

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2101071-1
Planning scheme:	Greater Dandenong Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	15 King Street Dandenong

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
32.07-2	Use the land for community care accommodation.
32.07-6	Construct a front fence within 3 metres of street, exceeding 1.2 metres in height and associated with a residential building.
32.07-9	Construct a building, construct and carry out works associated with a Section 2 Use (community care accommodation).

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

1. Before the development starts, excluding demolition, bulk excavation and site preparation works, amended plans must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with the plans prepared by GO Design Drafting & Project Management, dated 26 March 2025 Revision 4, but modified to show:
 - a. The finished floor level at the ground floor to be a minimum of 31.35m AHD.
 - b. The external ground level to be a minimum of 31.05m AHD.
 - c. The height of retaining walls to be no higher than the existing ground level of adjoining properties.
 - d. Longitudinal sections of entrance ramp, identifying relevant design levels, grades, transition, and headroom clearance.
 - e. Mailboxes relocated to be convenient for access for postal deliveries, and of a durable and weather-protected design.

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- f. Details of the services box, including dimensions, colour, and design, and to be no higher than the front fence.
- g. Openable foyer and lobby windows.
- h. Openable windows to all habitable rooms on the eastern and western elevations.
- i. East-facing second and third floor windows identified on site plans.
- j. All balconies and windows to meet the requirements of Standard B22 of Clause 55. This may require screening in accordance with the standard, or the provision of sight-line analysis confirming that no unreasonable overlooking into surrounding secluded private open space or habitable room windows.
- k. Elevation plans to annotate "MT1 metal arches" as being no more than 25% transparent where relied upon for screening to limit overlooking in accordance with Standard B22 of Clause 55.
- l. Front fence setback a minimum distance of 1m from the southern boundary.
- m. Floor-to-ceiling heights including minimum clearance to hallways and bathrooms, ensuring that at least 50% of the dwellings meet the requirements of Standard B42 of Clause 55.
- n. Internal storage areas to comply with the requirements of B44 of Clause 55, with storage dimensions accurately shown on plans.
- o. Details and location of all building plant and equipment, including air conditioning equipment, lift overrun, and plant machinery associated with the car stackers, ensuring all plant is located to minimise amenity impacts. Airconditioning condenser units must not be located on balconies.
- p. Nominated uses connected to the 10kL rainwater tank.
- q. The kW capacity of the rooftop solar PV array.
- r. Any changes as required by the environmentally sustainable design, tree protection, waste management, and traffic and car parking conditions below.
- s. Height of overlooking screens applies to north facing balconies reduced to 1.7 metres.
- t. Remove references to gas appliances and metres.
- u. Location of hot water heat pumps identified.
- v. Notation added to confirm rainwater tank is connected for flushing of all toilets.
- w. Notation added to confirm retention of existing colorbond fencing along western site boundary.
- x. Unit 101 west-facing bathroom window shown as obscured glazing or alternative suitable overlooking treatment.
- y. Outdoor lighting along entrance pathway and at building entrance.
- z. Level 2 floor plan to show skylight provided to Unit 201, bedroom 2.



Endorsed Plans

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Materials and Finishes

5. Concurrent with the endorsement of plans, a materials and finishes schedule must be submitted to and approved by the Responsible Authority. The schedule must:
 - a. Illustrate the location and type of all external materials and finishes in colour and at an appropriate scale (typically 1:50).
 - b. Be accompanied by photos of the samples of all materials and finishes with clear coding linking back to the elevations.

All materials and finishes must be in accordance with the schedule to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design

6. Concurrent with the endorsement of plans, an amended Sustainability Management Plan (SMP) prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The amended SMP must be generally in accordance with the SMP prepared by Low Impact Development Consulting and dated 21 March 2025, but modified to address:
 - a. All changes required under condition 1 of this permit to ensure the SMP accurately reflects the endorsed plans.
 - b. Capacity of the rainwater tank to be shown as 10,000L in the SMP and BESS water section.
 - c. Total number of bike parking spaces to be shown as 12 in the SMP and BESS transport section.
 - d. Full energy rating assessment of all dwellings in the development, to achieve minimum rating of 7 stars, with a target of 8 stars.
 - e. BESS assessment updated to include selection of management credit 2.2 and revised energy section that included the updated energy rating score, consistent with the updated NatHERS rating.
7. The performance outcomes specified in the endorsed SMP must be implemented prior to occupancy at no cost to the Responsible Authority. Any change during detailed design, which prevents or alters the attainment of the performance outcomes specified in the endorsed SMP, must be documented by the author of the endorsed SMP in an addendum to this report, which must be provided to the satisfaction of the Responsible Authority prior to the commencement of construction.

