



# Moreland

## City Council

### **Minutes of the Planning and Related Matters Meeting** Held at the Moreland Civic Centre, 90 Bell Street, Coburg on Wednesday 25 May 2022

The Mayor opened the meeting at 6.31 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.

<b>Present</b>	<b>Time In</b>	<b>Time Out</b>
Cr Mark Riley, Mayor	6.31 pm	7.21 pm
Cr Lambros Tapinos, Deputy Mayor	Leave of absence	
Cr Adam Pulford	6.31 pm	7.21 pm
Cr Angelica Panopoulos	Apology	
Cr Annalivia Carli Hannan	6.48 pm	7.21 pm
Cr Helen Davidson	6.31 pm	7.21 pm
Cr Helen Pavlidis	Apology	
Cr James Conlan	6.31 pm	7.21 pm
Cr Monica Harte	6.31 pm	7.21 pm
Cr Oscar Yildiz JP	6.31 pm	7.21 pm
Cr Sue Bolton	6.33 pm	7.21 pm

#### **OFFICERS**

Director Place and Environment – Joseph Tabacco  
Group Manager City Development – Phil Priest  
Unit Manager Urban Planning – Mark Hughes  
Planning Coordinator – Kylie Sullivan  
Senior Urban Planner – Jessica Thomas  
Manager Governance and Strategy – Yvonne Callanan  
Team Leader Governance – Naomi Ellis

## **APOLOGIES/LEAVE OF ABSENCE**

Cr Tapinos was on an approved leave of absence.

Cr Panopoulos and Cr Pavlidis were apologies to the meeting.

## **DISCLOSURES OF CONFLICTS OF INTEREST**

Nil

## **MINUTE CONFIRMATION**

### **Resolution**

**Cr Conlan moved, Cr Yildiz seconded -**

**The minutes of the Planning and Related Matters Meeting held on 27 April 2022 be confirmed.**

**Carried**

(Cr Bolton abstained from voting as she did not attend the April meeting.)

## **COUNCIL REPORTS**

### **5.1 CITY DEVELOPMENT ACTIVITY REPORT MARCH QUARTER 2022**

#### **Officer Recommendation**

That Council:

1. Notes the City Development Activity Report – March Quarter 2022

### **Resolution**

**Cr Harte moved, Cr Riley seconded -**

**That Council:**

1. **Notes the City Development Activity Report – March Quarter 2022**

**Carried unanimously**

### **5.2 35-39 SYDNEY ROAD, COBURG VIC 3058 - MPS/2020/852 PLANNING REPORT**



<b>Property:</b>	35-39 Sydney Road, Coburg
<b>Proposal:</b>	Construction of a six storey building, reduction of car parking requirements and alteration of access to a road in a Transport Zone 2

<b>Zoning and Overlay/s:</b>	<ul style="list-style-type: none"> <li>• Activity Centre Zone (ACZ1)</li> <li>• Environmental Audit Overlay (EAO)</li> <li>• Parking Overlay (PO1)</li> <li>• Development Contributions Plan Overlay (DCPO1)</li> </ul>
<b>Strategic setting:</b>	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="background-color: #cccccc; padding: 5px; text-align: center;">Minimal housing growth</div> <div style="background-color: #cccccc; padding: 5px; text-align: center;">Incremental housing growth</div> <div style="background-color: #cccccc; padding: 5px; text-align: center;">Increased house densities encouraged</div> <div style="background-color: #00a0e3; color: white; padding: 5px; text-align: center;">Significant housing growth</div> </div>
<b>Objections:</b>	<ul style="list-style-type: none"> <li>• Five (5) objections</li> <li>• Key issues: <ul style="list-style-type: none"> <li>• Car parking, vehicle access and traffic impacts</li> <li>• Building height</li> <li>• Overlooking and overshadowing</li> </ul> </li> </ul>
<b>Planning Information and Discussion (PID) Meeting:</b>	Consultation has occurred with individual objectors
<b>ESD:</b>	<ul style="list-style-type: none"> <li>• The applicant has agreed in writing to average NatHERS rating of 7 stars.</li> <li>• 8.8 KW Solar PV system</li> </ul>
<b>Accessibility:</b>	<ul style="list-style-type: none"> <li>• 71% of apartments are adaptable</li> </ul>
<b>Key reasons for support</b>	<ul style="list-style-type: none"> <li>• The built form meets the objectives of DDO24, noting the upper level is highly concealed from the street.</li> <li>• 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 use appropriately activates the street.</li> <li>• The site is well located within 250m of train, tram and bus public transport options to support the reduction in car parking.</li> </ul>
<b>Recommendation:</b>	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/2020/852 be issued for the construction of a six storey building, reduction of car parking requirements and alteration of access to a road in a Transport Zone 2 at 35-39 Sydney Road, Coburg, 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) Changes generally in accordance with the discussion plans received on 20 April 2022, including:
    - i. Alterations to window configuration and detailing, wall thickness and

