

PLANNING PERMIT

GRANTED UNDER DIVISION 5 OF PART 4 OF
THE PLANNING AND ENVIRONMENT ACT 1987

Permit No.: PlnE00409/13
Planning Scheme: Casey Planning Scheme
Responsible Authority: City of Casey

ADDRESS OF THE LAND: 1350 Pound Road, Clyde North (Lot 4, PS438890U)

THE PERMIT ALLOWS: Subdivision of the land generally in accordance with the plan 'Indicative Subdivision Plan - Lot Mix Areas 1350 Pound Road, Clyde North Dwg. Ref. 1200683 ISP - BY AREA Ver. 02 by Beveridge Williams 28.02.2014' endorsed under this permit and subject to the conditions set out in this permit.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Conditions preceded with a code are sourced from the 'Growth Area Model Planning Permit Conditions: A Manual for Implementation' (GAA, October 2011).

Secondary consent provisions

- 1) **LNA_01** The layout of the subdivision as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
- 2) **AP_01** Where any plan is required under these conditions to be lodged for the approval of the responsible authority, any buildings or works carried out on the land must be carried out in accordance with the approved plan(s) to the satisfaction of the responsible authority.
- 3) **SM_01** The subdivision of the land must proceed in the order of stages shown (if any) on the endorsed plans except with the prior written consent of the responsible authority.
- 4) **LP_03** The landscaping works shown on the approved landscape plan for any stage must be carried out and completed to the satisfaction of the responsible authority prior to the issue of a Statement of Compliance for that stage or any other time agreed in writing by the responsible authority.
- 5) **LP_04** The landscaping shown on the endorsed landscape plan must be maintained to the satisfaction of the responsible authority for a period of two summers from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.
- 6) **CP_02** Unless the Council agrees under section 21(1)(b)(ii) of the *Subdivision Act 1988*, all works shown on the endorsed construction plans must be constructed or carried out in accordance with the plans before the issue of a Statement of Compliance for the relevant stage under the Subdivision Act 1988 all to the satisfaction of the responsible authority.

Matters to be completed before certification

- 7) Before any plan of subdivision is certified under the Subdivision Act 1988 for a subdivision stage adjoining Thompsons Road, a detailed engineering design of any road works on or adjacent Thompsons Road must be prepared to the satisfaction of VicRoads.

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- 8) Prior to the certification of the plan of subdivision for the first stage a Memorandum of Common Provisions (MCP) and any restrictions proposed to be included within each Plan of Subdivision to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. Once approved the MCP and restrictions will be endorsed and form part of the planning permit. The provisions of the MCP must not contradict any other restriction specified on the endorsed plan.
- 9) Prior to the certification of the plan of subdivision for each stage and prior to the registration of the MCP for the same stage, building envelopes to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. Once approved the building envelopes will be endorsed and form part of the planning permit.
- 10) Prior to the certification of the plan of subdivision for each stage, written evidence must be supplied to Council to demonstrate that the registered MCP and building envelopes contained within the registered MCP for that stage accords with the MCP endorsed under this planning permit.
- 11) **MSC_03** Before any plan of subdivision is certified under the Subdivision Act 1988, for any stage, a schedule identifying the range of lots sizes created and extent of the housing densities must be submitted to the responsible authority. The schedule must identify:
- a) the number and lot size of lots created in that stage together with the cumulative total of any lots created in previous stages having regard to the provisions of the Precinct Structure Plan; and
 - b) the housing densities in that stage and earlier stages of the subdivision.
 - c) If the permit is for a single stage of a larger subdivision of the owner's land and the owner is relying upon the provision of a higher yield in other parts of the owner's land which do not form part of the permit in order to reach the required yield across the owner's land, then the schedule must identify the anticipated yields in the balance of the owner's land.
- 12) **PIP_01** Before the plan of subdivision for the first stage is certified under the Subdivision Act 1988 a Public Infrastructure Plan (PIP) must be submitted to and approved by the responsible authority.
- PIP_02** If the permit is in respect of the first stage of what is a broader intended subdivision of land owned by the owner, the PIP must relate to the land in this permit and as far as reasonably practicable the balance of the owner's land as shown in the 'Precinct Structure Plan' (PSP) applying to the land which is identified for urban development.
- 13) **PIP_03** Once approved, the PIP must be implemented to the satisfaction of the responsible authority.
- 14) **PIP_04** The PIP must show the proposed location, type, staging and timing of delivery of all infrastructure on the land which is identified in the 'Precinct Structure Plan' (PSP) and 'Development Contributions Plan' (DCP) applying to the land, or which is otherwise reasonably required on or to the land or on any other land as a result of the subdivision of the land. Without limiting the extent of what must be shown on and in the PIP it must include the following:
- a) The extent of any storm water drainage works and road works proposed or required under this permit.
 - b) The land which is required to be set aside for infrastructure identified in the DCP or the PSP including land required for public open space and community facilities and any proposed reconciliation payment in respect of the land having regard to its value set out in the DCP.
 - c) An estimate of the extent of equalisation which is required in respect of public open space to be provided having regard to the PSP and the DCP.
 - d) Subject to the consent of the Collecting Agency, any infrastructure works set out in the DCP which can be provided "in lieu" of development contributions in accordance with the DCP.
 - e) Any other relevant matter related to the provision of infrastructure reasonably required by the responsible authority.

