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MINUTES OF THE PLANNING COMMITTEE MEETING

Held on Monday 16 April 2018

Released to the public on Thursday 19 April 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 16 APRIL 2018**

THE MEETING OPENED AT 6.01PM

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. Gaetano Greco

Cr. Trent McCarthy

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

Vito Albicini - General Manager Operations and Capital

Darren Rudd - Manager Planning and Building

Julie Smout - Coordinator Statutory Planning

Katia Croce - Coordinator Council Business

2. APOLOGIES

Cr. Tim Laurence is on an approved leave of absence.

Cr. Steph Amir was noted as an apology.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Committee Decision

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

That the Minutes of the Planning Committee Meeting held on 13 March 2018 be confirmed as a correct record of business transacted.

CARRIED

5. CONSIDERATION OF REPORTS

**5.1 APPLICATION FOR PLANNING PERMIT D/814/2017
409 St Georges Road Thornbury**

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
John Klarica Calibre Planning Pty Ltd	Joe Paul Tulino Caterina Tulino	John Klarica Calibre Planning Pty Ltd

SUMMARY

- A 5-storey building (plus roof terrace) comprising 14 apartments and one (1) retail tenancy.
- 17 car parking spaces are provided (16 spaces for residents and 1 retail space).
- 18 bicycle parking spaces are provided (1 per apartment and 2 for the retail).
- The site is zoned Commercial 1 and is affected by a Design and Development Overlay (Schedule 16).
- There is no restrictive covenant on the title for the subject land.
- Seven (7) objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clauses 22.06, 43.02, 52.06, 52.34 and 58 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

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

- *John Klarica, Applicant*
- *Guido Ghensi, Objector*

Recommendation

That Planning Permit Application on D/814/2017 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: A1-100, A1-101, A1-102, A1-103, A1-104, A1-105, A1-106, A1-107, A1-201, A1-202, A2-101, A2-102, A2-103, A2-104, A3-101, A3-102, A3-103 and A3-104 and A6-101 (all Revision 1), dated 10 January 2018 and prepared by Blair Smith Architecture) but modified to show:
 - (a) Modifications in accordance with the Sustainable Management Plan (refer to Condition No. 6 of this Permit).
 - (b) Modifications in accordance with the Waste Management Plan (refer to Condition No. 7 of this Permit).
 - (c) A comprehensive schedule of construction materials, external finishes and colours (including colour samples).
 - (d) 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.
 - (e) 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.
 - (f) Window type and opening mechanism on all elevation plans. Window mechanism must not increase overlooking of secluded private open space and/ or habitable room windows. Awning style windows are discouraged.
 - (g) A single communal antenna for the development (refer also to Condition No. 20 of this Permit). The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.
 - (h) The location of all plant and equipment (including air conditioners and the like). These are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building.
 - (i) Indicative location of signage.
 - (j) A canopy over the public footpath to St Georges Road set back 0.75 metres from the kerb and a minimum clearance height of 3 metres above the level of the public footpath.
 - (k) Services cupboard to St Georges Road to be concealed.
 - (l) Allocation of at least one (1) car parking space to each apartment.
 - (m) Deletion of the roof level toilet and associated corridor and the roofed structure above the terrace.
 - (n) Compliance with Standard D17 of Clause 58 of the Darebin Planning Scheme.
 - (o) Details of the make and model of car stacker system. 25% of the car stacker spaces must be capable of accommodating a vehicle of at least 1.8 metres high.
 - (p) One (1) electric car charging facility within the car parking area.

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

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

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

- Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
- 4) As part of the consultant team Blair Smith Architecture or an experienced architect must be engaged to oversee the design intent and construction quality to ensure that the design and quality and the appearance of the approved building is maintained to the satisfaction of the Responsible Authority.
 - 5) Before the development is occupied, a contribution toward streetscape improvements in the road reserve adjacent to the subject site must be paid to Darebin City Council. The contribution is to a value of \$5,000 (indexed). The streetscape improvements are to be generally in accordance with Green Streets Strategy 2013.

The contribution is to be held by Darebin City Council and used for the purpose of streetscape improvements adjacent to the subject site. Council will undertake the works within 6 months of the occupation of the development.

- 6) Before the development starts, a Sustainable Management Plan (SMP) prepared by a suitably qualified professional, must be submitted to, and approved in writing by, the Responsible Authority.

The SMP must address the 10 key Sustainable Building Categories:

- (a) Management
- (b) Energy
- (c) Water
- (d) Stormwater
- (e) Indoor Environmental Quality (IEQ)
- (f) Transport
- (g) Waste
- (h) Urban Ecology
- (i) Innovation
- (j) Materials

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

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

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

The plan/documentation must demonstrate the means by which garbage and recyclables will be stored on the site and must clearly detail: what waste services will be provided (ie. cardboard paper plastic and metals recycling or comingled waste, general waste and even organic waste), types of bins, types of collection vehicles, frequency of collection, times of collection, location of collection point for vehicles and any other relevant matter. The plan must require that collection be undertaken by a private contractor.

Waste storage and collection must be undertaken in accordance with the approved management plan and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

- 8) Before the development is occupied the redundant vehicle crossing to St Georges Road must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
- 9) Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
- 10) All apartments that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
- 11) Before the apartments are occupied, an automatic external lighting system capable of illuminating the residential entry, access to the car park and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.
- The external lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land, to the satisfaction of the Responsible Authority.
- 12) Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
- 13) The land must be drained to the satisfaction of the Responsible Authority.
- 14) With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 15) No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- 16) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
- 17) Only one (1) communal television antenna may be erected on the building. Individual antennae for individual dwellings/tenancies must not be erected.
- 18) Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:

- (a) Constructed;

(b) Properly formed to such levels that they can be used in accordance with the plans; and

(c) Drained

to the satisfaction of the Responsible Authority.

