

**PLANNING**

Permit No.:

**TPA/47261/A****PERMIT**

Planning Scheme:

**Monash Planning Scheme**

Responsible Authority:

***Monash City Council*****ADDRESS OF THE LAND**

29 Browns Road CLAYTON VIC 3168

**THE PERMIT ALLOWS**

Buildings and works for multi-level residential development and reduction in car parking requirements for visitors, generally in accordance with the approved Development Plan for Former Clayton Primary School

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT**

1. Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. The submitted plans must clearly delineate and highlight any changes. When approved the plans will be endorsed and will then form part of the permit.

The plans must be generally in accordance with the plans submitted with the application, but modified to show:

- a) Deleted.
- b) The Study of the two bedroom townhouse (Dwelling 20) reconfigured to provide more open plan layout with no internal walls or doors and provision of a fixed desk space.
- c) Plans amended to reflect all design recommendations as per Section 5.8 and Appendix B of the Ratio traffic report.
- d) The 1:5 grade between the 1:10 and 1:4 change in grade flattered with a minimum 1:5.7 grade (in accordance with AS2890.1:2004), without significant change to the finished floor levels for the building, to the satisfaction of the Responsible Authority.

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- e) Notation to read 'the existing redundant pram crossings on both sides of the Browns Road road hump are to be removed and replaced with kerb and channel'.
  - f) Internal footpaths to be a minimum of 1.4 metres in width.
  - g) More prominent pedestraian entrance to the development provided towards the Browns Road frontage.
  - h) The location and design of any required fire services, electricity supply, gas and water meter boxes discreetly located and/or screened to compliment the development.
  - i) Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) both sides of the Moriah Street vehicle crossing and from the edge of the exit lane of the Browns Road vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road.
  - j) Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) the edge of the exit lane of the basement car park access to provide a clear view of pedestrians on the footpath of the main development access road.
  - k) Full details of all proposed materials and finishes.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
4. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site by private contractor. The Waste Management Plan shall provide for:
- a) The method of collection of garbage and recyclables for uses.
  - b) Designation of methods of collection by private services.
  - c) Appropriate areas of bin storage on site and areas for bin storage on collection days.
  - d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas.
  - e) Litter management.

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A copy of this plan must be submitted to and approved by the Responsible Authority. Once approved the Waste Management Plan will be endorsed to form part of the permit.

5. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.
6. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.
7. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.
8. Before the development starts, a Construction Management Plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
  - a) Measures to control noise, dust and water runoff.
  - b) Prevention of silt or other pollutants from entering into the council's underground drainage system or road network.
  - c) The location of where building materials are to be kept during construction.
  - d) Site security.
  - e) Traffic management plan providing for safe movements of vehicles to and from the site during the construction phase.
  - f) On-site parking of vehicles associated with construction of the development.
  - g) Wash down areas for trucks and vehicles associated with construction activities.
  - h) Cleaning and maintaining surrounding road surfaces.
  - i) A requirement that construction works must only be carried out during the following hours:
    - Monday to Friday (inclusive) – 7.00am to 6.00pm;
    - Saturday – 9.00am to 1.00pm;
    - Saturday – 1.00pm to 5.00pm (only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery).

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9. A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-
- a) The location of all existing trees and other vegetation to be retained or removed on site.
  - b) Provision of 134 canopy trees with spreading crowns located throughout the site including the major open space areas of the development, or as otherwise agreed to the satisfaction of the Responsible Authority.
  - c) Planting to soften the appearance of hard surface areas such as driveways and other paved areas.
  - d) A schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material.
  - e) The location and details of all fencing.
  - f) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
  - g) Details of all proposed hard surface materials including pathways, patio or decked areas.

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

10. Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.
11. Prior to the commencement of any works that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, shall be marked and provided with a protective barricade and verified by an authorised officer of the Responsible Authority.
12. All work within the dripline of any tree to be retained shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.

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13. No building material, demolition material or earthworks shall be stored or stockpiled under the canopy line of any tree to be retained during the construction period of the development hereby permitted.
14. No vehicle shall park under the canopy line of any tree to be retained.
15. The lopping of vegetation permitted shall be done in such a way that the health, appearance or significance of the vegetation is not affected.
16. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.

The plans must show a drainage scheme providing for the collection of stormwater within the site and for the conveying of the stormwater to the nominated point of discharge.

The nominated point of discharge is the south-east corner of the property where the entire site's stormwater must be collected and free drained via a pipe to the 900 mm Council drain in the rear easement via a 900 mm x 600 mm junction pit to be constructed to Council Standards.

If the point of discharge cannot be located then notify Council's Engineering Division immediately.

17. Stormwater discharge is to be detained on-site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required from Council prior to works commencing. Please refer to the notes section of this permit for additional details.
18. Before the development permitted is completed, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
  - (a) constructed to the satisfaction of the Responsible Authority;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;
  - (d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;
  - (e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

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

19. The car parking layout and vehicle access to the development shall generally follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme to the satisfaction of the Responsible Authority.
20. No less than 1 car space must be provided on the land for each one and two bedroom dwelling. No less than 2 car spaces must be provided on the land for each dwelling with three or more bedrooms. Any future subdivision of the development must provide allocation of car parking on Title in accordance with this requirement including all visitor car parking located within common property.
21. The existing redundant crossings are to be removed and replaced with kerb and channel. The footpath and naturestrip are to be reinstated to the satisfaction of Council.
22. On-site visitor parking spaces are required to be clearly marked.
23. A minimum of 44 bicycle spaces to be provided within the site. Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.
24. This permit will expire in accordance with section 68 of the *Planning and Environment Act 1987*, if one of the following circumstances applies:
  - The development is not started before 3 years from the date of issue.
  - The development is not completed before 6 years from the date of issue.In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

### NOTES-

1. Building approval must be obtained prior to the commencement of the above approved works.
2. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.

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3. In the event that any parking restrictions are introduced in the surrounding area, occupants of this development will not be granted parking permits.
4. Approval of each proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department. The proposed crossings are to be constructed in accordance with the City of Monash standards.
5. Any new drainage work into a Council easement drain requires the approval of the Council's Engineering Division prior to the works commencing. Please refer to the notes section of this permit for additional details.
6. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains and these works are to be inspected by Council (tel. 9518 3690).
1. A drainage contribution will not be accepted in lieu of a detention system.
2. Stormwater detention requirements may be obtained from the City of Monash prior to the design of any stormwater detention system.
3. Detention system requirements for the property are as follows:
  - Minimum storage = 235.05 cubic metres
  - Maximum discharge rate = 138.16 litres per second
4. An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement car park. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity.
5. A Licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier's registration number must be included on the certificate.
6. Tree planting should be kept clear of the drainage easement.
7. All new crossings are to be no closer than 1.0 metre measured at the kerb to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process.

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THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

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Date of amendment	Brief Description of Amendment	Name of responsible authority that approved the amendment
25 February 2020	<ul style="list-style-type: none"><li>• Condition 1a) deleted</li><li>• Amended plans endorsed</li></ul>	Monash City Council

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Responsible Authority:



## IMPORTANT INFORMATION ABOUT THIS NOTICE

### WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

### CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The Responsible Authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

### WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit, or
- if no date is specified, from:
  - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
  - (ii) the date on which it was issued, in any other case.

### WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if-
  - the development or any stage of it does not start within the time specified in the permit, or
  - the development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.
2. A permit for the use of land expires if-
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if-
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision -
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

### WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of appeal exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on an application for review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.