

PLANNING PERMIT TPA/46581

DRAFT CONDITIONS:

Permit Citation

The development of a four storey apartment building, containing 82 dwellings, alteration (removal) of access to a road zone and removal of existing easements ("G" & "P" on TP876809V)

Proposed 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. 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 submitted with the application, but modified to show:

- a) Removal of horizontal lines on side street elevations to better address local character. Replace with a massing expression that responds to the rhythm and proportions of neighbouring detached dwellings, through vertical lines that break up the width of the interface.
- b) Increase the number of entrances onto the street on the ground floor, providing direct access from the street to apartments G.01-G.14.
- c) The treatment of landscape areas within the street setback modified to better distinguish public landscape from private space. Retaining walls within the Huntingdale Road frontage should be setback a minimum of 3m from the western boundary. Any fencing (including dividing fences) within the Huntingdale Road frontage should be setback a minimum of 5m from the western boundary and constructed a material to compliment the development (no timber paling fencing).
- d) Provide light and ventilation to all corridors within common property through a more straitened corridor alignment.
- e) Apartment G.04 and G.11, 1.04 and 1.11, 2.04 and 2.11 – mirror the plan layout to place the balcony next to the entry and give improved privacy for the bedrooms.
- f) All balconies to have a minimum area of 10m² with a minimum dimension of 2m.
- g) The location of any required heating and cooling units. Where the heating and cooling units are proposed on balconies, an additional balcony area of not less the 1.5m² is to be provided.
- h) Deep soil planting areas in accordance with the requirements of Standard B38 of ResCode.
- i) Provision of double glazing or acoustic glazing to all habitable room windows along the Huntingdale Road frontage (western elevation).
- j) Compliance with accessibility requirements of Standard B41 of ResCode.
- k) The internal dimensions of all bedroom and living areas in compliance with Standard B46 of ResCode including additional area to accommodate a wardrobe.
- l) The depth of rooms in compliance with Standard B47 of ResCode.
- m) Solar access to bedrooms windows in compliance with Standard B48 of ResCode.

- n) A detailed schedule of all materials and finishes including samples, coloured elevations and perspectives.
- o) The location and design of any required fire services, electricity supply, gas and water meter boxes discreetly located and/or screened to compliment the development.

All to the satisfaction of the responsible authority.

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 4. Prior to the commencement of any works, use and development and for the usage of the land to be changed for a sensitive use (Residential) permitted by this permit for the land:
 - (a) A preliminary site assessment of the land must be conducted by a suitably qualified professional appointed as an environmental auditor under the Environment Protection Act 1970 at the cost of the permit holder.
 - (b) A report setting out the findings of the preliminary site assessment, to the satisfaction of the Responsible Authority, must be submitted to the Responsible Authority.
- 5. If the Responsible Authority, having regard to the preliminary site assessment, considers that further assessment of potential contamination is required:
 - (a) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or
 - (b) An environmental auditor appointed under the Environment Protection Act 1970 must make a Statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Three copies of the Certificate of Environmental Audit or the Statement of Environmental Audit and the audit area plan must be submitted to the Responsible Authority.

- 6. The development and/or use allowed by this permit must strictly comply with the directions and conditions of the Environment Protection Act 1970 and, if one has been prepared, with the conditions on the Certificate or Statement of Environmental Audit.
- 7. In the event that a Statement has been prepared pursuant to condition 5 of this permit, a Section 173 Agreement under the Planning and Environment Act 1987 must be entered into between the owner of the Land and the Responsible Authority at the full cost of the owner and prior to the occupation of any dwelling on the Land.

8. Prior to the use of the land permitted by this permit, issue of a Certificate of Occupancy under the Building Act 1993 and certification/issue of a statement of compliance under the Subdivision Act 1988 a letter must be submitted to Council prepared by an Environmental Auditor appointed by the Environment Protection Authority under the Environment Protection Act 1970 to verify that the conditions attached to any Statement of Environmental Audit issued for the Land pursuant to this permit have been satisfied.

A copy of the certificate or statement of Environmental Audit issued for the land must be provided to each owner, under a covering letter which draws attention to any conditions or directions on the Certificate or Statement of Environmental Audit.

