

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P468/2022
PERMIT APPLICATION NO. TPA/52640

CATCHWORDS

Section 77 *Planning and Environment Act 1987* - student accommodation - General Residential Zone Schedule 6 (Monash National Employment and Innovation Cluster and Clayton Activity Centre) - neighbourhood character - landscaping and tree retention – use of car stackers

APPLICANT	3 Irwin Pty Ltd
RESPONSIBLE AUTHORITY	Monash City Council
SUBJECT LAND	3 Irwin Street CLAYTON VIC 3168
DATE OF ORDER	19 January 2023
CITATION	3 Irwin Pty Ltd v Monash CC [2023] VCAT 57

ORDER

AMEND PERMIT APPLICATION

- 1 Pursuant to clause 64 of Schedule 1 of the *Victorian Civil & Administrative Tribunal Act 1998*, the permit application is amended by substituting for the permit application plans, the following plans filed with the Tribunal:
 - Prepared by: MEZZ Architecture
 - Drawing numbers: A00.00, A0.01, A0.02, A0.03, A1.01, A1.11, A1.12, A1.13, A1.14, A2.01, A3.01, A0.11, A0.12, A0.13, Revision J
 - Dated: 19 September 2022

GRANTING PERMIT

- 1 The decision of the Responsible Authority is set aside.
- 2 In permit application TPA/52640 a permit is granted and directed to be issued for the land at 3 Irwin Street, Clayton in accordance with the endorsed plans and on the conditions set out in Appendix A. The permit allows:
 - Use and development of a residential building for the purpose of student accommodation;
 - construction of a front fence: and



- reduction in the standard car parking requirements.

Jeanette G Rickards
Senior Member

APPEARANCES

For applicant	Mr L Rigoni, Town Planner, Terrain Consulting Group
For responsible authority	Mr D De Giovanni, Town Planner

INFORMATION

Description of proposal	Use and development of a residential building for the purpose of student accommodation, construction of a front fence and a reduction in the standard car parking requirements.
Nature of proceeding	Application under section 77 of the <i>Planning and Environment Act 1987</i> – to review the refusal to grant a permit.
Planning scheme	Monash
Zone and overlays	General Residential Zone, Schedule 6 (Monash National Employment and Innovation Cluster and Clayton Activity Centre)
Permit requirements	Clause 32.08-2 – use land for accommodation (residential building) Clause 32.08-9 – to construct a building construct or carry out works associated with a Section 2 use in the General Residential Zone Clause 52.06-3 – reduction in the standard car parking requirements
Relevant scheme policies and provisions	Clause 15.01-1S – Urban Design, Clause 15.01-2S – Building Design, Clause 15.01-4R – Healthy Neighbourhoods – Metropolitan Melbourne, Clause 15.01-5S – Neighbourhood Character, Clause 15.02-1S – Energy and Resource Efficiency, Clause 16.01-1S – Housing Supply, Clause 16.01-1R – Housing Supply – Metropolitan Melbourne, Clause 16.01-2S – Housing Affordability, Clause 18.02-2S – Public Transport, Clause 21.01-1 – Municipal Profile, Clause 21.04 – Residential Development, Clause 21.08- Transport and



Traffic, Clause 22.01- Residential Development and Neighbourhood Character Policy, Clause 22.04 – Stormwater Management Policy, Clause 22.05 – Tree Conservation Policy, Clause 22.10 – Student Accommodation Policy, Clause 22.13 0 Environmentally Sustainable Development Policy, Clause 52.06 – Car Parking, Clause 52.34 – Bicycle Facilities, Clause 55 – Two or more Dwellings on a Lot and Residential Buildings, Clause 65 – General Decision Guidelines.

Land description

The subject site is located on the western side of Irwin Street, approximately 50m south of the intersection with Wellington Road.

The site is rectangular with front/rear boundary widths of 16.39m and side boundary lengths of 41.11m. The site has a combined land area of 657.1sqm.

The site falls from the rear (north) down to the frontage (south). The northwest corner is the highest corner with an RL of 88.72m and the south-east corner is the lowest corner with an RL of 87.85m. This represents a fall of approximately 0.87m across the site (2.2 percent).

A single storey brick dwelling with pitched tiled roof is currently located on the site. A driveway is located along the southern side boundary.

