

AMENDED PLANNING PERMIT

Permit No.:	PLN21/0218
Planning Scheme:	Greater Dandenong Planning Scheme
Responsible authority:	Greater Dandenong City Council
Address of the land:	15-29 Coomoora Road Springvale South (Lot 1 PS647548 Vol 11499 Fol 035)

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
Clause 32.09-6	To construct two or more dwellings on a lot
Clause 44.05-2	To construct a building or to construct or carry out works

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

This permit has been amended as follows:

Date of issue of amendment	Brief description of amendment	Name of responsible authority that approved the amendment	Section of the Act under which the permit has been amended
PLA24/0110			
23 December 2024	Amendment of Condition 1, 2 and 13 and Addition of Condition 1a pursuant to Section 72 of the Act	City of Greater Dandenong	Section 74

1. Before the development starts, other than dwellings on lots 1 to 12, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The amended plans must be drawn to scale and must be generally in accordance with the submitted plans by Creation homes, Revision B, dated 30.09.2021, but modified to show:
 - 1.1. The location of all visitor car parking areas, footpaths, laneways, and internal roads detailed and dimensioned;
 - 1.2. Location and width of Lot 52 crossover detailed on all ground floor plans and decreased to a maximum width of 3.5 metres;
 - 1.3. Crossover to Lot 61 decreased to a maximum width of 3.5 metres;

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Conditions Continued

- 1.4. The width of crossovers where they intersect with the footpaths dimensioned on all ground floor plans;
- 1.5. The front setbacks to dwellings to Lot 23 to 28 increased to a minimum of 1.5 metres setback from the internal accessway. The footprint of the dwellings may be revised to accommodate this change;
- 1.6. Maximum 1.2m high fencing and/or landscape treatment to Lots 24 to 28 dwellings to delineate between the private and common property;
- 1.7. Demonstrate compliance with Standard B22 Overlooking objective of Clause 55.04-6 between the dwellings on Lots 17 to 22 and adjacent Lots 56 and 57; and between Lots 35 to 49 and adjacent allotments 30 to 34;
- 1.8. The ground floor wing wall to Lot 28 dwelling deleted;
- 1.9. The northern wall of the dwelling on lot 23 and southern wall of the dwelling on lot 28 redesigned to avoid sheer 2 storey that is visible from the street or adjoining dwellings. This may include redesigning the layouts of these dwellings and removing the separation between dwellings on lots 22 and 23;
- 1.10. Lot 49 dwelling side setback increased to 1 metre at ground and first floor and additional fenestration added at to the ground floor setback;
- 1.11. A notation that the side setback to Lot 49 dwelling is to be landscaped and maintained by the owners corporation;
- 1.12. The ground floor living/dining area to dwellings on Lots 51, 53, 54 and 55 be increased in area to improve internal amenity;
- 1.13. Lot 31 or 32 dwelling reversed to group the garages and improve site lines;
- 1.14. The rear elevations of dwellings on Lots 35, 37, 39 to be redesigned so as to provide further articulation at first floor and reduce the visual bulk impacts of the rear massing;
- 1.15. The rear loaded dwelling garages of Lot 35 to 40 provided with a brick exterior where visible from the common open space and common roadway;
- 1.16. The dwelling on Lot 34 to be revised to better integrate with and address the adjacent street to the west;
- 1.17. Provision of window shrouds to all first floor north orientated habitable room windows of dwellings on Lots 57-63;
- 1.18. A northern elevation to the dwelling to Lot 29 and the addition of a highlight window to the first floor north facing bedroom;
- 1.19. Amended fencing material to replace all 1.8-metre-high Colourbond fencing to boundary fencing, common accessways and open space areas. The fencing must have a minimum transparency of 25% and must use additional materials to provide breaks in the length of fencing provided. The fencing must draw on the proposed materials and colours to complement the proposed dwelling schemes;

