedule of construction materials, external finishes and colours (including colour samples) and material boards including samples of the proposed materials.
- (o) Annotated coloured elevations and 3D renders accurately representing the proposed materials, colours and finishes in accordance with the approved schedule of construction materials.
- (p) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
  - (i) co-located where possible;
  - (ii) located or screened to be minimally visible from the public realm;
  - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
  - (iv) integrated into the design of the building.
- (q) The location of gas, water and electricity metres. Where metres would be visible from the public realm, these are to be:
  - (i) co-located where possible;
  - (ii) positioned on a side boundary or adjacent to the accessway; and
  - (iii) screened from view using either landscaping or durable screening that integrates with the development.
- (r) Any modifications required as a result of the approved Landscape Plan required by Condition 2 of this Permit.
- (s) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 5 of this Permit.
- (t) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
- (u) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.
- (v) Noise attenuation measures required by the acoustic assessment under condition 9 of this permit.
- (w) A single communal antenna for the development in accordance with Condition No. 10 of this Permit. The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.

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

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

3. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
- (a) Any modifications relating to landscaping required as a result of the Sustainable Design Assessment required by Condition No. 5 of this Permit)
  - (b) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit)
  - (c) 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. All existing trees to be retained must be retained and protected in accordance with Australian Standards.
  - (d) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
  - (e) A diversity of plant species and forms.
  - (f) 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 must have a minimum height of 1.6 metres in 40 litre containers at the time of installation and must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
  - (g) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
  - (h) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete). Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
  - (i) Hard paved surfaces at all entry points to dwellings.
  - (j) The location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, clotheslines, tanks, storage, bike racks and the like).
  - (k) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
  - (l) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
  - (m) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
  - (n) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
  - (o) Scale, north point and appropriate legend.

- (p) Landscape specification notes including general establishment and maintenance requirements.

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

The development must not be occupied, unless otherwise approved by the Responsible Authority in writing, until the landscaping works shown on the endorsed Landscape Plan are completed to the satisfaction of the Responsible Authority.

No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.

The landscaping shown on the endorsed Landscape Plan must be maintained to the satisfaction of the Responsible Authority, including by replacing any dead, diseased, dying or damaged plants to the satisfaction of the Responsible Authority.

All landscaped areas must be provided with an appropriate irrigation system to the satisfaction of the Responsible Authority.

4. Before the development (including demolition) starts, a Tree Replacement Fee of \$505.75 must be paid in full to the Responsible Authority for the planting of trees within the nature strip adjacent to the frontage of the site or elsewhere within the Municipality.
5. Before plans are endorsed under Condition No.1 of this Permit, a Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SDA will be endorsed and will then form part of this Permit. The SDA must be prepared by a suitably qualified professional and must:
  - (a) Detail the sustainable design strategies to be incorporated into the development.
  - (b) Outline proposed sustainable design initiatives within the development including energy efficiency, water conservation, stormwater quality, waste management and material selection.
  - (c) Be accompanied by a report from an industry accepted performance measurement tool.

The requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority.

The development must not be occupied until a report to the satisfaction of the Responsible Authority prepared by the author of the Sustainability Management Plan (SMP) endorsed under Condition 5 of this Permit, or similarly qualified person, is submitted to the Responsible Authority, confirming that all measures specified in the SMP have been implemented in accordance with the endorsed SMP.

7. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
  - (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including;
    - (i) An assessment using an industry recognised stormwater tool;
    - (ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;



- (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
- (iv) A plan illustrating where all impervious surfaces will be treated and drained;
- (v) A construction and maintenance schedule;
- (b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
- (c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;

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

8. Before plans are endorsed under Condition No. 1 of this Permit, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of this Permit. The Site Management Plan must be generally in accordance with Melbourne Water's *Keeping Our Stormwater Clean – A Builder's Guide* (2002) and must describe how the site will be managed prior to and during the construction period, including requirements for:
- (a) Erosion and sediment.
  - (b) Stormwater.
  - (c) Litter, concrete and other construction wastes.
  - (d) Chemical contamination.