Abutting the site to the north is a single storey dwelling at 1 Irwin Street. This dwelling has its 'blind-side' facing the subject site to the south. This property has two trees identified as trees 5 and 6 located in the backyard area that overhang the review site.

Abutting the site to the south is a dwelling at 5 Irwin Street. This brick dwelling has a 1980's first floor addition. The first floor is well recessed from the ground level. This property has its driveway facing the review site.

Abutting the site to the west (rear) is a medium density housing development comprising two dwellings in a tandem arrangement at 4 Parker Street. The rear-most dwelling belongs to the

objector (2/4 Parker Street). This dwelling is two storey and has a large courtyard to its north that also faces the review site.

Located opposite the site to the east is a medium density housing development on a consolidated allotment at 2 – 4 Irwin Street. A single driveway leads to a basement garage that provides parking for all six dwellings. The dwellings are two storey.¹

Tribunal inspection

28 November 2022

¹ Extract from submission by Responsible Authority.

REASONS²

- 1 This is an application for review of the decision of Monash City Council (the Council) to refuse to grant a permit for the ‘use and development of a residential building for student accommodation, the construction of a front fence and a reduction in the standard car parking requirements’ on 3 Irwin Street, Clayton.
- 2 The Council’s nine grounds of refusal relate to neighbourhood character, landscaping, and tree retention; height, scale, and visual bulk; amenity impacts; and car parking.

Proposal

- 3 It is proposed to develop the subject land with a three storey building to be used for student accommodation with a total of 23 rooms, 5 car spaces and parking for 12 bicycles in a secure area.
- 4 The existing crossover is to be re-positioned leading to a double garage setback 7.0m from the site frontage, providing parking for 5 vehicles in a car stacker arrangement.
- 5 At ground level, the building comprises an entrance and central hallway (with stairs) that leads to 7 rooms, each with kitchenette, amenities and capacity for a single bed, study desk and couch. There is a communal lounge area to the rear that opens onto a communal outdoor area. A communal bin storage and bicycle storage area is located along the northern side of the building.
- 6 At first floor level, the building comprises a hallway (with stairs), and a further ten rooms. At second floor level, the building comprises a hallway (stairs) and a further six rooms. Each room is provided with a kitchenette, amenities and capacity for a single bed, study desk and couch.
- 7 There are no walls located on the boundaries. The overall development height is 9.45m (south elevation), with a site coverage of 52.0%, a permeable area of 41.20% and garden area of 41.10 %.
- 8 The building is contemporary in design with rectangular forms at ground and first floor level and an angled roof form at second floor level. The proposed building materials include grey brickwork, various cladding finishes, various renders, and aluminium windows and features.
- 9 The site contains the following four (4) trees:
 - Liquidambar styraciflua (American Sweet Gum) – Tree 1 at 10m x 9m.
 - Prunus cerasifera ‘Nigra’ (Flowering cherry) – Tree 2 at 5m x 5m.
 - Malus domestica (common apple) – Tree 3 at 4m x 4m.

² The submissions and evidence of the parties, any supporting exhibits given at the hearing, and the statements of grounds filed; have all been considered in the determination of the proceeding. In accordance with the practice of the Tribunal, not all of this material will be cited or referred to in these reasons.



- *Pittosporum undulatum* (sweet pittosporum) – Tree 4 at 8m x 9m.

10 It is proposed to remove all four trees from the site.

Planning provisions

- 11 The subject site is located within the General Residential Zone, Schedule 6 (Monash National Employment and Innovation Cluster and Clayton Activity Centre) (GRZ6).
- 12 GRZ6 provides the following five (5) neighbourhood character objectives:
- To facilitate housing diversity in the form of units, townhouses and apartment developments of high quality design and finish.
 - To provide an interface between the Clayton Activity Centre, the Monash Employment and Innovation Cluster, the housing growth area and the lower scale surrounding garden city suburban areas.
 - To encourage development that respects sensitive residential interfaces and minimises building mass and visual bulk in the streetscape through landscaping in the front setback and breaks and recesses in the built form.
 - To promote the preferred garden city character by minimising hard paving throughout the site by limiting the length and width of accessways and limiting paving within open space areas.
 - To ensure developments are constructed within an open garden setting through the retention and planting of vegetation, including canopy trees.