Waste Management Plan

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8. Concurrent with the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to and approved by the Responsible Authority. The WMP must be generally in accordance with the WMP prepared by Low Impact Development Consulting, dated 21 March 2025, but modified to show:
 - a. All changes required under condition 1 of this permit to ensure the WMP reflects the endorsed plans.
9. Waste storage and collection must be undertaken in accordance with the endorsed WMP. Waste storage and collection arrangements must not be altered without the written consent of the Responsible Authority.

Acoustic Report

10. Concurrent with the endorsement of plans, an acoustic report prepared by a suitably qualified consultant must be submitted to and approved by the Responsible Authority. The acoustic report must confirm that habitable rooms which adjoin the lift core have been designed to limit internal noise levels to a maximum of 45dB in accordance with relevant Australian Standards. Acoustic measures for the development must be in accordance with the acoustic report, to the satisfaction of the Responsible Authority.

Green Travel Plan

11. Concurrent with the endorsement of plans, a Green Travel Plan (GTP) prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The recommendations of the GTP for the development must be implemented at no cost to the Responsible Authority. The endorsed GTP must not be altered without the written consent of the Responsible Authority.

Traffic and Car Parking

12. Concurrent with the endorsement of plans, an amended traffic management report must be submitted to and approved by the Responsible Authority in consultation with Greater Dandenong City Council. The traffic management report must be generally in accordance with the report prepared by Red Square Traffic dated 6 February 2025, but modified to show:
 - a. All changes required under condition 1 of this permit to ensure compliance with Clause 52.06-9 of the Greater Dandenong Planning Scheme.
 - b. Swept path diagrams demonstrating vehicles can enter and exit the site in a forward direction.
13. Car parking and traffic management must be in accordance with the traffic management report, to the satisfaction of the Responsible Authority.

Landscape Plans

14. Before the development starts, excluding demolition, bulk excavation or site preparation works, an amended landscape plan prepared by a suitably qualified landscape architect must be submitted to and approved by the Responsible Authority in consultation with Greater Dandenong City Council. The plans must be generally in accordance with the plans prepared by Go Design & Project Management, Revision 3, dated 28 February 2025, but modified to show:

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- a. Location of tree protection zones and tree protection fencing as outlined within the Aborigicultural Impact Assessment report prepared by TMC Reports, dated 18 March 2025, including a notation that all recommendations of the tree protection management plan are to be carried out to the satisfaction of Greater Dandenong City Council.
 - b. The extent and location of any cut, fill, embankments or retaining walls.
 - c. A minimum of 5% of the site area to be deep soil and available for canopy tree planting in accordance with Clause 55.07-4 of the Greater Dandenong Planning Scheme.
 - d. Provision of at least one 'Type A' canopy tree in accordance with Clause 55.07-4 of the Greater Dandenong Planning Scheme.
 - e. Provision of at least one substantial canopy tree within each ground level secluded private open space area. In areas where deep soil planting is not possible, trees should be planted in planter boxes in accordance with the requirements of Clause 55.07-4 of the Greater Dandenong Planning Scheme.
 - f. Provision of screening vegetation opposite any secluded private open space and habitable room windows of adjoining dwellings to the east and west. Screening must consist of semi-mature specimens at least 1.5m in height when planted and reach a minimum height of 3m at maturity.
 - g. Provision of screening trees within the apartment G01 courtyard. Trees must be semi-mature specimens at least 1m in height when planted and reach a minimum height of 2m at maturity.
15. Landscaping must be implemented in accordance with the landscape plan to the satisfaction of the Responsible Authority.