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

9. Before plans are endorsed under Condition No. 1 of this Permit, 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 nearby non-residential uses, trams and traffic do not impact adversely on the amenity of the dwellings.
  - (b) Dwellings are designed to achieve the following noise levels:
    - (ii) Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
    - (iii) 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.

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

10. Prior to the commencement of development, a Streetscape Improvement Works Plan and associated construction drawing specifications detailing the works to the land must be submitted and approved to the satisfaction of the Responsible Authority. The plan must detail works to the High Street and Harold Street footpaths adjacent to the development. The plans must include the following details:
- (a) A detailed level and feature survey of the footpaths and road adjacent to the site including the depth of the footpaths from the external façades to the kerb.
  - (b) After consultation with Council's Tree Protection Arborist and if planting is to occur in the abutting street frontage as required in Condition No. 4, the location of any street trees detailing the botanical name, common name, size at maturity and quantities of all plants. All footpath planting must be provided in passively irrigated pits, either WSUD pits or resin bound surfacing and flush with the pavement. Planter boxes must not be provided. Planting of any trees within the naturestrip as required in Condition No. 4 to be undertaken by the Responsible Authority.
  - (c) Any required relocation of parking and traffic signs.
  - (d) Any other works to the public land adjacent to the development.

The approved Streetscape Improvement Works Plan will form part of the endorsed plans under the permit and must be implemented to the satisfaction of the Responsible Authority at the expense of the owner of the land, prior to the occupation of the development unless otherwise agreed with the prior written consent of the Responsible Authority.

11. Owner/ occupiers of the development are encouraged to utilise the FOGO bin collection service provided by Council.
12. Only one (1) communal television antenna may be erected on the building and located to be minimally visible from High Street or Harold Street. Individual antennae for individual dwellings/tenancies must not be erected.
13. 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; and
- and/or in any other way, to the satisfaction of the Responsible Authority.

14. 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).

15. Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

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

16. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
17. The land must be drained to the satisfaction of the Responsible Authority.
18. 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.
19. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the building without the prior written consent of the Responsible Authority.
20. The plant and equipment proposed on the roof of the building must be located to be minimally visible from the public realm or screened in a manner that integrates with the design of the development, to the satisfaction of the Responsible Authority.
21. A clothesline must be provided to each dwelling. Clotheslines must not be visible from High Street or Harold Street. If clotheslines are located on a balcony, the balcony balustrade must be solid or obscure material.
22. Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.
23. 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.
24. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
25. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
26. Before plans are endorsed under Condition No. 1 of this Permit, a Car Stacker Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Stacker Management Plan will be endorsed and will then form part of this Permit. The Car Stacker Management Plan must include:
  - (a) Allocation of car parking spaces according to vehicle size and type;
  - (b) Ongoing maintenance of the car stacker system;
  - (c) Instructions to owners/occupiers about the operation of the car stacker system;
  - (d) Communicating to prospective residents about the availability of car stacker spaces and sizes; and
  - (e) Specific make and model of all proposed car stackers.

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

27. This Permit will expire if either:

- (a) The development does not start within three (3) years from the date of this Permit; or
- (b) The development is not completed within five (5) years of the date of this Permit.

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

- (a) Before this Permit expires;
- (b) Within six (6) months after the expiry date; or
- (c) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

### **NOTATIONS**

**(These notes are provided for information only and do not constitute part of this permit or conditions of this permit)**

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the development or use or both they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
- N4. This Planning Permit represents the planning approval for the 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. 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.
- N6. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- 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.

**CARRIED UNANIMOUSLY**

## 6. OTHER BUSINESS

### 6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

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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).

<b>Recommendation</b>
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**That** the General Planning Information attached as **Appendix A** be noted.

<b>Committee Decision</b>
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**MOVED:** Cr. S Rennie  
**SECONDED:** Cr. T McCarthy

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

**CARRIED UNANIMOUSLY**

**7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL**


Nil

**8. CLOSE OF MEETING**


The meeting closed at 7.19 pm

**CITY OF  
DAREBIN**

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 **Speak your language**  
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