Neighbourhood character

- 13 The Council submitted it is supportive in principle of the use of the land for student accommodation given the proximity of the site to Monash University. The locational attributes of the site are reflected in the Student Accommodation Policy that identifies this area as a ‘preferred location’ for student accommodation. Irwin Street sits directly opposite the main entrance to Monash University.
- 14 The Council submitted the proposal is inconsistent with the Residential Development Policy at clauses 21.04 and 22.01 of the Monash Planning Scheme as it fails to achieve architectural and urban design outcomes that positively contribute to the neighbourhood character having regard to the future character for the area.

The Clayton Activity Centre and the cluster more broadly are expected to experience major redevelopment, as one of the key areas for employment growth within Melbourne. As such, the core of the activity centre and the cluster are anticipated to accommodate growth and more diverse housing needs. This area also forms an interface to the surrounding garden city suburbs. New development should provide a transition between these areas.



New housing will generally comprise multi dwelling developments such as units and, where appropriate, low rise apartments. Front and rear setbacks will be less than those preferred in the garden city areas, however, will still provide the opportunity for landscaping. Landscaping and open space within developments will remain an important feature for this character area. Canopy trees within developments and separation between buildings will provide visual and environmental amenity for occupants and the residents of existing dwellings. New developments will be designed and constructed to a high standard, ensuring they provide a positive architectural impact.

- 15 The Council submitted the proposed development would adversely affect the residential character of the area. Residential growth is directed under clause 22.01 to the Monash National Employment Cluster in which the site is located. As stated above, this area is expected to experience major redevelopment and as such accommodate more diverse housing needs.
- 16 One of the objectives of GRZ6 is to facilitate housing diversity, including apartment buildings with the local policy seeking to also include meeting the accommodation needs of students.
- 17 I note there are several apartment buildings³ and existing dwellings currently used for student accommodation near the subject site, including the purpose built Mannix College in Parker Street and a recently approved three storey residential building at 2 Parker Street⁴. As highlighted above the site has convenient access to public transport as well as to the Monash University Clayton Campus.

Built form

- 18 The Council submitted the proposal is inconsistent with the Student Accommodation Policy at clause 22.10 of the Monash Planning Scheme as it fails to ensure that the height, scale, and form of development respects any sensitive residential interfaces and minimises the appearance of visual bulk.
- 19 The Council submitted the proposal does not adequately satisfy the objectives and design standards of clause 55 in relation to neighbourhood character, site layout and building massing, setbacks, amenity impacts, private open space provision, front fencing, and detailed design.
- 20 GRZ6 seeks ‘to encourage development that respects sensitive residential interfaces and minimises building mass and visual bulk in the streetscape through landscaping in the front setback and breaks and recesses in the built form’.
- 21 Given the subject site is located within GRZ6 it is expected that there will be some higher built form as highlighted above. It is expected that ‘the scale of new residential development will generally comprise larger

³ 2-4 Irwin Street and 2-4 Arnott Street

⁴ 2 Parker Street Pty Ltd v Monash CC (2020) VCAT 1095



footprint apartment development of a high-quality design and finish'. Although it is expected that 'setbacks from all boundaries will be less than is common in other parts of Monash', the proposed development is set back from all boundaries enabling the incorporation of landscaping as sought in clause 22.01.

- 22 As described by the applicant the building adopts the following ground floor, first floor and second floor setbacks:

Ground floor:

- 6.0m - 7.015m to Irwin Street;
- 2.04m - 5.04m to the north (side) boundary;
- 4.04m - 9.09m to the rear boundary; and
- 1.24m - 2.04m to the south (side) boundary.

First floor:

- 6.45m - 8.215m to Irwin Street;
- 2.04m - 5.04m to the north (side) boundary;
- 4.04m - 9.09m to the rear boundary; and
- 2.04m to the south (side) boundary.

Second floor:

- 9.5m – 12.72m to Irwin Street;
- 3.075m - 6.075m to the north (side) boundary;
- 6.0m - 13.6m to the rear boundary; and
- 3.425m to 5.025m to the south (side) boundary.