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Conditions Continued

- 1.20. Garages dimensioned on all floor plans;
- 1.21. All internal garage doors to open into the dwelling or open space, so the door cannot encroach within a 3.5m x 6.0m parking space required by Clause 52.06 of the Greater Dandenong Planning Scheme;
- 1.22. Specification of electric vehicle infrastructure to be incorporated to the garage area in accordance with recommendation provided in the Sustainable Design Assessment and an annotation to specify dwelling switchboard ('load centre') with a dedicated circuit sufficient to supply 1 x 7 kW 32 Amp electric vehicle charging;
- 1.23. Orientation labelling provided to all elevations;
- 1.24. S2 Acacia facade fenestration to correctly reflect the dwelling type 'Acacia – Façade 1' or Acacia Short - Facade 1';
- 1.25. S2 Lot 54 inconsistencies as shown on the streetscape elevations and facade type 'Acacia Short - Façade 2' corrected;
- 1.26. S3 Lot 28 inconsistencies between the Banksia streetscape elevations and 'Banksia - Corner Façade 2' elevations corrected;
- 1.27. S3 Lot 18, 20 and 22 inconsistencies between the Cassia streetscape elevations and 'Cassia - Façade 2' elevations corrected;
- 1.28. S3 Lot 24 and 26 inconsistencies between the Banksia streetscape elevations and 'Banksia - Façade 2' elevations corrected;
- 1.29. S5 rear laneway streetscape elevation as shown on sheet 57 correctly numbered;
- 1.30. S5 and S6 lot numbering to reflect the development summary and super lot floor plans as shown on sheet 10;
- 1.31. Updated S6 lot types added to the development summary and super lot floor plans as shown on sheet 10;
- 1.32. S6 Lot 34 and 35, 'Eucalypt Facade - 2' as shown on sheet 52 deleted for plan consistency with the Coomoora road streetscape;
- 1.33. The development summary amended to include bedroom numbers to each dwelling scheme;
- 1.34. Specification of all habitable room windows as double glazed;
- 1.35. Material and colour schedule to detail driveway finishes and colours which must be other than plain concrete and must be complementary to the dwellings to accord with Standard B31 Design detail objective of Clause 55.06-1;
- 1.36. Melbourne water conditions in accordance with Condition 22 to 26.

All to the satisfaction of the Responsible Authority.

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Conditions Continued

- 1a. Before the development starts on Lots 1 to 12, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority and Melbourne Water. The plans must be drawn to scale and must be in accordance with the finished floor levels as required by Melbourne Water and must demonstrate compliance with Covenant PS836279N, including MCP AA8457.

When approved, these plans will be endorsed and will then form part of the permit.

Landscape plan

2. Before the development starts, other than dwellings on lots 1 to 12, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application plans by MALA Studios, dated 30/04/2021, but modified to show:
 - 2.1. Any built from changes as required by Condition 1;
 - 2.2. At least one (1) advanced canopy tree within each lot frontage where the front setback is at least 3 metres;
 - 2.3. The proposed *Eucalyptus scoparia* replaced with a native species with a smaller canopy width and height at maturity;
 - 2.4. The five small trees specified to Lot 29 replaced to include at least 2 medium trees and three small trees;
 - 2.5. Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces and understory planting where appropriate;
 - 2.6. Details of the proposed layout, type and height of fencing;
 - 2.7. Details of all surface finishes of pathways and driveways and the treatment to the driveway finishes proposed;
 - 2.8. A paved or deck area within the secluded open space area of the proposed dwelling on a permeable base;
 - 2.9. Location of the proposed stormwater treatment measures.All to the satisfaction of the Responsible Authority.
3. The provisions, recommendations and requirements of the landscape plan must be implemented and complied with to the satisfaction of the Responsible Authority.
4. Prior to the occupancy of the first stage and prior to each subsequent stage of the development, landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.
5. The development must not commence until a statement of compliance is issued for stage 1 of PLN20/0333 (PLA21/0081) or to the satisfaction of the Responsible Authority.

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Conditions Continued

6. Landscaping works as shown on the endorsed plan/s must be completed and then maintained. Landscaping that is dead, diseased or damaged must be replaced to the satisfaction of the Responsible Authority.
7. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.
8. Except with the prior written consent of the Responsible Authority, the approved building must not be occupied until all buildings and works, and the conditions of this permit have been complied with for each stage of the development.

Native vegetation

9. Prior to the commencement of development, all measures as contained within the endorsed Tree Management Report and Plan and TPZ requirements pursuant to Condition 37 and 43 of PLN20/0333 (PLA21/0081) must be implemented.
10. The applicant must undertake measures to ensure that all contractors, sub- contractors and tradespersons operating on the site are aware of the contents of this report.

Tree Protection Zones (TPZ) & fencing

11. All TPZ's must meet the following requirements:
 - 11.1. TPZ fencing must be installed around all trees to be retained on the site prior to the commencement of any works, including the delivery of building/construction materials, temporary buildings and construction;
 - 11.2. The fencing is to be constructed and secured so its positioning cannot be modified by site workers;
 - 11.3. Be erected to a height of at least 1.8 metres;
 - 11.4. Be anchored using star pickets driven at least 60cm into the soil;
 - 11.5. The Tree Protection Zone is to be established and maintained in accordance with *AS 4970-2009 Protection of Trees on Development Sites*;
 - 11.6. Remain in place until the development is completed;
 - 11.7. Each TPZ shall not be removed until construction is fully completed or with the written consent of the Responsible Authority for each stage, when each stage is completed;
 - 11.8. Provide for access by a single gate that should be locked at all times except when required for tree inspection or maintenance.

