

PLANNING PERMIT

Permit No. PA21-0922
Planning scheme Casey Planning Scheme
Responsible authority City of Casey

ADDRESS OF THE LAND:

1275S Pound Road CLYDE NORTH VIC 3978 Lot C PS 846749W

THE PERMIT ALLOWS:

Use and Development of a Display Village and Land Sales Office (Temporary) Display of Advertising Signage and Reduction in Car Parking requirement

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Conditions: 1-36 and Notes (Inclusive)

Amended Plans Required

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and form part of the permit. The plans must be drawn to scale with dimensions and a digital copy must be provided. The plans must be generally in accordance with the Display Village Concept Plan Honour Village (Ref. 22344/P, Ver. G, prepared by Reeds Consulting, dated 16/02/2002), Sales Suite (Sheets No. A0.1-3, A1.1-2, A2.0-2 & A6.0, prepared by Frasers Property, dated 1/4/2021) and Berwick Waters DV3 Signage Ver. 2 (pg1-14, prepared by Frasers Property, dated March 2022) submitted with the application but amended to show:
 - (a). Dimensions of the crossovers with a single crossover to measure a minimum width of 3.5m and a double crossover to measure a minimum width of 7m.
 - (b). A notation stating that the car parking area will be provided with an all-weather sealed coat.
 - (c). A minimum of one accessible car space within the car parking area. The accessible car space including the shared area must be provided in accordance with AS/NZS 2890.6:2009 and located to the satisfaction of the responsible authority.

Landscape Plan Required

2. Before the development starts, a Landscape Plan to the satisfaction of the Responsible Authority and 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 form part of the permit. The plan must be drawn to scale, fully dimensioned and a digital copy must be provided. The plan must show:
 - (a). A survey (including botanical names, trunk location, trunk diameter and canopy spread) of all existing vegetation. The survey must clearly mark existing vegetation to be retained and removed. The survey must also include any street trees.

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- (b). Buildings and trees (including botanical names, trunk location, trunk diameter and canopy spread) on neighbouring properties where the Tree Protection Zones of such trees fall within the subject site as calculated in accordance with *Australian Standard 4970-2009* or its successor.
- (c). Details of surface finishes of pathways and driveways.
- (d). A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. All species selected must be to the satisfaction of the Responsible Authority.
- (e). Landscaping and planting within all open areas of the site including:
 - (i). A landscaping strip a minimum of 1 metres wide along the road frontage.
- (f). Landscaped areas must be planted with shrub and groundcover species capable of achieving a minimum density of at least 85 per cent coverage 12 months after planting.
- (g). Landscaping must demonstrate the use of sustainable practices and if irrigation is to be provided it must not use potable water.
- (h). Any planting within an easement must utilise species suitable for planting within easements and must have a natural growing height of no more than 5 metres.
- (i). All garden beds adjoining turf or gravel surfaces must have hard garden edging.
- (j). Trees in the following locations:
 - (i). A minimum of three canopy trees (2 metres high at the time of planting) reaching a minimum mature height of 6 metres within the site frontage.
 - (ii). Trees within the carparking area where possible.
- (k). 1200mm organic mulch diameter around any retained or proposed trees in lawn areas.
- (l). The provision of notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.
- (m). The location of any tree protection zones and protection measures including for street trees accurately drawn to scale, labelled and notations referring to any endorsed Tree Management and Protection Plan, or Arboricultural Report.

Melbourne Water Conditions

- 3. Before the endorsement of planning permit plans, amended plans must be amended to show the finished floor level height(s) of the Land Sales Office building, which must be set no lower than 600mm above the 1% AEP level associated with an existing or proposed Melbourne Water waterway, wetland or retarding basin, whichever is greater.

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4. Prior to Use of the Land Sales Office, a Certified Survey Plan (CSP) prepared by or under the supervision of a licensed land surveyor must be submitted to Melbourne Water for review and acceptance, showing levels reduced to the Australian Height Datum (AHD), demonstrating that the finished floor level height(s) of the Land Sales Office has met Melbourne Water freeboard requirements. The CSP must show 1% AEP flood levels associated with any existing or proposed Melbourne Water's asset in comparison to the finished floor level height(s) attained.
5. Prior to the commencement of buildings and works, a written statement of GAIC liability from the State Revenue Office (SRO), for where the Land Sales Office will be located, must be obtained and submitted to Melbourne Water for review and acceptance. If the statement from SRO indicates that the land bears GAIC liability then Melbourne Water will require a bank guarantee/bond (with no sunset clause) for the value of GAIC liability at the time, to be held by Melbourne Water, and will be used should a GAIC event be triggered over the length of time that the Land Sales Office remains on site.
6. Prior to the commencement of buildings and works, a Site Management Plan (SMP) detailing pollution and sediment control measures must be submitted to Melbourne Water for review and acceptance. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways. Stockpiling of fill is not permitted within land affected by 1% AEP flooding or within drainage reserve land.
7. Prior to the commencement of construction, a separate application direct to Melbourne Water's Asset Services team must be made for formal approval, before any new or modified connection is made to a Melbourne Water asset. Asset Services team can be contacted on telephone 9679 6614 or email via assetservices@melbournewater.com.au
8. The boundary interface between the Land Sales Office (and carpark) to the drainage reserve area must be adequately fenced to the satisfaction of Melbourne Water, to exclude access of users of the permitted development onto reserve areas. Melbourne Water will not fund, construct, own, or maintain the boundary fencing.