- 23 Clause 22.10 provides that 'the provision of student accommodation, particularly in predominately residential areas, does not justify the development of buildings that have a greater built form, massing or scale than what would be accepted for any other form of development on the site'.
- 24 The proposed building is three storeys with a maximum height of 9.45m which is well below the expected maximum height under GRZ6 of 11m. The building is to be setback from each boundary and importantly 6.0m-7.0m from Irwin Street commensurate with adjoining properties. It is noted that a minimum front setback of 4.0m is suggested for this area. The increased front setback allows for the provision of landscaping to contribute to the Garden Suburban character sought to be enhanced by the Council.
- 25 The built form presents as two storey; with the third storey setback from the street frontage providing articulation to the building. This is also assisted using a variety of materials including brick, timber, metal cladding and render.



- 26 It is considered that the setbacks, as well as the recessed upper level, the articulated facades, and a central recess along the south elevation, as well as a recess at the north west corner will reduce the visual impact of the proposed building when viewed from adjoining properties.
- 27 In relation to the provisions of clause 55, the proposed site coverage of 52% satisfies Standard B8 of clause 55.03-3 which prescribes a maximum site coverage of 60%. The site permeability of 41.2% satisfies Standard B9 of clause 55.03-4 that requires a minimum permeability of 20% and the width of the proposed crossover is 18% of the frontage which complies with Standard B14 of clause 55.03-9 that allows for a maximum width of 40%. Compliance with these provisions suggests the proposed development will sit comfortably within the streetscape and will not be an incongruous built form in terms of scale and building mass.

Landscaping

- 28 The Council submits the proposal is inconsistent with the Tree Conservation Policy at clause 22.05 of the Monash Planning Scheme with respect to tree retention and landscaping opportunities.
- 29 Four trees are located on the subject site. All four trees are proposed to be removed. There was no issue with the removal of three of the trees. Council however submitted; Tree 1 an American Sweet Gum located at the front of the site with an overall height of 10m should be retained.
- 30 Council referred to GRZ6 which seeks to 'ensure developments are constructed within an open garden setting through the retention and planting of vegetation, including canopy trees. It also seeks 'to promote the preferred garden city character by minimising hard paving throughout the site by limiting the length and width of accessways and limiting paving within open space areas.
- 31 Mr Withers an Arboriculturist provided evidence in relation to the retention of the American Sweet Gum. In his view, the tree should be removed. He considered that the damage identifiable along the driveway, as well as the front porch, had been caused by the roots of Tree 1.
- 32 Mr Patrick a Landscape Architect provided a landscape plan which in his view would contribute to the garden city character sought in GRZ6. The landscape plan proposes seven trees to a height of between 6m and 12m, a variety of shrubs and ground cover including a screening hedge along both side boundaries.
- 33 Whilst it is expected that development within GRZ6 will provide a transition to the surrounding garden city suburbs, the subject site is not located at the edge of the zone but rather within its midst, resulting in little need to provide for any transition. However, the proposed landscaping by Mr Patrick will in my view make a significant contribution to the underlying garden city character of the area.



- 34 I agree with the comments of Mr Patrick and see no reason why an additional path should be required from the northern boundary across the front of the site purportedly to take bins to the front of the street. This is an unnecessary impact on the proposed planting within the front garden. There is no need for the efficient movement of waste bins when a path to the street along the northern boundary is already proposed.

Amenity impacts

- 35 The Council submits the proposed development would have a detrimental impact on future development of the area. The Council considered the proposal an overdevelopment with a poor design outcome for the site and the area.
- 36 Clause 22.10 indicates a building used for student accommodation should provide at a minimum 24sqm for self-contained accommodation including a sleeping area, study area with desk and seating, ensuite facilities, independent heating and cooling, inbuilt cupboards for storage of personal items, internet access; and for self-contained units, individual kitchen facilities.
- 37 The proposal is compliant with the requirements of clause 22.10. It is designed with the future student residents in mind. Providing for appropriate self-contained accommodation expected in clause 22.10. A total of 90.9m² of secluded open space is provided at the rear of the building comprising 61.7m² at the northwest corner and 29.2m² at the south west corner.
- 38 I agree with the applicant that although the total area of communal open space falls just short of the 92m² referred to in the policy the required dimensions are satisfied, and the area is continuous, usable and partially covered suitable for outdoor use.
- 39 The setbacks of the building from all boundaries, the provision of landscaping at the front and rear as well as along the boundaries, the screening of windows or the use of highlight windows will ensure that there are minimal amenity impacts to adjoining properties.
- 40 I do not consider there is any impediment to future development on adjoining properties as the building setbacks to all boundaries will ensure there is sufficient separation.