Areas within the TPZ must not be used:

- 11.9. For vehicular or pedestrian access, no trenching or soil excavation is to occur;
- 11.10. For storage or dumping of tools, equipment, materials or waste is to occur;

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Conditions Continued

11.11. For storage of any vehicles, machinery, equipment or other materials;

11.12. Entry and exit pits for underground services.

All to the satisfaction of the Responsible Authority.

Construction Management Plan (CMP)

12. The Construction Management Plan must address, but is not limited to:

- 12.1. Hours of construction, control of noise and airborne matter, deliveries, vehicle access, worker car parking, damage to public assets, and contact numbers for complaints;
- 12.2. All Traffic Management Plans for the site demolition, excavation, deliveries and other construction related activities that will affect vehicle and pedestrian traffic;
- 12.3. The location of all areas on-site and off-site to be used for construction staff parking;
- 12.4. A Parking Management Plan for all associated construction vehicles;
- 12.5. All site sheds, portable toilet, storage and materials, etc. must be confined to the land;
- 12.6. The covering and maintenance of all roads/storage areas/external stockpiles/or vacant areas to avoid dust nuisance to any residential and commercial premises;
- 12.7. A truck wheel-wash must be installed and used so vehicles leaving the site do not deposit mud or other materials on roadways;
- 12.8. No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the land;
- 12.9. All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system;
- 12.10. The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the land; and
- 12.11. No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter, the stormwater drainage system.

When approved, the Construction Management Plan will be endorsed and will form part of this permit.

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

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

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Conditions Continued

Sustainability Management Plan (SMP)

13. Before the development starts, other than dwellings on lots 1 to 12, a revised SMP to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit.

The revised SMP is to be in accordance with the design initiatives, specifications, performance outcomes and commitments specified in the SMP (prepared by Stantec, ref 38195) but modified to include:

- 13.1. Revised Energy Rating (NatHERS) assessment that:

- a) Includes a weighted energy rating average that maintains the current performance rating of 6.5 stars.
- b) Includes the corner dwellings of each unit type to ensure a representative sample is undertaken that includes units with more external sides and all applicable orientations.
- c) Includes copies of the energy rating certificates in the appendix of the SMP.

- 13.2. Revised Water Efficiency and Stormwater Management Section that includes:

- a) Stormwater Management Section that includes the performance objectives and extract of the results in accordance with the Stormwater Management Plan prepared for the site.
- b) Revised transport section that specifies that for purchaser options selecting electric vehicle charging, that each dwelling be supplied with infrastructure and cabling to each garage or carport that can support level 2, 32Amp EV charging or similar.

- 13.3. Revised BESS assessment that includes:

- a) Revised energy efficiency inputs in accordance with the revised energy rating.
- b) Revised Water section that specifies clothes washing machine water efficiency as "occupant to install".
- c) Revised IEQ section that demonstrates effective cross flow ventilation has been achieved for all habitable rooms to all dwellings across the development. Should this not be achieved, the credit cannot be claimed and an alternative credit must be selected to achieve the minimum required score.

14. The provisions, recommendations and requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority. The documentation must not be altered without the prior written consent of the Responsible Authority.

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Conditions Continued

15. Prior to the occupancy of the first stage and prior to each subsequent stage of the development approved under this permit, 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 and commitments specified in the SMP, have been implemented in accordance with the approved plan.

Stormwater/LPD

16. Prior to construction of the development, the applicant must submit a revised stormwater management plan that includes:
 - 16.1. Location of the proposed stormwater quality treatment measures in accordance with the site Stormwater Management Plan and that is consistent with the Sustainability Management Plan and;
 - 16.2. Information of recommended maintenance requirements of the treatment systems. This should include recommended frequency of inspections, maintenance, and replacement of the systems to be undertaken by the maintenance contractor or owners corporation including the estimated costs for inspections, maintenance, and replacement where applicable. This should be in the form of a maintenance agreement or similar to be transferred to the relevant owners corporation.
17. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.
18. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge, to the satisfaction of the Responsible Authority.
19. Prior to the occupancy of the first stage and prior to each subsequent stage of the development, all piping (excluding downpipes), ducting, fixtures, fittings and vents above the ground floor storey of the building, must be concealed to the satisfaction of the Responsible Authority.

Car parking

20. Prior to the use commencing, all parking areas and accessways must be:
 - 20.1. constructed and available for use in accordance with the plan approved by the responsible authority;
 - 20.2. formed to such levels and drained so that they can be used in accordance with the plan; and
 - 20.3. line-marked or provided with some other adequate means of showing the car parking spaces.
21. Car spaces, accessways and pedestrian paths must be maintained and kept available for these purposes at all times.