- recession on the street wall facade
- ii. Balcony modifications at the upper levels facing Sydney Road
- iii. Textured concrete finish to the upper level walls facing Sydney Road and along sections of the northern, southern and western facades
- iv. Deletion of the exposed yellow downpipes
- v. Recession of the roof services and screen
- vi. Addition of external shading and spandrel panels
- vii. Internal rearrangement of entry to waste/services room
- b) The planter boxes of the balconies of Dwellings 302 and 303 setback 3 metres from the front boundary.
- c) The southern edge and planter box of the balcony of Dwelling 303 setback a further 1 metre from the south boundary.
- d) The height of the planter boxes on the elevation plans dimensioned.
- e) The light well adjacent Dwelling 204 with a minimum area of 9 square metres through a reduction in the area of the balcony of Dwelling 204.
- f) The external walls of the light well on the southern side of the building finished in a white or similar colour to increase the reflectance value and daylight to the adjacent bedrooms in accordance with the assumptions applied in the daylight modelling prepared by BSE.
- g) The bathrooms of adaptable dwellings to have full compliance with either Design Option A or Design Option B in Table 7 of Clause 58.05-1 of the Moreland Planning Scheme.
- h) The canopy (to Sydney Road) setback a minimum distance of 0.75 metres from the kerb and with a height of not less than 3 metres above the level of the footpath in accordance with the Building Regulations 2018 – Regulation 203 Verandahs. The canopy must be designed to ensure the protection of the existing street trees along Sydney Road.
- i) The location of any substation and or fire booster cabinet as may be required by service authorities. 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 street and the architectural integrity of the building.
- j) Details and specifications of the car stacker system.
- k) Any changes in accordance with the Landscape Plan required by Condition 3 of this permit.
- l) Any changes in accordance with the Waste Management Plan required by Condition 11 of this permit.
- m) All measures recommended by the Acoustic Report as required by Condition 13 of this permit.
- n) Any changes in accordance with the Accessibility Report as required by Condition 18 of this permit.
- o) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as required by Condition 7e) 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) Any changes in accordance with the plans to be endorsed under Condition 1 of this permit.
  - b) Details of how the planter boxes will be maintained, irrigated and drained.
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.

### **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 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.

## **Environmentally Sustainable Design**

7. 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 Building Services Engineers dated 25 September 2021, but modified to include the following changes:
  - a) Any changes in accordance with the plans to be endorsed under Condition 1 of this permit.
  - b) Amend the BESS report (and any other corresponding documentation) to:
    - i. No longer claim Management credit 1.1 'Pre-application meeting' or provide evidence that a pre-application meeting was attended by a qualified ESD professional. (Being involved at an early stage does not meet the credit requirements.)
    - ii. No longer claim Management credit 3.2 as there is only one commercial tenant.
    - iii. Provide details of what will be in the Building Users Guide.
    - iv. Remove the baths.
    - v. Change the exposed sides to the correct number.
    - vi. Change the dryer to 'Occupant to install'.
    - vii. Replace central gas hot water with central electric heat pump water heaters and gas cooktops with electric/induction cooktops so the development is net-zero ready.
    - viii. Reduce the angle of the solar panels to a more realistic angle. It is unlikely the solar panels will be angled at 36 degrees due to the extra cost of brackets for wind loading. Please list the correct angle in the BESS report and on the plans.
    - ix. Ensure consistency between the BESS report (20,000L) and the STORM report and SMP (15,000L) relating to rainwater tank capacity.
  - c) Amend the NatHERS Certificates as follows:
    - i. Increase the energy rating of all dwellings to at least 6 stars with an average of 7 stars across the development.
    - ii. All habitable room windows and doors must be double glazed.
    - iii. Provide details in the NatHERS ratings on the 'vertical shading features' listed for all walls in the reports. There appears to be a feature, however they are only shown on some walls.
  - d) A STORM report and stormwater management response that maintains a minimum STORM score of 100% but is modified so that:
    - i. STORM updated to include the addition of one extra bedroom per dwelling to accommodate the connection to the laundry. A larger tank maybe required.
    - ii. Provide details of the filtration system and maintenance requirements and schedule that will be installed for the water tank for the courtyards and balconies.
  - e) Show the following ESD initiatives on the development plans:
    - i. External fixed shading to north facing glazing, generally in accordance with the discussion plans received 20 April 2022.
    - ii. External operable shading devices to west facing glazing, generally in

accordance with the discussion plans received 20 April 2022.