Car parking

- 41 The Council submits the proposal fails to adequately address the car parking and vehicle access requirements contained in Clause 52.06 of the Monash Planning Scheme. It submitted the car parking arrangement and reduction sought does not satisfy purpose points 5 and 6 of Clause 52.06 that seek:

- To ensure that car parking does not adversely affect the amenity of the locality.



- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.
- 42 Clause 22.10 provides that car spaces should be provided on site at rates of:
- Min. 0.3 car spaces per bed for sites located within Preferred Locations.
 - Min. 0.4 car spaces per bed for sites located outside Preferred Locations.
- 43 It is proposed to provide 5 car parking spaces contained within a car stacker arrangement. The Council was critical of the use of a car stacker submitting as a result all vehicles will not be able to exit the site in a forward direction.
- 44 One of the criteria for the preferred location for student accommodation is 'within 1500m of a tertiary institution'. The subject site meets this criteria being located within proximity to Monash University. It is proposed to provide twenty three beds which would equate to 6.9 car spaces (rounded down to the nearest whole number). As the provision of five car spaces falls one short of this requirement a reduction is required pursuant to clause 52.06-3.
- 45 Clause 22.10 also indicates that bicycle parking spaces should be provided at a rate of 1 bicycle space for every 2 students (11.5). This requirement is well met with the provision of 12 bicycle spaces.
- 46 The existing crossover is to be slightly repositioned. This ensures the street tree at the front of the property is not impacted and the number of crossovers to the proposed development is minimized enabling landscaping in the front setback.
- 47 Residential properties within the area do not tend to exit in a forward direction. The small number of vehicles, five, within the car stacker is unlikely to result in any impact to vehicle traffic within the street if vehicles do not exit the site in a forward direction. Only one vehicle can exit at a time from the car stacker ensuring that only one vehicle at a time will leave the property. Irwin Street is a local street which carries a low level of traffic.
- 48 I take no issue with the use of a car stacker as this will be used only by residents of the student accommodation. Car spaces will be allocated ensuring that each vehicle owner will be familiar with the operation of the car stacker.
- 49 I accept the evidence of Mr Young that the vehicular access arrangements and car parking layout are suitably designed, and the traffic generated by the proposal can be accommodated by the surrounding road network.
- 50 Due to the proximity to Monash University, it is expected that the student residents in the proposed accommodation will not necessarily use their cars to access the university but rather only use vehicles for employment or



recreational purposes resulting in the parking demand being relatively static. The location is well serviced by Public Transport enabling travel to surrounding areas without the need to rely upon a vehicle. Parking within Irwin Street is restricted to 1/2P Monday to Friday which would accommodate visitors out of these hours. Parking permits are also available through the Council.

- 51 On the assessment of Mr Young based on other student accommodation and the usage of vehicles the reduction of one vehicle space is considered appropriate.
- 52 In relation to waste collection, Mr Young indicated this would be done by a private collector, with bins being transported to and from the bin storage area to the awaiting truck on the allocated collection day.

Conclusion

- 53 Given the location of the subject site to Monash University it is considered appropriate that the proposal for a residential building to contain student accommodation be permitted. Clause 22.01 identifies there is a need for a variation of dwelling types to accommodate students and this proposal will meet that requirement.
- 54 For the above reasons the decision of the Responsible Authority is set aside and a permit is granted subject to appropriate conditions.

Jeanette G Rickards
Senior Member



APPENDIX A – PERMIT CONDITIONS

PERMIT APPLICATION NO:	TPA/52640
LAND:	3 Irwin Street, Clayton

WHAT THE PERMIT ALLOWS

In accordance with the endorsed plans:

- Use and development of a residential building for the purpose of student accommodation;
- construction of a front fence; and
- a reduction in the standard car parking requirements.