The PIP may be amended with the consent of the responsible authority.

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- 15) Before the certification of the plan of subdivision, a Kangaroo Management Plan must be submitted to and approved by the Secretary to the Department of Environment and Primary Industries. Once approved the plan will be endorsed by the Responsible Authority and form part of the permit.
- 16) The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the Responsible Authority.
- 17) **MSC_14** Before certification, or any other such time as agreed by the responsible authority, streets within that stage must be named to the satisfaction of the responsible authority in accordance with the Guidelines for Geographic Names 2010.

Plans for certification

- 18) The Small Lot Housing Code incorporated into the Wyndham Planning Scheme is endorsed under this planning permit.
- 19) **SM_02 inc. MSC_01** The plan(s) of subdivision submitted for certification must be in accordance with the endorsed plans but modified to show the following to the satisfaction of the responsible authority:
 - a) All existing and proposed easements and sites for existing and required utility services and roads on the land must be set aside in favour of the relevant authority for which the easement or site is to be created.
 - b) Splays at intersections for roads.
 - c) A restriction on the plan of subdivision to the effect that development must not be constructed otherwise than in accordance with the Small Lot Housing Code on the lot(s) to which it applies.
- 20) **SM_04** The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with section 8 of that Act and clause 66 of the Scheme.
- 21) **MSC_08** Utility service substations, kiosk sites and the like must not be located on any land identified as public open space or land to be used for any municipal purpose unless otherwise agreed by the responsible authority.
- 22) **US_01** The owner of the land must enter into agreements with the relevant authorities for the provision utility services such as water supply, drainage facilities, electricity, gas, telecommunication services and fibre optic conduits to each lot shown on the endorsed plan.
- 23) **US_02** Irrespective of whether the relevant water authority has entered into an agreement with the owner of the land, any plan of subdivision must contain a restriction which provides that no dwelling or commercial building may be constructed on any lot unless the building incorporates plumbing for a recycled water supply for toilet flushing and garden watering use for when it becomes available.
- 24) **[from Clause 66.01-1]** The owner of the land must enter into an agreement with:
 - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 25) Land required for public open space as a local or district park, as set out in the Clyde Creek Residential Precinct Structure Plan or the Clyde Development Contributions Plan, must be transferred to or vested in Council at no cost to Council unless the land is funded by the Clyde Development Contributions Plan or contributes to satisfaction of required provision under Clause 52.01.
- 26) Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed local road must be transferred to or vested in Council at no cost to the acquiring agency unless funded by the Clyde Development Contributions Plan.