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

19) The amenity of the area must not be adversely affected by the use or development as a result of the:

(a) Transport of materials, goods or commodities to or from the land; and/or

(b) Appearance of any building, works, stored goods or materials; and/or

(c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and/or

in any other way, to the satisfaction of the Responsible Authority.

Council Notations:

N1 Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.

N2 Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.

N3 The amendments specified in Condition 1 of this Permit and any additional modifications which are "necessary or consequential" are those that will be assessed by Council when plans are lodged to satisfy that condition. Any "necessary or consequential" amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

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

N4 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.

N5 To complete a satisfactory Sustainable Management Plan (SMP) 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 sequence with existing street numbers, clearly identifying the number of dwellings on the property. Please contact Council's Valuations Services Unit on 8470 8429 for any further information or assistance.

Motion

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

That the 'Recommendation' (to approve the Planning Permit Application subject to conditions) be adopted.

Cr. Messina proposed to the seconder that an additional Condition (20) be added to the motion as follows:

20) Prior to the occupation of development a management plan should be provided including an option for creative wall art on both sides of the building.

This was not accepted by the mover and seconder.

Amendment

MOVED: Cr. L Messina
SECONDED: Cr. G Greco

That the 'Recommendation' (to approve the Planning Permit Application subject to conditions) with the addition of condition 20 (see below) be adopted.

20) Prior to the occupation of development a management plan should be provided including an option for creative wall art on both sides of the building.

THE AMENDMENT WAS PUT AND CARRIED

THE AMENDMENT WAS INCLUDED INTO THE MOTION

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

Committee Decision

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

That Planning Permit Application on D/814/2017 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: A1-100, A1-101, A1-102, A1-103, A1-104, A1-105, A1-106, A1-107, A1-201, A1-202, A2-101, A2-102, A2-103, A2-104, A3-101, A3-102, A3-103 and A3-104 and A6-101 (all Revision 1), dated 10 January 2018 and prepared by Blair Smith Architecture) but modified to show:
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- (b) Modifications in accordance with the Waste Management Plan (refer to Condition No. 7 of this Permit).
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- (f) Window type and opening mechanism on all elevation plans. Window mechanism must not increase overlooking of secluded private open space and/ or habitable room windows. Awning style windows are discouraged.
- (g) A single communal antenna for the development (refer also to Condition No. 20 of this Permit). The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.
- (h) The location of all plant and equipment (including air conditioners and the like). These are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building.
- (i) Indicative location of signage.
- (j) A canopy over the public footpath to St Georges Road set back 0.75 metres from the kerb and a minimum clearance height of 3 metres above the level of the public footpath.
- (k) Services cupboard to St Georges Road to be concealed.
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- (m) Deletion of the roof level toilet and associated corridor and the roofed structure above the terrace.
- (n) Compliance with Standard D17 of Clause 58 of the Darebin Planning Scheme.
- (o) Details of the make and model of car stacker system. 25% of the car stacker spaces must be capable of accommodating a vehicle of at least 1.8 metres high.
- (p) One (1) electric car charging facility within the car parking area.

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

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

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

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

- 4) As part of the consultant team Blair Smith Architecture or an experienced architect must be engaged to oversee the design intent and construction quality to ensure that the design and quality and the appearance of the approved building is maintained to the satisfaction of the Responsible Authority.
- 5) Before the development is occupied, a contribution toward streetscape improvements in the road reserve adjacent to the subject site must be paid to Darebin City Council. The contribution is to a value of \$5,000 (indexed). The streetscape improvements are to be generally in accordance with Green Streets Strategy 2013.

The contribution is to be held by Darebin City Council and used for the purpose of streetscape improvements adjacent to the subject site. Council will undertake the works within 6 months of the occupation of the development.

- 6) Before the development starts, a Sustainable Management Plan (SMP) prepared by a suitably qualified professional, must be submitted to, and approved in writing by, the Responsible Authority.

The SMP must address the 10 key Sustainable Building Categories:

- (a) Management
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- (c) Water
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- (e) Indoor Environmental Quality (IEQ)
- (f) Transport
- (g) Waste
- (h) Urban Ecology
- (i) Innovation
- (j) Materials

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

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

- 7) 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.

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Waste storage and collection must be undertaken in accordance with the approved management plan and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

- 8) Before the development is occupied the redundant vehicle crossing to St Georges Road must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.

- 9) Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
- 10) All apartments that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
- 11) Before the apartments are occupied, an automatic external lighting system capable of illuminating the residential entry, access to the car park and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.
- The external lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land, to the satisfaction of the Responsible Authority.
- 12) Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
- 13) The land must be drained to the satisfaction of the Responsible Authority.
- 14) With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 15) No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- 16) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
- 17) Only one (1) communal television antenna may be erected on the building. Individual antennae for individual dwellings/tenancies must not be erected.
- 18) Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- (a) Constructed;
 - (b) Properly formed to such levels that they can be used in accordance with the plans; and
 - (c) Drained
- to the satisfaction of the Responsible Authority.
- Car spaces and access lanes shown on the endorsed plans must not be used for any other purpose.
- 19) The amenity of the area must not be adversely affected by the use or development as a result of the:
- (a) Transport of materials, goods or commodities to or from the land; and/or
 - (b) Appearance of any building, works, stored goods or materials; and/or
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and/or
- in any other way, to the satisfaction of the Responsible Authority.
-

- 20) Prior to the occupation of development a management plan should be provided including an option for creative wall art on both sides of the building.