- iii. The EV charging points for the carparks.
- iv. The filtration system for the water tank as trafficable areas have been connected.
- f) An amended daylight model that has the correct colours and reflectance values for the surfaces in the courtyards in accordance with condition 1(f). The modelling currently lists all materials as white, however the advertised plans nominated the courtyards with a mix of colours. Either redo the daylight modelling for the bedrooms on levels 1, 2 and 3 facing all courtyards/ lightcourts or update the development plans with a white colour.

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.

8. 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.
9. 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.
10. 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**

11. 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 One Mile Grid dated 16 April 2021 but modified to:
  - a) Include separate glass collection.
  - b) Consider how hard waste will be collected.
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.

#### **Acoustic Attenuation**

13. Prior to the endorsement of plans, an amended Acoustic Report must be submitted to the satisfaction of the Responsible Authority. The report must be generally in accordance with the report prepared by Watson Moss Growcott Acoustics, dated 14 April 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 from

noise through:

- i. The specific car stacker system outlined in the traffic report prepared by One Mile Grid dated 16 April 2021, or as otherwise approved by the Responsible Authority.
  - ii. Mechanical systems including the lift and garage door.
14. 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.
  15. 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.
  16. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, post-construction testing is to be undertaken by a suitably qualified acoustic expert. The testing is to be conducted from the locations specified in the report prepared by Watson Moss Growcott Acoustics, dated 14 April 2021. The testing is to show that any noise impacts directly from the proposed car stacker meet the day, evening and night SEPP N-1 noise limits identified in Table 16 of the report.
  17. In the event that the testing required by Condition 16 concludes that the nominated decibel levels cannot be met, the acoustic expert must recommend further noise attenuation measures to ensure compliance with the condition. These additional measures must be implemented prior to the occupation of the building.

### **Accessibility**

18. Prior to the endorsement of plans an amended Accessibility Report must be submitted to the satisfaction of the Responsible Authority. The report must be generally in accordance with the report prepared by Morris Goding Access Consulting Dated 25 November 2020 but modified to:
  - a) Reflect the decision plans, with any changes required under Condition 1 of this permit.
19. The recommendations of the approved Accessibility Report 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.
20. 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**

21. 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.
- 22. 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.
  - 23. 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).
  - 24. 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.
  - 25. 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 21, 22 and 23 of this permit are satisfied.
  - 26. 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**

- 27. 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**

28. 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.
29. At least 25 per cent of the mechanical car parking spaces are to be able to accommodate a vehicle clearance height of at least 1.8 metres.
30. 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).
31. Bicycle signage at least 300mm wide and 450mm high showing a white bicycle on a blue background must be erected directing cyclists to the location of the bicycle parking as required by Clause 52.34-5 of the Moreland Planning Scheme.

### **Public Works**

32. Prior to the commencement of the development, a Public Works Plan and associated construction drawing specifications detailing the works to the land along Sydney Road 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) Longitudinal plans of the road verge commencing 10 metres beyond the site boundary, together with cross-sections between the kerb and the building line at 5 metre intervals, with levels showing the slope of the public footpath and highlighting how the level difference between footpath and floor levels will be made up within the site to the satisfaction of the Responsible Authority.
  - d) 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%).
  - 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) Any other works to the public land adjacent to the development.
  - i) The provision of new street tree planting along Sydney Road 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).

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.

33. 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

34. 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**

35. Lighting on each balcony must be designed to not emit light direct onto adjoining property to the satisfaction of the Responsible Authority.
36. 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.
37. 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.
38. 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.
39. The ground level windows facing Sydney Road must maintain a minimum 80% transparency at all times, to the satisfaction of the Responsible Authority.

#### **Stormwater**

40. 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).
41. Stormwater from the land must not be directed to the surface of the laneway to the satisfaction of the Responsible Authority.

#### **Development Contributions**

42. 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**

43. 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 planning permit

**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 are subject to future reviews and change.

**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 the *Environment Protection Act 2017*.
- 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.

6.48 pm Cr Carli Hannan entered the meeting.