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Conditions Continued

Melbourne Water

22. Finished floor levels of the dwellings must be constructed no lower than 300mm above the applicable 1% AEP flood levels determined in the approved Flood Assessment Report and to the satisfaction on Melbourne Water. (A copy of the Flood Assessment Report (Prepared By: Peter Munzel; Ref: 39185; Dated: 22/11/2021) is attached. The Report includes Fig. 16 with 1% AEP flood levels from the modelling work with the development. Floor levels complying with the 1% AEP flood levels are shown in Fig. 11 of the Flood Assessment Report).
23. Prior to start of construction, detailed design/ construction plans of the development must be submitted to Melbourne Water for approval.
24. Prior to the issue of an Occupancy Permit at construction stage, a certified survey plan (CSP), showing finished floor levels of the dwellings and garages (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements. (CSP demonstrating road & drainage construction have been approved by Melbourne Water at assessment of the Flood Assessment Report in December 2021)
25. No solid obstructions other than dwelling footprints and ramping to garages must be placed at locations lower than the applicable flood level. Solid obstructions such as earth filling, earth retaining walls, solid fencing, sheds etc.
26. Any new fencing/ gates including internal and boundary fencing (other than garage door) within areas lower than the flood level must be of out of an open style (50% open) design. (Any new boundary fencing is permitted to be standard paling style of construction).

General

27. Service units, including air conditioning/heating units, must not be located on any of the balcony areas or where they will be visible from any public area.
28. With exception of solar panels, 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 written consent of the Responsible Authority.
29. Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.
30. Prior to the occupancy of the first stage and prior to each subsequent stage of the development, the development must be provided with external lighting capable of illuminating access to each garage and dwelling entry. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.
31. Prior to the occupancy of the first stage and prior to each subsequent stage of the development, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Obscure glazing to the windows shown on the endorsed plans must be provided through frosted glass or similarly treated glass. Adhesive film or similar removable material must not be used.

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Conditions Continued

32. All glazing must at all times be maintained to the satisfaction of the Responsible Authority.
33. All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.

Permit expiry

34. This permit will expire if:
 - 34.1. The development or any stage of it does not start within two (2) years of the date of this permit; or
 - 34.2. The development or any stage of it is not completed within four (4) years of the date of this permit.

Before the permit expires or within six (6) months afterwards the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.

The owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date to complete the development or a stage of the development if:

- (a) the request for the extension is made within twelve (12) months after the permit expires; and
- (b) the development or stage started lawfully before the permit expired.

Permit Notes

- Flood assessment for the development of the site has already been undertaken in conjunction with the flood assessment for the subdivision of the site. The property is subject to flooding from Melbourne Water's Edithvale Road Main Drain (DR1110) underground stormwater pipeline from storm events that exceed the capacity of the underground drainage system. The 1% AEP flood levels vary across the site from 22.13 metres to Australian Height Datum (AHD) down to 20.9 metres to AHD.
- It is noted that the 'Development Plan Overlay' over the property has already created plans for construction of the subject 47 no.s dwellings and associated works, and a Storm water Management Plan recently approved by Melbourne Water (Nov/Dec 2021) is in place for managing runoff of the entire development plan area.
- The property is identified to be subject to flooding in major rain events. An application for Report and Consent for Flooding is required. Asset Management Team is to be contacted to confirm the minimum finished floor level (FFL) of the proposed development.
- A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.
- Approval of any retention system within the property boundary is required by the relevant building surveyor.

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Conditions Continued

- Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.
- A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings. You may be required to apply for a Asset Protection Permit from Council's engineering services. Queries regarding engineering requirements can be directed to Council's general phone number on 8571 1000.
- No buildings or works shall be constructed over any easement without the written consent of the relevant authorities.
- This permit has been granted on the basis that consent to build over any easement will be obtained from the relevant authority. If consent is not able to be obtained, the development plan will be required to be amended.
- An application must be made with Council's Parks Department for the street tree removal. The street tree must only be removed by or under the supervision of the Council. Prior to removal of the tree the replacement cost must be paid to Council.

Note: An amendment does not extend the validity of this permit. The expiry of this permit is based on the original issue date shown at the bottom of this permit, not the date this permit was amended.

End of Permit Conditions



Signature for the responsible authority: _____

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A of Part 4 of the Planning and Environment Act 1987

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from -
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if -
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if -
 - the use does not start within the time specified in the permit, or if no time is specified, within two years of the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision -
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in such case, no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.