Council Notations:

- N1 Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2 Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- N3 The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.
- If any other modifications are proposed, application must also be made for their approval under the relevant sections of the *Planning and Environment Act 1987*. They can only be approved once the required and consequential changes have been approved and the plans endorsed. It is possible to approve such modifications without notice to other parties, but they must be of limited scope. Modifications of a more significant nature may require a new permit application.
- N4 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.
- N5 To complete a satisfactory Sustainable Management Plan (SMP) 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 sequence with existing street numbers, clearly identifying the number of dwellings on the property. Please contact Council’s Valuations Services Unit on 8470 8429 for any further information or assistance.

CARRIED

**5.2 APPLICATION FOR PLANNING PERMIT D/289/2017
249 Spring Street, Reservoir**

Author: Principal Planner

Reviewed By: Manager Planning and Building

Applicant	Owner	Consultant
MAP Architecture & Design	Quin Investment Group Pty Ltd	TTM Consulting Pty Ltd Ratio Consultants Michael Rogers Arborist Frater Consulting Services

SUMMARY

- The application proposes the construction of a four storey apartment building comprising 14 dwellings. There are to be nine x 1-bedroom, three x 2-bedroom and two x 3-bedroom dwellings.
- Vehicle access to the site is to be taken from Cleeland Street.
- Car parking is to be provided within a four-level car parking stacker system accommodating 14 spaces. The applicant seeks the waiver of two visitor and two residential car parking spaces.
- Private open space is to be provided in the form of garden areas for the two ground floor dwellings oriented to Spring Street; and in the form of balconies to the remaining dwellings at ground floor and upper levels.
- The apartment building is to have a contemporary design utilising brickwork as the predominant material with some perforated metal screens and rendered surfaces.
- The development will have a maximum overall height of 13.54 metres, excluding rooftop services.
- The site is zoned Residential Growth Zone Schedule 3 (RGZ3).
- There is no restrictive covenant on the title for the subject land.
- Nine objections were received against this application.
- The proposal is generally consistent with the standards and/or objectives of the relevant standards in Clause 55, including Clause 55.07 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via two signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the Transport Management and Planning Unit, Public Realm Unit, Darebin Parks, Environmental Operations, Urban Design Officer, ESD Officer and Capital Works Unit.
- 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:

- Angelo Gangi, Objector

Recommendation

That Planning Permit Application D/289/2017 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 TP202 to TP206 Revision F; TP301 Revision G; TP302 & TP303 Revision F; TP400 Revision F; L-TP1 Landscape Plan; TP550 to TP555 Revision F, all dated Oct 2017 and prepared by Map Architecture and Design) but modified to show:
 - (a) Dimensions and notations confirming that the maximum overall height of the development, not including rooftop services, does not exceed 13.50 metres at any point, as measured above natural ground level.
 - (b) Modifications in accordance with the Landscape Plan confirming the following:
 - i. A site permeability of 15 % minimum
 - ii. A clear area of 4.5 metres x 4.5 metres for each canopy tree in the front and rear setback of the site. This may include land on an adjoining site.
 - (c) The provision of appropriate textures and/or finishes to the southern wall of the stair and lift core of the development to improve its presentation to adjoining properties and the public realm.
 - (d) Air-conditioning (A/C) unit locations for apartments 301 and 303. If the A/C units are located within the primary balcony areas of these apartments, the balcony must have a minimum area of 9.5 square metres. Any increase in the balcony areas must be absorbed by the building footprint and must not result in a reduction in any setback.
 - (e) The following areas nominated as permeable paving modified to provide raised balcony, deck or entry porch areas with a finished floor level no greater than 50mm below the finished floor level at Ground Floor:
 - The paved entry areas (within the front setback to Spring Street) of Apartments G01 and G02;
 - The northern courtyard areas of Apartment G03; and
 - The southern courtyard area of Apartment G02The balcony, deck and/or entry porches are to be of permeable construction and the ground below must not be sealed with an impermeable material such as concrete.
 - (f) The northern balcony areas of Apartment G03 with privacy balustrades to a height of 1.8 metres above the level of the adjoining footpath on Cleeland Street.
 - (g) The fence shown within the front setback of the site associated with Apartments G01 and G02 modified so that any section of the fence above a height of 1.2 metres is at least 25% visually transparent.
 - (h) The balcony/terrace area of Apartment 302 modified to provide a section of balcony area that achieves an area of at least 8 square metres with a minimum

dimension of 2 metres that is unencumbered by any planter box or services such as A/C units, clotheslines etc.

- (i) The eastern façade of the development redesigned to:
- Reduce the height and extent of solid masonry walls/balustrades associated with the balcony areas of Apartments 102, 202 and 302, to improve daylight access and outlook to and from the balcony areas of these apartments. Noise attenuation is to be achieved through other means such as double glazing.
 - Reduce the length of the wider part of the street-facing balcony of Apartment 102, terminating it in line with the southern alignment of the projecting ground floor wall of GO1 below. The narrower section of the balcony must remain unchanged.
- (j) The northern bedroom and living room windows of Apartment GO1 designed as a landscape window with a sill height of at least 1.7 metres above the level of the adjoining footpath on Cleeland Street.
- (k) Provision of western setback dimensions for the first floor walls of the development. The setbacks must ensure the development achieves a 5.5 metre rear setback envelope (including balconies) at this level. This must not result in a reduction in the overall area of the balconies of Apartments 104 & 105.
- (l) The removal of any extensions, including shading devices shown, beyond the site's boundaries.
- (m) 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 beyond the property boundary.
- (n) Increase the area of operable windows to all top floor north facing glazing to increase ventilation. Ensure all windows open for cross ventilation.
- (o) Details of the car parking stacker system to confirm:
- Useable car parking platforms are 2.6 metres wide; and
 - At least 25% of the mechanical car parking spaces accommodate a vehicle clearance height of at least 1.8 metres.
- (p) The sliding gate at the entrance of the car park to be at least 50% visually permeable.
- (q) The provision of 12 bicycle parking spaces on site for residents. Bicycle parking is to be secure and under cover within a lockable compound. In accordance with Australian Standard 2890.3:2015 bike parking facilities are to be designed to include a minimum of 20% of ground level (horizontal) BPDs (Bike Parking Devices).
- (r) The provision of a notation to state that visitor bicycle parking shown within the road reserve on Cleeland Street is to be delivered through a contribution made to cycling infrastructure, in accordance with Condition No. 12 of this Permit.
- (s) Annotations detailing Tree Protection Zones, associated tree protection fencing and tree protection measures in accordance with the requirements of Condition No.7 of this Permit.
- (t) Modifications in accordance with the Acoustic Report (refer to Condition No.9 of this Permit).
-

