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MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 14 May 2018

Released to the public on Thursday 17 May 2018

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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 14 MAY 2018**

THE MEETING OPENED AT 6.02PM

WELCOME

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

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

1. PRESENT

Councillors

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

Council Officers

Sue Wilkinson - Chief Executive Officer
Ingrid Bishop - General Manager Governance and Engagement
Rachel Ollivier - General Manager City Sustainability and Strategy
Darren Rudd - Manager Planning and Building
John Limbach - Coordinator Statutory Planning
Gerard Daly - IT Support Engineer
Katia Croce - Coordinator Council Business
Karlee Ferrante - Council Business Officer

2. APOLOGIES

Cr Tim Laurence and Cr Trent McCarthy are on an approved leave of absence.

Cr. Greco was noted as an apology.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Committee Decision

MOVED: Cr. J Williams
SECONDED: Cr. L Messina

That the Minutes of the Planning Committee Meeting held on 16 April 2018 be confirmed as a correct record of business transacted.

CARRIED

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT 386-392 Bell Street Preston

Author: Town Planner

Reviewed By: General Manager City Sustainability and Strategy

John Limbach, Coordinator Statutory Planning advised the meeting that the Owners name had been inadvertently listed as Congiv and should have been Congiu in the Agenda distributed.

Applicant	Owner	Consultant
Buro Architects	Teresa Congiu	Buro Architects
		TTM Consulting
		Clive Steele Partners
		Energy Lab

SUMMARY

- It is proposed to demolish the existing buildings on the two lots that make up the site and construct a six (6) storey building plus a basement and a rooftop terrace.
- The proposal is a mixed use development with two (2) shops and a food and drink premises on the ground floor facing Bell Street, with a combined floor area of 339 square metres. A total of 39 dwellings are provided comprising 10 1-bedroom apartments, 25 2-bedroom apartments and four (4) 3-bedroom apartments.
- A total of 49 car parking spaces for both residents and staff will be provided within the basement, accessible via a crossover to Arthur Street.
- A total of 44 bicycle spaces are provided within the Arthur Street frontage and adjacent to the residential entry area.
- The site is zoned Priority Development Zone - Schedule 2 and is affected by the Development Contributions Plan Overlay and the Heritage Overlay.
- There is no restrictive covenant registered on title for the subject land.
- Two (2) objections were received against this application.
- The proposal is considered to be generally consistent with the relevant objectives and standards of the Darebin Planning Scheme (the Scheme).
- It is recommended that the application be supported and a Notice of Decision be issued.

CONSULTATION:

- Public notice was given via three (3) signs posted on site and letters sent to surrounding owners and occupiers.

- This application was referred internally to Council's Transport Management and Planning Unit, Asset Management Unit, City Works Unit, Capital Works Unit, Urban Designer, Environmentally Sustainable Design Officer and Heritage Advisor.
- This application was referred externally to VicRoads.

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

- *Debbie Angel, Objector*

Recommendation

That Planning Permit Application on D/94/2017 be supported and a Notice of Decision to Grant a Permit be issued for:

- Demolition of the existing building at 392 Bell Street,
- Construction of a 6-storey (plus basement and roof top terrace) mixed use building (comprising two (2) shops, one (1) food and drink premises and 39 dwellings),
- Use of the site for the purpose of dwellings,
- Reduce the car parking requirements and
- Alteration of access to a road in a Road Zone, Category 1 on land affected by a Heritage Overlay, in accordance with the endorsed plans.

subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as drawings A101 - TP5, A102 - TP4, A103 - TP4, A104 - TP4, A200 - TP4 and A300 - TP4 dated November 2017 and prepared by Buro Architects) but modified to show:
 - a) The gradients to the ramps of the shop premises nominated in accordance with Australian Standard 1428.1 and no steeper than 1 in 14.
 - b) Resident bicycle parking facilities to include a minimum of 20% of ground level (horizontal) bicycle parking devices.
 - c) All bicycle parking spaces dimensioned in accordance with Australian Standard 2890.3:2015.
 - d) The length of the 1:8 transition increased to 2.6 metres at the ramp grade change from 1:4 to flat or a ground clearance assessment to the satisfaction of the responsible authority.
 - e) The proposed Car Stacker Systems (Wohr Parklift 450-170 (320) and Wohr Parklift 450-200 (350)) clearly nominated.
 - f) Section plans updated indicating pit depths corresponding to the nominated car stacker system.
 - g) Confirmation of height clearances within the basement parking level to the satisfaction of the responsible authority.
 - h) A useable platform with of at least 2.4m achieved for all car stacker units.
 - i) Dimensions illustrating that the balconies to the following dwellings have a minimum area of 8 square metres with a minimum dimension of 1.6 metres:
 - First floor dwellings 1 and 4.