9. 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.
10. 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.
11. 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 Council for approval. Once approved the Waste Management Plan will be endorsed to form part of this permit.

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.)

Once approved the plan will be endorsed to form part of this permit.

- 13. 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.
- 14. Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1
- 15. A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-
 - a) the location of all existing trees and other vegetation to be retained on site
 - b) provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development
 - c) planting to soften the appearance of hard surface areas such as driveways and other paved areas
 - d) a schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material
 - e) the location and details of all fencing
 - f) the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site
 - g) details of all proposed hard surface materials including pathways, patio or decked areas

When approved the plan will be endorsed and will then form part of the permit.

- 16. 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.

17. Concurrent with the endorsement of any plans, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. The report must include, but is not limited to, the following:
- a) Demonstration of how 'best practice' sustainability measures have been addressed, having regard to the relevant aspects of Clause 21.13 of the Planning Scheme.
 - b) Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards.
 - c) Document the means by which the appropriate target or performance is to be achieved.
 - d) Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.
 - e) Demonstrate that the design elements, technologies and operational practices that comprise the SMP can be maintained over time.
 - f) Any relevant requirements of the Condition 1 sub-clauses hereof.

All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority. No alterations to the endorsed Sustainable Management Plan may occur without written consent of the Responsible Authority and (to the extent material and necessary) any relevant flow-on changes to the design response must be also incorporated into the endorsed architectural plans.

18. Prior to the occupation any of the dwellings approved under this permit, a report from the author of the endorsed Sustainable Management Plan (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 (in relation to those relevant completed dwellings ready for occupation) all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.
19. Before the development permitted is completed, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
- a) constructed to the satisfaction of the Responsible Authority;
 - b) properly formed to such levels that they can be used in accordance with the plans;
 - c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;
 - d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;
 - e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times.

20. The development must be provided with a corner splay or area at least 50% clear of visual obstruction (or with a height of less than 1.2m) extending at least 2.0 metre long x 2.5 metres deep (within the property) on both sides of each vehicle crossing to provide a clear view of pedestrian on the footpath of the frontage road.
21. On-site visitor parking spaces are required to be clearly marked.
22. The car park layout of the development shall generally follow the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme to the satisfaction of the Responsible Authority.
23. 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.
24. 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.
25. 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. Further information regarding the design of the on-site detention system is provided in the notes section of this permit.
26. The nominated point of stormwater connection for the site is to the south-west corner of the property where the entire site's stormwater must be collected and free drained via a pipe to the Council pit in the naturestrip outside Ross Street to be constructed to Council Standards. (A new pit is to be constructed to Council Standards if a pit does not exist, is in poor condition or is not a Council standard pit). Note: If the point of connection cannot be located then notify Council's Engineering Department immediately.
27. All new vehicle crossings must be a minimum of 3.0 metres in width and constructed in accordance with Council standards.
28. The existing redundant crossings are to be removed and replaced with kerb and channel to the satisfaction of the responsible authority.
29. Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.

30. A new 2.44 metre wide drainage easement is to be created at the time of subdivision in favour of the Monash City Council along the eastern boundary to protect Council's drainage assets.
31. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council pits and these works are to be inspected by Council's Engineering Department. A refundable security deposit of \$1,000 is to be paid prior to the drainage works commencing.
32. Expiry of permit:
In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire 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.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 three months afterwards.

NOTES:

1. Building approval must be obtained prior to the commencement of the above approved works.
2. Building permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.
3. The lot/unit numbers on the "Endorsed Plan" are not to be used as the official street address of the property. Street numbering is allocated in accordance with Australian/New Zealand Standards 4819:2001- Rural and Urban Addressing. Any street addressing enquiries should be directed to Council's Valuation Team on 9518 3615 or 9518 3210.
4. Consultation should take place with Council respect of the removal of the vehicular crossing and reinstatement works.
5. Detention system requirements for above property are as follows:-
 - Minimum storage = 33.37 m³
 - Maximum discharge rate = 32.24 l/s
 - Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.
6. One copy of the plans for the drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.

7. An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity. (EN7)
8. A Licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier's registration number must be included on the certificate.(EN8)
9. Tree planting should be kept clear of the drainage easement.