## Resolution

Cr Conlan moved, Cr Bolton seconded -

**That a Notice of Decision to Grant a Planning Permit No. MPS/2020/852 be issued for the construction of a multi storey building, reduction of car parking requirements and alteration of access to a road in a Transport Zone 2 at 35-39 Sydney Road, Coburg, 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 maximum building height reduced to 18 metres (excluding services such as service equipment including plant rooms, lift overruns, solar panels).**
- b) Changes generally in accordance with the discussion plans received on 20 April 2022, including:**
  - i. Alterations to window configuration and detailing, wall thickness and recession on the street wall facade**
  - ii. Balcony modifications at the upper levels facing Sydney Road**
  - iii. Textured concrete finish to the upper level walls facing Sydney Road and along sections of the northern, southern and western facades**
  - iv. Deletion of the exposed yellow downpipes**
  - v. Recession of the roof services and screen**
  - vi. Addition of external shading and spandrel panels**
  - vii. Internal rearrangement of entry to waste/services room**
- c) The planter boxes of the balconies of Dwellings 302 and 303 setback 3 metres from the front boundary.**
- d) The southern edge and planter box of the balcony of Dwelling 303 setback a further 1 metre from the south boundary.**
- e) The height of the planter boxes on the elevation plans dimensioned.**
- f) The light well adjacent Dwelling 204 with a minimum area of 9 square metres through a reduction in the area of the balcony of Dwelling 204.**
- g) The external walls of the light well on the southern side of the building finished in a white or similar colour to increase the reflectance value and daylight to the adjacent bedrooms in accordance with the assumptions applied in the daylight modelling prepared by BSE.**
- h) The bathrooms of adaptable dwellings to have full compliance with either Design Option A or Design Option B in Table 7 of Clause 58.05-1 of the Moreland Planning Scheme.**
- i) The canopy (to Sydney Road) setback a minimum distance of 0.75 metres from the kerb and with a height of not less than 3 metres above the level of the footpath in accordance with the Building Regulations 2018 – Regulation 203 Verandahs. The canopy must be designed to ensure the protection of the existing street trees along Sydney Road.**
- j) The location of any substation and or fire booster cabinet as may be required by service authorities. 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 street and the architectural integrity of the building.**
- k) Details and specifications of the car stacker system.**
- l) Any changes in accordance with the Landscape Plan required by Condition 3 of this permit.**
- m) Any changes in accordance with the Waste Management Plan required by Condition 11 of this permit.**
- n) All measures recommended by the Acoustic Report as required by**

Condition 13 of this permit.

- o) Any changes in accordance with the Accessibility Report as required by Condition 18 of this permit.
- p) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as required by Condition 7e) 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) Any changes in accordance with the plans to be endorsed under Condition 1 of this permit.
  - b) Details of how the planter boxes will be maintained, irrigated and drained.
- 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.

#### 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 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.

**Environmentally Sustainable Design**

7. 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 Building Services Engineers dated 25 September 2021, but modified to include the following changes:

- a) Any changes in accordance with the plans to be endorsed under Condition 1 of this permit.
- b) Amend the BESS report (and any other corresponding documentation) to:
  - i. No longer claim Management credit 1.1 'Pre-application meeting' or provide evidence that a pre-application meeting was attended by a qualified ESD professional. (Being involved at an early stage does not meet the credit requirements.)
  - ii. No longer claim Management credit 3.2 as there is only one commercial tenant.
  - iii. Provide details of what will be in the Building Users Guide.
  - iv. Remove the baths.
  - v. Change the exposed sides to the correct number.
  - vi. Change the dryer to 'Occupant to install'.
  - vii. Replace central gas hot water with central electric heat pump water heaters and gas cooktops with electric/induction cooktops so the development is net-zero ready.
  - viii. Reduce the angle of the solar panels to a more realistic angle. It is unlikely the solar panels will be angled at 36 degrees due to the extra cost of brackets for wind loading. Please list the correct angle in the BESS report and on the plans.
  - ix. Ensure consistency between the BESS report (20,000L) and the STORM report and SMP (15,000L) relating to rainwater tank capacity.
- c) Amend the NatHERS Certificates as follows:
  - i. Increase the energy rating of all dwellings to at least 6 stars with an average of 7 stars across the development.
  - ii. All habitable room windows and doors must be double glazed.
  - iii. Provide details in the NatHERS ratings on the 'vertical shading

features' listed for all walls in the reports. There appears to be a feature, however they are only shown on some walls.