- (u) A landscape plan in accordance with Condition No. 4 of this Permit.
- (v) Modifications in accordance with the Sustainable Design Assessment (refer to Condition No. 8 of this Permit).
- (w) A comprehensive schedule of construction materials, external finishes and colours (including screening materials, doors, gates, fences etc. and colour samples).

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

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

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

- Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
4. Before buildings and works start, a detailed Landscape Plan (generally in accordance with the Landscape Plan L-TP1 prepared by Frater Consulting Services dated Oct 2017 and) 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 tree protection measures, as outlined in Condition No.7 of this Permit.
 - (b) Removal of the 1 x *Olea Europaea* 'Tolly's upright' from the north-eastern corner of the site and centre the proposed *Lagerstroemia indica* 'Biloxi' to align with the *Magnolia* and other *Lagerstroemia* trees proposed in the front setback area adjacent to Spring Street.
 - (c) Correction of the discrepancy with the Ground Floor plan TP202 in relation to fence heights shown in front of Apartment GO3.
 - (d) Clarification of access to proposed location of water and gas meters and accessibility. The proposed location of garden bed adjacent to the proposed location of water & gas meters must not cause service access conflict.
 - (e) Annotated construction details for proposed permeable paving applications which must specify the permeable sub-base layers and drainage methods, such as slotted AG pipe to stormwater outlet. The proposed drainage and sections must be clarified to ensure proper installation and drainage.
 - (f) Landscape plans for upper level proposed planter boxes and include proposed plant schedules, landscape notes for plant establishment and annotated cross-sectional details specifying drainage methods.
 - (g) Identification of the surface applications from Spring Street access to G01 and G02 as well as surfacing south of G02 between building and southern fence in Spring Street setback.

- (h) Details of climbing plants hanging over G01 fence and upper level fences shown on the North Elevation.
 - (i) Gates associated with Spring Street entry into G01 and G02.
 - (j) The provision of a clear area of 4.5 metres x 4.5 metres for each canopy tree in the front and rear setback of the site. This may include land on an adjoining site.
 - (k) 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.
5. The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.
- No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
6. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
7. Before buildings and works (including demolition) start, tree protection fencing must be erected in accordance with the following requirements to define a Tree Protection Zone (TPZ).

<i>Tree (as defined in the arborist report prepared by Michael Rogers, John Patrick Landscape Architects dated 13 October 2017)</i>	<i>TPZ (radius from the base of the trunk)</i>
Tree 1 - Council naturestrip tree (<i>Melaleuca linariifolia</i>)	5.5 metres
Tree 2 - Council naturestrip tree (<i>Ulmus parviflora</i>)	3.0 metres
Tree 3 - Located within the adjoining property to the South	2.4 metres
Trees 4 & 5 - Located in the adjoining property to the West	3.6 metres

Trees on adjoining properties identified in the above table must be protected in accordance with the specified TPZ's unless written agreement is reached with the adjoining property owner/s for the removal of any of the trees. Any written agreement must be signed, dated and copy submitted to the Responsible Authority, to the satisfaction of the Responsible Authority.

The proposed paving within the front setback must be constructed at or above existing grade within the TPZ of Tree 2.

The proposed concrete driveway within the TPZ's of Trees 4 & 5 must be built at or above existing grade and constructed using permeable materials.

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 nature strip tree, a TPZ is confined to the width of the nature strip.

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

8. The development must incorporate the sustainable design initiatives in accordance with the Sustainable Management Plan (SMP) (identified as *Sustainability Management Plan* prepared by Frater Consulting Services dated 19 October 2017) to the satisfaction of the Responsible Authority.

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

9. Before the development starts, a revised *Acoustic Report* generally in accordance the document identified as *Road Traffic Noise Impact Assessment* prepared by *TTM Consulting* dated 19 October 2017 detailing noise attenuation 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 amended as follows:
 - a) Measures to attenuate noise impacts on the adjoining western property as necessary, arising from the use of the vehicle accessway, waste collection and the operation of the mechanical car stacker system.
 - b) Revision of the method of noise attenuation to apartments affected by traffic and rail noise along the Spring Street interface of the development, so that noise attenuation is not reliant on high solid masonry balustrades and walls to the edge of the balcony areas of the apartments.

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

10. Waste storage and collection for the development must be undertaken by a private contractor in accordance with the approved management plan prepared by *Frater Consulting Services* dated 19 October 2017, and must be conducted in such a manner so as not to affect the amenity of the surrounding area and not cause any interference with the circulation and parking of vehicles on abutting streets.

Waste bins for collection must not be stored on the footpath. Waste collection must occur on site.

11. Before the development is occupied bicycle racks must be provided on the land to the satisfaction of the Responsible Authority.