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Matters to be completed before the commencement of works

- 27) **SiteCon_01** Before the development associated with the subdivision starts, (this requirement does not apply to bore holes and excavation associated with an environmental site assessment), an environmental site assessment of the land by a suitably qualified environmental professional must be undertaken which provides the following information:
- a) The nature of the previous and existing land use/activities on the land.
 - b) An assessment of the potential level and nature of contamination on the land.
 - c) Advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.
- 28) **SiteCon_02** If an environmental site assessment recommends an environmental audit of all or part of the land, then:
- a) before the commencement of any use for a sensitive purpose; or
 - b) before any buildings or works; or
 - c) before the certification of a plan of subdivision
- whichever is the earlier in respect of all or that part of the land as the case may, the following must be provided to the responsible authority, either:
- d) A Certificate of Environmental Audit issued for the relevant land in accordance with Part 1XD of the Environment Protection Act 1970, or
 - e) A Statement of Environmental Audit issued for the relevant land in accordance with Part 1XD of the Environment Protection Act 1970 stating that the environmental conditions of the relevant land are suitable for a sensitive use (with or without conditions on the use of the site).
- 29) **SiteCon_03** If a Statement of Environmental Audit is provided rather than a Certificate of Environmental Audit and the Statement of Environmental Audit indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 before the construction of any building on the relevant land proving for the:
- a) implementation and on-going compliance with all conditions in the Statement of Environmental Audit; and
 - b) the payment of the responsible authority's legal costs and expenses of drafting/reviewing and registering the agreement by the owner of the relevant land.
- 30) **LP_01** Before the commencement of works, a landscape master plan for the entire estate must be approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show and include:
- a) The landscaping theme and graphical concepts to be developed for the subdivision.
 - b) The type of species to be used for street tree planting in various stages of the subdivision.
 - c) The areas which will be available for landscaping.
 - d) Entrance treatments.
 - e) The principles and graphical concepts of the proposed treatment of the open space and drainage reserves; and
 - f) How any landscape requirements or guidelines within the Precinct Structure Plan are proposed to be implemented.

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- 31) **LP_02** Before the commencement of works for any stage of the subdivision, a detailed landscape plan prepared by a person suitably qualified or experienced in landscape design must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions and three copies must be provided. The plan must be consistent with any endorsed landscape master plan and must show:
- a) New plantings including their layout to be provided in any road reserves and municipal reserves.
 - b) A detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
 - c) The proposed layout, materials and finishes paths, areas of pavement, playgrounds, play items, structures and street furniture.
 - d) Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls.
 - e) Additional supporting information, such as certified structural designs or building forms.
 - f) The removal of existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds.
 - g) All proposed street-tree planting using semi-advanced trees, with minimum container size of 45 litres.
 - h) The implementation of any landscape principles and guidelines contained in the Precinct Structure Plan.
- 32) **CP_01** Except with the written consent of the responsible authority, before any road and/ or drainage works associated with the subdivision (or staged subdivision) start, detailed construction plans must be submitted to and approved by the responsible authority. If a Functional Layout Plan has been endorsed the construction plans must be generally in accordance with the approved Functional Layout Plans. When approved the construction plans 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 include:
- a) Engineering plans and specifications of the proposed works that are to become public assets such as roads, intersections, drains, bridges and the like.
 - b) Fully sealed pavements with kerb and channel (or rollover kerbs where appropriate) to dimensions generally in accordance with the relevant road cross sections in the Precinct Structure Plan applying to the land but including approximately 30% of local street cross sections (including connector streets) varying from the relevant 'standard' cross section in Appendix 4.3 of the incorporated Clyde Creek Precinct Structure Plan including through variations to:
 - i) traffic management devices;
 - ii) street tree placement;
 - iii) footpath or carriageway placement;
 - iv) create a boulevard effect;
 - v) carriageway or parking bay pavement; and
 - vi) tree outstand treatments.
- For the purposes of this requirement, changes to street tree species between or within streets do not constitute a variation. Alternative cross sections must ensure that:
- vii) Minimum required carriageway dimensions are maintained to ensure safe and efficient operation of emergency vehicles on all streets as well as buses on connector streets.
 - viii) The performance characteristics of standard cross sections as they relate to pedestrian and cycle use are maintained.
 - ix) Relevant minimum road reserve widths for the type of street (illustrated in Appendix 4.3) are maintained, unless otherwise approved by the responsible authority.
- c) Where appropriate, concrete footpaths on both sides of every road with the exception of any access lane and any other circumstance as agreed with the responsible authority.

