



PROPOSED
Minutes of the Planning and Related Matters Meeting

Held on Wednesday 23 March 2022

The Mayor opened the meeting at 7.03 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

Present	Time In	Time Out
Cr Mark Riley, Mayor	7.03 pm	9.19 pm
Cr Lambros Tapinos, Deputy Mayor	Apology	
Cr Adam Pulford	Apology	
Cr Angelica Panopoulos	7.03 pm	9.19 pm
Cr Annalivia Carli Hannan	Absent	
Cr Helen Davidson	7.03 pm	9.19 pm
Cr Helen Pavlidis	Apology	
Cr James Conlan	7.03 pm	9.19 pm
Cr Oscar Yildiz JP	7.03 pm	9.19 pm
Cr Sue Bolton	7.03 pm	9.19 pm

APOLOGIES/LEAVE OF ABSENCE

Cr Tapinos and Cr Pavlidis were apologies to the meeting.
Cr Carli Hannan was absent from the meeting.
Cr Pulford was an apology to the meeting due to technical difficulties.

OFFICERS

Director Place and Environment – Joseph Tabacco
Group Manager City Development – Phil Priest
Planning Coordinator – Kylie Sullivan
Planning Coordinator – Esha Rahman
Manager Governance and Strategy – Yvonne Callanan
Unit Manager Governance – Troy Delia
Team Leader Governance – Naomi Ellis

DISCLOSURES OF CONFLICTS OF INTEREST

Nil

MINUTE CONFIRMATION

Resolution

Cr Conlan moved, Cr Bolton seconded -

The minutes of the Planning and Related Matters Meeting held on 23 February 2022 be confirmed.

Carried

COUNCIL REPORTS

5.1 5-9 BRUNSWICK ROAD, BRUNSWICK EAST - PLANNING APPLICATION MPS/2019/546



Property:	5-9 Brunswick Road, BRUNSWICK EAST VIC 3057			
Proposal:	Construction of a multi-storey mixed use building with associated basement car parking containing office and food and drink premise, use of the land for dwellings, reduction of the statutory car parking requirements and alteration to access in a Transport Zone 2			
Zoning and Overlay/s:	<ul style="list-style-type: none"> Commercial 1 Zone Design and Development Overlay Schedule 22 Parking Overlay Schedule 1 Environmental Audit Overlay Development Contributions Plan Overlay 			
Strategic setting:	Minimal housing growth	Incremental housing growth	Increased house densities encouraged	Significant housing growth
Objections:	34 objections, who raised the following key issues: <ul style="list-style-type: none"> Amenity impacts (loss of daylight, overshadowing and overlooking) Car parking and traffic impacts Visual bulk and setbacks 			
Planning Information and Discussion (PID) Meeting:	<ul style="list-style-type: none"> Date: 8 February 2022 Attendees: 6 objectors, the applicant and 2 Council officers. No changes were agreed to, however the meeting provided an opportunity for the objectors concerns to be discussed and helped inform the preparation of this report 			
ESD:	<ul style="list-style-type: none"> BESS score of 60% Minimum average NatHERS rating of 6.7 stars 			

Key reasons for support	<ul style="list-style-type: none"> • High quality architectural response. • External amenity impacts adequately managed • Good standard of amenity for future residents • Adheres to the guidance offered by the previous VCAT decision
Recommendation:	Notice of Decision to Grant a Planning Permit be issued for the proposal.

Officer Recommendation

That a Notice of Decision to Grant a Planning Permit No. MPS/2019/546 be issued for the construction of a multi-storey mixed use building with associated basement car parking containing office and food and drink premise, use of the land for dwellings, reduction of the statutory car parking requirements and alteration to access in a Transport Zone 2 at 5-9 Brunswick Road, BRUNSWICK EAST VIC 3057, subject to the following conditions:

Amended Plans

1. Before the development commences, 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 plans must be drawn to scale with dimensions and must be generally in accordance with the plans advertised 17 November 2021 but modified to show:
 - a) Screening to the eastern side of the balcony of Apartments 502 and 601 to avoid direct views into habitable room windows and private open space of existing dwellings in accordance with Standard D14 (Building Setback) at Clause 58.04-1. The screening should be to 1.7 metres above finished floor level and use vertical louvres with 45 degree tilt and be no more than 25 per cent permeable.
 - b) A screen diagram drawn at a scale of 1:50 which must include:
 - i. All dimensions, including the width of slats and the gap between slats.
 - ii. All side screens
 - iii. How compliance is achieved with the standard of Clause 55.04-6 (overlooking) of the Moreland Planning Scheme.
 - c) Deletion of the balcony on the eastern side of Apartment 103, to create a non-trafficable roof to ensure there is a minimum 3.0 metre boundary setback.
 - d) The deletion of the sliding door to Apartment 103, bedrooms as a consequence of condition 1c.
 - e) Details of screening to the balconies to limit internal views in accordance with Standard D15 (Internal Views) and Condition 1b.
 - f) At least 20 per cent of the bicycle parking devices designed to park bicycles horizontally (ie 1.8m long) in accordance with the Australian Standard for Bicycle Parking (AS2890.3).
 - g) Each bicycle parking devices dimensioned with all spaces 500mm wide and the horizontal and vertical bicycle spaces 1800mm and 1200mm long respectively, with every space accessed from a 1500mm wide access aisle as required by the Australian Standard for Parking Facilities – Bicycle Parking (AS2890.3).
 - h) The lifts are large enough to easily accommodate two cyclists with bikes plus other passengers.
 - i) Any level difference between the development and the public footpath made up using ramps or steps within the site, and a note that the levels of the

footpath must not be altered.

- j) Modifications to the verandah/ canopy over the footpath on Brunswick Road so that it is setback minimum 750mm from the kerb and constructed at a height of minimum 3m above the level of the footpath.
- k) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 6 of this permit.
- l) Any changes to the plans arising from the:
 - i. Landscape Plan in accordance with Condition 3 of this permit.
 - ii. Accessibility Report in accordance with Condition 10 of this permit.
 - iii. Acoustic Report in accordance with Condition 12 of this permit.
 - iv. Waste Management Plan in accordance with Condition 15 of this permit.
- m) The crossover and driveway in accordance with condition 41 (Department of Transport) of this permit.

Compliance with Endorsed Plans

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.02-1 and 62.02-2 of the Moreland Planning Scheme unless specifically noted as a permit condition.

Landscaping

- 3. Prior to the endorsement of plans, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the plans advertised 6 May 2020 but amended to show:
 - a) Any changes required to align with the plans for endorsement.
 - b) The *Corymbia ficifolia* on the roof terrace replaced with *Gleditsia tricanthos* or a similar species.
 - c) A schedule that identifies the size of the canopy cover of proposed trees, climbers, planters, green roofs or green facades to satisfy Standard D10 of Clause 58.03-5.
 - d) Details of all planter boxes, above basement planting areas, green walls, rooftop gardens and similar, including:
 - i. Soil volume sufficient for the proposed vegetation
 - ii. Soil mix
 - iii. Drainage design
 - iv. Details of an automatic irrigation system, including maintenance program and responsibility for maintenance.

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

- 4. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works, including installation of automatic irrigation, must be completed in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.
- 5. All landscaping and irrigation systems must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design (ESD)

6. Prior to the endorsement of plans, 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 plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans received 27/09/2021 by SBE Version 8 but modified to show:
 - a) Amend the BESS report (and any other corresponding documentation to BESS IEQ Ventilation 2.1 to match the changes to operable windows required by Condition 6c-ii.
 - b) A STORM report and stormwater management response that maintains a minimum STORM score of 100 per cent but is modified so that:
 - i. Water tank reliability is a minimum of 80 per cent
 - ii. The water tank size is updated in STORM, the SMP, BESS and on the plans.
 - iii. An updated WSUD plan using the roof plan including balconies and roof gardens, not the ground floor plan.
 - iv. Information on how the stormwater collected from trafficable areas will be filtered so it is suitable to be used for toilet flushing.
 - c) Show the following ESD initiatives on the development plans:
 - i. Clearly draw and label the individual solar panels to show the 30KW system can fit without overshadowing.
 - ii. Additional operable living area windows for Apt. 104, 203, 204, 303, 304, 403, 404, 501, 504 and 506 to be improve cross ventilation.
 - iii. The correctly sized tank and any changes required by Condition 6b.
 - iv. Details on how the stormwater collected from trafficable areas will be filtered so it is suitable to be used for toilet flushing with the equipment to be clearly drawn and labelled on the plans.
 - v. Annotate the EV carparks.
 - vi. Details and the location of the composting system on the roof.
 - vii. Location of all the taps and floor waste to all balconies and courtyards.

Where alternative ESD initiatives are proposed to those specified in the conditions above, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the amended Sustainability Management Plan and associated notated plans will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

7. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the development must be constructed in accordance with the Sustainable Design Assessment (including any BESS and STORM reports and NatHERS Ratings) to the satisfaction of the Responsible Authority.
8. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Sustainability Management Plan (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 (with documented evidence) that all measures specified in the SMP have been implemented in

accordance with the approved plan.

9. All stormwater treatment devices (e.g. raingardens, rainwater tanks etc.) must be maintained to the satisfaction of the Responsible Authority to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainability Management Plan.

Accessibility

10. Prior to the endorsement of plans, an Accessibility Report prepared by a suitably qualified person must be submitted to the satisfaction of the Responsible Authority. The report must:

- a) Align with the plans for endorsement
- b) Detail how the development will incorporate design features in accordance with Standard D17 (Accessibility) of Clause 58 of the Moreland Planning Scheme, including the detailed design of the adaptable bathrooms (e.g. confirmation of hobless showers and removable hinges to doors).

When submitted and approved to the satisfaction of the Responsible Authority, the Accessibility Report will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority. The recommendations of the report must be implemented to the satisfaction of the Responsible Authority prior to the occupation of the development.

11. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Accessibility Report, 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 specified in the Accessibility Report have been implemented in accordance with the approved report.

Acoustic Attenuation

12. Prior to the endorsement of plans, an Acoustic Report prepared by a qualified Acoustic Engineer must be submitted to the satisfaction of the Responsible Authority. The Report must:

- a) Align with the plans for endorsement.
- b) Recommendations of acoustic attenuation measures to be incorporated into the proposed development to minimise the impact of noise from the lift on the adjoining bedrooms.
- c) Recommendations of acoustic attenuation measures incorporated into the proposed development to minimise the impact of noise from adjoining businesses and traffic on the dwellings.

When submitted and approved to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit. No alterations to the Acoustic Report may occur without the written consent of the Responsible Authority.

13. The building must be constructed and thereafter maintained in accordance with the recommendations contained within the approved Acoustic Report to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
14. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Acoustic Report 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 specified in the Acoustic Report have been implemented in accordance with the approved Acoustic Report.

Waste Management

15. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority. The plan must be generally in accordance with the report advertised 6 May 2020 but modified to:

- a) Align with the plans for endorsement

When submitted and approved to the satisfaction of the Responsible Authority, the WMP will be endorsed to form part of this permit. No alterations to the WMP may occur without the written consent of the Responsible Authority.

16. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

Environmental Audit

17. Before the construction or carrying out of buildings and works, or where no buildings and works are proposed, prior to the commencement of the permitted use or the issue of a statement of compliance under the *Subdivision Act 1988* (whichever is earlier), the owner(s) must provide:

- a) a preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* stating that an environmental audit is not required for the use or, if this permit authorises the construction or carrying out of buildings or works, is not required for the use for which the buildings or works are constructed or carried out; or

- b) an environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out; or

- c) an environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out, if the recommendations made in the statement are complied with.

18. Where an environmental audit statement is issued for the land, and any recommendation of that environmental audit statement requires any maintenance and/or monitoring of an ongoing nature, the Responsible Authority may require the Owner(s) to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* that provides for the undertaking of the ongoing maintenance and/or monitoring as required by the environmental audit statement.
19. Where a Section 173 Agreement is required, the Agreement must be executed prior to the commencement of the permitted use, the issue of an Occupancy Permit under the *Building Act 1993* or the issue of a Statement of Compliance under the *Subdivision Act 1988* (whichever occurs first). All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by the Responsible Authority, must be met by the Owner(s).
20. Prior to any remediation works (if required) being undertaken in association with the environmental audit, a 'remediation works' plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must detail all excavation works as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed in the approved remediation works plan are permitted to be carried out prior to the issue of an environmental audit statement.
21. No works to construct the development hereby approved shall be carried out on the

land and no building contract to construct the development hereby approved may be entered into, other than in accordance with a building contract that stipulates that works must not be commenced until such time as Conditions 17, 18 and 19 of this permit are satisfied.