- Second floor dwellings 1 and 4
 - Third floor dwellings 1 and 4.
- j) External clothes lines to apartments 1-3 on the ground floor, 6-8 on the first floor and 1-5 on the fourth floor; to be located and/ or screened so as to be minimally visible from the public realm and adjacent properties.
 - k) Taps and floor wastes to all balconies as per the revised Sustainable Design Assessment (Refer to Condition No. 4 of this Permit).
 - l) All environmentally sustainable design features referred to within the revised Sustainability Management Plan (SMP) listed in table form and any required modifications shown on the plans (Refer to Condition No. 4 of this Permit).
 - m) A landscape plan in accordance with Condition No. 5 detailing landscaping along the property boundaries, common roof terrace and the private open space areas of the ground floor dwellings 1, 2 and 3.
 - n) Any modifications in accordance with the approved Waste Management Plan (Refer to Condition No. 8 of this Permit).
 - o) Details of a residential lobby entry feature that increases visibility and identification from the public realm.
 - p) Car parking spaces notated as being allocated in accordance with Condition No. 20 of this Permit.
 - q) Storage cages allocated to each dwelling.
 - r) Details of electronically operated gates to secure the basement car park.
 - s) Details of the proposed artistic treatment to the right of way.
 - t) Any modifications in accordance with the approved acoustic assessment (Refer to Condition No. 9 of this Permit).
 - u) A comprehensive schedule of external materials, colours and finishes (including colour samples). Construction materials are to be low maintenance. External materials and finishes (including glazing) are to be of a low reflectivity level. The use of painted surfaces must be minimised.

Annotated coloured elevations showing the location/application of the materials, colours and finishes must be provided.

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

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. This Permit will expire if either:
 - The development does not start within three (3) years from the date of this Permit; or
 - The development is not completed within five (5) years of the date of this Permit.

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

- Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
4. Before the development starts, a revised Sustainable Management Plan (SMP)

generally in accordance the document identified as Environmentally Sustainable Development V2, prepared by Energy Lab and dated October 2017 detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority. The document is to be revised as follows:

- a) Gas hot water and cooking to be removed in favour of heat pump or efficient instantaneous electric.
- b) Correct the site analysis to state that the entire site is impervious.
- c) BESS (Energy) - points are not to be claimed for clothes dryers.
- d) BESS - Replace solar hot water panels with additional PV panels.
- e) BESS - Inclusion of 1.5kW PV panel array consistent with the development plans.
- f) BESS (IEQ) - provide further information on windows and the vertical and horizontal sky angles. Clearly identify windows/doors that are being referred to.
- g) BESS - label all individual utility meters for residents and commercial tenants
- h) BESS (Water) - provide locational details for the 50sq.m of garden that is to be detailed. If irrigation is irrigation impractical, remove from proposal.
- i) BESS (Water 3.1) - this item conflicts with the proposed garden irrigation and so it to be modified.
- j) STORM - provide details on how 30% of all balconies will drain to the raingardens.
- k) BESS (NatHERS) - the cooling loads of some of the apartments are not acceptable as they are over 30MJ. Include more insulation and/or external shading.

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

Prior to the occupation of the development, a report from the author of the SMP Report, prepared by Energy Lab and dated October 2017 approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the SMP Report have been implemented in accordance with the approved Plan.

5. Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
 - a) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
 - b) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - c) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.
 - d) Where the opportunity exists, an appropriate number and size of canopy trees are to be shown, commensurate with the size of planting area available.
 - e) Annotated graphic construction details showing all landscape applications and

structures including tree and shrub planting, retaining walls, raised planter bed and decking.

- f) Type and details of all surfaces including lawns, mulched garden beds and paving (such as pavers, brick, gravel, asphalt and concrete). Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
 - g) All constructed items including common terrace facilities.
 - h) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - i) An outline of the approved building/s, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - j) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - k) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
6. The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.
- No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
7. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
8. Waste storage and collection must be undertaken in accordance with the approved management plan prepared by TTM Consulting, dated December 2016 and amended June 2017, 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.
9. Before development starts, an Acoustic Assessment of the development, to the satisfaction of the Responsible Authority, must be submitted to the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:
- a) Noise emissions associated with the operation of surrounding and nearby non-residential uses and traffic do not impact adversely on the amenity of the dwellings.
 - b) The design and construction of habitable rooms of all dwellings limits internal noise levels to:
 - Not greater than 35dB(A) for bedrooms, assessed as an LAeq, 8h from 10pm to 6am.
 - Not greater than 40dB(A) for living areas, assessed LAeq, 16h from 6am to 10pm.
 - c) Noise emissions from the development (including the operation of plant, transmission of noise between dwellings, use of the lift and the use of the car park and car stackers) do not impact adversely on the amenity of dwellings within the development.