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- d) Underground drains incorporating features to prevent litter, sediments, and oils from entering the drainage system and/or cut-off drains to intercept stormwater run-off from adjoining properties.
 - e) Temporary turnaround areas within the site for waste collection vehicles (8.8 metres in length) at the temporary dead end of any road.
 - f) Location of street lighting.
 - g) Any water sensitive urban design features.
 - h) A vehicular crossing to each lot. Unless an alternative treatment is approved by the responsible authority, crossovers on lots with frontages of 10 metres or less must abut a crossover on an abutting lot to create a combined crossover of no more than 3 metres in width (excluding splays) at the kerb.
 - i) Permanent survey marks, levelled to the Australian Height Datum and coordinated to the Australian Map Grid. (MGA Zone 55 GDA94)
 - j) Details of any cut and fill.
 - k) Details of any traffic control.
 - l) Details of any Tree Protection Zones
 - m) Vehicle crossover layout and specifications which should be designed in accordance with (insert council) Standard Drawings.
 - n) Vehicle crossovers which should be located a minimum of 1 metre from any service facilities.
 - o) Vehicle crossovers which should be offset a minimum of 6 metres from the tangent point of any side streets (refer to Australian Standards, Parking Facilities, Part 1: Off-street car parking).
 - p) Roundabouts at the intersection of two connector streets which must be designed to accommodate an ultra low floor bus (ULFB, 12.5 metres) and service vehicles through and turning movement.
 - q) Any roundabout at the intersection of local access streets which must be designed to cater for service vehicle manoeuvres.
 - r) Splays (minimum of 3m x 3m) which must be provided at all intersections of the local road network.
 - s) Splays of 2m x 2m which must be provided at the intersection with any laneway.
- 33) **DrgStrm_01** Before the commencement of works detailed drainage construction plans and specifications must be submitted to and approved by the responsible authority. The plans must be drawn to scale with dimensions and three copies must be provided. The detailed drainage construction plans and specifications must:
- a) identify all aspects of the stormwater drainage system including drainage reserves and retarding basins, wetlands, stormwater connections and outfalls and any Water Sensitive Urban Design Measures (if relevant).
 - b) incorporate features to prevent litter, sediment and oils from entering the drainage system. Such features may be suitably sized litter traps for surface rubbish, oil and sediment. These devices must be constructed within the works upstream of the outfall drain for the subdivision; and
 - c) satisfy the objectives of “Best Practice Environmental Management Guidelines” (CSIRO 199) to reduce or retain in total 80% of suspended solids, 45% phosphorus, 45% nitrogen; and 70% litter/ gross pollutants larger than 5mm” and meet the intended outcomes of Clause 56 of the planning scheme to the satisfaction of the responsible authority.
- 34) **DrgStrm_02** Before the issue of a Statement of Compliance under the Subdivision Act, 1988 the stormwater drainage must be:
- a) constructed in accordance with the stormwater drainage design approved by Council ; and
 - b) provide a legal point of stormwater discharge for each allotment
- 35) all to the satisfaction of the responsible authority and any relevant other drainage authority.