22. Prior to commencement of the use, the issue of an Occupancy Permit under the *Building Act 1993* or the issue of a Statement of Compliance under the *Subdivision Act 1988* (whichever occurs first), written confirmation of compliance with all the recommendations of the environmental audit statement must be provided by an environmental auditor appointed under the *Environment Protection Act 2017*, including confirming that any requirements in the environmental audit statement recommendations regarding verification of works have been complied with. All the recommendations of the environmental audit statement must be complied with to the satisfaction of the Responsible Authority.

3D model

23. Prior to the commencement of the development, a 3D digital model of the approved development which is compatible for use on Council's Virtual Moreland tools and software for Council and community must be submitted to the satisfaction of the Responsible Authority. The model should be prepared in accordance with Moreland City Council's 3D model submission guidelines. A copy of the 3D model submission guidelines and further information on the Virtual Moreland Project can be found at <https://www.moreland.vic.gov.au/planning-building/3D-Guidelines/>. In the event that substantial modifications to the building envelope are approved under an amendment to this planning permit, a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority.

Development Contributions

24. Prior to the issue of a Building Permit in relation to the development approved by this permit, a Development Infrastructure Levy must be paid to Moreland City Council in accordance with the approved Development Contributions Plan. The Development Infrastructure Levy is charged per 100 square metres of leasable floor space.

If an application for subdivision of the land in accordance with the development approved by this permit is submitted to Council, payment of the Development Infrastructure Levy can be delayed to a date being whichever is the sooner of the following:

- a) a maximum of 12 months from the date of issue of the Building Permit; or
- b) prior to the issue of a Statement of Compliance for the subdivision;

When a staged subdivision is sought, the Development Infrastructure Levy must be paid prior to the issue of a Statement of Compliance for each stage of subdivision in accordance with a Schedule of Development Contributions approved as part of the subdivision.

Public Works Plan

25. Prior to the commencement of the development, a Public Works Plan and associated construction drawing specifications detailing the works to the land along Holmes Street directly in front of the site must be submitted to the satisfaction of the Responsible Authority. The Plan must include:
 - a) All construction details in accordance with the Moreland City Council Technical Notes July 2019 (or any updated version).
 - b) A detailed level and feature survey of the footpaths and roads.
 - c) The upgrade of the footpath adjacent to the site. Public footpaths are to be reinstated to the previous levels with a maximum cross fall slope of 1 in 40 (2.5 per cent).

- d) Any Council or service authority pole or pit within 1 metre of the proposed vehicle crossing, including the splays on the crossings, relocated or modified.
- e) For any vehicle crossing not being used, the kerb, channel and footpath reinstated in accordance with condition 24 of this permit
- f) Any necessary parking signs, in consultation with the Responsible Authority.
- g) Any necessary drainage works.
- h) The installation of bike hoops in consultation with the Responsible Authority.
- i) The provision of four *Waterhousia floribunda* street trees in tree pits along the Brunswick Road frontage in appropriate locations in consultation with the Responsible Authority (Open Space Department).
- j) Any other works to the public land adjacent to the development.

When submitted and approved to the satisfaction of the Responsible Authority, the Public Works Plan will be endorsed to form part of the permit. No alterations to the Public Works Plan may occur without the written consent of the Responsible Authority.

26. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all public works shown on the endorsed public works plan must be implemented to the satisfaction of the Responsible Authority at the expense of the owner of the land, unless otherwise agreed with prior written consent of the Responsible Authority

Engineering Matters

27. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, any existing vehicle crossing not to be used in this use or development must be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority (Moreland City Council, City Infrastructure Department).
28. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, access to the site, any vehicle crossover and any ancillary road and road drainage works must be constructed in accordance with any requirement of the Responsible Authority (Moreland City Council, City Infrastructure Department).
29. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.
30. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the car park entry gate must be automatic and remote controlled.
31. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the Responsible Authority. Bicycle signage should be at least 0.3 metres wide and 0.45 metres high; display a white bicycle on a blue background on the top half of the sign and display information about the direction of facilities on the bottom half of the sign.

Stormwater

32. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority (Note: Please contact Moreland City Council, City Infrastructure Department)

33. The surface of all balconies are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.
34. Stormwater from the land must not be directed to the surface of the right-of-way to the satisfaction of the Responsible Authority.

Car Parking

35. The area set aside for the parking of vehicles and access lanes shown on the endorsed plan must, to the satisfaction of the Responsible Authority:
 - a) Be completed prior to issue of an Occupancy Permit or issue of a Statement of Compliance, whichever occurs first.
 - b) Be maintained.
 - c) Be properly formed to such levels that it can be used according to the endorsed plan.
 - d) Have the boundaries of all vehicle parking spaces clearly marked on the ground to accord with the endorsed plan.
 - e) Not be used for any other purpose other than the parking of vehicles, unless with the prior written consent of the Responsible Authority.
 - f) Be numbered to facilitate management of the car park.

General

36. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.
37. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views. This does not include external guttering or associated rainwater down pipes.
38. The shopfront window must not be painted or blocked out in any way to the satisfaction of the Responsible Authority.
39. All lighting of external areas must be designed not to emit direct light onto adjoining property to the satisfaction of the Responsible Authority.

Privacy screens to be installed and maintained

40. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all visual screening measures shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.

Department of Transport Conditions

41. The crossover and driveway is to be constructed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved.
42. All access to and from the site must be restricted to left in-left out movements only.

Permit Expiry

43. This permit will expire if one of the following circumstances applies:
 - a) the development is not commenced within three (3) years from the date of issue of this permit;
 - b) the development is not completed within five (5) years from the date of issue of

this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- within six months after the permit expires to extend the commencement date.
- within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

Notes: These notes are for information only and do not constitute part of this notice of decision or conditions of this notice of decision.

Note 1: This permit contains a condition requiring payment of Development Contributions. The applicable development contribution levies are indexed annually. To calculate the approximate once off levy amount, please visit <http://www.moreland.vic.gov.au/planning-building/> and click on '[Moreland Development Contributions Plan \(DCP\)](#)'. Alternatively, please contact Moreland City Council on 9240 1111 and ask to speak to the DCP Officer.

Note 2: Should Council impose car parking restrictions in this street, the owners and/or occupiers of the dwellings would not be eligible for resident parking permits to park on the street. Occupiers are eligible for the resident A parking permit which only permits parking in limited areas. The resident parking permits and Resident A parking permit are subject to future reviews and change. See Council's website for more information: <https://www.moreland.vic.gov.au/parking-roads/parking-permits/residential-parking-permits/>

Note 3: Moreland City Council is committed to increasing the amount of affordable housing in the municipality. One way to do this, is through Homes for Homes, a social enterprise founded by the Big Issue that aims to raise new funds via voluntary tax-deductible donations on property transactions and invest those funds in building and managing new social and affordable dwellings. If you would like to help build homes for those in need, visit [Homes for Homes](#) and register your commitment to donate 0.1 per cent of the sale price of your dwelling(s).

Note 4: Separate consent may be required for construction works within the road reserve associated with this Planning Permit under the *Road Management Act 2004*. Please contact the Department prior to commencing any works.

Note 5: Contact needs to be made with CitiPower to determine whether CitiPower will require the power lines to be relocated away from the dwellings.

Note 6: Environmental Audit Notes

- i. A copy of the Certificate or Statement of Environmental Audit, including the complete Environmental Audit Report must be submitted to the Responsible Authority within 5 business days of issue, in accordance with Section 210 of the *Environment Protection Act 2017* (Vic).
- ii. Where a Statement of Environmental Audit is issued for the land a copy of that Statement must be provided to any person who proposes to become an occupier of the land, pursuant to Section 53ZE of the *Environment Protection Act 1970*.

The land owner and all its successors in title or transferees must, upon release for private sale of any part of the land, include in the Vendor's Statement pursuant to Section 32 of the *Sale of Land Act 1962*, a copy of the Certificate or Statement of Environmental Audit including a copy of any cover letter.

7.33 pm Mayor, Cr Riley adjourned the meeting due to technical difficulties.

7.41 pm Mayor, Cr Riley resumed the meeting.

7.44 pm Cr Conlan left the meeting.

7.46 pm Cr Conlan returned to the meeting.

Resolution

Cr Conlan moved, Cr Panopoulos seconded -

That a Notice of Decision to Grant a Planning Permit No. MPS/2019/546 be issued for the construction of a multi-storey mixed use building with associated basement car parking containing office and food and drink premise, use of the land for dwellings, reduction of the statutory car parking requirements and alteration to access in a Transport Zone 2 at 5-9 Brunswick Road, BRUNSWICK EAST VIC 3057, subject to the following conditions:

Amended Plans

1. Before the development commences, 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 plans must be drawn to scale with dimensions and must be generally in accordance with the plans advertised 17 November 2021 but modified to show:
 - a) Screening to the eastern side of the balcony of Apartments 502 and 601 to avoid direct views into habitable room windows and private open space of existing dwellings in accordance with Standard D14 (Building Setback) at Clause 58.04-1. The screening should be to 1.7 metres above finished floor level and use vertical louvres with 45 degree tilt and be no more than 25 per cent permeable.
 - b) A screen diagram drawn at a scale of 1:50 which must include:
 - i. All dimensions, including the width of slats and the gap between slats.
 - ii. All side screens
 - iii. How compliance is achieved with the standard of Clause 55.04-6 (overlooking) of the Moreland Planning Scheme.
 - iv. The screening on the west side of the rooftop terrace increased in height to 1.9m above the finished floor level.
 - c) Deletion of the balcony on the eastern side of Apartment 103, to create a non-trafficable roof to ensure there is a minimum 3.0 metre boundary setback.
 - d) The deletion of the sliding door to Apartment 103, bedrooms as a consequence of condition 1c.
 - e) Details of screening to the balconies to limit internal views in accordance with Standard D15 (Internal Views) and Condition 1b.
 - f) At least 20 per cent of the bicycle parking devices designed to park bicycles horizontally (ie 1.8m long) in accordance with the Australian Standard for Bicycle Parking (AS2890.3).
 - g) Each bicycle parking devices dimensioned with all spaces 500mm wide and the horizontal and vertical bicycle spaces 1800mm and 1200mm long respectively, with every space accessed from a 1500mm wide access aisle as required by the Australian Standard for Parking Facilities – Bicycle Parking (AS2890.3).
 - h) The lifts are large enough to easily accommodate two cyclists with bikes plus other passengers.
 - i) Any level difference between the development and the public footpath made up using ramps or steps within the site, and a note that the levels

of the footpath must not be altered.

- j) Modifications to the verandah/ canopy over the footpath on Brunswick Road so that it is setback minimum 750mm from the kerb and constructed at a height of minimum 3m above the level of the footpath.
- k) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 6 of this permit.
- l) Any changes to the plans arising from the:
 - i. Landscape Plan in accordance with Condition 3 of this permit.
 - ii. Accessibility Report in accordance with Condition 10 of this permit.
 - iii. Acoustic Report in accordance with Condition 12 of this permit.
 - iv. Waste Management Plan in accordance with Condition 15 of this permit.
- m) The crossover and driveway in accordance with condition 41 (Department of Transport) of this permit.

Compliance with Endorsed Plans

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.02-1 and 62.02-2 of the Moreland Planning Scheme unless specifically noted as a permit condition.

Landscaping

- 3. Prior to the endorsement of plans, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the plans advertised 6 May 2020 but amended to show:
 - a) Any changes required to align with the plans for endorsement.
 - b) The *Corymbia ficifolia* on the roof terrace replaced with *Gleditsia tricanthos* or a similar species.
 - c) A schedule that identifies the size of the canopy cover of proposed trees, climbers, planters, green roofs or green facades to satisfy Standard D10 of Clause 58.03-5.
 - d) Details of all planter boxes, above basement planting areas, green walls, rooftop gardens and similar, including:
 - i. Soil volume sufficient for the proposed vegetation
 - ii. Soil mix
 - iii. Drainage design
 - iv. Details of an automatic irrigation system, including maintenance program and responsibility for maintenance.