The development must be constructed in accordance with the requirements/

- recommendations of the approved Acoustic Assessment to the satisfaction of the Responsible Authority.
10. Prior to commencement of any works, including demolition, a construction management plan must be submitted to and approved by the Responsible Authority and then carried out to the satisfaction of the Responsible Authority. The plan must provide for or include details of access, management and disposal arrangements during construction; methods to manage stormwater runoff; details of building materials recycling; construction parking; and the operation of any continuing uses on the land.
 11. Before the demolition starts, a professionally prepared and annotated photographic study (of archival quality) of the building must be submitted to the Responsible Authority as a record of the building. The survey must be prepared to the satisfaction of the Responsible Authority and must include:
 - a) Each elevation of the building;
 - b) The interior of the building;
 - c) architectural design detailing of the building; and
 - d) a statement prepared by an architectural historian describing and explaining both the design and construction of the building and the photographs.
 12. The land must be drained to the satisfaction of the Responsible Authority.
 13. Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2010. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
 14. All outdoor lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land to the satisfaction of the Responsible Authority.
 15. Before the dwellings are occupied, an automatic external lighting system capable of illuminating the building entries, common hallways and basement must be provided on the land to the satisfaction of the Responsible Authority.
 16. With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
 17. Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
 18. Before the development is occupied, 44 bicycle parking spaces must be provided on the land to the satisfaction of the Responsible Authority.
 19. Before occupation of the development areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all-weather sealcoat;
 - d) Drained;
 - e) Line-marked to indicate each car space and all access lanes; and
-

- f) Clearly marked to show the direction of traffic along the access lanes and driveways
- to the satisfaction of the Responsible Authority.
- Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
20. The car parking spaces are to be allocated as follows:
- Two (2) car spaces to each shop;
 - Two (2) car spaces for the food and drink premises;
 - One (1) car space for each 1- and 2-bedroom apartment; and
 - Two (2) car spaces for each 3-bedroom apartment.
21. The approved food and drink premises use is not to be used for a Hotel or Tavern.
22. The approved shop use is not to be used for an Adult Sex Product Shop, Department Store or Supermarket.
23. Before buildings and works start, a detailed Streetscape Improvement Plan, to the satisfaction of the Responsible Authority and VicRoads, must be submitted to and approved in writing by the Responsible Authority. The Streetscape Improvement Plan must be prepared by a suitably qualified person and must incorporate:
- A detailed plan showing the location, design and dimensions of all existing streetscape elements and location of proposed streetscape elements, including, all public right-of-ways directly adjacent to the frontage, building envelopes, street, median and footpath patterns and edge quality, driveways, crossovers and kerb lines, street trees, landscaping, street lighting, site furnishings, way finding and public signage and the relation of all elements to the proposed development. All proposed elements, access and walkability must be generally in accordance with the Preston Central Structure Plan - September 2006 (as amended) and the Green Streets Strategy 2013 to Council standard requirements.
 - A detailed schedule of all existing street trees. The genus, species, height and spread of all trees must be specified.
 - An existing feature level survey and plan indicating all services above and below ground. Conflicts of such services with all proposed items must be avoided.
 - Details of buildings directly adjacent to the development site.
 - A detailed schedule of all existing streetscape elements and assets including current condition, suitability and photograph.
 - Incorporation of Water Sensitive Urban Design principles such as passive irrigation tree pits, infiltration devices, permeable paving, improved drainage design, common trenches parallel to kerbs, closer alignment of services and increased landscaping opportunities.
 - A notation that all proposed elements will be in accordance with Darebin Standard Details.
 - Scale, north point and appropriate legend. Streetscape Improvement Plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
24. Before the development is occupied, streetscape improvements in the road reserve adjacent to the subject site must be completed by the owner/developer in accordance with the Streetscape Implementation Plan (Refer to Condition No 20 of this Permit) at the cost of the owner/developer. The streetscape improvements are to be generally in accordance with the 'Preston Central Structure Plan - September 2006 (as amended)'
-

and the 'Green Streets Strategy 2013'.

VicRoads Conditions

25. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of and at no cost to the Roads Corporation prior to the occupation of the buildings hereby approved.

NOTATIONS

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

- Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- The amendments specified in Condition 1 of this Permit and any additional modifications which are "necessary or consequential" are those that will be assessed by Council when plans are lodged to satisfy that condition. Any "necessary or consequential" amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

If any other modifications are proposed, application must also be made for their approval under the relevant Sections of the *Planning and Environment Act 1987*. They can only be approved once the required and consequential changes have been approved and the plans endorsed. It is possible to approve such modifications without notice to other parties, but they must be of limited scope. Modifications of a more significant nature may require a new permit application.

- This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.