Tree Protection

16. 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. The TPMP must be prepared by a suitably qualified arborist and 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.
17. 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.
18. Tree Protection Fencing must be installed and maintained until works are completed, to the satisfaction of Greater Dandenong City Council.
19. Before the development is occupied, a written statement from the Project Arborist must be submitted to Greater Dandenong City Council certifying that the following items have been addressed as part of the works:
 - a. Establishment of correct placement and installation of tree protection fencing.
 - b. Attendance by a suitably qualified Arborist during Tree Protection Zone incursions.
 - c. Adherence to Australian Standard 4970–2009 Protection of trees on development sites.

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- d. Adherence to Australian Standard AS 4373 – 2007 Pruning of Amenity Trees.

Street Levels and Crossovers

20. Before the development is occupied, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings demolished and the footpath, kerb and channel reconstructed in accordance with plans and specifications approved by the Greater Dandenong City Council.
21. Access to the site and any associated roadwork must be constructed to Council Standard SD306, all to the satisfaction of the Greater Dandenong City Council. The on-street parking bay line marking is to be removed/replaced to Council standard and satisfaction.

Drainage

22. Before the development starts, excluding demolition, excavation and site preparation works, a stormwater drainage system incorporating integrated water management design principles must be submitted to and approved by Greater Dandenong City Council. The stormwater drainage system must include a flood protection structure located across ramp to the basement, and be constructed before the occupation of the development and provision made to connect this system to Greater Dandenong City Council's stormwater drainage system.
23. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of Greater Dandenong City Council.
24. The connection of the internal drainage infrastructure to the Legal Point of Discharge must be to the satisfaction of Greater Dandenong City Council.
25. Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the legal point of discharge letter. Approval of drainage plan including any retention system within the property boundary is required all to the satisfaction of Greater Dandenong City Council.

Services

26. All building plant and equipment on roofs and public thoroughfares must be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery and equipment, including but not limited to all air-conditioning equipment, ducts, flues, all exhausts including car parking and communications equipment shall be to the satisfaction of the Responsible Authority.

Permit Expiry

27. This permit will expire if:
- a. The development is not commenced within two years of the date of this permit.
 - b. The development is not completed within four years of the date of this permit.

Pursuant to Section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend:

- c. The commencement date referred to if a request is made in writing before the permit expires or within six months afterwards.
- d. The completion date referred to if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.



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THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date 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
4 July 2025	<p>Use of the land amended to community care accommodation and various amendments to the plans, reducing the overall number of units to 11, including:</p> <ul style="list-style-type: none">• Various changes to internal layout.• Various changes to building setbacks.• Building height increased by 350mm and changes to various floor levels.• Various changes to external materials.• Metal screening added to northern balconies.• Car stackers deleted and car parking provision reduced from 14 to 6 spaces.• Front fence height increased to 1.88 metres and setback 1 metres from street frontage. <p>Associated amendments to permit conditions including:</p> <ul style="list-style-type: none">• Deletion of conditions 1 (i), (j) and 25.• Amendments to previous conditions 6(c), 23.• Addition of new conditions 1(s-z), 6(d-e), 21, 23.	Minister for Planning	Section 75

THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:

Date of extension	Period of extension	Commence date	Completion date
14 March 2024	2 years	7 March 2026	7 March 2028

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Notes:

- An application for Report and Consent for Flooding is required. The City of Greater Dandenong's Asset Management Team is to be contacted to confirm the minimum finished floor level (FFL) of the proposed development.
- A flood dispensation is to be obtained prior to issue of building Permit.
- A drainage plan approval fee is to be paid to Council prior to the issue of approved drainage plans. Please contact the Civil Development department for the current schedule of fees.
- An Asset Protection Permit is required from Greater Dandenong City Council.
- A Vehicle Crossing Permit is required from Greater Dandenong City Council.
- Removal and reinstatement of line marking for on-street parking will be required as part of the relocation of vehicle crossing.
- Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Greater Dandenong City Council.

A handwritten signature in black ink, appearing to be 'GHS', is written over a horizontal line.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

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 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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