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

- 4. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works, including installation of automatic irrigation, must be completed in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.
- 5. All landscaping and irrigation systems must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable

species to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design (ESD)

6. Prior to the endorsement of plans, 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 plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans received 27/09/2021 by SBE Version 8 but modified to show:

- a) Amend the BESS report (and any other corresponding documentation to BESS IEQ Ventilation 2.1 to match the changes to operable windows required by Condition 6c-ii.
- b) A STORM report and stormwater management response that maintains a minimum STORM score of 100 per cent but is modified so that:
 - i. Water tank reliability is a minimum of 80 per cent
 - ii. The water tank size is updated in STORM, the SMP, BESS and on the plans.
 - iii. An updated WSUD plan using the roof plan including balconies and roof gardens, not the ground floor plan.
 - iv. Information on how the stormwater collected from trafficable areas will be filtered so it is suitable to be used for toilet flushing.
- c) Show the following ESD initiatives on the development plans:
 - i. Clearly draw and label the individual solar panels to show the 30KW system can fit without overshadowing.
 - ii. Additional operable living area windows for Apt. 104, 203, 204, 303, 304, 403, 404, 501, 504 and 506 to be improve cross ventilation.
 - iii. The correctly sized tank and any changes required by Condition 6b.
 - iv. Details on how the stormwater collected from trafficable areas will be filtered so it is suitable to be used for toilet flushing with the equipment to be clearly drawn and labelled on the plans.
 - v. Annotate the EV carparks.
 - vi. Details and the location of the composting system on the roof.
 - vii. Location of all the taps and floor waste to all balconies and courtyards.
- d) Provide updated preliminary NatHERS ratings assessments for all dwellings demonstrating a minimum 7.5 NatHERS star rating average.

Where alternative ESD initiatives are proposed to those specified in the conditions above, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the amended Sustainability Management Plan and associated notated plans will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

7. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the development must be constructed in accordance with the Sustainable Design Assessment (including any BESS and STORM reports and NatHERS Ratings) to the satisfaction of the Responsible Authority.

8. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Sustainability Management Plan (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 (with documented evidence) that all measures specified in the SMP have been implemented in accordance with the approved plan.
9. All stormwater treatment devices (e.g. raingardens, rainwater tanks etc.) must be maintained to the satisfaction of the Responsible Authority to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainability Management Plan.

Accessibility

10. Prior to the endorsement of plans, an Accessibility Report prepared by a suitably qualified person must be submitted to the satisfaction of the Responsible Authority. The report must:
 - a) Align with the plans for endorsement
 - b) Detail how the development will incorporate design features in accordance with Standard D17 (Accessibility) of Clause 58 of the Moreland Planning Scheme, including the detailed design of the adaptable bathrooms (e.g. confirmation of hobless showers and removable hinges to doors).

When submitted and approved to the satisfaction of the Responsible Authority, the Accessibility Report will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority. The recommendations of the report must be implemented to the satisfaction of the Responsible Authority prior to the occupation of the development.

11. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Accessibility Report, 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 specified in the Accessibility Report have been implemented in accordance with the approved report.

Acoustic Attenuation

12. Prior to the endorsement of plans, an Acoustic Report prepared by a qualified Acoustic Engineer must be submitted to the satisfaction of the Responsible Authority. The Report must:
 - a) Align with the plans for endorsement.
 - b) Recommendations of acoustic attenuation measures to be incorporated into the proposed development to minimise the impact of noise from the lift on the adjoining bedrooms.
 - c) Recommendations of acoustic attenuation measures incorporated into the proposed development to minimise the impact of noise from adjoining businesses and traffic on the dwellings.

When submitted and approved to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit. No alterations to the Acoustic Report may occur without the written consent of the Responsible Authority.

13. The building must be constructed and thereafter maintained in accordance with the recommendations contained within the approved Acoustic Report to

the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.

14. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Acoustic Report 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 specified in the Acoustic Report have been implemented in accordance with the approved Acoustic Report.

Waste Management

15. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority. The plan must be generally in accordance with the report advertised 6 May 2020 but modified to:

- a) Align with the plans for endorsement

When submitted and approved to the satisfaction of the Responsible Authority, the WMP will be endorsed to form part of this permit. No alterations to the WMP may occur without the written consent of the Responsible Authority.

16. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

Environmental Audit

17. Before the construction or carrying out of buildings and works, or where no buildings and works are proposed, prior to the commencement of the permitted use or the issue of a statement of compliance under the *Subdivision Act 1988* (whichever is earlier), the owner(s) must provide:

- a) a preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* stating that an environmental audit is not required for the use or, if this permit authorises the construction or carrying out of buildings or works, is not required for the use for which the buildings or works are constructed or carried out; or
- b) an environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out; or
- c) an environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out, if the recommendations made in the statement are complied with.

18. Where an environmental audit statement is issued for the land, and any recommendation of that environmental audit statement requires any maintenance and/or monitoring of an ongoing nature, the Responsible Authority may require the Owner(s) to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* that provides for the undertaking of the ongoing maintenance and/or monitoring as required by the environmental audit

statement.

19. Where a Section 173 Agreement is required, the Agreement must be executed prior to the commencement of the permitted use, the issue of an Occupancy Permit under the *Building Act 1993* or the issue of a Statement of Compliance under the *Subdivision Act 1988* (whichever occurs first). All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by the Responsible Authority, must be met by the Owner(s).
20. Prior to any remediation works (if required) being undertaken in association with the environmental audit, a 'remediation works' plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must detail all excavation works as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed in the approved remediation works plan are permitted to be carried out prior to the issue of an environmental audit statement.
21. No works to construct the development hereby approved shall be carried out on the land and no building contract to construct the development hereby approved may be entered into, other than in accordance with a building contract that stipulates that works must not be commenced until such time as Conditions 17, 18 and 19 of this permit are satisfied.
22. Prior to commencement of the use, the issue of an Occupancy Permit under the *Building Act 1993* or the issue of a Statement of Compliance under the *Subdivision Act 1988* (whichever occurs first), written confirmation of compliance with all the recommendations of the environmental audit statement must be provided by an environmental auditor appointed under the *Environment Protection Act 2017*, including confirming that any requirements in the environmental audit statement recommendations regarding verification of works have been complied with. All the recommendations of the environmental audit statement must be complied with to the satisfaction of the Responsible Authority.

3D model

23. Prior to the commencement of the development, a 3D digital model of the approved development which is compatible for use on Council's Virtual Moreland tools and software for Council and community must be submitted to the satisfaction of the Responsible Authority. The model should be prepared in accordance with Moreland City Council's 3D model submission guidelines. A copy of the 3D model submission guidelines and further information on the Virtual Moreland Project can be found at <https://www.moreland.vic.gov.au/planning-building/3D-Guidelines/>. In the event that substantial modifications to the building envelope are approved under an amendment to this planning permit, a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority.

Development Contributions

24. Prior to the issue of a Building Permit in relation to the development approved by this permit, a Development Infrastructure Levy must be paid to Moreland City Council in accordance with the approved Development Contributions Plan. The Development Infrastructure Levy is charged per 100 square metres of leasable floor space.

If an application for subdivision of the land in accordance with the development approved by this permit is submitted to Council, payment of the Development Infrastructure Levy can be delayed to a date being whichever is the sooner of the following:

- a) a maximum of 12 months from the date of issue of the Building Permit;
or
- b) prior to the issue of a Statement of Compliance for the subdivision;

When a staged subdivision is sought, the Development Infrastructure Levy must be paid prior to the issue of a Statement of Compliance for each stage of subdivision in accordance with a Schedule of Development Contributions approved as part of the subdivision.

Public Works Plan

25. Prior to the commencement of the development, a Public Works Plan and associated construction drawing specifications detailing the works to the land along Holmes Street directly in front of the site must be submitted to the satisfaction of the Responsible Authority. The Plan must include:
- a) All construction details in accordance with the Moreland City Council Technical Notes July 2019 (or any updated version).
 - b) A detailed level and feature survey of the footpaths and roads.
 - c) The upgrade of the footpath adjacent to the site. Public footpaths are to be reinstated to the previous levels with a maximum cross fall slope of 1 in 40 (2.5 per cent).
 - d) Any Council or service authority pole or pit within 1 metre of the proposed vehicle crossing, including the splays on the crossings, relocated or modified.
 - e) For any vehicle crossing not being used, the kerb, channel and footpath reinstated in accordance with condition 24 of this permit
 - f) Any necessary parking signs, in consultation with the Responsible Authority.
 - g) Any necessary drainage works.
 - h) The installation of 5 bike hoops in consultation with the Responsible Authority.
 - i) The provision of four *Waterhousia floribunda* street trees in tree pits along the Brunswick Road frontage in appropriate locations in consultation with the Responsible Authority (Open Space Department).
 - j) Any other works to the public land adjacent to the development.

When submitted and approved to the satisfaction of the Responsible Authority, the Public Works Plan will be endorsed to form part of the permit. No alterations to the Public Works Plan may occur without the written consent of the Responsible Authority.

26. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all public works shown on the endorsed public works plan must be implemented to the satisfaction of the Responsible Authority at the expense of the owner of the land, unless otherwise agreed with prior written consent of the Responsible Authority

Engineering Matters

27. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, any existing vehicle crossing not to be used in this use or development must be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority (Moreland City Council, City Infrastructure Department).
28. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, access to the site, any vehicle crossover

and any ancillary road and road drainage works must be constructed in accordance with any requirement of the Responsible Authority (Moreland City Council, City Infrastructure Department).

29. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.
30. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the car park entry gate must be automatic and remote controlled.
31. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the Responsible Authority. Bicycle signage should be at least 0.3 metres wide and 0.45 metres high; display a white bicycle on a blue background on the top half of the sign and display information about the direction of facilities on the bottom half of the sign.

Stormwater

32. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority (Note: Please contact Moreland City Council, City Infrastructure Department)
33. The surface of all balconies are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.
34. Stormwater from the land must not be directed to the surface of the right-of-way to the satisfaction of the Responsible Authority.

Car Parking

35. The area set aside for the parking of vehicles and access lanes shown on the endorsed plan must, to the satisfaction of the Responsible Authority:
 - a) Be completed prior to issue of an Occupancy Permit or issue of a Statement of Compliance, whichever occurs first.
 - b) Be maintained.
 - c) Be properly formed to such levels that it can be used according to the endorsed plan.
 - d) Have the boundaries of all vehicle parking spaces clearly marked on the ground to accord with the endorsed plan.
 - e) Not be used for any other purpose other than the parking of vehicles, unless with the prior written consent of the Responsible Authority.
 - f) Be numbered to facilitate management of the car park.

General

36. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.
37. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views. This does not include external guttering or associated rainwater down pipes.
38. The shopfront window must not be painted or blocked out in any way to the

satisfaction of the Responsible Authority.

39. All lighting of external areas must be designed not to emit direct light onto adjoining property to the satisfaction of the Responsible Authority.

Privacy screens to be installed and maintained

40. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all visual screening measures shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.

Department of Transport Conditions

41. The crossover and driveway is to be constructed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved.
42. All access to and from the site must be restricted to left in-left out movements only.

Permit Expiry

43. This permit will expire if one of the following circumstances applies:
- a) the development is not commenced within three (3) years from the date of issue of this permit;
 - b) the development is not completed within five (5) years from the date of issue of this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- within six months after the permit expires to extend the commencement date.
- within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

Notes: These notes are for information only and do not constitute part of this notice of decision or conditions of this notice of decision.

Note 1: This permit contains a condition requiring payment of Development Contributions. The applicable development contribution levies are indexed annually. To calculate the approximate once off levy amount, please visit <http://www.moreland.vic.gov.au/planning-building/> and click on 'Moreland Development Contributions Plan (DCP)'. Alternatively, please contact Moreland City Council on 9240 1111 and ask to speak to the DCP Officer.

Note 2: Should Council impose car parking restrictions in this street, the owners and/or occupiers of the dwellings would not be eligible for resident parking permits to park on the street. Occupiers are eligible for the resident A parking permit which only permits parking in limited areas. The resident parking permits and Resident A parking permit are subject to future reviews and change. See Council's website for more information: <https://www.moreland.vic.gov.au/parking-roads/parking-permits/residential-parking-permits/>

Note 3: Moreland City Council is committed to increasing the amount of affordable housing in the municipality. One way to do this, is through Homes for Homes, a social enterprise founded by the Big Issue that aims to raise new funds via voluntary tax-deductible donations on property transactions and invest those funds in building and managing new social and affordable dwellings. If you would like to

help build homes for those in need, visit [Homes for Homes](#) and register your commitment to donate 0.1per cent of the sale price of your dwelling(s).

Note 4: Separate consent may be required for construction works within the road reserve associated with this Planning Permit under the *Road Management Act 2004*. Please contact the Department prior to commencing any works.

Note 5: Contact needs to be made with CitiPower to determine whether CitiPower will require the power lines to be relocated away from the dwellings.

