

PLANNING PERMIT

Permit No.:	PA2201986
Planning scheme:	Greater Dandenong Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	58 Princes Highway, Dandenong

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
32.07-2	Construct two or more dwellings on a lot
52.06-3	Reduce the number of car parking spaces

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Approved and endorsed plans – changes required

2. Before the development starts, excluding demolition, bulk excavation and site preparation works, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the plans prepared by John Anthony Garofalo, dated 23 October 2023 but amended to show:
 - a. the balcony of apartment 2/7 and apartment 3/8 setback a minimum of 2.5 metres from the north-western boundary
 - b. the balcony of apartment 12 setback a minimum of 2.5 metres from the south-eastern boundary.
 - c. reduce the use of render by utilising a replacement façade material such as brick.
 - d. storage dimensioned in cubic metres in accordance with Standard B44 (Storage) of Clause 55.04.
 - e. demonstrate the location of all domestic and building services (including heating and cooling systems) and ensure that they are visually integrated into the design of the building and/or appropriately positioned or screened from street view. Airconditioning condenser units must not be located on balconies.
 - f. remove reference to gas meters.

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- g. include a note that all accessible dwellings have hobless (step free) showers in accordance with Standard B42 (Accessibility Objective).
- h. demonstrate compliance with Standard B22 (Overlooking) of Clause 55.04-6 by:
 - i. showing the height of all screening to habitable room windows on the north-east elevation at 1.7 metres above floor level;
 - ii. provide details of the proposed screening to ensure a maximum 25% opening and permanent fixture; and
 - iii. provide sections for screening of Level 3 balconies on the north-eastern elevation.
- i. replace all existing doors that open inwards in the circulation area with sliding doors for accessibility in accordance with Standard B42 (Accessibility Objective) of Clause 55.04-1.
- j. any changes as required by the environmentally sustainable design, landscaping and waste management conditions below.

Layout not Altered

- 3. The development as shown on the endorsed plans must not be altered (unless the Greater Dandenong Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

Landscape Plan

- 4. Concurrent with the endorsement of plans, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must be generally in accordance with the plan prepared by John Patrick dated 18 October 2023 but amended to show:
 - a. Details of landscaping for the communal open space on Level 3
- 5. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the Greater Dandenong City Council.

Tree Protection

- 6. Before the development starts, including demolition, excavation and site preparation works, a Tree Protection Management Plan (TPMP) must be submitted to and approved by Greater Dandenong City Council generally in accordance with the Arborist Plan prepared by Graeme Lewis, Stem Arboriculture referenced on the landscape plan. The TPMP include recommendations to ensure the viability of existing trees adjacent to the site during and after construction, to the satisfaction of Greater Dandenong City Council.
- 7. All trees identified for protection in the endorsed TPMP are to be protected and maintained in accordance with the recommendations of the report, to the satisfaction of Greater Dandenong City Council.
- 8. Tree Protection Fencing must be installed and maintained until works are completed, to the satisfaction of Greater Dandenong City Council.

Sustainability and Water Sensitive Urban Design

- 9. Concurrent with the endorsement of plans, an amended environmentally sustainable design assessment must be approved and endorsed by the responsible authority. The amended SDA must be generally in accordance with the Sustainable Design Assessment prepared by Northern Environmental Design dated 5 April 2023 but modified to:
 - a. All changes required under condition 1 of this permit to ensure the SMP accurately reflects the endorsed plans.
 - b. Include revised NatHERS ratings that demonstrate dwellings do not exceed a cooling load of 21mj/m² to satisfy Standard B35.

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- c. Include an amended BESS assessment with:
- i. Management Credit 2.2
 - ii. Updated energy section based on the revised energy rating (NatHERS) assessment.

The recommendations of the approved ESD report must be implemented to the satisfaction of the Greater Dandenong City Council.

Waste Management Plan

10. Concurrent with the endorsement of plans, a Waste Management Plan (WMP) generally in accordance with the WMP prepared by Northern Environmental Design dated 25 October 2023 must be approved and endorsed by the Greater Dandenong City Council. The approved WMP must be provided to each occupier and any owners corporation management company, to ensure appropriate implementation.

Car Stacker

11. Detailed design and engineering specifications for the car stacker, including the model and height, length and width of platforms, must be provided to the Greater Dandenong City Council and be to the council's satisfaction.

Civil Engineering Conditions

12. Provision must be made for the drainage of the development including landscaped and paved areas, all to the satisfaction of Greater Dandenong City Council.
13. The connection of the internal drainage infrastructure to the Legal Point of Discharge must be to the satisfaction of Greater Dandenong City Council.
14. Access to the site must be constructed to Greater Dandenong City Council Standard SD306 and all to the satisfaction of the council.

Commencement

15. This permit will operate from the issued date of this permit.

Expiry

16. This permit will expire if one of the following applies:
- a. The development is not started 2 years of the date of this permit.
 - b. The development is not completed within 4 years of the date of this permit.

The responsible authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

Notes

- (This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the permit holder must apply for and obtain appropriate building approval from a Registered Building Surveyor.
- The permit holder/owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the permit holder/owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.
- Nothing in this planning permit or any plans or documents approved in accordance with the conditions of this permit should be taken to imply that the development meets the requirements of the Building Act 1993 and its regulations.

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- This planning permit does not represent the approval of departments of Greater Dandenong City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this planning permit.
- A drainage plan approval fee is to be paid to Greater Dandenong City Council prior to the issue of approved drainage plans. Please contact the Civil Development department at council for the current schedule of fees.
- Any works undertaken within the road reservation and easements will require a Civil Works Permit from Greater Dandenong City Council.
- Prior to works commencing the permit holder/owner will need to obtain an Asset Protection Permit from Greater Dandenong City Council.

Date issued: 14 February 2024 **Signature for the responsible authority:**

A handwritten signature in black ink, appearing to be 'C. Ph' or similar, written over a faint signature line.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

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 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 five 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 after 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, in which 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.

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