This document is an incorporated document in the Greater Dandenong Planning Scheme pursuant to the Section 6(2)(j) of the Planning and Environment Act 1987
1.0 INTRODUCTION

The document is an Incorporated Document in the schedule to Clause 45.12 of the Greater Dandenong Planning Scheme (planning scheme).

The land identified in Clause 3.0 of this document may be used and developed in accordance with the specific controls and clauses contained in Clause 6.0 of this document.

The controls in this document prevail over any contrary or inconsistent provision in the planning scheme.

2.0 PURPOSE

The purpose of this incorporated document is to permit and facilitate the development of the land for ten (10) dwellings and a reduction in the car parking requirements generally in accordance with the Incorporated Plans approved consistent with Clause 6.0 of this incorporated document.

3.0 ADDRESS OF THE LAND

This document applies to the land at 27 Wilma Avenue, Dandenong (Lot 152 LP8541) that is affected by the SCO11 and as identified in Figure 1 below.

Figure 1 – Land subject to this incorporated document highlighted in red

4.0 WHAT THIS DOCUMENT ALLOWS

The proposal for the development of the land for ten (10) dwellings and a reduction in the car parking requirements, generally in accordance with plans prepared by Clarke Hopkins Clarke, dated 15 November 2019 but modified to include changes required by the clauses of this Incorporated Document:

TPO01 Location Plan (Aerial)
TP02 Site Analysis & Neighbourhood Description
TP03 Design Response
TP04 Streetscape Elevation & Site Diagram
TP06 Floor Plan – Ground Floor
TP07 Floor Plan – Level 01
and including any amendment of the plans that may be approved from time to time under the clauses of this document including Waste Management Plan, Parking Management Plan and Sustainability Management Plan. Once approved, these plans will be the Incorporated Plans.

5.0 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

Despite any provision to the contrary or any inconsistent provision in the planning scheme, no planning permit is required for, and no planning provision in the planning scheme operates to prohibit, restrict or regulate the use and development of the land for the purposes of the development.

6.0 THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT

1. Prior to the endorsement of plans, one (1) copy of amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works may be commenced until the plans have been approved and endorsed by the Responsible Authority. The plans must be in accordance with the plans referred to in Clause 4.0 but modified to show:

   a) Notations to indicate storage space areas for each apartment in accordance with the requirements of standard B44 in Clause 55.07-10 1.1.
   b) The location and title of the proposed food garden in the communal area of the site.
   c) The minimum finished floor level of the proposed lobby is required to be 28.47 metres to AHD.
   d) The minimum finished floor level of the proposed dwelling 1 is required to be 28.62 metres to AHD.
   e) The landscape plan amended to show at least one (1) advanced canopy tree with a minimum planting height of 1.5 metres within the rear secluded private open space areas of each of dwelling 4, 5 and 6.
   f) A revised Sustainability Management Plan (SMP) in accordance with Clause 2.
   g) A Parking Management Plan (PMP) in accordance with Clause 3.

When endorsed, these plans will be the Incorporated Plans and will form part of this Incorporated Document.

2. Prior to the endorsement of plans under Clause 1, a revised Sustainability Management Plan (SMP) must be submitted and approved to the satisfaction of the Responsible Authority. The revised plan must be generally in accordance with the SMP (prepared by Sustainable Development Consultants, dated 31 Oct 2019, Ref s3940) but modified to include:
a) A revised Energy and Water Efficiency section (including BESS assessment) that specifies washing machine and clothes dryer (product model) to be installed as part of the 2.1 base build, or further information that demonstrates that high efficiency appliances will be used in each dwelling as part of any tenancy agreement.

When approved, the SMP will be endorsed and will form part of the Incorporated Plans.

3. Prior to the occupation of the development, a Parking Management Plan (PMP) must be submitted to and approved to the satisfaction of the Responsible Authority. The PMP must outline the actions that will be undertaken by the site manager to ensure that resident car parking demand does not exceed supply, such as tenant selection and/or green travel initiatives.

4. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the Incorporated Plans and must not be altered or modified.

5. Except with the prior written consent of the Responsible Authority, the approved buildings must not be occupied until all buildings and works and the clauses of this Incorporated Document have been complied with.

6. The provisions, recommendations and requirements of the endorsed SMP must be implemented and complied with to the satisfaction of the Responsible Authority. The endorsed SMP must not be altered without the prior written consent of the Responsible Authority.

7. Prior to the occupation of the development, a report from the author of the SMP, approved under this endorsed plan, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the SMP have been implemented in accordance with the approved Plan.

8. The provisions, recommendations and requirements of the endorsed Waste Management Plan (WMP) must be implemented and complied with to the satisfaction of the Responsible Authority. The endorsed Waste Management Plan (WMP) must not be altered without the prior written consent of the Responsible Authority.

9. Except with the prior written consent of the Responsible Authority, floor levels shown on the Incorporated Plans must not be altered or modified.

10. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.

11. The connection of the internal drainage infrastructure to the LPD must be to the satisfaction of the Responsible Authority.

12. Collected stormwater must be retained onsite and discharged into the drainage system at pre development peak discharge rates as stated in the LPD approval letter.

13. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.

   Note all existing vehicle crossing will need to be removed and reinstate with kerb in accordance with Council Standards.

14. All boundary walls in the development must be constructed, cleaned and finished.

15. The development must be provided with external lighting capable of illuminating pedestrian access to the lobby, and vehicular access to the car parking area. Lighting must be located, directed and shielded so as to prevent any adverse effect outside the land.
16. Service units, including air conditioning/heating units, must not be located on any balcony areas or where they will be visible from any public area unless appropriately screened or integrated with the development.

17. All privacy screens and other measures to limit overlooking as shown on the Incorporated Plans must at all times be maintained to the satisfaction of the Responsible Authority.

18. All privacy screens used to limit overlooking as shown on the Incorporated Plans must be permeant, fixed and have maximum of 25 percent openings.

19. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.

20. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.

21. The landscaping shown on the Incorporated Plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.

22. Prior to the occupation of the development, the owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987, to provide for the following;

   a) Except with the prior written consent of the Responsible Authority all dwellings must, at all times, only be available as affordable housing, operated by a registered social housing provider.

   b) The ongoing management of the site in accordance with the endorsed Parking Management Plan (PMP).

Before the occupation of the development, application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act.

The owner must pay the Responsible Authority’s costs of the preparation, negotiation and execution of the section 173 agreement required by this clause; and the registration of the agreement on the title under section 181 of that Act.

7.0 EXPIRY OF INCORPORATED DOCUMENT

This Incorporated Document will expire if one of the following circumstances applies:

- The development is not started within one year of the date of the gazettal of amendment C226gdan.

The Responsible Authority may extend the periods referred to if a request is made in writing before these controls expire or within 6 months afterwards.

End of Document