Note 6: Environmental Audit Notes

- i. A copy of the Certificate or Statement of Environmental Audit, including the complete Environmental Audit Report must be submitted to the Responsible Authority within 5 business days of issue, in accordance with Section 210 of the *Environment Protection Act 2017 (Vic)*.
- ii. Where a Statement of Environmental Audit is issued for the land a copy of that Statement must be provided to any person who proposes to become an occupier of the land, pursuant to Section 53ZE of the *Environment Protection Act 1970*.

The land owner and all its successors in title or transferees must, upon release for private sale of any part of the land, include in the Vendor’s Statement pursuant to Section 32 of the *Sale of Land Act 1962*, a copy of the Certificate or Statement of Environmental Audit including a copy of any cover letter.

Carried unanimously

5.2 52 HOLMES STREET, BRUNSWICK EAST - MPS/2020/427



Property:	52 Holmes Street, BRUNSWICK EAST VIC 3057			
Proposal:	Construction of a five storey building containing retail premises, offices and dwellings and a reduction in the standard car parking requirements			
Zoning and Overlay/s:	<ul style="list-style-type: none"> • Commercial 1 Zone (C1Z) • Design and Development Overlay (DDO24) • Parking Overlay (PO1) • Environmental Audit Overlay (EAO) • Development Contributions Plan Overlay (DCPO1) 			
Strategic setting:	Minimal housing growth	Incremental housing growth	Increased house densities encouraged	Significant housing growth

Objections:	<ul style="list-style-type: none"> • 13 • Key issues: <ul style="list-style-type: none"> • Height exceeding DDO24 • Mass and bulk • Car parking, vehicle access and traffic impacts • Impacts to off-site amenity • Safety concerns from adjoining service station
Planning Information and Discussion (PID) Meeting:	<ul style="list-style-type: none"> • Date: 1st March 2022 • Attendees: 4 objectors, the applicant, and 2 Council officers • In response to concerns raised by the objectors' a permit condition will require a traffic warning system for the laneway to address potential conflicts.
ESD:	<ul style="list-style-type: none"> • Minimum average NatHERS rating of 7.4 stars.
Accessibility:	<ul style="list-style-type: none"> • Adaptable apartments comprise 50% of the proposal.
Key reasons for support	<ul style="list-style-type: none"> • The built form meets the objectives of DDO24, noting the upper level is highly concealed from the street. • The proposed commercial and residential uses are complementary to the uses in the surrounding area and consistent with the vision for this location. The ground floor commercial uses provide appropriate activation of the street. • The site is well located along a tram line to support the reduction in car parking.
Recommendation:	Notice of Decision to Grant a Planning Permit be issued for the proposal.

Officer Recommendation

That a Notice of Decision to Grant a Planning Permit No. MPS/2020/427 be issued for the construction of a five storey building containing retail premises, offices and dwellings and a reduction in the standard car parking requirements at 52 Holmes Street, Brunswick East, subject to the following conditions:

Amended Plans

1. Before the development commences, 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 plans must be drawn to scale with dimensions and must be generally in accordance with the advertised plans but modified to show:
 - a) The finished floor level of the balconies associated with Offices 1 and 2;
 - b) The height of balustrades and/or planter boxes of the balconies associated with Offices 1 and 2 clearly shown on the elevations;
 - c) Screening to Apartments 11 and 14 to limit downward views into the courtyards of Apartments 1, 3, 4 and 7 in accordance with the requirements Standard D15 (internal views);
 - d) The storage calculation on the Development Summary Table and in the Detail Plans to include all internal storage, in accordance with the requirements of Standard D20 (storage);
 - e) The Studies of Apartments 2 and 9 increased in width to 3 metres, provided with a robe against the internal wall perpendicular to the door and relabeled as a "bedroom";

- f) The Study to Apartment 16 increased in width to 3 metres and the glazed entry to Shop 2 repositioned 260mm to the south to maintain a consistent width of the vertical break within the front façade.
- g) The width of the Living Areas of Apartments 20 and 24 increased to 3.6 metres by reducing the width of the balconies;
- h) “Bed 2” of Apartments 19 and 23 deleted, replaced with an open study or similar;
- i) Detailed plans for Apartments 19 and 23;
- j) The roof over Apartment 23 correctly drawn to depict the skylight to Apartment 19;
- k) The internal reconfiguration of Apartments 5, 6, 12 and 13 amended generally in accordance with the discussion plans received 21 February 2022 with the following modifications:
 - i. A minimum width of 3.3 metres provided to the living areas; and
 - ii. A minimum of 8 square metres provided to the balconies.
- l) The use of Material 11 (Matt white colorbond cladding) across the eastern and western sides of the lift overrun to provide a consistent and more simplified appearance;
- m) Details of the material of the balcony soffits on the material schedule, to be a fine grain high-quality cladding (such as timber battens);
- n) A design detail of the letterboxes, to include a high quality material finish;
- o) The proposed verandahs (to Holmes Street) setback a minimum of 750mm from the kerb and with a height of less than 3 metres above the level of the footpath in accordance with Clause 507 of the Building Regulations 2006.
- p) Details of all roof top services and associated screening;
- q) Bicycle racks that provide 0.5 metres spacing between bikes;
- r) The columns in the car park placed outside the ‘clearance required’ areas of each car parking space in accordance with Diagram 1 of Clause 52.06 (Car Parking) of the Moreland Planning Scheme;
- s) An area within the site for an accessible boundary trap;
- t) Any changes in accordance with the Landscape Plan required by Condition 3 of this permit;
- u) All measures recommended by the acoustic report as required by Condition 12 of this permit documented on the plans;
- v) The location of any substation and or fire booster cabinet as may be required by the power company and fire authority for this development. All services must be incorporated into the building design (i.e. not free standing or pole mounted in the street) to ensure minimal impact on the visual amenity of the public realm and the architectural integrity of the building.
- w) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 6b) of this permit.
- x) Any changes as required to align with the amended Waste Management Plan as required by Condition 10 of this permit.

Compliance with Endorsed Plans

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.02-1 and 62.02-2 of the Moreland Planning

Scheme unless specifically noted as a permit condition.

Landscaping

3. Prior to the endorsement of plans, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the advertised plans but modified to show:
 - a) Details of landscaping within all balcony planter boxes and roof top terrace
4. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works, including installation of automatic irrigation, must be completed in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.
5. All landscaping and irrigation systems must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design

6. Prior to the endorsement of plans, an amended Sustainability Management Plan (SMP) and plans must be submitted to the satisfaction of the Responsible Authority. The SMP must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the SMP prepared by Northern Environmental Design dated 10 August 2021, but modified to include the following changes:
 - a) Any changes as necessary to reflect the plans for endorsement.
 - b) Show the following ESD initiatives on the development plans:
 - i. The location and size of fire test water tank/s including details of fire water recycling system
 - ii. Roof plan to show the proposed location, approximate size and number of individual panels, orientation and tilt angle that make up the 24KW PV system
 - iii. The location of electric heat pump hot water units
 - iv. Key ESD initiatives notes on plans to be updated to specify hot water systems as electric heat pump
 - v. Location of all common area submeters and individual tenant utility meters
 - vi. Plans to note specification of a 40 Amp 3-phase sub-circuit with wiring and conduit from a main switchboard to a dedicated EV parking space complete with circuit breaker at point of use for a future entry level fast charging station.
 - vii. External operable shading devices to West facing glazing of all exposed bedrooms and living/dining areas, to block peak summer afternoon sun. A product diagram of the proposed device must be provided.

Where alternative ESD initiatives are proposed to those specified in this condition, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the amended SDA and associated notated plans will be endorsed to form part of this permit. No alterations to the SDA may occur without the written consent of the Responsible Authority.

7. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance,

whichever comes first, all works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority.

8. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Sustainability Management Plan (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 (with documented evidence) that all measures specified in the SMP have been implemented in accordance with the approved plan.
9. All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained to the satisfaction of the Responsible Authority to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainability Management Plan.

Waste Management Plan

10. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority. The plan must be generally in accordance with the report prepared by Northern Environmental Design dated 10 August 2021 but modified to:

- a) Include separate glass collection and organics collection.

When submitted and approved to the satisfaction of the Responsible Authority, the WMP will be endorsed to form part of this permit. No alterations to the WMP may occur without the written consent of the Responsible Authority.

11. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

Acoustic Attenuation

12. Prior to the endorsement of plans, an amended Acoustic Report must be submitted and approved to satisfaction of the Responsible Authority. The Report must be generally by in accordance with the report prepared by O'Callaghan Consulting Engineers dated 5 August 2021 but modified to include:

- a) Recommendations of acoustic attenuation measures to be incorporated into the proposed development to minimise the impact on the apartments of noise from:

- i. Road traffic;
- ii. The ground floor commercial tenancies;
- iii. Mechanical plant noise associated with the restaurant use; and
- iv. Plant equipment including the lift.

When submitted and approved to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit. No alterations to the Acoustic Report may occur without the written consent of the Responsible Authority.

13. The building must be constructed and thereafter maintained in accordance with the recommendations contained within the approved Acoustic Report to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
14. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Acoustic Report 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 specified in the Acoustic Report have been implemented in accordance with the approved Acoustic Report.

Accessibility

15. Prior to the occupation of the development, the recommendations of the approved Accessibility Report prepared by Equal Access Dated 15 July 2021 must be implemented to the satisfaction of the Responsible Authority. No alterations to the plan may occur without the written consent of the Responsible Authority.
16. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Accessibility Report, 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 specified in the Accessibility Report have been implemented in accordance with the approved report.

Environmental Audit

17. Before the construction or carrying out of buildings and works, or where no buildings and works are proposed, prior to the commencement of the permitted use or the issue of a statement of compliance under the *Subdivision Act 1988* (whichever is earlier), the owner(s) must provide:
 - a) A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* stating that an environmental audit is not required for the use or, if this permit authorises the construction or carrying out of buildings or works, is not required for the use for which the buildings or works are constructed or carried out; or
 - b) An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out; or
 - c) An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out, if the recommendations made in the statement are complied with.
18. Where an environmental audit statement is issued for the land, and any recommendation of that environmental audit statement requires any maintenance and/or monitoring of an ongoing nature, the Responsible Authority may require the Owner(s) to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* that provides for the undertaking of the ongoing maintenance and/or monitoring as required by the environmental audit statement.
19. Where a Section 173 Agreement is required, the Agreement must be executed prior to the commencement of the permitted use, the issue of an Occupancy Permit under the *Building Act 1993* or the issue of a Statement of Compliance under the *Subdivision Act 1988* (whichever occurs first). All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by the Responsible Authority, must be met by the Owner(s).
20. Prior to any remediation works (if required) being undertaken in association with the environmental audit, a 'remediation works' plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must detail all excavation works as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed

in the approved remediation works plan are permitted to be carried out prior to the issue of an environmental audit statement.

21. No works to construct the development hereby approved shall be carried out on the land and no building contract to construct the development hereby approved may be entered into, other than in accordance with a building contract that stipulates that works must not be commenced until such time as Conditions 17, 18 and 19 of this permit are satisfied.
22. Prior to commencement of the use, the issue of an Occupancy Permit under the *Building Act 1993* or the issue of a Statement of Compliance under the *Subdivision Act 1988* (whichever occurs first), written confirmation of compliance with all the recommendations of the environmental audit statement must be provided by an environmental auditor appointed under the *Environment Protection Act 2017*, including confirming that any requirements in the environmental audit statement recommendations regarding verification of works have been complied with. All the recommendations of the environmental audit statement must be complied with to the satisfaction of the Responsible Authority.

Safety Management Study

23. Prior to the commencement of the use or buildings and works associated with the use a Safety Management Study (SMS) must be undertaken in consultation with the owners of 54 Holmes Street (Viva Energy Australia Pty Ltd) and submitted to the Responsible Authority.

When submitted and approved to the satisfaction of the Responsible Authority, the SMS will be endorsed to form part of this permit. The recommendations of the approved SMS must be implemented to the satisfaction of the Responsible Authority. No alterations to the SMS may occur without the written consent of the Responsible Authority.

3D Model

24. Prior to the commencement of the development, a 3D digital model of the approved development which is compatible for use on Council's Virtual Moreland tools and software for Council and community must be submitted to the satisfaction of the Responsible Authority. The model should be prepared in accordance with Moreland City Council's 3D model submission guidelines. A copy of the 3D model submission guidelines and further information on the Virtual Moreland Project can be found at <https://www.moreland.vic.gov.au/planning-building/3D-Guidelines/>. In the event that substantial modifications to the building envelope are approved under an amendment to this planning permit, a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority.