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- 36) **DrgStrm_03** Before any works associated with the subdivision start, the need for a temporary retarding basin to mitigate flows from the land or temporary outfall to Melbourne Water's drainage system before permanent drainage infrastructure is in place must be investigated and determined.
- 37) **DrgStrm_04** The responsible authority and Melbourne Water must be satisfied that the alternative interim measures are acceptable.
- 38) **DrgStrm_05** The temporary drainage works must be installed before the issue of a Statement of Compliance for the relevant stage.
- 39) Before subdivision, the construction of a building or the construction or carrying out of works on land starts, offsets for the loss or deemed loss of native vegetation and threatened species habitat must be secured in accordance with the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013) and Habitat compensation under the Biodiversity Conservation Strategy (Department of Environment and Primary Industries, 2013), to the satisfaction of the Secretary to the Department of Environment and Primary Industries.
- 40) The Salvage and Translocation Protocol for Melbourne's Growth Corridors (Melbourne Strategic Assessment) (Department of Environment and Primary Industries, 2013) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment and Primary Industries.
- 41) **SMP_01** At least seven days before any works commence a Site Management Plan for the relevant stage must be submitted to and approved by the responsible authority. When approved, the Site Management Plan will be endorsed and will then form part of the permit. The Site Management Plan must:
- a) Address occupational health and safety, traffic management, environmental controls and cultural protection measures to the satisfaction of the responsible authority.
 - b) Include the proposed route for construction vehicle access to the site including a program for the upgrade and maintenance works required along this route while works are in progress.
 - c) Include measures to reduce the impact of noise, dust and other emissions created during the construction process.
 - d) Demonstrate all environmental and cultural protection measures identified on a drawing(s) drawn to scale and prepared in accordance with Melbourne Water standards for such drawings.
 - e) Measures to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system.
 - f) Include means by which foreign material will be restricted from being deposited on public roads by vehicles associated with the building and works on the land to the satisfaction of the responsible authority.
 - g) Address any recommendations of any approved Cultural Heritage Management Plan applying to the land.
 - h) Identify the location and method of any Tree Protection Zones.
 - i) The Site Management Plan must also ensure:
 - j) All machinery bought on the site must be weed and pathogen free.
 - k) All machinery wash down, lay down and personnel rest areas must be clearly fenced and located in disturbed areas.
 - l) Contractors working on the site must be inducted into an environmental management program for construction works.
 - m) Best practice erosion and sediment control techniques must be used to protect any native flora and fauna.
 - n) Appropriate mechanisms for protecting environmental and heritage assets during the construction phase of subdivision.

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- 42) **SMP_02** All works must be carried out generally in accordance with the measures set out in the Site Management Plan approved by the responsible authority.
- 43) Before the commencement of works for any stage of subdivision a Site Management Plan that addresses bushfire risk during, and where necessary, after construction must be submitted to and approved by the CFA. The plan must specify, amongst other things:
- a) The staging of development and the likely bushfire risks at each stage;
 - b) An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed;
 - c) The measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape and protect residents and property from the threat of fire;
 - d) How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.

The plan may form part of a broader site management plan approved under this permit.

The plan must be carried out to the satisfaction of the CFA.