Before Development Commences

9. Prior to commencement of the development, Honour Avenue and Radiant Boulevard (a minimum of up to the access point) must be constructed.
10. Fourteen (14) days before the development starts a site-specific Environmental Management Plan (Site EMP) must be submitted to and approved by the Responsible Authority. The Site EMP must be prepared in accordance with Council's 'Site EMP Kit' to the satisfaction of the Responsible Authority. No alterations to the Site EMP may occur without the consent of the Responsible Authority. All works must be undertaken in accordance with the approved Site EMP to the satisfaction of the Responsible Authority.

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Layout Not Altered

11. The use and development as shown on the endorsed plans must not be altered or modified without the prior written consent of the responsible authority.
12. Once the development starts, the development must be carried out and completed to the satisfaction of the responsible authority.
13. The landscaping shown on the endorsed plans must be maintained in accordance with the endorsed plans to the satisfaction of the Responsible Authority. Areas shown on the endorsed plan as landscaped must not be used for any other purpose and any dead, diseased or damaged plants are to be replaced within 30 days of becoming aware of the dead, diseased or damaged plants.
14. Except where specified on the endorsed plan, no other vegetation must be removed from the land, without the prior written consent of the Responsible Authority.

Actions Before Use Commences

15. The use must not commence until, the area set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a). Constructed with an all -weather sealed coat.
 - (b). Properly formed to such levels that they can be used in accordance with the plans.
 - (c). Drained.
 - (d). Linemarked to indicate each car space and all access lanes.to the satisfaction of the responsible authority.
16. The use must not commence until the footpath link including pram crossings or ramps between the Land Sale Office, Display homes and the car parking area is constructed.
17. Before the development is occupied and/or before the use starts or by such later date with the prior written consent of the Responsible Authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

General Amenity

18. Display homes within the display village must not be used for office purposes at any time.
19. The permit holder / owner must alert prospective residential owners / occupants of the display homes of the existence of the display village and potential amenity impacts associated with living in this context.

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20. The use may only operate between the hours of 9am to 6pm daily.
21. The site must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
22. The surface of the car park area must be treated to the satisfaction of the Responsible Authority to prevent dust and the discharge of drainage causing loss of amenity to the neighbourhood.
23. Upon the termination of the use:
 - (a). The Land Sale Office located in the reserve must be removed within 30 days.
 - (b). The Drainage Reserve must be reinstated in accordance with the approved landscape plan under Planning Permit PInA00048/16.
 - (c). All advertising signs must be removed;
 - (d). The area set aside for car parking must be stripped of the hard-standing material and replaced with good quality top soil;
 - (e). Vehicle crossovers to the car park must be removed; and
 - (f). Vehicle crossovers to residential lots in place of the car park must be provided to the satisfaction of the Responsible Authority.

Signage

24. The location and details of the signage as shown on the endorsed plans must not be altered or modified without the prior written consent of the responsible authority.
25. The signage must not be illuminated by external or internal light except with the written consent of the responsible authority.
26. The signage must be constructed and maintained to the satisfaction of the responsible authority.
27. Advertising Signage must not adversely obstruct pedestrians and vehicular sight lines when entering and exiting the site.
28. Signage including directional signs must be provided in accordance with relevant Australian Standards.

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Engineering Conditions – Traffic

29. The proposed crossover must be designed in accordance with Victorian Planning Authority/Growth Areas Authority Engineering Design and Construction Manual Standards for Subdivision (Heavy Duty Vehicle Crossing) and must be located a minimum of 1.0 metre away from any service facilities. Construction must be approved by the Responsible Authority.
30. The proposed crossover must be located appropriately in accordance with the relevant Victorian Planning Authority Engineering Design and Construction Manual clearances to all proposed road infrastructure such as street trees, public lighting and telecommunications and drainage pits, etc.
31. Provide the footpath link including pram crossings or ramps to the proposed display homes and the car parking area.
32. Linemarkings, pavement markings, TGSIs (Tactile Ground Surface Indicators) and signage must be installed in accordance with relevant Australian Standards.
33. Paths, pram crossings, crossovers, access ramps and TGSIs must be installed in accordance with Disability Discrimination Act requirements and relevant Australian Standards.
34. Street lightings must be provided in accordance with the Australian Standards.
35. Lighting must be provided within the car park and driveway in accordance with Australian Standards to the satisfaction of the responsible authority.

Permit Expiry

36. This permit expires five (5) years from the issue date of this permit. This timeframe may be extended with the written consent of the responsible authority.

Note:

- Any street trees required to be removed to facilitate any crossovers will be under developer maintenance and should be negotiated direct with them.
- The Site EMP Kit is available on City of Casey's website, www.casey.vic.gov.au
In preparation of the Site EMP, the applicant must use the environmental protection measures as set out in EPA's publication 480 "Environmental Management Guidelines for Major Construction Sites" unless the applicant can demonstrate that alternative techniques can fulfil the specified site requirements.

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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**

Applicant's Name & Address: Frontlink Pty Ltd & Australand Residential No 156 Pty Limited
C/- Reeds Consulting Pty Ltd
GPO Box 2240
MELBOURNE VIC 3001

IMPORTANT INFORMATION ABOUT THIS 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**.)

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

WHEN DOES A PERMIT BEGIN?

A Permit operates:

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

WHEN DOES A PERMIT EXPIRE?

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

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of 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 the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

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