Car Parking and Vehicle Access

25. Prior to the occupation of the development, any existing vehicle crossing not to be used in this use or development must be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority (Moreland City Council, City Infrastructure Department).
26. The vehicular traffic on the basement ramp is to be controlled by traffic signals to avoid cars meeting at the bend on the ramp.
27. A traffic signaling system must be installed on the external wall of the building facing south to alert on-coming vehicles entering the laneway from Mitchell Street of any vehicles that are about to exit the site. The signaling system must not detrimentally impact the amenity of adjoining properties through noise or light spill
28. All parking spaces are to be marked with the associated apartment or shop number to facilitate management of the car park to the satisfaction of the Responsible Authority.

29. The bicycle storage room is to have self-closing and self-locking doors or gates that are only accessible using keys, codes or swipe cards in accordance with the Australian Standard for Bicycle Parking (AS2890.3).

Public Works

30. Prior to the commencement of the development, a Public Works Plan and associated construction drawing specifications detailing the works to the land along Holmes Street directly in front of the site must be submitted to the satisfaction of the Responsible Authority. The Plan must include:
- a) All construction details in accordance with the *Moreland City Council Technical Notes July 2019* (or any updated version).
 - b) A detailed level and feature survey of the footpaths and roads.
 - c) The upgrade of the footpath adjacent to the site. Public footpaths are to be reinstated to the previous levels with a maximum cross fall slope of 1 in 40 (2.5%).
 - d) For any vehicle crossing not being used, the kerb, channel and footpath reinstated in accordance with condition 25 of this permit
 - e) Any necessary parking signs, in consultation with the Responsible Authority.
 - f) Any necessary drainage works.
 - g) The installation of bike hoops in consultation with the Responsible Authority.
 - h) The provision of new street tree planting along Holmes Street in appropriate locations in consultation with the Responsible Authority (Open Space Department).
 - i) Any other works to the public land adjacent to the development.
31. The difference between the existing public footpath level and the floor level on the endorsed plans must be made up with ramps or stairs within the site to facilitate pedestrian access.

General Amenity

32. Lighting on each balcony must be designed to not emit light direct onto adjoining property to the satisfaction of the Responsible Authority.
33. Prior to the occupation of the development all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.
34. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.
35. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views. This does not include external guttering or associated rainwater down pipes.
36. The ground level windows facing Holmes Street must not be painted or blocked out in any way to the satisfaction of the Responsible Authority.

Stormwater

37. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority (Note: Please contact Moreland City Council, City Infrastructure Department).
38. Stormwater from the land must not be directed to the surface of the laneway to the satisfaction of the Responsible Authority.

Development Contributions

39. Prior to the issue of a Building Permit in relation to the development approved by this permit, a Development Infrastructure Levy must be paid to Moreland City Council in accordance with the approved Development Contributions Plan. The Development Infrastructure Levy is charged per 100 square metres of leasable floor space.

If an application for subdivision of the land in accordance with the development approved by this permit is submitted to Council, payment of the Development Infrastructure Levy can be delayed to a date being whichever is the sooner of the following:

- a) a maximum of 12 months from the date of issue of the Building Permit; or
- b) prior to the issue of a Statement of Compliance for the subdivision;

When a staged subdivision is sought, the Development Infrastructure Levy must be paid prior to the issue of a Statement of Compliance for each stage of subdivision in accordance with a Schedule of Development Contributions approved as part of the subdivision.

Expiry Conditions

40. This permit will expire if one of the following circumstances applies:
- a) the development is not commenced within two (2) years from the date of issue of this permit;
 - b) the development is not completed within four (4) years from the date of issue of this permit;
 - c) the use is not commenced within four (4) years from the date of issue of this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- i. within six months after the permit expires to extend the commencement date.
- ii. within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

Notes: These notes are for information only and do not constitute part of this notice of decision or conditions of this notice of decision.

Note 1: This permit contains a condition requiring payment of Development Contributions. The applicable development contribution levies are indexed annually. To calculate the approximate once off levy amount, please visit <http://www.moreland.vic.gov.au/planning-building/> and click on '[Moreland Development Contributions Plan \(DCP\)](#)'. Alternatively, please contact Moreland City Council on 9240 1111 and ask to speak to the DCP Officer.

Note 2: Should Council impose car parking restrictions in this street, the owners and/or occupiers of the dwellings would not be eligible for resident parking permits to park on the street. Occupiers are eligible for the resident A parking permit which only permits parking in limited areas. The resident parking permits and Resident A parking permit are subject to future reviews and change. See Council's website for more information:

<https://www.moreland.vic.gov.au/parking-roads/parking-permits/residential-parking-permits/>

Note 3: Contact needs to be made with CitiPower to determine whether CitiPower will require the power lines to be relocated away from the dwellings.

Note 4: Moreland City Council is committed to increasing the amount of affordable housing in the municipality. One way to do this, is through Homes for Homes, a social enterprise founded by the Big Issue that aims to raise new funds via voluntary tax-deductible donations on property transactions and invest those funds in building and managing new social and affordable dwellings. If you would like to help build homes for

those in need, visit [Homes for Homes](#) and register your commitment to donate 0.1 per cent of the sale price of your dwelling(s).

Note 5: Separate consent may be required for construction works within the road reserve associated with this Planning Permit under the *Road Management Act 2004*. Please contact the Department prior to commencing any works.

Note 6: Environmental Audit Notes

- i. A copy of the Certificate or Statement of Environmental Audit, including the complete Environmental Audit Report must be submitted to the Responsible Authority within 5 business days of issue, in accordance with Section 210 of the *Environment Protection Act 2017* (Vic).
- ii. Where a Statement of Environmental Audit is issued for the land a copy of that Statement must be provided to any person who proposes to become an occupier of the land, pursuant to Section 53ZE of the *Environment Protection Act 1970*.
- iii. The land owner and all its successors in title or transferees must, upon release for private sale of any part of the land, include in the Vendor's Statement pursuant to Section 32 of the *Sale of Land Act 1962*, a copy of the Certificate or Statement of Environmental Audit including a copy of any cover letter.

Resolution

Cr Conlan moved, Cr Bolton seconded -

That a Notice of Decision to Grant a Planning Permit No. MPS/2020/427 be issued for the Construction of a four storey building containing retail premises, offices and dwellings and a reduction in the standard car parking requirements at 52 Holmes Street, Brunswick East, subject to the following conditions:

Amended Plans

1. **Before the development commences, 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 plans must be drawn to scale with dimensions and must be generally in accordance with the advertised plans but modified to show:**
 - a) **The fourth floor deleted in full.**
 - b) **The finished floor level of the balconies associated with Offices 1 and 2;**
 - c) **The height of balustrades and/or planter boxes of the balconies associated with Offices 1 and 2 clearly shown on the elevations;**
 - d) **Screening to Apartments 11 and 14 to limit downward views into the courtyards of Apartments 1, 3, 4 and 7 in accordance with the requirements Standard D15 (internal views);**
 - e) **The storage calculation on the Development Summary Table and in the Detail Plans to include all internal storage, in accordance with the requirements of Standard D20 (storage);**
 - f) **The Studies of Apartments 2 and 9 increased in width to 3 metres, provided with a robe against the internal wall perpendicular to the door and relabeled as a "bedroom";**
 - g) **The Study to Apartment 16 increased in width to 3 metres and the glazed entry to Shop 2 repositioned 260mm to the south to maintain a consistent**
 - h) **"Bed 2" of Apartment 19 deleted, replaced with an open study or similar;**
 - i) **Detailed plans for Apartments 19;**

- j) The roof correctly drawn to depict the skylight to Apartment 19;
- k) The internal reconfiguration of Apartments 5, 6, 12 and 13 amended generally in accordance with the discussion plans received 21 February 2022 with the following modifications:
 - i. A minimum width of 3.3 metres provided to the living areas; and
 - ii. A minimum of 8 square metres provided to the balconies.
- l) The use of Material 11 (Matt white colorbond cladding) across the eastern and western sides of the lift overrun to provide a consistent and more simplified appearance;
- m) Details of the material of the balcony soffits on the material schedule, to be a fine grain high-quality cladding (such as timber battens);
- n) A design detail of the letterboxes, to include a high quality material finish;
- o) The proposed verandahs (to Holmes Street) setback a minimum of 750mm from the kerb and with a height of less than 3 metres above the level of the footpath in accordance with Clause 507 of the Building Regulations 2006.
- p) Details of all roof top services and associated screening;
- q) Bicycle racks that provide 0.5 metres spacing between bikes;
- r) The columns in the car park placed outside the 'clearance required' areas of each car parking space in accordance with Diagram 1 of Clause 52.06 (Car Parking) of the Moreland Planning Scheme;
- s) An area within the site for an accessible boundary trap;
- t) Any changes in accordance with the Landscape Plan required by Condition 3 of this permit;
- u) All measures recommended by the acoustic report as required by Condition 12 of this permit documented on the plans;
- v) The location of any substation and or fire booster cabinet as may be required by the power company and fire authority for this development. All services must be incorporated into the building design (i.e. not free standing or pole mounted in the street) to ensure minimal impact on the visual amenity of the public realm and the architectural integrity of the building.
- w) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 6b) of this permit.
- x) Any changes as required to align with the amended Waste Management Plan as required by Condition 10 of this permit.

Compliance with Endorsed Plans

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.02-1 and 62.02-2 of the Moreland Planning Scheme unless specifically noted as a permit condition.

Landscaping

3. Prior to the endorsement of plans, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the advertised plans but modified to show:
 - a) Details of landscaping within all balcony planter boxes and roof top

terrace

4. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works, including installation of automatic irrigation, must be completed in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.
5. All landscaping and irrigation systems must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design

6. Prior to the endorsement of plans, an amended Sustainability Management Plan (SMP) and plans must be submitted to the satisfaction of the Responsible Authority. The SMP must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the SMP prepared by Northern Environmental Design dated 10 August 2021, but modified to include the following changes:
 - a) Any changes as necessary to reflect the plans for endorsement.
 - b) Show the following ESD initiatives on the development plans:
 - i. The location and size of fire test water tank/s including details of fire water recycling system
 - ii. Roof plan to show the proposed location, approximate size and number of individual panels, orientation and tilt angle that make up the 24KW PV system
 - iii. The location of electric heat pump hot water units
 - iv. Key ESD initiatives notes on plans to be updated to specify hot water systems as electric heat pump
 - v. Location of all common area submeters and individual tenant utility meters
 - vi. Plans to note specification of a 40 Amp 3-phase sub-circuit with wiring and conduit from a main switchboard to a dedicated EV parking space complete with circuit breaker at point of use for a future entry level fast charging station.
 - vii. External operable shading devices to West facing glazing of all exposed bedrooms and living/dining areas, to block peak summer afternoon sun. A product diagram of the proposed device must be provided.
 - viii. Material 5 (Colorbond metal cladding) to utilise a colour with a Solar Reflectivity Index (SRI) greater than 35.

Where alternative ESD initiatives are proposed to those specified in this condition, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the amended SDA and associated notated plans will be endorsed to form part of this permit. No alterations to the SDA may occur without the written consent of the Responsible Authority.

7. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all works must be undertaken in accordance with the endorsed Sustainability Management Plan to the

satisfaction of the Responsible Authority.

8. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Sustainability Management Plan (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 (with documented evidence) that all measures specified in the SMP have been implemented in accordance with the approved plan.
9. All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained to the satisfaction of the Responsible Authority to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainability Management Plan.

Waste Management Plan

10. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority. The plan must be generally in accordance with the report prepared by Northern Environmental Design dated 10 August 2021 but modified to:

- a) Include separate glass collection and organics collection.

When submitted and approved to the satisfaction of the Responsible Authority, the WMP will be endorsed to form part of this permit. No alterations to the WMP may occur without the written consent of the Responsible Authority.

11. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

Acoustic Attenuation

12. Prior to the endorsement of plans, an amended Acoustic Report must be submitted and approved to satisfaction of the Responsible Authority. The Report must be generally by in accordance with the report prepared by O'Callaghan Consulting Engineers dated 5 August 2021 but modified to include:

- a) Recommendations of acoustic attenuation measures to be incorporated into the proposed development to minimise the impact on the apartments of noise from:

- i. Road traffic;
- ii. The ground floor commercial tenancies;
- iii. Mechanical plant noise associated with the restaurant use; and
- iv. Plant equipment including the lift.

When submitted and approved to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit. No alterations to the Acoustic Report may occur without the written consent of the Responsible Authority.

