



Moreland City Council

Moreland City Council  
Municipal Offices  
90 Bell Street  
Coburg  
Victoria 3058

## PLANNING PERMIT

**Permit No.** MPS/2015/595  
**Amendment No** **MPS/2015/595/A**  
**Planning Scheme:** Moreland Planning Scheme  
**Responsible Authority:** Moreland City Council

**ADDRESS OF LAND:** 718-724 Sydney Road, COBURG NORTH VIC 3058

**WHAT THE PERMIT ALLOWS:** The use and development of land for two multi storey buildings (plus basement) containing retail spaces, dwellings and a residential building (serviced apartments), remove vegetation, alter access to a road in a road zone category 1 and reduce the car parking requirement., in accordance with the endorsed plans

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the use and development commences, amended plans must be to the satisfaction of the Responsible Authority and 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 three copies must be provided. The plans must be generally in accordance with the plans prepared by Konzepte, titled Parkside Coburg North, Job No CB01 dated August 2019 but modified to show:
  - a) Setback levels 1 to 4 a minimum of 3 metres from the southern boundary.
  - b) Setback level 5 minimum of 4.5 metres from the southern boundary.
  - c) Private storage areas at a rate of 4m<sup>3</sup> for one bedroom dwellings, 6m<sup>3</sup> for two bedroom dwellings and 8m<sup>3</sup> for the three bedroom dwelling.
  - d) Four car parking spaces and four bicycle parking racks identified as 'retail owned by owners' of the retail areas. The remaining retail spaces marked as 'customer parking'.
  - e) Two resident bicycle parking spaces allocated to electronic bicycles.
  - f) The resident bicycle parking room on the basement level 1 with dimensioned bike spaces at least 4.9 metres wide to ensure the correct 1.5 metre wide access aisle between the two rows of parked 1.7 metre long bicycles.

**Date Issued:** 21 October 2016

**Signature for the Responsible  
Authority:**

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.



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- g) 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.
- h) The customer car parking space with a wall adjacent to one side must be provided with 300mm width in addition to the 2.6 metre wide parking space, as required by the Australian Standard for Off-Street Parking (AS2890.1).
- i) The location of any substation required by the power company for this development. Any substation must be incorporated within the building (i.e. not free standing or pole mounted in the street) to ensure minimal impact on the visual amenity of the public realm.
- j) Any practical changes to the plans required by condition 5 of this permit (Landscape Plan).
- k) The tree protection zones marked on the floor plans in accordance with condition 6 of the planning permit.
- l) Any practical changes to the plans required by condition 8 of this permit (Sustainability Management Plan).
- m) Any practical changes to the plans required by condition 16 of this permit (Access Report).
- n) Any practical changes to the plans required by condition 18 of this permit (Acoustic Report).
- o) Any practical changes to the plans required by conditions 19-21 (VicRoads conditions).
- p) Any practical changes to the plans required by condition 22-25 (Public Transport Victoria conditions).
- q) Any practical changes to the plans required by condition 38 of this permit (Erosion Management Report (Geotechnical Report)).
- r) Deleted.

### Secondary Consent

- 2. The use and development as shown on the endorsed plans must not be altered or modified unless with the further written approval of the Responsible Authority.

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### Development Contribution

3. 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 amount for the development is \$2400.00 per 100 square metres of leasable floor space and the Development and Community Infrastructure Levy amount for the development is \$1234.26 per dwelling. In accordance with the approved Development Contributions Plan, these amounts will be indexed annually on 1 July.
- 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:
- For a maximum of 12 months from the date of issue of the Building Permit for the development hereby approved; or
  - 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.

### Environmental Assessment and Auditing Requirements

4. Prior to the commencement of construction or carrying out works pursuant to this permit either:
- A Certificate of Environmental Audit for the land must be issued in accordance with Section 53Y of the *Environment Protection Act 1970* and provided to the Responsible Authority; or
  - An Environmental Auditor appointed under Section 53S of the *Environment Protection Act 1970* must make a Statement in accordance with Section 53Z of that Act that the environmental conditions of the land are suitable for the use and development that are the subject of this permit and that statement must be provided to the Responsible Authority.

Where a Statement of Environmental Audit is issued for the land, the buildings and works and the use(s) of the land that are the subject of this permit must comply with all directions and conditions contained within the Statement.