Committee Decision

MOVED: Cr. S Rennie
SECONDED: Cr. S Newton

That Planning Permit Application on D/94/2017 be refused and a Notice of Refusal be issued subject to the following conditions:

- (1) The provision of 'battle-axe' bedrooms to dwellings will result in poor solar access, reducing both internal amenity and energy efficiency contrary to the sustainability and on-site amenity objectives at Clause 22.06 of the Darebin Planning Scheme.
- (2) The size and layout of Units 9 on levels 1,2 and 3 will result in poor internal amenity for future occupants contrary to the on-site amenity objectives at Clause 22.06 of the Darebin Planning Scheme.
- (3) Provision of car parking is inadequate and fails to comply with the requirements of Clause 52.06 of the Darebin Planning Scheme.

CARRIED

**5.2 APPLICATION FOR PLANNING PERMIT D/945/2017
19 Dundas Street Preston**

Author: Senior Planner

Reviewed By: Principal Statutory Planner

Applicant	Owner	Consultant
Aurecon	Buzzden Pty Ltd	Aurecon

SUMMARY

- Construction of a 30 metre high monopole in the location of an existing light pole, which is to be removed, within a supermarket car park. Six (6) 2.533 metre long panel antennas (2.63 metres high) are to be mounted to the top of the monopole;
- Construction of associated infrastructure units (telecommunications cabinets at 1.45-1.82 metres in height) to be located at the base of the pole in an existing island garden bed. A low level metal framed barrier around the ground level cabinets will provide protection from vehicular movements.
- Relocation of lights from the existing light pole, to the monopole.
- The site is within the Commercial 1 Zone and is affected by the Development Contributions Overlay - Schedule 1 (DCPO1), Design and Development Overlay Schedule 3 (DDO3), Environmental Audit Overlay (EAO) and Heritage Overlay (HO30).
- There is no restrictive covenant on the title for the subject land.
- 21 objections were received against this application. This includes 1 petition with 108 signatures.
- The proposal is generally consistent with the objectives and standards of Clause 52.19 of the Darebin Planning Scheme (The Scheme).
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via two (2) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to Council’s Heritage Advisor.
- This application was not required to be referred to external authorities

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

- Charlotte Phillips, on behalf of the Applicant
- Maria Sirpis, Objector

Committee Decision

MOVED: Cr. S Newton
SECONDED: Cr. S Rennie

That Planning Permit Application on D/945/2017 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

- (1) The plans to be endorsed and which will then form part of the permit are the plans submitted with the application (identified as Sheets S1, S1-1 and S3, DWG No. V112530 prepared by *Aurecon Australia P/L* and dated 26.10.17).
- (2) The telecommunications facility (including any associated services/infrastructure) as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- (3) This Permit will expire if either:
 - The development does not start within three (3) years from the date of this Permit; or
 - The development is not completed, within five (5) years of the date of this Permit.As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
 - Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
- (4) The appearance of the telecommunications facility (including any associated services/infrastructure) must be so ordered and maintained to the satisfaction of the Responsible Authority.
- (5) Within three (3) months of the date of the facility becoming redundant, all buildings and works shall be removed from the site to the satisfaction of the Responsible Authority.
- (6) All radio frequency emissions from any antennas constructed on the pole must comply with the relevant Australian Standard ("the Standard"), any amendment to the Standard and/or any document which replaces the Standard.

NOTATIONS

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

- N1 Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2 Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.

- N3 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.

CARRIED

**5.3 DEVELOPMENT PLAN POD/1/2007/D
1056-1140 & 1142 PLENTY ROAD, BUNDOORA (POLARIS -
FORMER LARUNDEL PSYCHIATRIC HOSPITAL)**

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
SJB Planning	Deal Corporation P/L (Dealcorp)	SJB Planning Clarke Hopkins Clarke Architects

SUMMARY

- It is proposed to amend the Village Precinct Development Plan (**VPDP**) approved under the provisions of the Development Plan Overlay - Schedule 1.
- The amendments sought generally relate to the redevelopment of Lot 8 which is occupied by Building 2 of the Heritage Overlay - Schedule 111. Other clerical or ‘housekeeping’ amendments are also proposed.
- The site is in the Mixed Use Zone (**MUZ**) and covered by (either wholly or in part) by the Development Plan Overlay - Schedule 1 (**DPO1**) and Heritage Overlay - Schedules 107, 108 and 111 (**HO111**).
- A series of Section 173 Agreements apply across the land.
- One (1) submission has been received.
- The proposal is generally consistent with the provisions of the DPO1, and allows for the substantial retention and refurbishment of the building protected under the HO111.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via letters sent to surrounding owners and occupiers.
- This application was referred internally to Council’s Heritage Advisor.
- This application was not required to be referred to external authorities.