13. The building must be constructed and thereafter maintained in accordance with the recommendations contained within the approved Acoustic Report to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
14. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Acoustic

Report 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 specified in the Acoustic Report have been implemented in accordance with the approved Acoustic Report.

Accessibility

15. Prior to the occupation of the development, the recommendations of the approved Accessibility Report prepared by Equal Access Dated 15 July 2021 must be implemented to the satisfaction of the Responsible Authority. No alterations to the plan may occur without the written consent of the Responsible Authority.
16. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Accessibility Report, 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 specified in the Accessibility Report have been implemented in accordance with the approved report.

Environmental Audit

17. Before the construction or carrying out of buildings and works, or where no buildings and works are proposed, prior to the commencement of the permitted use or the issue of a statement of compliance under the *Subdivision Act 1988* (whichever is earlier), the owner(s) must provide:
 - a) A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* stating that an environmental audit is not required for the use or, if this permit authorises the construction or carrying out of buildings or works, is not required for the use for which the buildings or works are constructed or carried out; or
 - b) An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out; or
 - c) An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out, if the recommendations made in the statement are complied with.
18. Where an environmental audit statement is issued for the land, and any recommendation of that environmental audit statement requires any maintenance and/or monitoring of an ongoing nature, the Responsible Authority may require the Owner(s) to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* that provides for the undertaking of the ongoing maintenance and/or monitoring as required by the environmental audit statement.
19. Where a Section 173 Agreement is required, the Agreement must be executed prior to the commencement of the permitted use, the issue of an Occupancy Permit under the *Building Act 1993* or the issue of a Statement of Compliance under the *Subdivision Act 1988* (whichever occurs first). All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by the Responsible Authority, must be

met by the Owner(s).

20. Prior to any remediation works (if required) being undertaken in association with the environmental audit, a 'remediation works' plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must detail all excavation works as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed in the approved remediation works plan are permitted to be carried out prior to the issue of an environmental audit statement.
21. No works to construct the development hereby approved shall be carried out on the land and no building contract to construct the development hereby approved may be entered into, other than in accordance with a building contract that stipulates that works must not be commenced until such time as Conditions 17, 18 and 19 of this permit are satisfied.
22. Prior to commencement of the use, the issue of an Occupancy Permit under the *Building Act 1993* or the issue of a Statement of Compliance under the *Subdivision Act 1988* (whichever occurs first), written confirmation of compliance with all the recommendations of the environmental audit statement must be provided by an environmental auditor appointed under the *Environment Protection Act 2017*, including confirming that any requirements in the environmental audit statement recommendations regarding verification of works have been complied with. All the recommendations of the environmental audit statement must be complied with to the satisfaction of the Responsible Authority.

Safety Management Study

23. Prior to the commencement of the use or buildings and works associated with the use a Safety Management Study (SMS) must be undertaken in consultation with the owners of 54 Holmes Street (Viva Energy Australia Pty Ltd) and submitted to the Responsible Authority.

When submitted and approved to the satisfaction of the Responsible Authority, the SMS will be endorsed to form part of this permit. The recommendations of the approved SMS must be implemented to the satisfaction of the Responsible Authority. No alterations to the SMS may occur without the written consent of the Responsible Authority.

3D Model

24. Prior to the commencement of the development, a 3D digital model of the approved development which is compatible for use on Council's Virtual Moreland tools and software for Council and community must be submitted to the satisfaction of the Responsible Authority. The model should be prepared in accordance with Moreland City Council's 3D model submission guidelines. A copy of the 3D model submission guidelines and further information on the Virtual Moreland Project can be found at <https://www.moreland.vic.gov.au/planning-building/3D-Guidelines/>. In the event that substantial modifications to the building envelope are approved under an amendment to this planning permit, a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority.

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25. Prior to the occupation of the development, any existing vehicle crossing not to be used in this use or development must be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority (Moreland City Council, City Infrastructure Department).

26. The vehicular traffic on the basement ramp is to be controlled by traffic signals to avoid cars meeting at the bend on the ramp.
27. A traffic signaling system must be installed on the external wall of the building facing south to alert on-coming vehicles entering the laneway from Mitchell Street of any vehicles that are about to exit the site. The signaling system must not detrimentally impact the amenity of adjoining properties through noise or light spill
28. All parking spaces are to be marked with the associated apartment or shop number to facilitate management of the car park to the satisfaction of the Responsible Authority.
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 - b) A detailed level and feature survey of the footpaths and roads.
 - c) The upgrade of the footpath adjacent to the site. Public footpaths are to be reinstated to the previous levels with a maximum cross fall slope of 1 in 40 (2.5%).
 - d) For any vehicle crossing not being used, the kerb, channel and footpath reinstated in accordance with condition 25 of this permit
 - e) Any necessary parking signs, in consultation with the Responsible Authority.
 - f) Any necessary drainage works.
 - g) The installation of bike hoops in consultation with the Responsible Authority, with at least 4 bicycle spaces in front of the site.
 - h) The provision of new street tree planting along Holmes Street in appropriate locations in front of the site, with the number of trees maximised based on the space available, in consultation with the Responsible Authority (Open Space Department).
 - i) Any other works to the public land adjacent to the development.
 - j) A new tram shelter in consultation with Transport for Victoria.
31. The difference between the existing public footpath level and the floor level on the endorsed plans must be made up with ramps or stairs within the site to facilitate pedestrian access.

General Amenity

32. Lighting on each balcony must be designed to not emit light direct onto adjoining property to the satisfaction of the Responsible Authority.
33. Prior to the occupation of the development all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.
34. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed,

cleaned and finished to the satisfaction of the Responsible Authority.

35. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views. This does not include external guttering or associated rainwater down pipes.
36. The ground level windows facing Holmes Street must not be painted or blocked out in any way to the satisfaction of the Responsible Authority.

Stormwater

37. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority (Note: Please contact Moreland City Council, City Infrastructure Department).
38. Stormwater from the land must not be directed to the surface of the laneway to the satisfaction of the Responsible Authority.

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or
- b) prior to the issue of a Statement of Compliance for the subdivision;

When a staged subdivision is sought, the Development Infrastructure Levy must be paid prior to the issue of a Statement of Compliance for each stage of subdivision in accordance with a Schedule of Development Contributions approved as part of the subdivision.

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Notes: These notes are for information only and do not constitute part of this notice of decision or conditions of this notice of decision.

Note 1: This permit contains a condition requiring payment of Development

Contributions. The applicable development contribution levies are indexed annually. To calculate the approximate once off levy amount, please visit <http://www.moreland.vic.gov.au/planning-building/> and click on 'Moreland Development Contributions Plan (DCP)'. Alternatively, please contact Moreland City Council on 9240 1111 and ask to speak to the DCP Officer.

Note 2: Should Council impose car parking restrictions in this street, the owners and/or occupiers of the dwellings would not be eligible for resident parking permits to park on the street. Occupiers are eligible for the resident A parking permit which only permits parking in limited areas. The resident parking permits and Resident A parking permit are subject to future reviews and change. See Council's website for more information: <https://www.moreland.vic.gov.au/parking-roads/parking-permits/residential-parking-permits/>

Note 3: Contact needs to be made with CitiPower to determine whether CitiPower will require the power lines to be relocated away from the dwellings.

Note 4: Moreland City Council is committed to increasing the amount of affordable housing in the municipality. One way to do this, is through Homes for Homes, a social enterprise founded by the Big Issue that aims to raise new funds via voluntary tax-deductible donations on property transactions and invest those funds in building and managing new social and affordable dwellings. If you would like to help build homes for those in need, visit [Homes for Homes](#) and register your commitment to donate 0.1 per cent of the sale price of your dwelling(s).

Note 5: Separate consent may be required for construction works within the road reserve associated with this Planning Permit under the *Road Management Act 2004*. Please contact the Department prior to commencing any works.

Note 6: Environmental Audit Notes


- i. A copy of the Certificate or Statement of Environmental Audit, including the complete Environmental Audit Report must be submitted to the Responsible Authority within 5 business days of issue, in accordance with Section 210 of the *Environment Protection Act 2017 (Vic)*.
- ii. Where a Statement of Environmental Audit is issued for the land a copy of that Statement must be provided to any person who proposes to become an occupier of the land, pursuant to Section 53ZE of the *Environment Protection Act 1970*.
- iii. The land owner and all its successors in title or transferees must, upon release for private sale of any part of the land, include in the Vendor's Statement pursuant to Section 32 of the *Sale of Land Act 1962*, a copy of the Certificate or Statement of Environmental Audit including a copy of any cover letter.

Carried unanimously

5.3 8 ARNOLD STREET, BRUNSWICK EAST - PLANNING APPLICATION - MPS/2021/115



Property:	8 Arnold Street, BRUNSWICK EAST VIC 3057
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Proposal:	Construction of five double storey dwellings and a reduction of two car parking spaces
Zoning and Overlay/s:	<ul style="list-style-type: none"> • Neighbourhood Residential Zone Schedule 1 • Development Contributions Plan Overlay
Strategic setting:	
Objections:	<ul style="list-style-type: none"> • 14 objections raising the following key issues: <ul style="list-style-type: none"> • Parking and traffic impacts; • Neighbourhood character; • Non-compliances with Clause 55
Planning Information and Discussion (PID) Meeting:	<ul style="list-style-type: none"> • Date: 14 February 2022 • Attendees: 5 objectors, the applicant, two Council officers, and Cr James Conlan • No changes were agreed to however the meeting provided an opportunity for the objectors concerns to be discussed and helped inform the preparation of this report
ESD:	<ul style="list-style-type: none"> • Subject to conditions the development will achieve a NatHERS rating of 6.5
Accessibility:	<ul style="list-style-type: none"> • 40% of the dwellings are adaptable
Key reasons for support	<ul style="list-style-type: none"> • Appropriate built form • No unreasonable off-site amenity impacts. • Acceptable car parking and traffic impacts
Recommendation:	Notice of Decision to Grant a Planning Permit be issued for the proposal.

Officer Recommendation

That a Notice of Decision to Grant a Planning Permit No. MPS/2021/115 be issued for the construction of five double storey dwellings and a reduction to the statutory car parking spaces at 8 Arnold Street, BRUNSWICK EAST subject to the following conditions:

Amended Plans Required

1. Before the development commences, 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 plans must be drawn to scale with dimensions and must be generally in accordance with the plans advertised on 10/11/2021 but modified to show:
 - a) Increased canopy tree planting and permeability within the secluded private open spaces of dwellings 3 and 4, by:
 - i. Deleting the cantilevered first floor elements for dwellings 3 and 4 above the deck and subsequent internal rearrangement without further alterations to the building envelopes.
 - ii. Nominating the decking within the rear yards as being permeable.
 - iii. A reduction in the depth of the open pergolas within the rear yards of Dwellings 3 and 4 to accommodate canopy tree planting.
 - b) A reduction in the overshadowing in accordance with sketch plans referenced

as SK-12 and dated 3.3.22.

- c) The location of air-conditioning units within the secluded private open space of each dwelling.
- d) Dwelling 1 Bedroom 4 notated as being screened to a height of 1.7 metres in accordance with Standard B22 at Clause 55.04-6 (Overlooking).
- e) An amended schedule of all proposed exterior decorations, materials, finishes and colours, including colour samples to confirm:
 - i. The screen devices to east facing windows and first floor balconies have 25% transparency in accordance with Standard B22, Clause 55.04-6 (overlooking);
 - ii. proposed method of bike storage within the carports of Dwellings 1 and 2 which must be in accordance with Australian Standard for Bicycle Parking (AS2890.3);
 - iii. the toaster rack rails in the communal bike storage area replaced with individual bike hoops in accordance with Australian Standard for Bicycle Parking (AS2890.3); and
 - iv. The roof, screening devices and accent elements in a lighter shade to assist with reducing urban heat island effect.
- f) A screen diagram drawn at a scale of 1:50 which details the screen associated with the east-facing habitable room windows and first floor balconies of all dwellings. This diagram must include:
 - i. All dimensions, including the width of slats and the gap between slats;
 - ii. All side screens; and
 - iii. How compliance is achieved with the standard of Clause 55.04-6 (overlooking) of the Moreland Planning Scheme.
- g) The street tree and trees within the rear yards of dwellings at 10 Arnold Street notated as being retained
- h) Any changes to the plans arising from the Landscape Plan in accordance with Condition 3 of this permit.
- i) Tree protection zones in accordance with Condition 6 of this permit, to all trees marked as retained on the plans.
- j) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 8(c) of this permit.