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Where a Statement of Environmental Audit is issued for the land, prior to the commencement of the use, and prior to the issue of a Statement of Compliance under the Subdivision Act 1988, and prior to the issue of an Occupancy Permit under the Building Act 1993, a letter prepared by an Environmental Auditor appointed under Section 53S of the *Environment Protection Act 1970* must be submitted to the Responsible Authority to verify that the directions and conditions contained within the Statement have been satisfied.

Where a Statement of Environmental Audit is issued for the land, and any condition of that Statement requires any maintenance or monitoring of an ongoing nature, the Owner(s) must enter into an Agreement with Council pursuant to Section 173 of the *Planning and Environment Act 1987*. Where a Section 173 Agreement is required, the Agreement must be executed prior to the commencement of the permitted use, and prior to the certification of the plan of subdivision under the *Subdivision Act 1988*. 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).

Prior to any remediation works being undertaken in association with an Environmental Audit, a Remediation Works Plan, prepared in consultation with the appointed Environmental Auditor, must be submitted to and approved by the Responsible Authority. The plan must detail only those remediation works, excavation works as well as any proposed structures such as retaining walls, necessary to facilitate the completion of the environment audit. Only the works detailed in the Remediation Works Plan, approved by the Responsible Authority, are permitted to be carried out prior to the issue of a Certificate or Statement of Environmental Audit.

### Landscaping

5. Prior to the commencement of any development works, a landscape plan consistent with the development plans submitted 28/06/2016 must be submitted to and approved by the Responsible Authority. The landscape plan must provide the following:
  - a) Additional landscaping surrounding the stair within the parkland.
  - b) The tree protection zones as required by condition 6.
  - c) A schedule of all proposed trees, shrubs and ground covers (including numbers, size at planting, size at maturity and botanical names), as well as sealed and paved surfaces. The flora selection and landscape design should be drought tolerant and based on species selection recommended in the Moreland Landscape Guidelines 2009.
  - d) Identification of any existing tree(s) and vegetation proposed to be removed and retained. Vegetation retainment must include strategies for the retainment (i.e. barriers and signage during the construction process).

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- e) Details of the location and type of all paved and sealed areas. The adoption of porous/permeable paving, rain gardens and other water sensitive urban design features is encouraged.
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 (or nominate tree numbers or species of individual trees) marked on the endorsed plans as being retained must have a Tree Protection Zone (TPZ) to the satisfaction of the Responsible Authority. The fencing associated with this TPZ must meet the following requirements:
- a) Extent - The 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). 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.
  - b) Fencing - All tree protection fencing required by this permit must be erected in accordance with the approved TPZ. The TPF must be erected to form a visual and physical barrier and must be a minimum height of 1.5 metres and of chain mesh or similar fence with 1.8 metre support posts (e.g. treated pine or similar) every 3-4 metres, including a top line of high visibility plastic hazard tape erected around the perimeter of the fence.
  - c) Signage - Fixed signs are to be provided on all visible sides of the TPF clearly stating “Tree Protection Zone – No Entry”, to the satisfaction of the Responsible Authority.
  - d) 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.
  - e) Provision of Services - Unless with the prior written consent of the Responsible Authority, all services (including water, electricity, gas and telephone) must be installed underground, and located outside of any TPZ, to the satisfaction of the Responsible Authority.
  - f) Access to TPZ - Should temporary access be necessary within the Tree Protection Zone during the period of construction, the Responsible Authority must be informed prior to relocating the fence (as it may be necessary to undertake additional root protection measures such as bridging over with timber).
7. Following completion of the development the areas designated as garden areas on the endorsed landscape plan must be maintained and used as garden areas.