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

- James Goulding, on behalf of Applicant

Committee Decision

MOVED: Cr. S Newton
SECONDED: Cr. S Rennie

That amendment POD/1/2007/D be supported and the amended Village Precinct Development Plan be adopted subject to the following conditions:

- (1) The partial demolition of Building 2 is limited to the rear administrative/specialist medical rooms, central bridge, atrium and internal walls, with the central foyer, male and female ward wings and the projecting gables retained. The extent of demolition is to be shown dashed/hatched on Drawing No. 1344/CP01c (or a separate sheet, as appropriate).
- (2) The owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority to the effect that, without the written consent of the Responsible Authority:
 - a) The extent of demolition to Building 2 is limited to that specified in Condition No. 1;
 - b) Any development of Lot 8 will include the restoration of Building 2;
 - c) If the development of Lot 8 is to occur in stages, the restoration of Building 2 must occur as part of the first stage;
 - d) Any restoration of Building 2 must be undertaken generally in accordance with the Conservation Management Plan Review prepared by Lovell Chen dated February 2013 and to the satisfaction of the Responsible Authority; and
 - e) The restoration of Building 2 (as retained) must be fully restored to the satisfaction of the Responsible Authority and an occupancy permit must be obtained for Building 2 before any occupancy permit issued for any building constructed on Lot 8.
- (3) The legend/notations on Drawing No. 1344/CP01c amended as follows:
 - a) The legend updated to distinguish between heritage townhouses within Building 2 and new townhouses;
 - b) Roof deck notation amended to clarify that roof decks may only be provided to new townhouses, with no roof decks to be provided to townhouses within the heritage townhouses in Building 2; and
 - c) Building height notation amended to clarify buildings (including any roof deck access structure(s)) are to have a height no greater than the adjacent heritage building (Building 2).
- (4) Dimensions provided for the central pedestrian walkway achieving a minimum dimension of 7 metres between the inboard townhouses and 4 metres between the apex townhouses (entry from Nova Circuit).

CARRIED

**5.4 PLANNING PERMIT APPLICATION D/80/2017
196-198 Albert Street, Reservoir VIC**

Author: Principal Planner

Reviewed By: Principal Statutory Planner

Applicant	Owner	Consultant
George Manoly	Sarwat Fouad Shenouda	Treelogic ML Traffic Engineers

SUMMARY

- It is proposed to construct a four storey residential development including basement car parking level.
- The development is to include 20 dwellings, providing:
 - 6 x 1-bedroom dwellings
 - 13 x 2-bedroom dwellings
 - 1 x 3-bedroom dwelling
- The basement level includes 21 car parking spaces for residents.
- No visitor car parking is proposed to be accommodated on site.
- The ground floor dwellings will have secluded private open space in the form of terraces to the front, side and rear setbacks.
- The upper floor dwellings will have secluded private open space areas in the form of balconies.
- The development will have a contemporary design, with flat roof forms behind parapet walls. The materials are to be brick, lightweight render and cladding.
- The height is to be approximately 13 metres to the top parapet, with a lift overrun having a height of 14.9 metres.
- The site is zoned Residential Growth Zone (RGZ2) and is affected by the Design and Development Overlay (DDO19) and Development Contributions Plan Overlay (DCPO1). The site adjoins a road (Albert Street) in a Road Zone Category 1 (RDZ1).
- The mandatory garden area requirement does not apply to land in the Residential Growth Zone.
- There is no restrictive covenant on the title for the subject land.
- One objection was received against this application.
- The proposal is generally consistent with the objectives and standards of Clauses 22.06, 32.07, 43.02, 52.06 and 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

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

- This application was referred internally to the Transport Engineering and Strategy Unit, Infrastructure and Capital Delivery Unit, Urban Designer, ESD Officer, the Capital Delivery Unit and Arboricultural Planning Unit.
- This application was referred externally to VicRoads.

Committee Decision

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

That Planning Permit Application D/80/2017 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

- (1) Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as Sheet 3 Rev 2; Sheets 2-13 Rev 1; Sheet 14 Rev 2, sheet 9 Revision A, sheets 10-13, revision B, dated April 2017 and prepared by Gemano Architects) but modified to show:
 - a) The common circulation corridors at Ground, First, Second and Third Levels increased to a minimum width of 1.5 metres. This must not result in a reduction in any setback from a boundary.
 - b) Full details of the glazing to the common central lightwell, ensuring that daylight access and ventilation is optimised whilst preventing any internal overlooking.
 - c) The 1.85 metre high fencing shown along the western and southern frontages of the site are to be reduced in height to 1.5 metres maximum with any section of fence above 1.2 metres to be visually transparent i.e. at least 25% permeable.
 - d) The provision of a fence (and gate as necessary) along the southern boundary of the site, extending between the eastern boundary with a return along the eastern side of the basement ramp to secure the Basement emergency access staircase. This fence must not have a height greater than 1.5 metres with any section above 1.2 metres to be visually transparent.
 - e) The Apartment entrance from Albert Street and the foyer area increased in width to 2.5 metres. This may be achieved by an internal re-arrangement of the ground floor dwellings and must not result in a reduction in any setback from the boundaries.
 - f) The main entrance door from Albert Street and the lift door must have a minimum width of 1.5 metres and both must be capable of remaining open (e.g. sensor operated) to allow bicycles to enter and exit the building and the lift with ease.
 - g) The provision of weather protection over the ground floor entrances of Units 1, 2, 3 and 6 at ground floor.
 - h) The balcony of Unit 13 and 18 increased in depth to 2.0 metres minimum. This must be achieved without a reduction in any setback.
 - i) The balcony of Unit 17 is to be located to the west side of the Meals/Living area facing Albert Street, with the section of balcony to the north side deleted. The balcony must achieve a minimum area of 8sqm with a minimum depth of 2 metres.
 - j) The northern edge of the balcony of Unit 11 and Unit 16 provided with either:
 - i. A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or