Compliance With Endorsed Plans

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.02-1 and 62.02-2 of the Moreland Planning Scheme unless specifically noted as a permit condition.

Landscaping

- 3. Prior to the endorsement of plans, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the plan prepared by PD Studio advertised 10/11/2021 but amended to show:
 - a) Any changes required to align with the plans for endorsement.
 - b) The permeable areas within the rear yards of Dwellings 3 and 4 dimensioned as achieving a minimum area 4.5 x 4.5 metres in accordance with condition 1(a) of this permit.
 - c) Identification of any existing trees and vegetation on site and adjoining land

proposed to be removed and retained, including the tree protection zone(s) of trees to be retained and protected.

- d) Strategies for the retainment of vegetation (i.e. barriers and signage during the construction process) consistent with any conditions of this permit.
- e) Details of the location and type of all garden beds, and paved and sealed areas. Porous/permeable paving, rain gardens and other water sensitive urban design features must be in accordance with the Sustainability Design Assessment.
- f) A schedule of all proposed trees, shrubs and ground covers, including numbers, size at planting, size at maturity, botanical names and common names. The flora selection and landscape design should be drought tolerant and based on species selection recommended in the Moreland Landscape Guidelines 2009.
- g) The provision two canopy trees within the front setback, reaching a mature height of 6 - 8 metres and a canopy width of at least 5 metres to assist in the integration of the development within the existing streetscape. The tree species must be selected according to the available space, in accordance with the Moreland Tree Planting Manual for Residential Zones, 2019.
- h) The provision of one canopy tree within the rear yards of Dwellings 3 and 4 reaching a mature height of 6 - 8 metres, and a canopy width of at least 5 metres. The tree species must be selected according to the available space, in accordance with the Moreland Tree Planting Manual for Residential Zones, 2019.
- i) The provision of one canopy tree within the rear yards of Dwellings 1, 2 and 5 reaching a mature height of 6 - 8 metres and a canopy width of at least 3 metres. The tree species must be selected according to the available space, in accordance with the Moreland Tree Planting Manual for Residential Zones, 2019.
- j) The provision of screen planting within the rear yards of Dwellings 1 - 5 along the boundary where it adjoins the secluded private opens space of the dwellings at 10 Arnold Street. The screen planting must be integrated with other landscaping and shrubs within the rear yards. Trees must be a species to meet a minimum height of 2 metres at maturity, and the tree species selected according to the available space, in accordance with the Moreland Tree Planting Manual for Residential Zones, 2019.
- k) Notes and diagrams detailing the establishment and maintenance of all proposed trees, shrubs and ground covers.

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

- 4. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works must be completed in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.
- 5. All landscaping must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Responsible Authority.

Tree Protection

- 6. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), all council trees and the trees marked on the endorsed plans as being retained and

protected must have a Tree Protection Zone (TPZ) in accordance with AS4970 Protection of Trees on Development Sites to the satisfaction of the Responsible Authority. The TPZ must meet the following requirements:

a) Tree Protection Fencing

Tree Protection Fencing (TPF) is to be provided to the extent of the TPZ, calculated as being a radius of 12 x Diameter at Breast Height (DBH – measured at 1.4 metres above ground level as defined by the Australian Standard AS 4970.2009). The TPF may be aligned with roadways, footpaths and boundary fences where they intersect the TPZ.

If works are shown on any endorsed plan of this permit within the confines of the calculated TPZ, then the TPF must be taken in to only the minimum amount necessary to allow the works to be completed.

The TPF must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level and of mesh panels, chain mesh or similar material. A top line of high visibility plastic tape must be erected around the perimeter of the fence.

b) Signage

Fixed signs are to be provided on all visible sides of the TPF clearly stating “Tree Protection Zone – No entry. No excavation or trenching. No storage of materials or waste.”. The TPF signage must be complied with at all times.

c) Irrigation

The area within the TPZ and TPF must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.

d) Provision of Services

All services (including water, electricity, gas and telephone) must be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, this must occur in accordance with Australian Standard AS4970.

7. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the owner must pay Council the amenity value, removal, replacement and establishment costs in accordance with the Moreland Urban Forest Strategy 2017 for any street tree damaged through the building works, to the satisfaction of the Responsible Authority.

Environmentally Sustainable Development

8. Prior to the endorsement of plans, an amended Sustainable Design Assessment (SDA) and plans must be submitted to the satisfaction by the Responsible Authority. The SDA must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the SDA prepared by Above and Beyond Energy Solutions Advertised 30/06/2021, but modified to include the following changes:

- a) Provide updated preliminary NatHERS ratings assessments for all dwellings demonstrating a minimum 6.5 NatHERS star rating average across both dwellings.
- b) Amend the BESS report (and any other corresponding documentation) to:
- i. Enter the preliminary NatHERS data in the Dwelling Energy Profiles as per the updated NatHERS ratings.
- c) Show the following ESD initiatives on the development plans:
- i. Increase the size of the window to Dwelling 2 study/library. The window

- must be operable (not awning opening), and provided with shading in accordance with condition 8c)(ii).
- ii. External operable shading devices to all west facing habitable room glazing to block peak summer sun. A product diagram or section detail of the proposed device must be provided.
- iii. Double glazing to all habitable rooms to be annotated on each individual glazing unit on elevation plans and specified on the material/colour schedule.
- iv. Size and location of all rainwater tanks.
- v. The location of designated electric vehicle parking bay(s) and location of charging infrastructure.
- d) A STORM report and stormwater management response that maintains a minimum STORM score of 100%.
- e) An amended stormwater catchment plan (based on the roof plan) that is consistent with the STORM report, clearly showing:
 - i. All stormwater catchment areas (impervious areas and roofs) clearly marked and dimensioned and connected to corresponding Water Sensitive Urban Design (WSUD) treatment measures;
 - ii. Any untreated roofs/impervious surfaces clearly identified.
 - iii. That any trafficable balcony runoff will not be directed into the proposed rainwater tanks.
 - iv. The size and location of rainwater tanks in accordance with the stormwater report and include a clear annotation stating that tanks will be collecting rainwater from all roofed areas and will be servicing all the toilets (washing machine, irrigation) within each dwelling.
 - v. The downpipe locations and how they will be connected to the rainwater tanks without the need for charged piping systems underneath dwellings footings or slabs.

Where alternative ESD initiatives are proposed to those specified in the conditions above, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the Sustainable Design Assessment and associated notated plans will be endorsed to form part of this permit. No alterations to the plan may occur without written consent from the Responsible Authority.

9. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all works must be undertaken in accordance with the endorsed Sustainable Design Assessment (including any BESS and STORM reports) to the satisfaction of the Responsible Authority.
10. Prior to the issuing of a Certificate of Occupancy or Statement of Compliance, whichever comes first, of any dwelling approved under this permit, a report/checklist must be submitted to the Responsible Authority. The report/checklist must be to the satisfaction of the Responsible Authority and must confirm (with suitable evidence) that measures specified in the endorsed Sustainable Design Assessment have been implemented in accordance with the approved plans.
11. All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained, to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainable Design Assessment.

Waste Management

12. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

Development Contributions

13. Prior to the issue of a Building Permit in relation to the development approved by this permit, a Development Infrastructure Levy and Community Infrastructure Levy must be paid to Moreland City Council in accordance with the approved Development Contributions Plan. The Development Infrastructure Levy and Community Infrastructure Levy is charged per dwelling.

If an application for subdivision of the land in accordance with the development approved by this permit is submitted to Council, payment of the Development Infrastructure Levy can be delayed to a date being whichever is the sooner of the following:

- a) a maximum of 12 months from the date of issue of the Building Permit; or
- b) prior to the issue of a Statement of Compliance for the subdivision;

When a staged subdivision is sought, the Development Infrastructure Levy must be paid prior to the issue of a Statement of Compliance for each stage of subdivision in accordance with a Schedule of Development Contributions approved as part of the subdivision.

Car Parking and Vehicle Access

14. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the rear laneway must be constructed and drained full width from a point opposite the eastern boundary of the site to a point 4 metres west of the western boundary of the garage to Council's standards using construction plans approved by Council and the works supervised by Council.
15. Any ramp from the garage floor to either laneway must be contained entirely within the site leaving the laneway levels unaltered.
16. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the carport roller doors must be automatic and remote controlled.

Undergrounding Cables

17. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.

Stormwater

18. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority (Note: Please contact Moreland City Council, City Infrastructure Department).
19. Stormwater from the land must not be directed to the surface of the right-of-way to the satisfaction of the Responsible Authority.

General Amenity

20. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views. This does not include external guttering or associated rainwater down pipes.
21. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished

to the satisfaction of the Responsible Authority.

22. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, bollard lighting as shown on the endorsed plans, standing no higher than 1.2 metres above ground level, is to be installed and maintained on the land to automatically illuminate pedestrian access to the dwellings between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of the Responsible Authority.
23. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, lighting shown as installed on each balcony on the endorsed plans must be designed to not emit light direct onto adjoining property to the satisfaction of the Responsible Authority.
24. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all visual screening measures shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.

Permit Expiry

25. This permit will expire if one of the following circumstances applies:
 - a) the development is not commenced within two (2) years from the date of issue of this permit;
 - b) the development is not completed within four (4) years from the date of issue of this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- within six months after the permit expires to extend the commencement date.
- within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

Notes

Note 1: This permit contains a condition requiring payment of Development Contributions. The applicable development contribution levies are indexed annually. To calculate the approximate once off levy amount, please visit <http://www.moreland.vic.gov.au/planning-building/> and click on 'Moreland Development Contributions Plan (DCP)'. Alternatively, please contact Moreland City Council on 9240 1111 and ask to speak to the DCP Officer.

Note 2: Should Council impose car parking restrictions in this street, the owners and/or occupiers of the dwellings would not be eligible for resident parking permits to park on the street. Occupiers are eligible for the resident A parking permit which only permits parking in limited areas. The resident parking permits and Resident A parking permit are subject to future reviews and change. See Council's website for more information: <https://www.moreland.vic.gov.au/parking-roads/parking-permits/residential-parking-permits/>.

Note 3: Further approvals are required from Council's City Infrastructure Department who can be contacted on 8311 4300 for any works beyond the boundaries of the property. Planting and other vegetative works proposed on road reserves can be discussed with Council's Open Space Unit on 8311 4300.

Note 4: Moreland City Council is committed to increasing the amount of affordable housing in the municipality. One way to do this, is through Homes for Homes, a social enterprise founded by the Big Issue that aims to raise new funds via voluntary tax-deductible donations on property transactions and invest those funds in building and managing new social and affordable dwellings. If you would like to help build homes for

those in need, visit [Homes for Homes](#) and register your commitment to donate 0.1 per cent of the sale price of your dwelling(s).

8.47 pm Mayor, Cr Riley adjourned the meeting due to technical difficulties.

8.49 pm Mayor, Cr Riley resumed the meeting.

9.07 pm Cr Yildiz left the meeting.

9.08 pm Cr Yildiz returned to the meeting.

Resolution

Cr Conlan moved, Cr Yildiz seconded -

That a Notice of Decision to Grant a Planning Permit No. MPS/2021/115 be issued for the construction of five double storey dwellings and a reduction to the statutory car parking spaces at 8 Arnold Street, BRUNSWICK EAST subject to the following conditions:

Amended Plans Required

1. **Before the development commences, 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 plans must be drawn to scale with dimensions and must be generally in accordance with the plans advertised on 10/11/2021 but modified to show:**
 - a) **Increased canopy tree planting and permeability within the secluded private open spaces of dwellings 3 and 4, by:**
 - i. **Deleting the cantilevered first floor elements for dwellings 3 and 4 above the deck and subsequent internal rearrangement without further alterations to the building envelopes.**
 - ii. **Nominating the decking within the rear yards as being permeable.**
 - iii. **A reduction in the depth of the open pergolas within the rear yards of Dwellings 3 and 4 to accommodate canopy tree planting.**
 - b) **A reduction in the overshadowing in accordance with sketch plans referenced as SK-12 and dated 3.3.22.**
 - c) **The location of air-conditioning units within the secluded private open space of each dwelling.**
 - d) **Dwelling 1 Bedroom 4 notated as being screened to a height of 1.7 metres in accordance with Standard B22 at Clause 55.04-6 (Overlooking).**
 - e) **An amended schedule of all proposed exterior decorations, materials, finishes and colours, including colour samples to confirm:**
 - i. **The screen devices to east facing windows and first floor balconies have 25% transparency in accordance with Standard B22, Clause 55.04-6 (overlooking);**
 - ii. **proposed method of bike storage within the carports of Dwellings 1 and 2 which must be in accordance with Australian Standard for Bicycle Parking (AS2890.3);**
 - iii. **the toaster rack rails in the communal bike storage area replaced with individual bike hoops in accordance with Australian Standard for Bicycle Parking (AS2890.3); and**
 - iv. **The roof, screening devices and accent elements in a lighter shade to assist with reducing urban heat island effect.**

- f) A screen diagram drawn at a scale of 1:50 which details the screen associated with the east-facing habitable room windows and first floor balconies of all dwellings. This diagram must include:
 - i. All dimensions, including the width of slats and the gap between slats;
 - ii. All side screens; and
 - iii. How compliance is achieved with the standard of Clause 55.04-6 (overlooking) of the Moreland Planning Scheme.
- g) The street tree and trees within the rear yards of dwellings at 10 Arnold Street notated as being retained
- h) Any changes to the plans arising from the Landscape Plan in accordance with Condition 3 of this permit.
- i) Tree protection zones in accordance with Condition 6 of this permit, to all trees marked as retained on the plans.
- j) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 8(c) of this permit.