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### Environmental Sustainable Development

8. Prior to the endorsement of plans, the Sustainability Management Plan prepared by 'Sustainable Development Consultants', dated 5th August 2015, version 2, received by Moreland City Council on 6 August 2015, must be amended by a suitably qualified environmental engineer or equivalent to the satisfaction of the Responsible Authority to include the following:
- Demonstration that stormwater detention volume requirements are in addition to stormwater retention and that the rainwater tanks are not directly topped up by mains water.
  - Details demonstrating how the commercial premises will achieve a 10% improvement on the performance of the building fabric, and confirmation that this can be achieved.
  - A minimum of 20% of the proposed dwellings modelled in an amended 'First-Rate 5 Assessment', demonstrating best practice energy efficiency.
  - Provide fixed/adjustable external shading to north facing exposed glazing and operable shading devices to east and west facing exposed glazing.
- Where alternative ESD initiatives are proposed to those specified in conditions 7a)– d, 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.
9. Prior to the commencement of occupation or issue of Statement of Compliance, whichever comes first of any dwelling approved under this permit, 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 that all measures specified in the SMP have been implemented in accordance with the approved Plan.
10. Prior to endorsement of plans, a Water Sensitive Urban Design (WSUD) Report/MUSIC Model demonstrating the incorporation of water sensitive urban design initiatives in accordance with best practice stormwater management targets must be provided to the satisfaction of the responsible authority. It must include (however is not limited to) the following:
- A complete copy of the MUSIC report submitted to Council, including all parameters set for a Melbourne location.
  - The Gross Pollutant Trap within the MUSIC model attributed to treat only gross pollutants (i.e. the inputs for total suspended solids and total phosphorus set to 0%).

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- c) Consistent information and stormwater initiatives between the architectural plans, MUSIC model and the SMP, including permeable and impermeable area.
- d) Clarification of permeable and impermeable areas.

Where alternative ESD initiatives are proposed to those specified in conditions 9a)– d), the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) stormwater best practice outcomes in association with the development.

- 11. Before the development commences, a Water Sensitive Urban Design (WSUD) initiative implementation schedule to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. This must identify the different areas of responsibility and provide a schedule for implementation, ongoing management, maintenance and monitoring of WSUD initiatives included in the approved WSUD Report and MUSIC model.
- 12. All works must be undertaken in accordance with the endorsed Water Sensitive Urban Design (WSUD) Report/MUSIC model including the type and area of treatment initiatives specified and to the satisfaction of the Responsible Authority. No alterations to the WSUD Report and MUSIC Model(s) may occur without written consent of the Responsible Authority. An application to amend the WSUD Report and MUSIC Model(s) must be accompanied by an updated WSUD Report and MUSIC Model(s) and WSUD implementation schedule to the satisfaction of the Responsible Authority and must incorporate the proposed changes.
- 13. Prior to the commencement of works approved under this permit, a report from the author of the Water Sensitive Urban Design (WSUD) Report/MUSIC model(s) 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 initiatives specified in the WSUD Report and MUSIC model to have been implemented in accordance with the approved report.

### Waste Management

- 14. The Waste Management Plan prepared by Leigh Design Pty Ltd dated 3 August 2015 will be endorsed to form part of this permit. The recommendations of the plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority
- 15. All works must be undertaken in accordance with the recommendations contained in the endorsed Waste Management Plan to the satisfaction of the Responsible Authority. No alterations to the Waste Management Plan may occur without the written consent of the Responsible Authority.

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### Accessibility

16. Prior to the endorsement of plans, an Access Plan must be prepared by a suitably qualified access auditor to assess any plans and provide advice/recommendations on access and mobility issues to the satisfaction of the Responsible Authority. The Plan must be submitted to and approved by the Responsible Authority. The Plan must provide for, but not be limited to, the following:
- Vehicular and pedestrian access into the buildings;
  - Access to the lifts;
  - The provision of tactile indicators;
  - The provision of Braille indicators for the lifts;
  - The use of contrasting paving or surface materials to assist the vision impaired;
  - Adaptable, accessible and visitable design features in accordance with the silver Performance Level of the Livable Housing Design Guidelines 2012. A minimum of 10% of the total number of dwellings must be adaptable;
  - Emergency exits, particularly above the ground floor; and
  - Car parking.

When submitted and approved to the satisfaction of the Responsible Authority, the Access Plan and associated notated plans will form part of this permit.

17. Prior to the occupation of any dwelling approved under this permit, a report from the author of the Access Plan, 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 Access Plan have been implemented in accordance with the approved Plan.