Conditions to be met during construction

- 44) **MSC_09** All construction activities associated with the subdivision must be carried out in such a manner so as to not create nuisance to the satisfaction of the responsible authority.
- 45) **MSC_10** The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
- a) Transport of materials, goods or commodities to and from the land.
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
- 46) **MSC_11** All green waste generated from the clearing of land during the construction phase must be mulched or transported from the site or used on site as appropriate, to the satisfaction of the responsible authority. Green waste must not be burnt on site.
- 47) **MSC_04** Any temporary vehicle turning areas provided on roads which are intended to be continued at a future time must be constructed in accordance with engineering construction plans approved by the responsible authority and then maintained to the satisfaction of the responsible authority.
- 48) **MSC_05** Unless Council agrees, the temporary vehicle turning areas must be removed and the area, together with all nature strips, footpaths and the like reinstated to the satisfaction of the responsible authority before the issue of a Statement of Compliance.
- 49) **MSC_06** If Council agrees to the temporary turning area being retained after the Statement of Compliance is issued, an agreement providing for a bond of sufficient value to cover all reinstatement works plus any contingency amount must be reached with the Council before the Statement of Compliance is issued.
- 50) **MSC_07** A sign of at least 1 square metre in area must be displayed in a prominent position near the temporary vehicle turning area while a temporary turning area is in operation advising that it is a temporary turning area only. The sign must be removed after the temporary vehicle turning area is removed.
- 51) **DrgStrm_06** Polluted drainage must be treated and/or absorbed on the lot from which it emanates to the satisfaction of the Responsible Authority.
- 52) **DrgStrm_07** Polluted drainage must not be discharged beyond the boundaries of the lot from which it emanates or into a watercourse or easement drain.

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Matters to be completed before the issue of a statement of compliance

- 53) **[from Clause 66.01-1]** Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 54) **POS_01** Before the Statement of Compliance is issued under the Subdivision Act 1988, a public open space contribution as specified in the schedule to clause 52.01 of the Scheme must be made to the responsible authority in a manner which is consistent with the Precinct Structure Plan applying to the land.
- 55) **POS_02** Before the Statement of Compliance is issued under the Subdivision Act 1988, any reserve or land set aside for public open space or any tree reserve or the like must be graded, top dressed and sown to grass to the satisfaction of the responsible authority.
- 56) **POS_03** Before the Statement of Compliance is issued under the Subdivision Act 1988, unless the information is shown in an approved Public Infrastructure Plan, a schedule of public open space must be submitted to Council showing the amount of public open space provided for each stage together with cumulative totals of any credit/balance in the amounts provided, to the satisfaction of the responsible Authority.
- 57) **DCP_01** A Development Infrastructure Levy must be paid to the Collecting Agency in accordance with the provisions of the approved Development Contributions Plan applying to the land. If there is no approved Public Infrastructure Plan or if the approved Public Infrastructure Plan does not specify a time when payments must be made, then the Development Infrastructure Levy must be paid to the Collecting Agency within the times specified in the Development Contributions Plan or if no time is specified then after certification of the relevant plan of subdivision but not more than 21 days before a Statement of Compliance is issued in respect of that plan under the Subdivision Act 1988.
- 58) **DCP_02** Where there is no approved Public Infrastructure Plan a Schedule of Development Contributions must be submitted with each stage of the plan of subdivision. This Schedule of Development Contributions must show the amount of development contributions likely to be payable for each subsequent stage and the value of the development contributions in respect of prior stages to the satisfaction of the Collecting Agency.
- 59) **SM_05** Before the issue of a Statement of Compliance, or any other time which the responsible authority agrees, the following must be provided to the responsible authority:
- a) Copies of the "as constructed" engineering roads and drainage drawings in the format of one A1 tracing per drawing. The responsible authority may determine to accept digital data as an alternative.
 - b) As constructed measurements as digital data in a GIS ready format of the information component of the subdivision relating to drainage assets and assets with the road reserve in accordance with the current version of D-SPEC and R-SPEC.
 - c) Location of any permanent survey marks
- The various road works must be maintained by the owner until this condition has been complied with.
- 60) Unless otherwise agreed by Public Transport Victoria, prior to the issue of a Statement of Compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder, as follows:
- a) Generally in the location identified by Public Transport Victoria;

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- b) In accordance with the Public Transport Guidelines for Land Use and Development with a concrete hard stand area, and in activity centres a shelter must also be constructed;
- c) Be compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002; and
- d) Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the responsible authority.