12. Before the development is occupied a contribution must be made (equivalent to four bicycle spaces) to cycling infrastructure within the vicinity of the subject site (where possible) or within the municipality, to the satisfaction of the Responsible Authority.
13. The available 14 car parking spaces on the site must be allocated to the apartments as follows:
 - (i) Seven (7) spaces allocated to the one-bedroom apartments.
 - (ii) Three (3) spaces allocated to the two-bedroom apartments.
 - (iii) Four (4) spaces allocated to the three-bedroom apartments at a rate of two (2) spaces for each 3-bedroom apartment.
14. Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
15. All dwellings that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
16. 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.
17. Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
18. The land must be drained to the satisfaction of the Responsible Authority.
19. With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
20. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
21. Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
22. Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all weather sealcoat; and
 - d) Drainedto the satisfaction of the Responsible Authority.

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

23. 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.
24. As part of the consultant team *Map Architecture & Design* 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.

NOTATIONS

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

- N1 Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2 Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- N3 The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

If any other modifications are proposed, application must also be made for their approval under the relevant sections of the *Planning and Environment Act 1987*. They can only be approved once the required and consequential changes have been approved and the plans endorsed. It is possible to approve such modifications without notice to other parties, but they must be of limited scope. Modifications of a more significant nature may require a new permit application.
- N4 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.
- N5 In relation to the requirements of Condition 12 of this Permit, please contact Council's Bicycle Strategy Co-ordinator (Ph: 8470-8665) for details on how to make an equivalent payment contribution to cycling infrastructure.
- 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.

Committee Decision

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

That Planning Permit Application D/289/2017 be refused and Notice of Refusal be issued subject to the following conditions:

- (1) The development is contrary to State and Local Planning policy objectives contained in Clause 15.01, Clause 15.01-5, Clause 21.03 and Clause 21.03-2 of the Darebin Planning Scheme. In particular, the proposal does not provide an appropriate housing typology suited to the site. The apartment style development results in built form scale and intensity that is not responsive to the constraints of the site (site area and frontage width).
- (2) Clause 32.07-10 of the Darebin Planning Scheme, Schedule 3 to the Residential Growth Zone - The development is contrary to the requirements of the Schedule to the Residential Growth Zone, as follows:
 - a) The development does not comply with the Street Setback (Standard B6) requirement and results in excessive visual bulk to the Cleeland Street and inappropriate height transition to the lower scale residential areas to the west.
 - b) There are insufficient open areas available on the site to satisfy the minimum landscaping and canopy tree requirements.
 - c) The development does not comply with the Side and Rear Setback requirement (Standard B17) and results in excessive built form and visual bulk impacts on the southern and western adjoining properties.
 - d) The development does not comply with Walls on Boundary requirement (Standard B18) and results in excessive built form along the southern boundary with the potential to affect equitable development opportunity on the adjoining southern property.
- (3) Clause 43.02 Design and Development Overlay Schedule 18 - The proposed development is contrary to the objectives of the Overlay, as follows:
 - a) The southern walls and setbacks of the proposed development have not been designed to allow a corresponding development on the southern adjoining property.
 - b) The site does not have the minimum frontage width to support the construction of an apartment style development; and constitutes an overdevelopment of the site.
 - c) Within the context of ground (b) above, the development envelope does not comply with the setback requirements from the southern and western boundaries.
 - d) The proposal is contrary to the design objectives of the Residential Built Form Design Guidelines, 2014.
- (4) Clause 52.34 Bicycle Facilities - The development does not provide a sufficient level of bicycle parking on the site to support the waiver of car parking and promote green travel in an area that has good access to cycling infrastructure.

CARRIED

**5.3 APPLICATION FOR DEVELOPMENT PLAN POD/1/2017
198 Beavers Road, Northcote**

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
Ratio Consultants 9 Clifton Street Richmond	First Stone Pty Ltd	Ratio Consultants 9 Clifton Street Richmond

SUMMARY

This report seeks the adoption by Council of a Development Plan as required by schedule 12 to Clause 43.04 (Development Plan Overlay) to the Darebin Planning Scheme. The Development Plan provides the guiding design principles and requirements for the future consideration of planning applications and ensures development outcomes are coordinated where there are multiple property ownerships. Development plans are relatively high level documents and are not required to include the level of detail typically expected in a planning application.

This development plan application proposes the following:

- 3-storey residential development within the northern portion of the site;
- 4-storey (+ rooftop terrace) residential development within the remainder of the site;
- One (1) commercial tenancy fronting Beavers Road;
- Vehicle access to Beavers Road;
- Pedestrian access through the site;
- Car parking;
- Bicycle parking; and
- Landscaping.

CONSULTATION:

- Public notice was given via signs on site and letters sent to surrounding owners and occupiers.
- No objections were received (at time of writing).
- This application was referred internally to the Capital Works Unit, Transport Management and Planning Unit, ESD officer and Urban Design officer.
- The application was referred externally to Melbourne Water, Transport for Victoria, SP Powernet and the EPA.

Darren Rudd, Manager City Development advised the meeting that the following supplementary report be included to the Committee report due to objections being received after the planning report was completed.:

“Submissions:

The application received 12 submissions in response to the proposed Development Plan.

Submissions summarised:

- Traffic impacts.
- Noise impacts.
- Overshadowing.
- Overlooking.
- Setbacks.
- Safety.
- Loss of vegetation.
- Impacts during construction.
- Access over private road at 177 Beavers Road.
- Number and type of dwellings
- Social Housing.
- Public access through the site.
- Contamination
- Lack of public transport infrastructure.

Officer comment on summarised submissions

Traffic impacts

A report has been provided in support of the planning application (D/854/2017). The report has been prepared to address the parking and traffic matters of the proposed mixed-use development and is generally consistent with the Traffic Impact Assessment Report prepared as part of the Development Plan application submitted to Darebin City Council in December 2016. The report is based on recent traffic and parking surveys in the vicinity of the site, and of previous studies of similar developments elsewhere in Melbourne.