### Noise Attenuation

18. Prior to the commencement of the development approved by this permit, a report prepared by a qualified Acoustic Engineer must be submitted to the satisfaction of the Responsible Authority outlining specific noise attenuation measures to minimise the impact on the residential uses of the noise from the adjacent arterial road and tram route and neighbouring industrial land uses. Construction and maintenance of attenuation measures must be undertaken at the cost of the permit holder and be in accordance with the recommendations contained in this report to the satisfaction of the Responsible Authority.

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### VicRoads Conditions

19. Right hand turns into the site from Sydney Road must be prohibited.
20. The crossover and driveway are to be constructed to the satisfaction of the Roads Corporation and/or the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use hereby approved.
21. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use hereby approved.

### Public Transport Victoria Conditions

22. Before the development starts, amended plans to the satisfaction of Public Transport Victoria must be submitted to and approved by Public Transport Victoria. 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 three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - a) Access to Sydney Road from the development being restricted to left-in left-out only.
23. Before the use of the land commences, a Green Travel Plan must be prepared to the satisfaction of the Responsible Authority following consultation with Public Transport Victoria. The Plan must be prepared by a suitably qualified person and must encourage the use of non-private vehicle transport modes by the occupiers of the land. The Plan must include the following:
  - a) A description of the location in the context of alternate modes of transport and objectives for the Green Travel Plan;
  - b) Outline Green Travel Plan measures for the development including, but not limited to:
    - i) Household welcome packs — tram, train and bus timetables relevant to the local area must be included in the pack of information provided to purchasers upon a purchaser's occupation of an apartment.
    - ii) A minimum of two (2) MYKI Cards within the household welcome pack and relevant registration information.
    - iii) Details of bicycle parking and facilities available on the land.
    - iv) Pedestrian routes to key destinations
    - v) Periodic monitoring & review.

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- c) A plan showing:  
i) The bicycle parking areas to be provided for use by residents.

24. The Green Travel Plan must not be amended without the written consent of the Responsible Authority, following consultation with Public Transport Victoria.
25. Once approved the Green Travel Plan must form part of the planning permit and any ongoing Management Plan for the land to ensure the Green Travel Plan continues to be implemented by residents / owners to the satisfaction of the Responsible Authority.

### General

26. 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 (Moreland City Council, City Infrastructure Department).
27. Stormwater from the land must not be directed to the surface of the right-of-way to the satisfaction of the Responsible Authority.
28. The surface of all balconies and terraces are to be designed to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system to the satisfaction of the Responsible Authority.
29. Prior to the commencement of the development, a legal point of discharge is to be obtained, and where required, a stormwater drainage plan showing how the site will be drained from the property boundary to the stated point of discharge, must be submitted to and approved by the Responsible Authority.
30. Prior to the occupation of the development, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.
31. Prior to the occupation of the development all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land (including all existing and new buildings) must be underground to the satisfaction of the Responsible Authority.
32. 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.

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33. All resident and retail owned parking spaces are to be marked with the associated apartment number to facilitate management of the car park to the satisfaction of the Responsible Authority.
34. The car parking spaces provided on the land must be solely associated with the development allowed by this permit and must not be subdivided or sold separate from the development for any reason without the written consent of the Responsible Authority.
35. The area marked as a loading bay on the endorsed plan must not be used for any other purpose.
36. Before the occupation of the development, bollard lighting 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 rear dwelling(s) between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of the Responsible Authority.

### Construction Management

37. Prior to the commencement of any development works, a Construction Management Plan must be submitted to, and approved by the Responsible Authority. When approved the plan will form part of the permit. The plan must address, but not be limited to, the following:
  - a) Hours of demolition and construction.
  - b) Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures.
  - c) On site facilities for vehicle washing.
  - d) The protection measures for site features to be retained (e.g. vegetation, retaining walls, buildings, other structures and pathways, etc)
  - e) Delivery and unloading points and expected frequency.
  - f) A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced.
  - g) The movement of construction vehicles to and from the site must be regulated to ensure that no traffic hazards are created in and around the site.
  - h) Parking facilities for construction workers.
  - i) Measures to minimise the impact of construction vehicles arriving at and departing from the land.