- ii. Fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.

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

- k) The following windows must be confirmed to have fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level or other alternative screening in accordance with Clause 55.04-6 of the Darebin Planning Scheme:
 - i. The east-facing balcony and windows to bedrooms of Dwelling 10;
 - ii. The east-facing balcony and windows to bedrooms and north-facing windows to bedrooms of Dwelling 11;
 - iii. The north-facing window to the bedroom and the east-facing kitchen window of Dwelling 12;
 - iv. The north-facing windows to the bedroom and living area of Dwelling 16;
 - v. The north-facing window to the bedroom of Dwelling 17; and
 - vi. The north-facing windows to the kitchen and bedrooms of Dwelling 20.
- l) Notions confirming that all windows shown on elevations plans and labelled with an 'o' are fitted with fixed obscure glazing to a minimum height of 1.7 metres above finished floor level.
- m) The provision of light weight weather protection to all secluded private open space areas and balconies.
- n) The provision of levels to the top of each section of parapet on the relevant elevations confirming the following maximum heights as measured above natural ground level at the corresponding boundary:
 - i. Overall building height (excluding lift and stair over-run) of 13.5 metres (all elevations).
 - ii. 6.9 metres to the northern boundary walls (North elevation).
 - iii. 8.5 metres to top of Unit 15 and 16 balcony balustrades (East elevation).
 - iv. 10.4 metres to top of Unit 15 and 16 Bedrooms (East elevation).
 - v. 10.9 metres to Unit 15 and 16 Living (East elevation).
 - vi. 11.3 metres to Unit 19 and 20 Bedrooms and Unit 19 Living (East elevation).
- o) The provision of a lockable bicycle compound for residents within the Basement Level, in accordance with Condition No.12 of this Permit. The Basement footprint may be increased toward the south as necessary to create additional space for the compound as necessary.
- p) The provision of two (2) visitor bicycle parking spaces near the main entrance of the development, in accordance with Condition No.13 of this Permit and the deletion of the visitor bicycle parking spaces within the south-eastern setback of the site.
- q) An increase in the bottom transition of the vehicle access ramp to 2.6 metres or the provision of a ground clearance assessment illustrating ground clearance to the satisfaction of the responsible authority.
- r) Provision of a notation to state the existing crossover to Newton Street is to be removed and kerb, channel and naturestrip reinstated.

- s) The height of fences on the northern boundary and eastern boundary (where adjacent to the secluded private open space area of Unit 5) to be a minimum height of 1.7 metres above the finished ground floor level. This does not apply to these fences where they are within 5 metres of the street boundary.
- Where necessary, the fence height may be increased by raising the height of the fence or by the provision of free-standing, self supporting trellis adjacent the fence to the required height. If utilised, such trellis must be a maximum of 25% open and be fixed, permanent, durable and coloured or painted to blend with the development.
- t) 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.
- u) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the sides of the proposed crossover on Newton Street. Where within the subject site, any structures or vegetation within these splays must be not more than 0.9 metres in height.
- v) The location of all plant and equipment (including air conditioners, solar panels, gas metres, water metres, boosters and the like). These are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building.
- w) A single communal antenna for the development (refer also to Condition No. 14 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.
- x) The location of letterboxes near or within the entrance lobby of the development.
- y) The waste collection bins and bin access aisles within the Basement Level drawn to scale and dimensioned in accordance with the recommendations of the Waste Management Plan (refer to Condition No.11 of this Permit). The Basement Level footprint may be extended toward the south as necessary to accommodate bins.
- z) Any modifications in accordance with the Sustainable Management Plan (Refer to Condition No.8 of this Permit), including but not limited to:
- i. External operable sun shading devices (excluding roller shutters) to all east and west facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a dimensioned section diagram or photograph must be included to demonstrate the shading type and effectiveness.
 - ii. Fixed external sun shading devices to all north facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a dimensioned section diagram must be included to demonstrate their effectiveness. Shading must not to extend within 1 metre of a property boundary.
 - iii. Window operation on all elevation plans and an increase in operable windows to the east. Window operation must not result in overlooking of adjoining secluded private open space and/ or habitable room windows.
 - iv. Details of photo voltaic panels to provide for common area energy (number, location, kilowatt size and angle from horizontal).
 - v. Details of how 100% will be achieved in the Melbourne Water STROM tool.
- aa) A comprehensive schedule of construction materials, external finishes and colours (including colour samples). The selected finishes and materials is to include:

- i. Reduction in the extent of render finish on external walls
- ii. Increase the use of timber or similar high quality and durable cladding material/s in lieu of render
- iii. Specify muted colours and tones and avoid primary colours in the design

The proposed materials, finishes and colours (as coded on the Schedule/Legend) are to be included on a set of coloured elevations.

- bb) Modifications in accordance with the Acoustic Report Noise (Refer to Condition No.10 of this Permit)
 - cc) A Landscape Plan in accordance with Condition No.5 of this Permit. When approved, the plans will be endorsed and form part of this Permit.
- (2) The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- (3) This Permit will expire if either:
- The development does not start within three (3) years from the date of this Permit; or
 - The development is not completed within five (5) years of the date of this Permit.

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

- Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
- (4) Before buildings and works (including demolition) start, tree protection fencing must be erected in accordance with the following requirements to define a Tree Protection Zone (TPZ).

Tree (as defined in the Arboricultural Assessment prepared by Treelogic dated 9/8/2017)	TPZ (radius from the base of the trunk)
Tree 15 - Photinia serratifolia (Chinese Hawthorn)	3.6 metres All works within the TPZ to be constructed at or above grade and remain permeable.
Tree 16 - Acmena smithii (Lilly Pilly)	4.6 metres The concrete pads within the TPZ must be excavated by hand, with all roots greater than 30mm in diameter to be avoided.
Tree 17 - Prunus cerasifera (Cherry Plum)	4.3 metres The concrete pads within the TPZ must be excavated by hand, with all roots greater than 30mm in diameter to be avoided.
Tree 18 - Fraxinus angustifolia (Narrow-	3.6 metres

leaved Ash)	The proposed 2.5 metre wide space, north of the master bedroom of Unit 6 must be constructed at or above grade using permeable materials
Tree 19 - Robinia pseudoacacia (Locust) - naturestrip tree	3.6 metres (within the confines of the naturestrip)
Tree 20 - Pyrus Calleryana (Callery's Pear) - nature-strip tree	2.0 metres

Ground protection (mulch and rumble boards) must be installed within the TPZ's of Trees 16, 17 & 18 as per arborist's recommendations.

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.

Tree protection measures are to be in accordance with Australian Standard AS4970 - 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority.

Tree protection fencing must be constructed of star pickets and chain mesh (or similar) and remain in place until construction is complete, to the satisfaction of the Responsible Authority.

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 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.

No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.

No storage or dumping of tools, equipment or waste is to occur within a TPZ.

Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the subject site.

- (5) Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
 - a) Tree protection measures and associated notations in accordance with Condition No.4 of this Permit
 - b) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
 - c) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - d) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.
 - e) The provision of at least four (4) medium and four (4) small canopy trees on the site. All canopy trees are to have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must have the following

- minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
- f) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
 - g) 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 15%. 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.
 - h) Hard paved surfaces at all entry points to dwellings.
 - i) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - j) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - k) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - l) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - m) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
- (6) The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing. No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
- (7) The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
- (8) Before the development starts, a Sustainable Management Plan (SMP) detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority. The SMP must outline proposed sustainable design initiatives within the development such as (but not limited to) energy efficiency, water conservation, stormwater quality, waste management and material selection. It is recommended that a Built Environment Sustainability Scorecard (BESS) report is undertaken as part of the SMP. The development must be constructed in accordance with the requirements/recommendations of the Sustainable Management Plan to the satisfaction of the Responsible Authority.
- (9) As part of the consultant team *Gemano Architects* or an experienced architect must be engaged to oversee the design intent and construction quality to ensure that the design and quality and the appearance of the approved building is maintained to the satisfaction of the Responsible Authority.
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- (10) Before development starts, an Acoustic Assessment of the development, to the satisfaction of the Responsible Authority, must be submitted to the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:
- a) Noise emissions associated with the operation of surrounding and nearby non-residential uses and traffic do not impact adversely on the amenity of the dwellings.
 - b) The design of habitable rooms of all dwellings adjacent to a road limits internal noise levels to a maximum of 35 dB(a) in accordance with relevant Australian Standards for acoustic control (including AS3671-Road Traffic).
 - c) Noise emissions from the development (including the use of the vehicle ramp near habitable room windows, operation of plant, transmission of noise between dwellings and the use of the car park) do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

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

- (11) Before the development starts, a waste management plan, to the satisfaction of the Responsible Authority, demonstrating the operation of the garbage and recyclables storage area must be submitted to the Responsible Authority.