- 61) **MSC_15** Street number markers must be provided on the kerb in front of each lot to the satisfaction of the responsible authority.
- 62) **MSC_16** Lighting of roads and pedestrian/cycle paths must be designed and provided before the issue of a Statement of Compliance for the relevant stage in accordance with Australian Standard 1158.1 to the satisfaction of the responsible authority.
- 63) **MSC_17** Access to each lot created must be provided by a sealed and fully constructed road or other pavement to the satisfaction of the responsible authority.
- 64) **MSC_18** Before a Statement of Compliance is issued all land to be filled and to be used for a dwelling must be filled and compacted in accordance with Australian Standard AS 3798. The results of the tests must be produced and be to the satisfaction of the responsible authority.
- 65) **MSC_19** All filling over 300mm in depth on the site must be supervised, carried out, completed and recorded in accordance with:
 - a) the provisions of any Construction Management Plan; and
 - b) Australian Standard AS 3798 2007 (Guidelines on earthworks for commercial and residential developments) to the satisfaction of the responsible authority.
- 66) **MSC_20** Before the issue of a Statement of Compliance unless otherwise agreed in writing by the responsible authority, compaction test results and a report certifying that the filling has been properly carried out shall be provided to the satisfaction of the responsible authority.

The land must be filled in a manner that does not:

- a) cause a nuisance on nearby land through the emission of dust; or
- b) adversely affect the drainage of adjacent land through sediment and the like.
- c) affect overland flow paths.

Referral authority conditions

MELBOURNE WATER

- 67) **MW_01** Before the issue of a Statement of Compliance, the Owner must enter into an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works in accordance with the statutory powers of Melbourne Water Corporation.
- 68) **MW_02** No polluted and / or sediment laden runoff may be discharged directly or indirectly into Melbourne Water's drains or watercourses.
- 69) **MW_03** At least 21 days before the commencement of any works, a Site Management Plan detailing pollution and sediment control measures, must be submitted to Melbourne Water for its approval. The works must be carried out in accordance with the recommendations of the Site Management Plan approved by Melbourne Water.
- 70) **MW_04** All new lots must achieve an appropriate freeboard in relation to local overland flow paths to the satisfaction of the responsible authority.

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- 71) **MW_06** Unless with the consent of Melbourne Water, before a Statement of Compliance is issued, a Certified Survey Plan verifying the specified fill levels, must be submitted for approval after the completion of filling.
- 72) **MW_07** Unless with the written consent of Melbourne Water, before a Statement of Compliance is issued, a Flood Extent Plan and Overland Flow-path Plan, including flood levels and based on the certified survey plan, must be submitted to Melbourne Water for approval.
- 73) **MW_08** Before the Plan of Subdivision is certified, engineering plans of the subdivision in an electronic format must be forwarded to Melbourne Water for approval and a certified survey plan if required.
- 74) **MW_09** Before a Statement of Compliance is issued, a certified survey plan of completed works must be supplied to the satisfaction of the responsible authority and Melbourne Water.
- 75) **MW_10** The subdivision must include provision for overland flows from the upstream catchment utilising roads and/ or reserves to the satisfaction of the responsible authority.
- 76) **MW_11** Any road access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual to the satisfaction of the responsible authority.
- 77) **MW_13** Before the Certification of the Plan of Subdivision, a drainage strategy for the subdivision must be submitted in an electronic format to Melbourne Water for approval. The drainage strategy should demonstrate the proposed alignments and flows of the minor (1 in 5 year ARI) and major (1 in 100 year ARI) drainage systems.
- 78) **MW_14** Before the completion of road and drainage plans, a separate application, direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. The application must be accompanied by material demonstrating that the local municipal council for local government area considers that it is not feasible to connect to the local drainage system.