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- j) An outline of requests to occupy public footpaths, roads or parkland and anticipated disruptions to local services.
- k) The processes to be adopted for the separation, re-use and recycling of demolition materials.
- l) The measures for prevention of the unintended movement of building waste and hazardous materials and other pollutants on or off the site, whether by air, water or other means
- m) The measures to minimise the amount of waste construction materials; the provision for the recycling of demolition and waste materials; and the return of waste materials to the supplier (where the supplier has a program of reuse or recycling)
- n) The measures to minimise noise and other amenity impacts from mechanical equipment and demolition/construction activities, especially outside of daytime hours
- o) The provision of adequate environmental awareness training for all on-site contractors and sub-contractors.

### Erosion Management

38. Prior to the commencement of any buildings and/or works, including the removal, destruction or lopping of any vegetation, and/or the certification of any plan of subdivision:
- a) The impact of the final design of the buildings and/or works (including the stairs in Coburg Lake Reserve), removal, destruction or lopping of vegetation and/or subdivision on slope stability must be assessed and certified by a chartered geotechnical practitioner with experience in slope stability;
  - b) Certification by way of a completed 'Geotechnical Declaration and Certification' for generally in accordance with the Geotechnical Declaration and Certification Form, Moreland City Council, November 2012, must be lodged with the responsible authority; and
  - c) Any changes to the final design/plan which are recommended by the chartered geotechnical practitioner must be shown on amended plans submitted to, and approved by, the responsible authority.
39. The buildings and/or works, including removal, destruction or lopping of vegetation, and/or subdivision must be undertaken in accordance with any requirements of a chartered geotechnical practitioner.

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40. If the certification by the chartered geotechnical practitioner includes any recommendations or requirement for ongoing maintenance of the buildings and/or works, prior to the commencement of building and/or works the owner must enter into an agreement with Council pursuant to section 173 of the *Planning and Environment Act 1987* which is to be registered on the title to the land. The agreement will set out a regime for the recommended or required maintenance and the obligation of the owner to comply with such recommendations and/or requirements. The owner is to pay all reasonable costs of Council in the preparation and execution of the agreement.

### Public Works

41. Prior to the commencement of development, a Public Works Plan and associated construction drawing specifications detailing the works to the land must be submitted and approved to the satisfaction of the Responsible Authority. The Plan must detail works including the stair and path to the park and include:

- a) A detailed level and feature survey.
- b) A vegetation removal plan for any vegetation outside the title boundary.
- c) Plans detailing engineering specifications and materials of the stair and bicycle ramp that connects to the public pathway to Coburg Lake Reserve.
- d) A lighting plan of the public pathway and stairway
- e) The Sydney Road footpath works including street furniture and tree planting.

The approved Public Works Plan will form part of the endorsed plans under the permit and must be implemented **under the supervision of** and to the satisfaction of the Responsible Authority at the expense of the owner of the land, prior to the occupation of the development unless otherwise agreed with prior written consent of the Responsible Authority.

42. Prior to the commencement of the development hereby permitted, an agreement under Section 173 of the Planning and Environment Act 1987 must be entered into between the Owners of the land and the Responsible Authority in a form satisfactory to the Responsible Authority providing for:
- a) Unrestricted public pedestrian and bicycle access through the landscaped community walk (park connection) between Sydney Road and Coburg Lake Reserve for 24 hours a day (365 days a year).
  - b) The owners of the land to indemnify the Moreland City Council against any claims associated with the use of the community walk (park connection) to Coburg Lake Reserve and to accept liability and responsibility for the on-going maintenance of the community walk (park connection)

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- c) The owners of the land to indemnify the Moreland City Council against any claims associated with the use of the stair connection to Coburg Lake Reserve referred to in condition 41 (Public Works Plan) for a period of one year commencing from the occupation of the development.
- d) The maintenance of the stair connection to Coburg Lake Reserve including landscaping referred to in condition 41 (Public Works Plan) by the owners of the land for a period of one year commencing from the occupation of the development.
- e) Prior to Council taking management of the stair connection (at the end of the one year commencing from the occupation of the development) the owner must either reconstruct or review the structural integrity of the asset in consultation with a suitable qualified structural engineer and undertake a geotechnical land risk assessment in accordance condition 38 (Erosion Management Overlay) to the satisfaction of the Responsible Authority.

The agreement must be registered on title. The owner must pay the reasonable costs of the Responsible Authority in relation to the preparation, execution and registration of the agreement on title.