The report is based on the provision of 95 dwellings across the site. The report indicates that a yield of 95 dwellings would generate 600 vehicle movements per day. The development plan approved for 200 Beavers Road estimated its residential redevelopment would generate 245 vehicle movements per day. This amount of increase in traffic is well within the range of that expected when the site was rezoned in 2015. It is important to note that during the course of this rezoning through Amendment C122 of the Darebin Planning Scheme and the subsequent review by an independent planning panel traffic concerns were the main issue raised by residents.

In terms of traffic flow the report indicates that the Beavers Road/Woolhouse Street intersection is expected to continue to operate within the ‘Excellent’ category, with only marginal increases to existing traffic queues and delays between the existing and post development conditions. Given that all vehicles will be able to exit the site in a forward direction onto Beavers Road, it is expected that the proposed mixed use development will not create adverse traffic safety or operational impacts and therefore, no additional traffic management or control works are required to be provided on the adjoining road network.

It is noted that, having regard to the size and types of vehicles currently accessing the existing warehouse, the residential redevelopment of the land would likely have a more appropriate impact on the surrounding residential streets.

Noise impacts

The proposed residential use will have noise impacts consistent with those normal to a residential zone. Speech, laughter, music etc. are noises associated with people living their lives and are all part of life in an urban area.

Overshadowing

The overshadowing impact will be considered at the Planning Permit stage.

Overlooking

The overlooking impact will be considered at the Planning Permit stage.

Setbacks

Revised front and side boundary setbacks are recommended. This includes revised west boundary setbacks which will improve the relationship of any future development on the site with interfacing dwellings currently under construction at 200 Beavers Road.

Sustainability

Sustainability measures would be provided at the Planning Permit stage.

Safety

The redevelopment will likely have less safety impacts / conflicts associated with entering and exiting the site than the existing warehouse use having regard to the size and type of vehicles accessing the site. The location of the proposed vehicle entry point in Beavers Road is more proximate to the loading bay entry of the neighbouring commercial use to the south. Provided adequate visibility splays are provided the vehicle access will be not be unsafe and there will be minimal conflict issues.

Loss of vegetation

Whilst the removal of all trees from the land is undesirable having regard to the contamination issues on the land it is unavoidable. See Contamination and ESO1 assessment within the report.

Impacts during construction

Construction impacts - noise, dust, stability of existing foundations and damage to nearby dwellings are not a consideration under the Planning & Environment Act or Darebin Planning Scheme.

Access over private road at 177 Beavers Road

It is beyond the scope of this application to control traffic beyond the site boundaries. If a private road is being illegally used this is a matter for the owners of that land to resolve.

Number and type of dwellings

The number of dwelling is not detailed within the Development Plan submission. However the related planning application indicates that 95 dwellings are proposed. This number could change following a full assessment of the planning application.

Social Housing

Social Housing is not proposed as part of the Development Plan submission.

Public access through the site

Public access is to be provided through the site from the northern right of way to Beavers Road. This will be secured via a Section 173 agreement.

Power substation

This level of detail would be provided at the planning permit stage.

Contamination not addressed.

The site is in an Environmental Audit Overlay as the subject land and adjacent land has historically been used as a quarry and land fill site. The applicant has completed environmental investigations at the site to support the Environmental Audit. Subject to completion of the environmental audit process the site will be fit for the purpose of residential accommodation.

Lack of public transport infrastructure

This is an issue beyond the scope of the current application.”

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

- *Claire Whelan, Applicant*

Recommendation

That Council adopt development plan POD/1/2017 subject to the following alterations/requirements:

The approved documentation is to comprise plans: TP1.1 Rev A, TP1.2 Rev A, TP1.3 Rev A, TP1.4 Rev A, TP1.5 Rev A, TP1.6 Rev A, TP1.7 Rev A, TP1.8 Rev A, TP1.9 Rev A, TP1.10 Rev A, TP1.11 Rev A and TP1.12 Rev A, modified as follows:

- (1) Provision of a minimum 3 m wide paved *Disability Discrimination Act 1992* compliant public pedestrian and bike access (public access) through the site from Beaconsfield Parade / Leinster Grove to Beavers Road. This is to be achieved by a section 173 Agreement that will be required prior to the completion of the development. The public access is to be appropriately illuminated. Development adjacent to the public access is to be designed and orientated to maximise passive surveillance of the public pedestrian access. The public access is to incorporate clear sight lines / minimise hiding places where possible. Surface treatments, vehicle access / circulation and signage to ensure appropriate safety for any areas of shared pedestrian and bike / vehicle access along internal roads. The access is to be to the satisfaction of Council.
- (2) Building envelope set back a minimum of 9 metres at level 2, 3 and 4 from directly interfacing windows and balconies associated with the dwellings located at 200 Beavers Road.
- (3) The building envelope setback of a minimum of 3 metres from the east boundary at level 1, 2 and 3 and setback 4 metres at level 4.
- (4) The building envelope setback a minimum 3 metres from Beavers Road at levels 1, 2 and 3.
- (5) The building envelope setback an adequate distance to create a separation between the lower and upper parts of a building at level 4 from Beavers Road.
- (6) Passive surveillance provided to the west over the Northcote Golf Course.
- (7) No garages are to front or side onto Beavers Road.
- (8) Site services to be integrated into the design of the development, with appropriate design treatments to ensure their visibility is minimised.
- (9) Site services to be located away from the Beavers Road frontage except unless required by the service provider in writing.
- (10) The development plan to show any proposed super lots (maximum of 5) and staging.
- (11) A basement level car park plan detailing the following:
 - Access;
 - Setback from boundaries;
 - Interface treatment to the entry and an exposed section;
 - Capacity of the basement to accommodate a minimum of 40 car parking spaces, including a minimum of 10 resident car parking spaces, bike parking, storage and services.
- (12) Include the following notations:
 - a) Buildings fronting Beavers Road to be designed to minimise noise and other impacts associated with surrounding non - residential uses and that an acoustic, odour and emissions assessment accompany any permit application as appropriate.