The plan/documentation must demonstrate the means by which garbage and recyclables will be stored on the site and must clearly detail: what waste services will be provided (i.e. cardboard, paper, plastic and metals recycling or comingled waste, general waste, hard rubbish and organic waste), waste collection vehicle size suitable to enter and exit the site (Basement Level) in a forwards direction; types of bins, types of collection vehicles, frequency of collection, times of collection, location of collection point for vehicles, location of on-site bin storage, location of bins for collection and any other relevant matter.

Waste storage is to be provided in accordance with the following minimum capacity for the development:

Unit Size	Garbage Capacity/week	Recycling Capacity/fortnight
1 Bedroom	80L	160L
2 Bedroom	80L	240L
3+ Bedroom	80L	240L

Waste collection must be undertaken by a private contractor on site. The plan may require bin sharing and specify no more than bi-weekly collection for each stream of waste. Waste storage and collection must be undertaken in accordance with the approved waste management plan and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

Waste bins must not be stored on Council land (naturestrip) for collection.

- (12) Before the development is occupied, bicycle racks must be provided on the land to the satisfaction of the Responsible Authority, as follows:
- i. The provision of 15 resident bicycle parking facilities within the Basement Level within a secure lockable compound. At least 20% of the bicycle parking facilities

must be ground mounted.

- ii. The wall mounted bicycle parking is to be designed in accordance with AS2890.1:2015. The bicycle parking spaces must allow 1200mm envelope for the bicycle to extend out from the wall, plus a 1500mm wide aisle for access.
- iii. Ground mounted rails are to be designed in accordance with Australian Standard 2890.3:2015. Bicycle parking nose to tail must conform to Figure 2.3 of AS2890.3:2015.

The design of bicycle parking is to be in accordance with the above-mentioned Australian standards and Clause 52.34-4 of the Darebin Planning Scheme.

- (13) Before the development is occupied, at least two (2) visitor bicycle parking facilities must be provided near the main entrance of the development. The bicycle rails must be dimensioned at 1000mm centres. If visitor bicycle parking facilities are unable to be accommodated on the land, a contribution must be made (equivalent to two bicycle space) to cycling infrastructure within the vicinity of the subject site (where possible) or within the municipality, to the satisfaction of the Responsible Authority.
- (14) Only one (1) communal television antenna may be erected on the building. Individual antennae for individual dwellings/tenancies must not be erected.
- (15) Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the Building Act 1993 and the Building Regulations 2010. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
- (16) All dwellings that share dividing walls and floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
- (17) Before the dwellings are occupied, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.
The external lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land, to the satisfaction of the Responsible Authority.
- (18) Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
- (19) The land must be drained to the satisfaction of the Responsible Authority.
- (20) With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- (21) No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- (22) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
- (23) Before occupation of the development areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the

- plans;
- c) Surfaced with an all weather sealcoat;
 - d) Drained;
 - e) Line-marked to indicate each car space and all access lanes; and
 - f) Clearly marked to show the direction of traffic along the access lanes and driveways

to the satisfaction of the Responsible Authority.

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

- (24) Before the development is occupied vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.

VicRoads Conditions

- (25) All disused or redundant vehicle crossings must be removed and the area reinstated to (describe how the job is to be finished eg. kerb and channel) to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the buildings or works (strike out which is inappropriate) hereby approved.

NOTATIONS

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

VicRoads Notation

- N1 The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Other Notations

- N2 Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N3 Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- N4 The amendments specified in Condition 1 of this Permit and any additional modifications which are "necessary or consequential" are those that will be assessed by Council when plans are lodged to satisfy that condition. Any "necessary or consequential" amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

If any other modifications are proposed, application must also be made for their approval under the relevant Sections of the *Planning and Environment Act 1987*. They can only be approved once the required and consequential changes have been approved and the plans endorsed. It is possible to approve such modifications without notice to other parties, but they must be of limited scope. Modifications of a

- more significant nature may require a new permit application.
- N5 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.
- N6 This planning permit must 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.
- N7 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.
- N8 No building or works may be built over any easement on the land except with the written consent of the relevant authority.
- N9 In relation to the requirements of Condition No.13 of this Permit, please contact Council's Bicycle Strategy Co-ordinator (Ph: 8470-8665) for details on how to supply on-street bicycle spaces or to make an equivalent contribution.

CARRIED

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

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

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

Committee Decision

MOVED: Cr. J Williams

SECONDED: Cr. L Messina

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

CARRIED

7. URGENT BUSINESS

Nil

8. CLOSE OF MEETING

The meeting closed at 6.49pm.