### Expiry

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.

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.

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21 October 2016  
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A handwritten signature in blue ink, appearing to read 'D. Stewart'.

**SIGNATURE FOR THE RESPONSIBLE AUTHORITY**



Moreland City Council

## PLANNING PERMIT

**Application No.** MPS/2015/595/A  
**Planning Scheme:** Moreland Planning Scheme  
**Responsible Authority:** Moreland City Council

**ADDRESS OF LAND:** 718-724 Sydney Road, COBURG NORTH VIC 3058

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**NOTES:** These notes are for information only and do not constitute part of the conditions of this permit.

- Note 1:** Unless no permit is required under the Moreland Planning Scheme, no sign must be constructed or displayed on the land without a further planning permit.
- Note 2:** Further approvals are required from Council's City Infrastructure Department who can be contacted on 9240 1143 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 3:** Should Council impose car parking restrictions in this street, the owners and/or occupiers of the land would not be eligible for any Council parking permits to allow for on street parking.
- Note 4:** Council charges supervision (2.50%) and plan checking (0.75%) fees on the cost of constructing the drain along the easement or street as permitted by Sections 5&6 of the Subdivision (Permit and Certification Fees) Regulations 2000.
- Note 5:** Contact needs to be made with Jemena (Mr Youssef Ali - 9351 2233) to determine whether Jemena will require the power lines to be relocated away from the dwellings.
- Note 6:** Further approvals should be sought from various departments within Moreland City Council including Property, Open Space, Engineering Assets, Road Management and Transport.

### Notes about Environmental Audits:

- Note 7:** A copy of the Certificate or Statement of Environmental Audit, including the complete Environmental Audit Report must be submitted to the Responsible Authority within 7 days of issue, in accordance with Section 53ZB of the *Environment Protection Act 1970*.
- Note 8:** 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*.
- Note 9:** 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.
- Note 10:** Where a Statement of Environmental Audit issued for the land contains conditions that the Responsible Authority considers to be unreasonable in the circumstances, the Responsible Authority may seek cancellation or amendment of the planning permit in accordance with Section 87 of the *Planning and Environment Act 1987*.

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# PLANNING PERMIT

**Application No.** MPS/2015/595/A  
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**Responsible Authority:** Moreland City Council

**ADDRESS OF LAND:** 718-724 Sydney Road, COBURG NORTH VIC 3058

**Vic Roads Notes:**

- Note 11:** The proposed developer requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required for Vic Roads (the Roads Corporation). Please contact Vic Roads prior to commencing any works.
- Note 12:** The proposed development requires the construction of a crossover. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works..

**VCAT decision note:**

**This amended permit has been issued in accordance with the Victorian Civil and Administrative Tribunal’s Order P2451/2016, dated 2 August 2017.**

<b>CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?</b>
The Responsible Authority may amend this permit under Division 1A of Part 4 of the Planning and Environment Act 1987.

Date of amendment: 27-Feb-2020
Amendment Number: MPS/2015/595/A
Brief description of amendment: use of some of the dwellings as a residential building (serviced apartments), a reduction to the communal open space of 23m2, reduction in the width of the walkway by 0.5 metres, a further reduction in the car parking requirement by an additional 8 spaces and a further reduction in the bicycle parking waiver by 36 spaces external modifications including changes to the stair case at the rear and the layout of the dwellings, change to the mix of dwelling types, decreased size of the communal open space and use as serviced apartments

21 October 2016  
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**SIGNATURE FOR THE RESPONSIBLE AUTHORITY**



# PERMIT

## 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:

1. from the date specified in the permit; **or**
2. if no date is specified, from:
  - a. the date of the decision of the Victorian Civil & Administrative Tribunal, if the permit was issued at the direction of the Tribunal, **or**
  - b. 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:
  - (a) the development or any stage of it does not start within the time specified in the permit; **or**
  - (b) 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**
  - (c) 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:
  - (a) 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**
  - (b) the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if:
  - (a) the development or any stage of it does not start within the time specified in the permit; **or**
  - (b) 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**
  - (c) 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**
  - (d) 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—
  - (a) the use or development of any stage is to be taken to have started when the plan is certified; and
  - (b) 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 APPEALS?

- 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 review 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.
- 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.