CONDITIONS:

- 1 Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. The submitted plans must clearly delineate and highlight any changes. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans prepared by MEZZ Architecture dated 19/09/22 Revision J but modified to show:
 - a) Tree protection measures in accordance with the arborist report to protect trees on adjoining properties.
 - b) Any notes in the Sustainability Design Assessment referred to in Condition 3.
- 2 The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 3 A sustainability design assessment that accords with Clause 22.13.
- 4 A landscape plan generally in accordance with the plan prepared by John Patrick and Associates dated 21/10/2022, to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works but modified to show:
 - (a) Deletion of the path from the northern boundary across the front of the site and replaced with landscaping.
- 5 Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.



- 6 No more than 23 students must reside at the premises at any one time.
- 7 The nature strip tree must be protected by temporary rectangular wire fencing as per Australian Standards erected prior to commencement of works until completion.
- 8 The amenity of the area must not be detrimentally affected by the use or development, through the:
 - a) transport of materials, goods or commodities to or from the land;
 - b) appearance of any building, works or materials;
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) presence of vermin.
- 9 Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site. The Waste Management Plan shall provide for:
 - a) The method of collection of garbage and recyclables for uses;
 - b) Designation of methods of collection including the need to provide for private services or utilisation of council services;
 - c) Appropriate areas of bin storage on site and areas for bin storage on collection days;
 - d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;
 - e) Litter management.A copy of this plan must be submitted to and approved by the Responsible Authority.
- 10 No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.
- 11 Adequate provision shall be made for the storage and collection of garbage and other solid wastes and these facilities are to be located on the site to the satisfaction of the Responsible Authority.
- 12 Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
 - a) measures to control noise, dust and water runoff;
 - b) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
 - c) the location of where building materials are to be kept during construction;



- d) site security;
 - e) maintenance of safe movements of vehicles to and from the site during the construction phase;
 - f) on-site parking of vehicles associated with construction of the development;
 - g) wash down areas for trucks and vehicles associated with construction activities;
 - h) cleaning and maintaining surrounding road surfaces;
 - i) a requirement that construction works must only be carried out during the following hours:
 - Monday to Friday (inclusive) – 7.00am to 6.00pm;
 - Saturday – 9.00am to 1.00pm;
 - Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)
- 13 No person may reside in the building unless that person is a bona fide student or academic whether part time, full time, short term or resides there in a supervisory, management or caretaker capacity.
- 14 Car parking spaces are only permitted to be used by the occupants of the units and their visitors.
- 15 Car spaces must not be individually subdivided, on-sold or leased to any other person other than an owner or occupant of the premises.
- 16 Residents of the units will be entitled to no more than two car parking permits for on-street car parking.
- 17 Prior to the commencement of the use a Site Management Plan concerning the student accommodation prepared to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority. The plan should detail but not be limited to:
- (a) Student accommodation units are to be managed and remain under the control of a single operator responsible for the operation and maintenance of the entire premises.
 - (b) Induction on the operation and use of the car stackers must be undertaken by all persons allocated a car stacker.
 - (c) The contact details of the management of the premises displayed in a manner and location that it is visible to any person entering the site. This information is to be updated as required immediately following any change to the nominated responsible contact person.
 - (d) After hours contact details for management of the facility.
 - (e) Management of the car park including access arrangements.
 - (f) Maintenance of buildings and grounds, including all landscaped areas.



When approved, the Site Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority.

- 18 The proposed vehicle crossing is to be constructed in accordance with the Monash City Council standards.
- 19 The mechanical car stacker is to be maintained in a good working order and be permanently available for the parking of vehicles in accordance with their purpose, to the satisfaction of the Responsible Authority.
- 20 No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.
- 21 All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.
- 22 The private on-site drainage system must prevent stormwater discharge from the/each driveway over the footpath and into the road reserve. The internal drainage system may include either:
 - a trench grate (minimum internal width of 150 mm) located within the property boundary and not the back of footpath; and/or
 - shaping the internal driveway so that stormwater is collected in grated pits within the property; and or
 - another Council approved equivalent.
- 23 All stormwater collected on the site is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to drainage works commencing.
- 24 Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 25 This permit will expire in accordance with section 68 of the Planning and Environment Act 1987, if one of the following circumstances applies:
 - The development is not started before 2 years from the date of issue.
 - The development is not completed before 4 years from the date of issue.
 - The use is not commenced within 2 years of completion of development.

In accordance with section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not



yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

- End of conditions -