SP AUSNET

- 79) **SPAus_01** Unless an alternative time is agreed by SP Ausnet, before the issue of a Statement of Compliance the owner of the land must:
- a) Enter into an agreement with SPI Electricity Pty Ltd for supply of electricity to each lot on the endorsed plan.
 - b) Enter into an agreement with SPI Electricity Pty Ltd for the rearrangement of the existing electricity supply system.
 - c) Enter into an agreement with SPI Electricity Pty Ltd for the rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by SPI Electricity Pty Ltd.
 - d) Provide easements satisfactory to SPI Electricity Pty Ltd for the purpose of "Power Line" in favour of "Electricity Corporation" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing SPI Electricity Pty Ltd electric power lines and for any new power lines required to service lots on the endorsed plan and/ or abutting land.
 - e) Obtain for the use of SPI Electricity Pty Ltd any other easement required to service the lots.
 - f) Adjust the position of any existing SPI Electricity Pty Ltd easement required to accord with the position of the electricity line(s) as determined by survey.
 - g) Set aside on the plan of subdivision reserves for the use of SPI Electricity Pty Ltd for electric substations as appropriate.

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- h) Provide survey plans for any electric substations required by SPI Electricity Pty Ltd and for associated power lines and cables and if appropriate, execute leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. SPI Electricity Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under section 88(2) of the Transfer of Land Act 1958, before the registration of the plan of subdivision.
- i) Provide to SPI Electricity Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- j) Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by SPI Electricity Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
- k) Ensure that all necessary auditing is completed to the satisfaction of SPI Electricity Pty Ltd to allow the new network assets to be safely connected to the distribution network.

SOUTHEAST WATER

- 80) **SEW_01** Unless an alternative time is agreed by South East Water, before the issue of a Statement of Compliance the owner of the land must enter into an agreement with South East Water for the provision of water supply to the satisfaction of South East Water.
- 81) **SEW_02** Unless an alternative time is agreed by South East Water, before the issue of a Statement of Compliance the owner of the subject land must enter into an agreement with South East Water for the provision of sewerage to the satisfaction of South East Water.
- 82) **SEW_03** Unless an alternative time is agreed by South East Water, before the issue of a Statement of Compliance the owner of the subject land must enter into an agreement with South East Water for the provision of recycled water to the satisfaction of South East Water.
- 83) **SEW_04** The construction of the subdivision must comply with the provisions of any agreement between the owner and South East Water relating to the supply of water, the provision of recycled water or the provision of sewerage as appropriate. All works in relation to the supply of water, recycled water or sewerage must be completed before the issue of a Statement of Compliance unless an alternative arrangement is set out in any agreement.

CFA

- 84) **CFA_01** Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.
- 85) **CFA_02** Fire hydrants must be clearly identified as specified in the Fire Services Guideline “Identification of Street Hydrants for Fire Fighting Purposes”.
- 86) **CFA_03** Three copies of water reticulation drawings must be provided to the CFA for its comment before the approval of any engineering plans by Council or another referral authority.
- 87) **CFA_04** Emergency vehicle access must be provided to each of the allotments meeting the design requirements of the October 2006 version of the CFA Guideline “Requirements for Water Supplies and Access, for subdivisions in Residential 1 and 2 and Township Zones”.
- 88) **CFA_05** The layout of any proposed car parking spaces on near a road or emergency access way must be designed so as to not impede access of emergency vehicles.

Permit expiry

- 89) **PExp_02** This permit will expire if:
 - a) The plan of subdivision for the first stage is not certified within two years of the date of this permit; or

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- b) The plan of subdivision for the last stage of the subdivision is not certified within ten years of the date of this permit, or
- c) The registration of the last stage of the subdivision is not completed within five years of the certification of that plan of subdivision.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister administering the **Planning and Environment Act 1987** under section 96I of that Act.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

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 a 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 APPEALS?

- * Any person affected may apply for a review of -
 - a decision of the responsible authority refusing to extend the time within which any development or use is to be started or any development completed; or.
 - a decision of the responsible authority refusing to extend the time within which a plan under the **Subdivision Act 1988** is to be certified, in the case of a permit relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**; or.
 - the failure of the responsible authority to extend the time within one month after the request for extension is made.
 - * 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 Victorian Civil and Administrative Tribunal.
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