- d) A STORM report and stormwater management response that maintains a minimum STORM score of 100% but is modified so that:
  - i. STORM updated to include the addition of one extra bedroom per dwelling to accommodate the connection to the laundry. A larger tank maybe required.
  - ii. Provide details of the filtration system and maintenance requirements and schedule that will be installed for the water tank for the courtyards and balconies.
- e) Show the following ESD initiatives on the development plans:
  - i. External fixed shading to north facing glazing, generally in accordance with the discussion plans received 20 April 2022.
  - ii. External operable shading devices to west facing glazing, generally in accordance with the discussion plans received 20 April 2022.
  - iii. The EV charging points for the carparks.
  - iv. The filtration system for the water tank as trafficable areas have been connected.
- f) An amended daylight model that has the correct colours and reflectance values for the surfaces in the courtyards in accordance with condition 1(f). The modelling currently lists all materials as white, however the advertised plans nominated the courtyards with a mix of colours. Either redo the daylight modelling for the bedrooms on levels 1, 2 and 3 facing all courtyards/ lightcourts or update the development plans with a white colour.

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.

- 8. 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.
- 9. 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.
- 10. 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**

- 11. 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 One Mile Grid dated 16 April 2021 but modified to:**

- a) **Include separate glass collection.**
  - b) **Consider how hard waste will be collected.**
- 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.**

#### **Acoustic Attenuation**

- 13. Prior to the endorsement of plans, an amended Acoustic Report must be submitted to the satisfaction of the Responsible Authority. The report must be generally in accordance with the report prepared by Watson Moss Growcott Acoustics, dated 14 April 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 from noise through:**
    - i. **The specific car stacker system outlined in the traffic report prepared by One Mile Grid dated 16 April 2021, or as otherwise approved by the Responsible Authority.**
    - ii. **Mechanical systems including the lift and garage door.**
- 14. 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.**
- 15. 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.**
- 16. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, post-construction testing is to be undertaken by a suitably qualified acoustic expert. The testing is to be conducted from the locations specified in the report prepared by Watson Moss Growcott Acoustics, dated 14 April 2021. The testing is to show that any noise impacts directly from the proposed car stacker meet the day, evening and night SEPP N-1 noise limits identified in Table 16 of the report.**
- 17. In the event that the testing required by Condition 16 concludes that the nominated decibel levels cannot be met, the acoustic expert must recommend further noise attenuation measures to ensure compliance with the condition. These additional measures must be implemented prior to the occupation of the building.**

#### **Accessibility**

- 18. Prior to the endorsement of plans an amended Accessibility Report must be submitted to the satisfaction of the Responsible Authority. The report must be generally in accordance with the report prepared by Morris Goding Access Consulting Dated 25 November 2020 but modified to:**
- a) **Reflect the decision plans, with any changes required under Condition 1**

of this permit.

19. The recommendations of the approved Accessibility Report 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.
20. 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

21. 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.
22. 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.
23. 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).
24. 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.

25. 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 21, 22 and 23 of this permit are satisfied.
26. 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

27. 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

28. 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.
29. At least 25 per cent of the mechanical car parking spaces are to be able to accommodate a vehicle clearance height of at least 1.8 metres.
30. 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).
31. Bicycle signage at least 300mm wide and 450mm high showing a white bicycle on a blue background must be erected directing cyclists to the location of the bicycle parking as required by Clause 52.34-5 of the Moreland Planning Scheme.

#### Public Works

32. Prior to the commencement of the development, a Public Works Plan and associated construction drawing specifications detailing the works to the land along Sydney Road 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) **Longitudinal plans of the road verge commencing 10 metres beyond the site boundary, together with cross-sections between the kerb and the building line at 5 metre intervals, with levels showing the slope of the public footpath and highlighting how the level difference between footpath and floor levels will be made up within the site to the satisfaction of the Responsible Authority.**
- d) **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%).**
- 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) **Any other works to the public land adjacent to the development.**
- i) **The provision of new street tree planting along Sydney Road 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).**

**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.**

**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**

**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**

- 33. **Lighting on each balcony must be designed to not emit light direct onto adjoining property to the satisfaction of the Responsible Authority.**
- 34. **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.**
- 35. **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.**
- 36. **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.**
- 37. **The ground level windows facing Sydney Road must maintain a minimum 80% transparency at all times, to the satisfaction of the Responsible Authority.**

#### **Stormwater**

- 38. **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).

39. Stormwater from the land must not be directed to the surface of the laneway to the satisfaction of the Responsible Authority.

#### Development Contributions

40. 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

41. 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 planning permit

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 are subject to future reviews and change.

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 the *Environment Protection Act 2017*.
- 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

Cr Riley called for a division.

<b>For</b>	<b>Against</b>
Cr Bolton	Cr Davidson
Cr Pulford	Cr Yildiz
Cr Conlan	Cr Carli Hannan
Cr Riley	
Cr Harte	
<b>Total For (5)</b>	<b>Total Against (3)</b>

## URGENT BUSINESS REPORTS

Nil

The meeting closed at 7.21 pm.

Confirmed

Cr Mark Riley  
**MAYOR**