- b) Landscaping and canopy trees are to be provided along the perimeter of the site adjacent to:
- The entire west boundary;
 - The rear yards of dwellings fronting Beaconsfield Parade;
 - Croxton Special Education School; and
 - Beavers Road.

Details of indicative landscaping and canopy trees to be provided.

- c) Subdivision to create super lots only will be allowed once development is approved and common areas constructed. Subdivision of individual residential allotments to occur only once the development of the land / individual super lot is substantially completed.
- d) Pedestrian access to dwelling entries from the internal communal access way to maximise landscaping opportunities in the shared internal access way.
- e) Crossovers to the street 5.5 metres wide with visibility splays.
- f) Car parking provided on site in accordance with Clause 52.06 for dwelling residents.
- g) Car parking to be provided for residents within a garage or within the basement.
- h) A maximum of 95 dwellings provided.
- i) Collection of waste by a private contractor.
- j) No direct vehicle access to Beaconsfield Parade / Leinster Grove.
- k) Earthy muted tones and non-reflective or low reflectivity materials to be used.
- l) Garages and driveways will not dominate the ground level facades to the internal communal access way.
- m) Two two car space garages will generally be in a tandem / car stacker layout unless architecturally treated in a manner where passive surveillance and activation of the ground floor of dwellings can be clearly demonstrated.
- n) No fencing provided in the Beavers Road front setback or between dwellings and the communal shared access way.
- o) Boundary fencing adjacent to the Northcote Golf Course to be durable high quality design and a minimum 25% visually permeable.
- p) Architectural treatments to accentuate dwelling entries and to integrate garage doors into the design of the development potentially incorporating windows / glazed panels and materials not typically associated with garage doors.
- r) Building envelopes do not imply a right to build over the entire envelope.
- s) Setbacks from boundaries and / or internally between buildings to ensure equitable development opportunities and / or appropriate amenity of future neighbours and to protect the amenity of the public realm.
- t) Buildings are to be setback sufficiently to allow adequate solar access to dwellings within the site.
- u) Environmental Audit process and building design to address gas migration issues.
- v) Internal road paving to reinforce pedestrian / shared access requirements (not asphalted).
- w) Fencing on the north boundary as existing or a maximum 2 metres in height.
-

- x) SIDRA analysis must be undertaken as part of the Town Planning Application.
- y) All outdoor lighting to 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.
- z) The design of the built form towards any access ways is to reflect the fine grain pattern of nearby streets, floors to be distinguishable from each other through punctured facades (eg. balconies, windows, façade articulation) and located to provide a comfortable pedestrian scale.
- aa) Site services to be integrated into the design of the development, with appropriate design treatments to ensure their visibility is minimised.
- bb) Site services to be located away from the Beavers Road frontage except unless required by the service provider in writing.
- cc) A minimum of one (1) bicycle parking space to be provided to each dwelling.
- dd) A Site Environmental Management Plan (SEMP) or equivalent to be developed and implemented to ensure that waterway values are protected during the construction process. This will include sediment controls to avoid direct or indirect sediment discharge to any waterways.
- ee) Privacy screening designed so it is integrated into the buildings. Screening should allow for distant views whilst preventing overlooking and allow for a high level of direct daylight access such as built in planter boxes with higher outer edges or horizontal louvres.
- ff) Level 4 setback from Beavers Road to be at an adequate distance to create a separation between the lower and upper parts of a building.
- gg) Minimal use of render to external walls.
- hh) Use of brick or similar to the external walls of the development in combination with other secondary materials.
- ii) Facilitate a high quality street edge that relates to the public realm.
- jj) Facades of new development should be modulated by porticos, balconies, verandahs, sun shade devices and the like and not be overly reliant on a mix of materials and colours and overt levels of articulation.
- kk) Design and building materials used should be low maintenance, durable and of high quality.

Motion

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

That the 'Recommendation' (to approve the Planning Permit Application subject to conditions) be adopted.

Cr. McCarthy proposed to the seconder that an additional point (13) be added to the motion as follows:

- (13) Before the development is occupied, a contribution toward intersection works for the Beavers Road Woolhouse Street to restrict through vehicle access from the subject site to St Georges Road in accordance with a design to be prepared by Darebin City Council.**

This was accepted by Cr. Rennie.

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

Committee Decision

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

That Council adopt development plan POD/1/2017 subject to the following alterations/requirements:

The approved documentation is to comprise plans: TP1.1 Rev A, TP1.2 Rev A, TP1.3 Rev A, TP1.4 Rev A, TP1.5 Rev A, TP1.6 Rev A, TP1.7 Rev A, TP1.8 Rev A, TP1.9 Rev A, TP1.10 Rev A, TP1.11 Rev A and TP1.12 Rev A, modified as follows:

- (1) Provision of a minimum 3 m wide paved *Disability Discrimination Act 1992* compliant public pedestrian and bike access (public access) through the site from Beaconsfield Parade / Leinster Grove to Beavers Road. This is to be achieved by a section 173 Agreement that will be required prior to the completion of the development. The public access is to be appropriately illuminated. Development adjacent to the public access is to be designed and orientated to maximise passive surveillance of the public pedestrian access. The public access is to incorporate clear sight lines / minimise hiding places where possible. Surface treatments, vehicle access / circulation and signage to ensure appropriate safety for any areas of shared pedestrian and bike / vehicle access along internal roads. The access is to be to the satisfaction of Council.
- (2) Building envelope set back a minimum of 9 metres at level 2, 3 and 4 from directly interfacing windows and balconies associated with the dwellings located at 200 Beavers Road.
- (3) The building envelope setback of a minimum of 3 metres from the east boundary at level 1, 2 and 3 and setback 4 metres at level 4.
- (4) The building envelope setback a minimum 3 metres from Beavers Road at levels 1, 2 and 3.
- (5) The building envelope setback an adequate distance to create a separation between the lower and upper parts of a building at level 4 from Beavers Road.
- (6) Passive surveillance provided to the west over the Northcote Golf Course.
- (7) No garages are to front or side onto Beavers Road.
- (8) Site services to be integrated into the design of the development, with appropriate design treatments to ensure their visibility is minimised.
- (9) Site services to be located away from the Beavers Road frontage except unless required by the service provider in writing.
- (10) The development plan to show any proposed super lots (maximum of 5) and staging.
- (11) A basement level car park plan detailing the following:
 - Access;
 - Setback from boundaries;
 - Interface treatment to the entry and an exposed section;
 - Capacity of the basement to accommodate a minimum of 40 car parking spaces, including a minimum of 10 resident car parking spaces, bike parking, storage and services.

(12) Include the following notations:

- a) Buildings fronting Beavers Road to be designed to minimise noise and other impacts associated with surrounding non - residential uses and that an acoustic, odour and emissions assessment accompany any permit application as appropriate.
- b) Landscaping and canopy trees are to be provided along the perimeter of the site adjacent to:
 - The entire west boundary;
 - The rear yards of dwellings fronting Beaconsfield Parade;
 - Croxton Special Education School; and
 - Beavers Road.

Details of indicative landscaping and canopy trees to be provided.

- c) Subdivision to create super lots only will be allowed once development is approved and common areas constructed. Subdivision of individual residential allotments to occur only once the development of the land / individual super lot is substantially completed.
- d) Pedestrian access to dwelling entries from the internal communal access way to maximise landscaping opportunities in the shared internal access way.
- e) Crossovers to the street 5.5 metres wide with visibility splays.
- f) Car parking provided on site in accordance with Clause 52.06 for dwelling residents.
- g) Car parking to be provided for residents within a garage or within the basement.
- h) A maximum of 95 dwellings provided.
- i) Collection of waste by a private contractor.
- j) No direct vehicle access to Beaconsfield Parade / Leinster Grove.
- k) Earthy muted tones and non-reflective or low reflectivity materials to be used.
- l) Garages and driveways will not dominate the ground level facades to the internal communal access way.
- m) Two two car space garages will generally be in a tandem / car stacker layout unless architecturally treated in a manner where passive surveillance and activation of the ground floor of dwellings can be clearly demonstrated.
- n) No fencing provided in the Beavers Road front setback or between dwellings and the communal shared access way.
- o) Boundary fencing adjacent to the Northcote Golf Course to be durable high quality design and a minimum 25% visually permeable.
- p) Architectural treatments to accentuate dwelling entries and to integrate garage doors into the design of the development potentially incorporating windows / glazed panels and materials not typically associated with garage doors.
- r) Building envelopes do not imply a right to build over the entire envelope.
- s) Setbacks from boundaries and / or internally between buildings to ensure equitable development opportunities and / or appropriate amenity of future neighbours and to protect the amenity of the public realm.
- t) Buildings are to be setback sufficiently to allow adequate solar access to dwellings within the site.

- u) Environmental Audit process and building design to address gas migration issues.
 - v) Internal road paving to reinforce pedestrian / shared access requirements (not asphalted).
 - w) Fencing on the north boundary as existing or a maximum 2 metres in height.
 - x) SIDRA analysis must be undertaken as part of the Town Planning Application.
 - y) All outdoor lighting to 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.
 - z) The design of the built form towards any access ways is to reflect the fine grain pattern of nearby streets, floors to be distinguishable from each other through punctured facades (eg. balconies, windows, façade articulation) and located to provide a comfortable pedestrian scale.
 - aa) Site services to be integrated into the design of the development, with appropriate design treatments to ensure their visibility is minimised.
 - bb) Site services to be located away from the Beavers Road frontage except unless required by the service provider in writing.
 - cc) A minimum of one (1) bicycle parking space to be provided to each dwelling.
 - dd) A Site Environmental Management Plan (SEMP) or equivalent to be developed and implemented to ensure that waterway values are protected during the construction process. This will include sediment controls to avoid direct or indirect sediment discharge to any waterways.
 - ee) Privacy screening designed so it is integrated into the buildings. Screening should allow for distant views whilst preventing overlooking and allow for a high level of direct daylight access such as built in planter boxes with higher outer edges or horizontal louvres.
 - ff) Level 4 setback from Beavers Road to be at an adequate distance to create a separation between the lower and upper parts of a building.
 - gg) Minimal use of render to external walls.
 - hh) Use of brick or similar to the external walls of the development in combination with other secondary materials.
 - ii) Facilitate a high quality street edge that relates to the public realm.
 - jj) Facades of new development should be modulated by porticos, balconies, verandahs, sun shade devices and the like and not be overly reliant on a mix of materials and colours and overt levels of articulation.
 - kk) Design and building materials used should be low maintenance, durable and of high quality.
- (13) Before the development is occupied, a contribution toward intersection works for the Beavers Road Woolhouse Street to restrict through vehicle access from the subject site to St Georges Road in accordance with a design to be prepared by Darebin City Council.

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. T McCarthy

SECONDED: Cr. J Williams

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

CARRIED

7. URGENT BUSINESS

Nil

8. CLOSE OF MEETING

The meeting closed at 7.13pm.