Compliance With Endorsed Plans

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.02-1 and 62.02-2 of the Moreland Planning Scheme unless specifically noted as a permit condition.

Landscaping

- 3. Prior to the endorsement of plans, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the plan prepared by PD Studio advertised 10/11/2021 but amended to show:
 - a) Any changes required to align with the plans for endorsement.
 - b) The permeable areas within the rear yards of Dwellings 3 and 4 dimensioned as achieving a minimum area 4.5 x 4.5 metres in accordance with condition 1(a) of this permit.
 - c) Identification of any existing trees and vegetation on site and adjoining land proposed to be removed and retained, including the tree protection zone(s) of trees to be retained and protected.
 - d) Strategies for the retainment of vegetation (i.e. barriers and signage during the construction process) consistent with any conditions of this permit.
 - e) Details of the location and type of all garden beds, and paved and sealed areas. Porous/permeable paving, rain gardens and other water sensitive urban design features must be in accordance with the Sustainability Design Assessment.
 - f) A schedule of all proposed trees, shrubs and ground covers, including numbers, size at planting, size at maturity, botanical names and common names. The flora selection and landscape design should be drought tolerant and based on species selection recommended in the Moreland Landscape Guidelines 2009.
 - g) The provision two canopy trees within the front setback, reaching a mature height of 6 - 8 metres and a canopy width of at least 5 metres to assist in the integration of the development within the existing streetscape. The tree species must be selected according to the

available space, in accordance with the Moreland Tree Planting Manual for Residential Zones, 2019.

- h) The provision of one canopy tree within the rear yards of Dwellings 3 and 4 reaching a mature height of 6-8 metres, and a canopy width of at least 5 metres. The tree species must be selected according to the available space, in accordance with the Moreland Tree Planting Manual for Residential Zones, 2019.
- i) The provision of one canopy tree within the rear yards of Dwellings 1, 2 and 5 reaching a mature height of 6-8 metres and a canopy width of at least 3 metres. The tree species must be selected according to the available space, in accordance with the Moreland Tree Planting Manual for Residential Zones, 2019.
- j) The provision of screen planting within the rear yards of Dwellings 1 - 5 along the boundary where it adjoins the secluded private open space of the dwellings at 10 Arnold Street. The screen planting must be integrated with other landscaping and shrubs within the rear yards. Trees must be a species to meet a minimum height of 2 metres at maturity, and the tree species selected according to the available space, in accordance with the Moreland Tree Planting Manual for Residential Zones, 2019.
- k) Notes and diagrams detailing the establishment and maintenance of all proposed trees, shrubs and ground covers.

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

- 4. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works must be completed in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.
- 5. All landscaping must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Responsible Authority.

Tree Protection

- 6. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), all council trees and the trees marked on the endorsed plans as being retained and protected must have a Tree Protection Zone (TPZ) in accordance with AS4970 Protection of Trees on Development Sites to the satisfaction of the Responsible Authority. The TPZ must meet the following requirements:

- a) **Tree Protection Fencing**

Tree Protection Fencing (TPF) is to be provided to the extent of the TPZ, calculated as being a radius of 12 x Diameter at Breast Height (DBH – measured at 1.4 metres above ground level as defined by the Australian Standard AS 4970.2009). The TPF may be aligned with roadways, footpaths and boundary fences where they intersect the TPZ.

If works are shown on any endorsed plan of this permit within the confines of the calculated TPZ, then the TPF must be taken in to only the minimum amount necessary to allow the works to be completed.

The TPF must be erected to form a visual and physical barrier, be a

minimum height of 1.5 metres above ground level and of mesh panels, chain mesh or similar material. A top line of high visibility plastic tape must be erected around the perimeter of the fence.

b) **Signage**

Fixed signs are to be provided on all visible sides of the TPF clearly stating "Tree Protection Zone – No entry. No excavation or trenching. No storage of materials or waste.". The TPF signage must be complied with at all times.

c) **Irrigation**

The area within the TPZ and TPF must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.

d) **Provision of Services**

All services (including water, electricity, gas and telephone) must be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, this must occur in accordance with Australian Standard AS4970.

7. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the owner must pay Council the amenity value, removal, replacement and establishment costs in accordance with the Moreland Urban Forest Strategy 2017 for any street tree damaged through the building works, to the satisfaction of the Responsible Authority.

Environmentally Sustainable Development

8. Prior to the endorsement of plans, an amended Sustainable Design Assessment (SDA) and plans must be submitted to the satisfaction by the Responsible Authority. The SDA must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the SDA prepared by Above and Beyond Energy Solutions Advertised 30/06/2021, but modified to include the following changes:
- a) Provide updated preliminary NatHERS ratings assessments for all dwellings demonstrating a minimum average 7 stars NatHERS star rating average across all dwellings.
 - b) Amend the BESS report (and any other corresponding documentation) to:
 - i. Enter the preliminary NatHERS data in the Dwelling Energy Profiles as per the updated NatHERS ratings.
 - ii. Include solar photovoltaic systems to each dwelling in accordance with the requirements of condition 8c)(vi).
 - c) Show the following ESD initiatives on the development plans:
 - i. Increase the size of the window to Dwelling 2 study/library. The window must be operable (not awning opening), and provided with shading in accordance with condition 8c)(ii).
 - ii. External operable shading devices to all west facing habitable room glazing to block peak summer sun. A product diagram or section detail of the proposed device must be provided.
 - iii. Double glazing to all habitable rooms to be annotated on each individual glazing unit on elevation plans and specified on the material/colour schedule.

- iv. **Size and location of all rainwater tanks.**
 - v. **The location of designated electric vehicle parking bay(s) and location of charging infrastructure.**
 - vi. **A solar photovoltaic (PV) system to each dwelling, with a minimum 3kW for 2 beds and 5kW for 4 beds per dwelling, including the proposed photovoltaic array location, approximate size and number of individual panels, orientation and tilt angle.**
- d) **A STORM report and stormwater management response that maintains a minimum STORM score of 100%.**
- e) **An amended stormwater catchment plan (based on the roof plan) that is consistent with the STORM report, clearly showing:**
- i. **All stormwater catchment areas (impervious areas and roofs) clearly marked and dimensioned and connected to corresponding Water Sensitive Urban Design (WSUD) treatment measures;**
 - ii. **Any untreated roofs/impervious surfaces clearly identified.**
 - iii. **That any trafficable balcony runoff will not be directed into the proposed rainwater tanks.**
 - iv. **The size and location of rainwater tanks in accordance with the stormwater report and include a clear annotation stating that tanks will be collecting rainwater from all roofed areas and will be servicing all the toilets (washing machine, irrigation) within each dwelling.**
 - v. **The downpipe locations and how they will be connected to the rainwater tanks without the need for charged piping systems underneath dwellings footings or slabs.**

Where alternative ESD initiatives are proposed to those specified in the conditions above, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the Sustainable Design Assessment and associated notated plans will be endorsed to form part of this permit. No alterations to the plan may occur without written consent from the Responsible Authority.

9. **Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all works must be undertaken in accordance with the endorsed Sustainable Design Assessment (including any BESS and STORM reports) to the satisfaction of the Responsible Authority.**
10. **Prior to the issuing of a Certificate of Occupancy or Statement of Compliance, whichever comes first, of any dwelling approved under this permit, a report/checklist must be submitted to the Responsible Authority. The report/checklist must be to the satisfaction of the Responsible Authority and must confirm (with suitable evidence) that measures specified in the endorsed Sustainable Design Assessment have been implemented in accordance with the approved plans.**
11. **All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained, to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainable Design Assessment.**

Waste Management

12. **The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the**

Responsible Authority unless with the further written approval of the Responsible Authority.

Development Contributions

13. **Prior to the issue of a Building Permit in relation to the development approved by this permit, a Development Infrastructure Levy and Community Infrastructure Levy must be paid to Moreland City Council in accordance with the approved Development Contributions Plan. The Development Infrastructure Levy and Community Infrastructure Levy is charged per dwelling.**

If an application for subdivision of the land in accordance with the development approved by this permit is submitted to Council, payment of the Development Infrastructure Levy can be delayed to a date being whichever is the sooner of the following:

- a) **a maximum of 12 months from the date of issue of the Building Permit;**
or
- b) **prior to the issue of a Statement of Compliance for the subdivision;**

When a staged subdivision is sought, the Development Infrastructure Levy must be paid prior to the issue of a Statement of Compliance for each stage of subdivision in accordance with a Schedule of Development Contributions approved as part of the subdivision.

Car Parking and Vehicle Access

14. **Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the unconstructed portion of the rear laneway must be constructed and drained for the full width to Council's standards using construction plans approved by Council and the works supervised by Council.**
15. **Any ramp from the garage floor to either laneway must be contained entirely within the site leaving the laneway levels unaltered.**
16. **Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the carport roller doors must be automatic and remote controlled.**

Undergrounding Cables

17. **Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.**

Stormwater

18. **All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority (Note: Please contact Moreland City Council, City Infrastructure Department).**
19. **Stormwater from the land must not be directed to the surface of the right-of-way to the satisfaction of the Responsible Authority.**

General Amenity

20. **Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views. This does not include external guttering or associated rainwater down pipes.**
21. **Prior to the issue of an Occupancy Permit or issue of a Statement of**

Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.

22. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, bollard lighting as shown on the endorsed plans, standing no higher than 1.2 metres above ground level, is to be installed and maintained on the land to automatically illuminate pedestrian access to the dwellings between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of the Responsible Authority.
23. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, lighting shown as installed on each balcony on the endorsed plans must be designed to not emit light direct onto adjoining property to the satisfaction of the Responsible Authority.
24. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all visual screening measures shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.

Permit Expiry

25. This permit will expire if one of the following circumstances applies:
 - a) the development is not commenced within two (2) years from the date of issue of this permit;
 - b) the development is not completed within four (4) years from the date of issue of this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- within six months after the permit expires to extend the commencement date.
- within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

Notes

Note 1: This permit contains a condition requiring payment of Development Contributions. The applicable development contribution levies are indexed annually. To calculate the approximate once off levy amount, please visit <http://www.moreland.vic.gov.au/planning-building/> and click on 'Moreland Development Contributions Plan (DCP)'. Alternatively, please contact Moreland City Council on 9240 1111 and ask to speak to the DCP Officer.

Note 2: Should Council impose car parking restrictions in this street, the owners and/or occupiers of the dwellings would not be eligible for resident parking permits to park on the street. Occupiers are eligible for the resident A parking permit which only permits parking in limited areas. The resident parking permits and Resident A parking permit are subject to future reviews and change. See Council's website for more information: <https://www.moreland.vic.gov.au/parking-roads/parking-permits/residential-parking-permits/>.

Note 3: Further approvals are required from Council's City Infrastructure Department who can be contacted on 8311 4300 for any works beyond the boundaries of the property. Planting and other vegetative works proposed on road reserves can be discussed with Council's Open Space Unit on 8311 4300.

Note 4: Moreland City Council is committed to increasing the amount of affordable

housing in the municipality. One way to do this, is through Homes for Homes, a social enterprise founded by the Big Issue that aims to raise new funds via voluntary tax-deductible donations on property transactions and invest those funds in building and managing new social and affordable dwellings. If you would like to help build homes for those in need, visit [Homes for Homes](#) and register your commitment to donate 0.1 per cent of the sale price of your dwelling(s).

Carried unanimously

URGENT BUSINESS REPORTS

Nil

The Council meeting for Planning and Related Matters closed to the public at 9.19 pm.

Confirmed

Cr Mark Riley
MAYOR